

HZ 86-568

City of Rockwall, Texas

Date: 7-25-86

APPLICATION AND
PRELIMINARY PLAT CHECKLIST

Name of Proposed Subdivision Peoples Addition - Part Four
Name of Subdivider Rockwall National Bank Assoc. Inc.
Address 2255 Ridge Rd. Phone 722-8361
Owner of Record Peoples Estates
Address " Phone "
Name of Land Planner/Surveyor/Engineer Harold L. Evans
Address 2331 Gus Thomasson Rd. #102 Phone 328-8133
Total Acreage 5.16 Ac. Current Zoning PD
No. of Lots/Units 21 Signed Bary Whaler

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

INFORMATION

Provided or Not
Shown on Plat Applicable

I. General Information

A. Vicinity map

B. Subdivision Name

C. Name of record owner, subdivider, land planner/engineer

D. Date of plat preparation, scale and north point

II. Subject Property

A. Subdivision boundary lines

B. Identification of each lot and block by number or letter

✓ _____

✓ _____

✓ _____

✓ _____

✓ _____

- C. Dimensions, names and description of all public rights-of-way, improvements, easements, parks and open spaces -- both existing and proposed. Locate and identify existing and/or proposed median openings and left turn channelization
- D. Proposed land uses, and existing and proposed zoning categories
- E. Approximate acreage
- F. Typical lot size; lot layout; smallest lot area; number of lots
- G. Building set-back lines adjacent to street
- H. Topographical information and physical features to include contours at 2' intervals, outlines of wooded areas, drainage areas and 50 and 100 year flood limit lines, if applicable
- I. Location of City limit lines, contiguous or within plat area
- J. Location and sizes of existing utilities
- K. Intended water source and sewage disposal method whether inside city limits or in extraterritorial jurisdiction

✓ _____

✓ _____

✓ _____

III. Surrounding Area

✓ _____

- A. The record owners of contiguous parcels of unsubdivided land; names and lot pattern of contiguous subdivisions; approved concept plans or preliminary plats.
- B. The approximate location, dimension and description of all existing or proposed lots and blocks, public rights-of-way and easements, parks and open spaces. Specifically indicate how the proposed improvements would relate to those in the surrounding area.

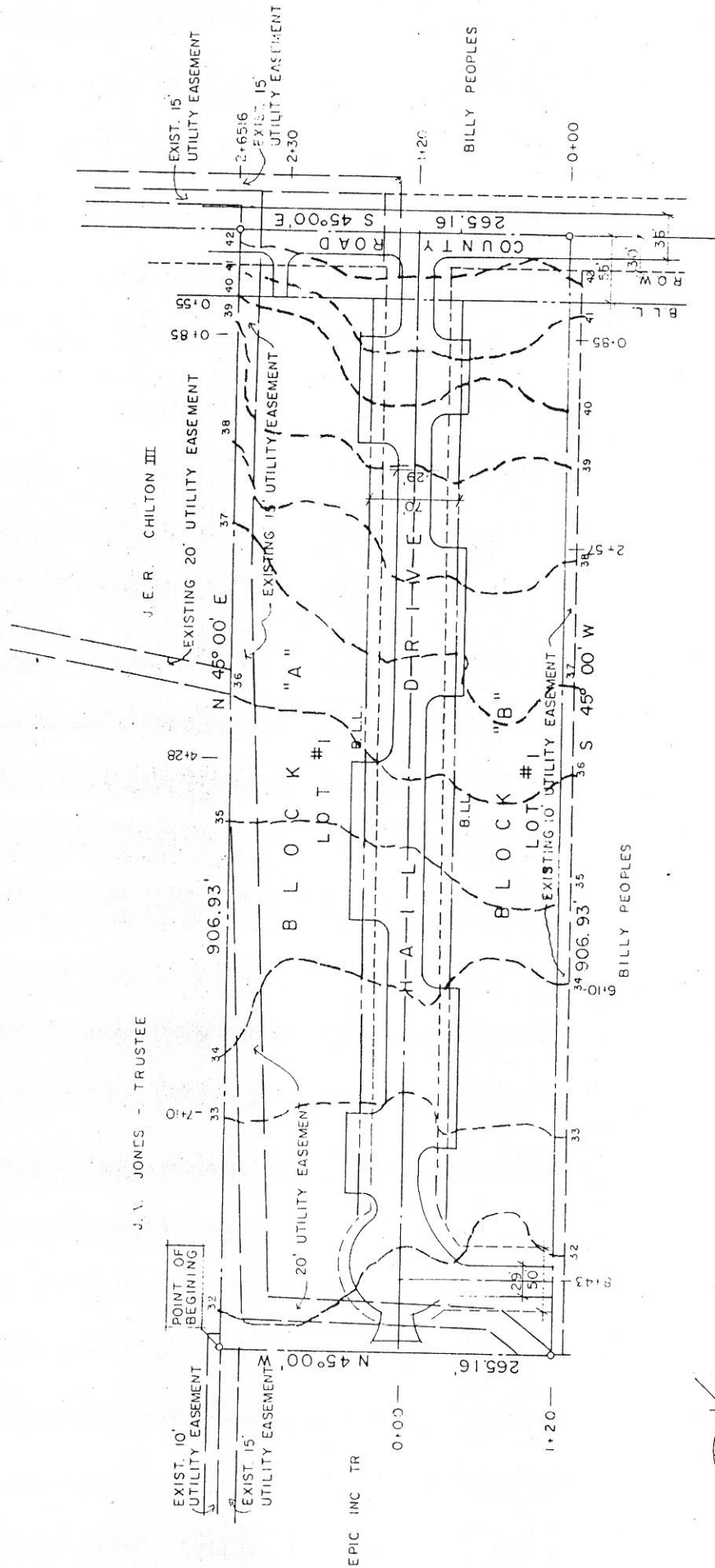
Drawn by: _____

File No. _____

Date: _____

Fee: _____

Receipt: _____

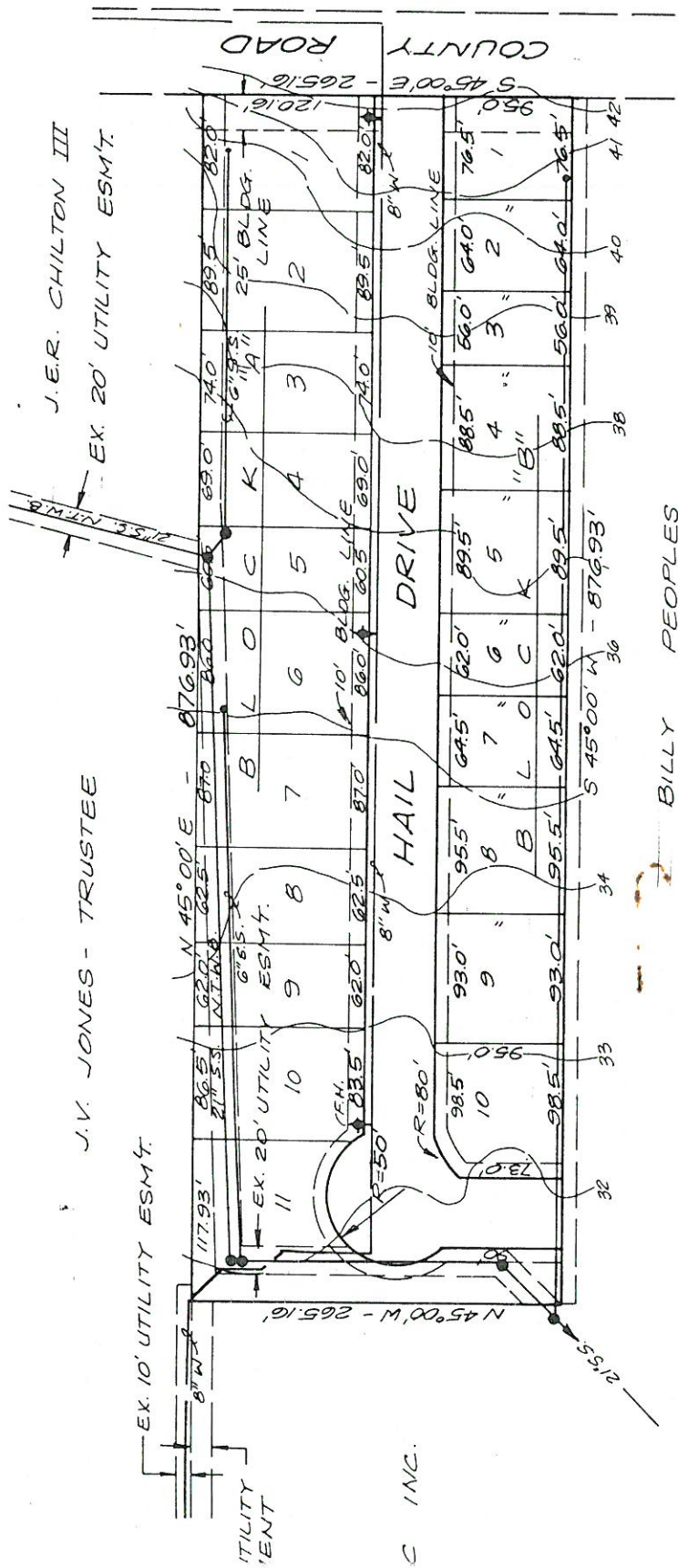


FINAL PLAT - PEOPLES ADDITION PART FOUR TO THE CITY
OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SCALE - 1" = 100'

3/9/83

U N T Y



PLAT REVIEW

 Preliminary Plat

 ✓ Final Plat

Name of Proposed Subdivision Replat Peoples add #4

Location of Proposed Subdivision TAMBO ROAD

Name of Subdivider Ind. Bank Rockwell

Date Submitted Date of Review

Total Acreage 5.16 ac. Number of Lots 21

Review Checklist

	<u>Yes</u>	<u>No</u>	<u>N/A</u>
1. Was the proper application submitted and checket? (attach copy)	<u>✓</u>	<u> </u>	<u> </u>
2. Were the proper number of copies submitted?	<u>✓</u>	<u> </u>	<u> </u>
3. Is scale 1" = 100' (Specify scale if different <u> </u>)	<u>✓</u>	<u> </u>	<u> </u>
4. Comments			

Planning and Zoning

1. What is the proposed land use?	<u>Residential</u>		
2. What is the proposed density?	<u>N/A</u>		
3. What is existing zoning?	<u>PD</u>		
4. Is the plan zoned properly?	<u>✓</u>	<u> </u>	<u> </u>
5. Does the use conform to the Land Use Plan?	<u> </u>	<u>✓</u>	<u> </u>
6. Is this project subject to the provisions of the Concept Plan Ordinance?	<u> </u>	<u> </u>	<u>✓</u>
7. Has a Concept Plan been provided and approved?	<u> </u>	<u> </u>	<u>✓</u>
8. Does the plan conform to the Master Park Plan?	<u> </u>	<u> </u>	<u>✓</u>

- | | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
|--|------------|-----------|------------|
| 9. Does plan conform to the Comprehensive Zoning Ordinance or approved "PD" Ordinance? | | | |
| a. Lot size <i>conforms only to existing building locations</i> | _____ | _____ | _____ |
| b. Building Line - <i>existing building line</i> | _____ | _____ | _____ |
| c. Parking <i>existing parking</i> | _____ | _____ | _____ |
| d. Buffering | _____ | _____ | ✓ |
| e. Site Plan | _____ | _____ | ✓ |
| f. Other | _____ | _____ | ✓ |
| 10. Has the City Planner reviewed and commented on the plan? (If so, attach copy of review.) | _____ | ✓ | _____ |
| 11. Does the plan exhibit good planning in general layout, access, and vehicular and pedestrian circulation? | ✓ | _____ | _____ |
| <i>does change parking w/ narrowing into street</i> | | | |
| 12. Comments: | | | |

Engineering

1. Streets and Traffic

- | | | | |
|---|-------|-------|-------|
| a. Does the plan conform to the Master Thoroughfare Plan? | _____ | _____ | ✓ |
| b. Is adequate right-of-way provided for any major thoroughfares or collectors? | ✓ | _____ | _____ |
| c. Is any additional right-of-way provided for all streets and alleys? | _____ | ✓ | _____ |
| d. Is any additional right-of-way required? | _____ | ✓ | _____ |
| e. Is there adequate road access to the proposed project? | ✓ | _____ | _____ |
| f. Will escrowing of funds or construction of substandard roads be required? | _____ | ✓ | _____ |

	<u>Yes</u>	<u>No</u>	<u>N/A</u>
g. Do proposed streets and alleys align with adjacent right-of-way?	_____	_____	<input checked="" type="checkbox"/>
h. Do the streets and alleys conform to City regulations and specifications?	<input checked="" type="checkbox"/>	_____	_____
i. Comments <i>with exception of parking adjacent to street</i>	_____	_____	_____

2. Utilities

a. Does the Plan conform to the Master Utility Plan?	<input checked="" type="checkbox"/>	_____	_____
b. Are all lines sized adequately to handle development?	<input checked="" type="checkbox"/>	_____	_____
1. Water	<input checked="" type="checkbox"/>	_____	_____
2. Sewer	_____	_____	_____
c. Is additional line size needed to handle future development?	_____	<input checked="" type="checkbox"/>	_____
1. Water	_____	<input checked="" type="checkbox"/>	_____
2. Sewer	_____	<input checked="" type="checkbox"/>	_____
d. Is there adequate capacity in sewer outfall mains, treatment plants and water transmission lines to handle the proposed development?	<input checked="" type="checkbox"/>	_____	_____
e. Are all necessary easements provided?	<input checked="" type="checkbox"/>	_____	_____
f. Do all easements have adequate access?	<input checked="" type="checkbox"/>	_____	_____
g. Are any offsite easements required?	_____	<input checked="" type="checkbox"/>	_____
h. Have all appropriate agencies reviewed and approved plans?	_____	_____	_____
1. Electric	_____	_____	<input checked="" type="checkbox"/>
2. Gas	_____	_____	<input checked="" type="checkbox"/>
3. Telephone	_____	_____	<input checked="" type="checkbox"/>
i. Does the drainage conform to City regulations and specifications?	_____	_____	<input checked="" type="checkbox"/>
j. Do the water and sewer plans conform to City regulations and specifications?	<input checked="" type="checkbox"/>	_____	_____

k. Comments:

Yes No N/A

General Requirements

1. Has the City Engineer reviewed and approved the plan?
2. Does the final plat conform to the City's Flood Plain Regulations?
3. Does the final plat conform to the preliminary plat as approved?
4. Staff Comments:

_____	<u>✓</u>	_____
_____	_____	<u>✓</u>
_____	_____	<u>✓</u>

Time Spent on Review

<u>Name</u>	<u>Date</u>	<u>Time Spent (hours)</u>
<u>Julie Lord</u>	_____	<u>45 minutes</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



№ 4625

(214) 722-1111
Metro 226-7885

Cash Receipt

Name:

Date _____

Mailing Address

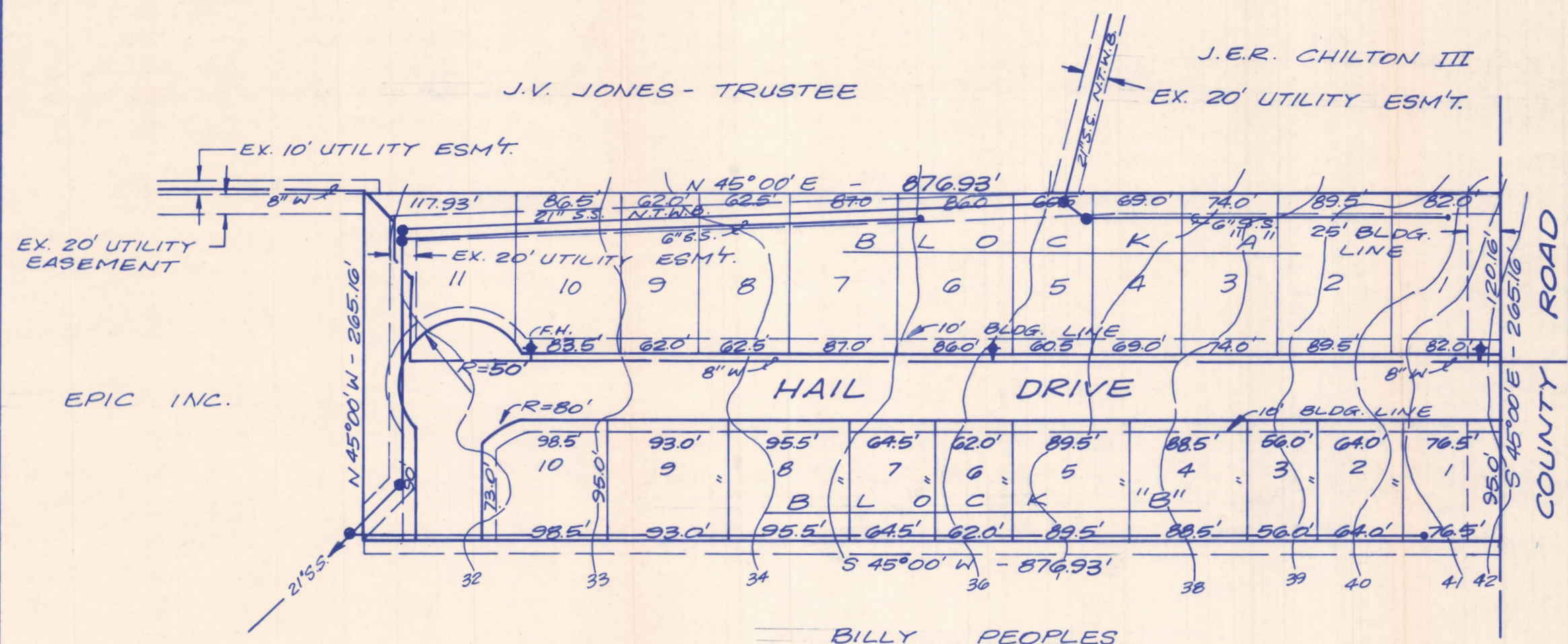
Job Address

Permit No.

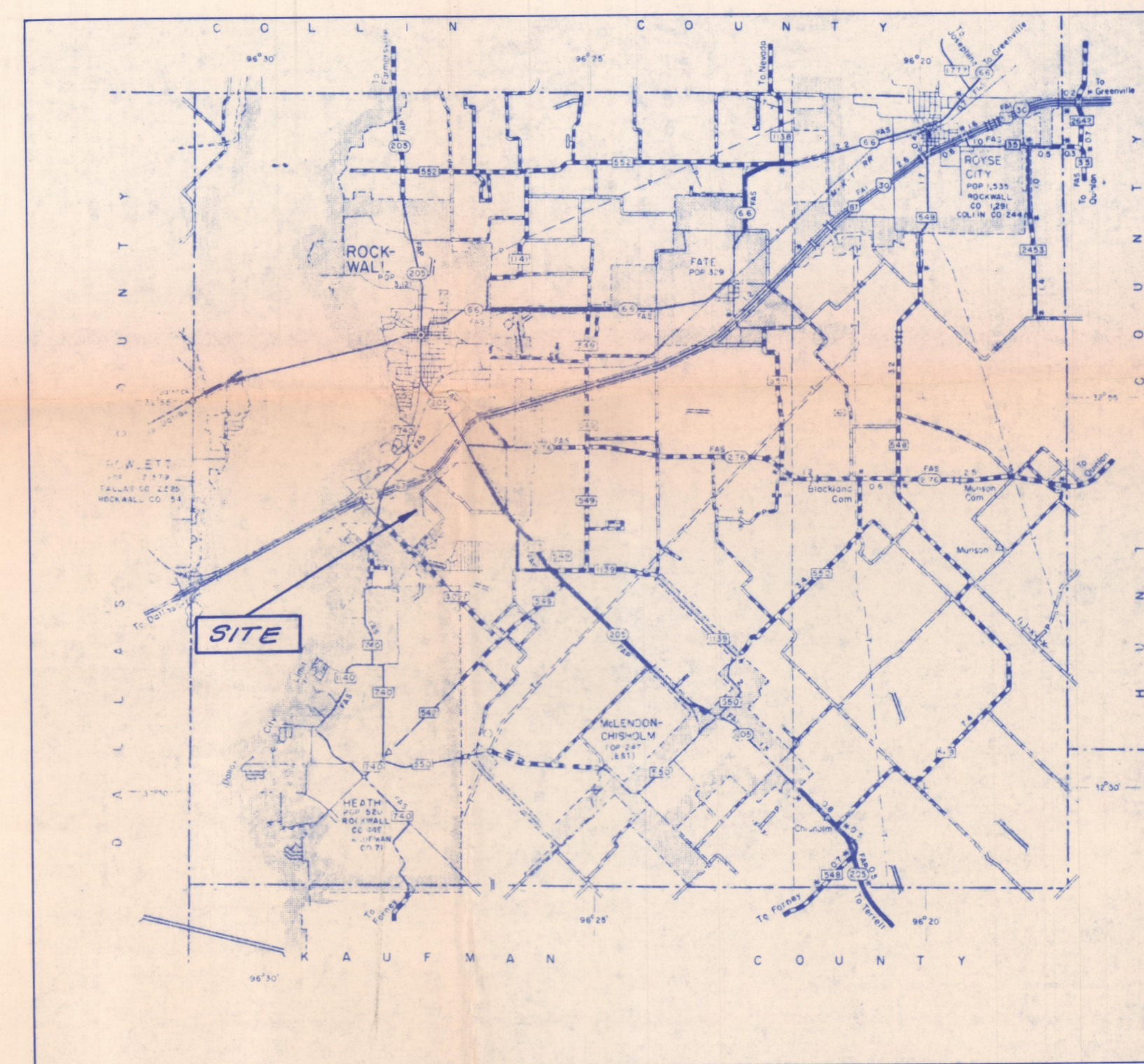
Check

Cash ☐Other ☐

General Fund Revenue 01				W & S Fund Revenue 02			
DESCRIPTION	Acct. Code	Amount		DESCRIPTION	Acct. Code	Amount	
General Sales Tax	00-00-3201			RCH	00-00-3211		
Beverage Tax	00-00-3204			Blackland	00-00-3214		
Building Permit	00-00-3601			Water Tap	00-00-3311		
Fence Permit	00-00-3602			10% Fee	00-00-3311		
Electrical Permit	00-00-3604			Sewer Tap	00-00-3314		
Plumbing Permit	00-00-3607			Reconnect Fees	00-00-3318		
Mechanical Permit	00-00-3610			Water Availability	33-00-3835		
Zoning, Planning, Board of Adj.	00-00-3616			Sewer Availability	34-00-3836		
<u>Subdivision Plats</u>	00-00-3619	8800		Meter Deposit	00-00-2201		
Sign Permits	00-00-3628			Portable Meter Deposit	00-00-2202		
Health Permits	00-00-3631			Misc. Income	00-00-3819		
Garage Sales	00-00-3625			Extra Trash	00-00-1129		
Misc. Permits	00-00-3625			Check Charge	00-00-3819		
Misc. License	00-00-3613			NSF Check	00-00-1128		
Misc. Income	00-00-3819						
Sale of Supplies	00-00-3807						
TOTAL GENERAL				TOTAL WATER			
TOTAL DUE		88.00		Received by			



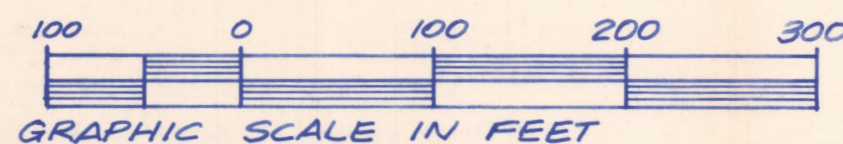
BILLY PEOPLES



AREA..... 5.1569 AC.
 NUMBER OF LOTS..... 21
 LOT COVERAGE.... 5,500 - 8,500 (AVE.)
 (S.F.)

NOTE : UTILITIES, ESM'TS., STREET & BLDG.
 LINES ARE EXISTING.

OWNER : ROCKWALL NATIONAL BANK ASSOC. INC.
 2255 RIDGE ROAD
 ROCKWALL, TEXAS 75087



RE-PLAT LOT #1 BLOCK "A & B" SLIDE B PG. 53

HAROLD L. EVANS
 CONSULTING ENGINEER
 2331 GUS THOMASSON RD. SUITE 102
 DALLAS, TEXAS 75228
 PHONE (214) 328-8133

SCALE	DATE	JOB NO.
1" = 100'	7-25-86	83153

PRELIMINARY PLAT
PEOPLES ADDITION - PART FOUR
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS, The Meadows, Limited is the owner of a tract of land situated in the E. P. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas and being that 5.52 acre tract of land called Peoples Addition Part Four as recorded in Slide B, Page 53, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at the West corner of said tract of land;

THENCE: North 45° 00' East, a distance of 906.93 feet along the North line of said tract to an iron rod in the center line of a county road;

THENCE: South 45° 00' East, a distance of 265.16 feet along the center line of said county road to an iron rod for the East corner;

THENCE: South 45° 00' West a distance of 906.93 feet along the East line of said tract to an iron rod for the South corner;

THENCE: North 45° 00' West, a distance of 265.16 feet to the Point of Beginning containing 5.52 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, THE MEADOWS, LIMITED does hereby adopt this plat designating the herein above described property as THE MEADOWS an addition to the City of Rockwall, Rockwall County, Texas, also being a re-plat of said tract of land called Peoples Addition Part Four, and hereby dedicated to the public use forever the streets shown thereon, and does hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance, or efficiency of their respective system on any of these easement strips; and any public utility shall have the right of ingress or egress to from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in this subdivision.

No house, dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until such time as the developer has complied with all requirements of the Platting Ordinance of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, drainage structures, and storm sewers, all according to the specifications of the City of Rockwall.

It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability of water for personal use and fire protection within such plat, as required under Ordinance 83-54.

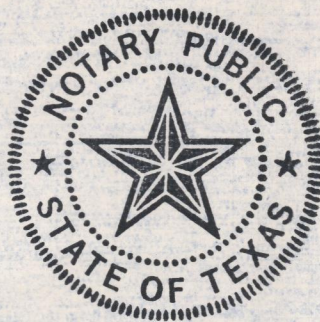
The approval and filing of this addition as THE MEADOWS shall vacate the original plat Peoples Addition Part Four which shall be null and void.

WITNESS MY HAND, at DALLAS, Texas, this the 13th day of NOVEMBER, 1986.

STATE OF TEXAS
COUNTY OF DallasTHE MEADOWS LIMITED Ross Wilcox

This instrument was acknowledged before me on the 13th day of November, 1986, by Ross Wilcox.

Rita Whitman
Notary Public
Commission Expires 11-12-89

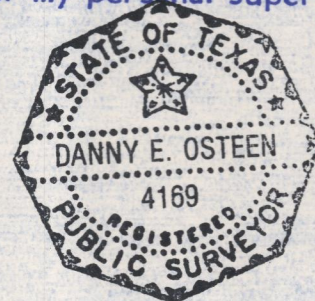


SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

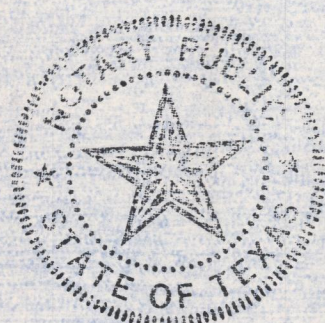
THAT I, Donny E. Osteen, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Donny E. Osteen
Donny E. Osteen, Registered Public Surveyor No. 4169

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on the 13 day of November, 1986, by Donny E. Osteen.

Ray Whitte
Notary Public
Commission Expires 5-26-89



RECOMMENDED FOR FINAL APPROVAL

William E. ...
City Manager
APPROVED
Chairman, Planning and Zoning Commission

December 2 1986
Date
12/11/86
Date

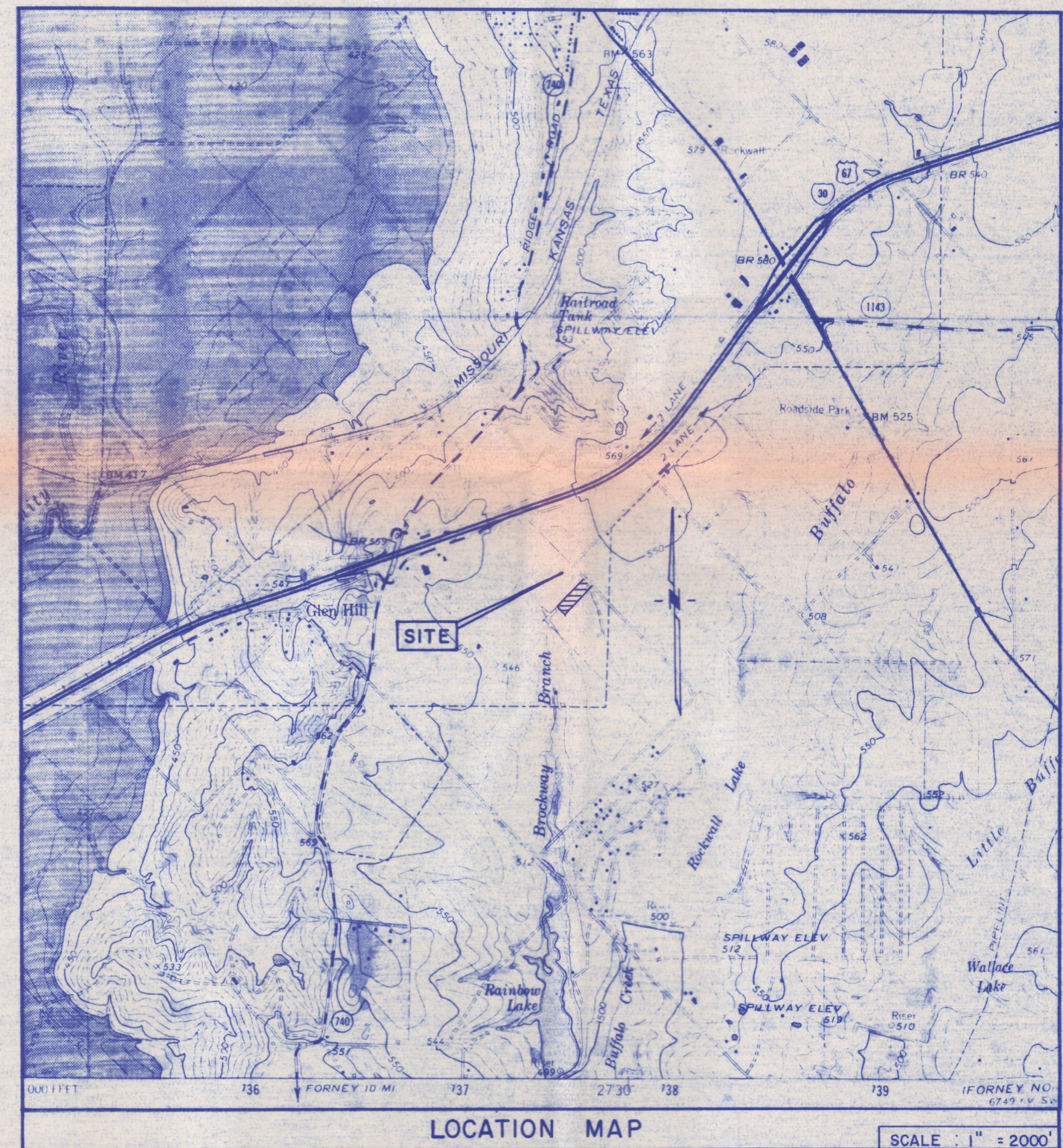
I hereby certify that the above and foregoing plat of THE MEADOWS, an addition to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the day of October, 1986.

Mayor, City of Rockwall



City Secretary, City of Rockwall

This approval shall be invalid unless the approval Plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within thirty (120) days from said date of final approval.



"FINAL PLAT"

2/2

HAROLD L. EVANS
CONSULTING ENGINEER

2331 GUS THOMASSON RD. SUITE 102
DALLAS, TEXAS 75228
PHONE (214) 328-8133

SCALE	DATE	JOB NO.
NONE	NOV. 12, 1986	8627-A

REF: 83153

THE MEADOWS

A RE-PLAT OF PEOPLES ADDITION - PART FOUR

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

THE MEADOWS, LIMITED
2255 RIDGE ROADOWNER
ROCKWALL, TEXAS 75087

September 8, 1986

Harold L. Evans, P.E.

City of Rockwall

Rockwall, Texas

Re: The Meadows Subdivision Re-plat to Sub-divide lots. Hail Drive, Rockwall, Texas.

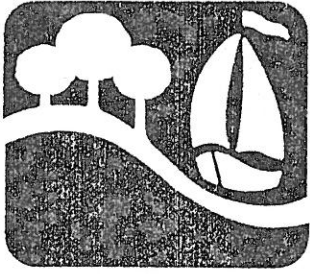
Owners of this property have delegated our firm to respond to the concerns and requests by the City regarding certain areas of concern prior to approval of the Sub-dividing of this property.

Items:

1. The lot lines which divide the property are placed one half distance between existing structures. Clearance between the buildings are variable with minimum clearance of 15' - 2" and maximum clearance 35' - 4". The distances meet the City ordinance for clearance between dwelling units.
2. Lot line depth are 120 feet on the Northerly side and 95 feet on the Southerly side.
3. Lot lines extend from the rear property line to the front right-of-way line, which is a 50 foot street and utility easement, dedicated to the City in 1983.
4. Lot lines divide existing parking areas which is common use property by Deed restriction but owned by those respective lot owners.
5. Any property outside the street and utility not within the property lines is also common use property by Deed restriction.
6. A Home Owners Association will be established to be responsible for maintenance outside those limits of the 30 foot street pavement. Dues will be assessed against those property owners which will pay for maintenance of common use property.
7. The Deed restrictions will be the instrument which will enforce grounds maintenance. Should property within the subdivision be neglected or allowed to deteriorate, the Deed restrictions will levy a charge against the property to cover corrective costs.
8. Upon approval of the subdividing request, the Joint Venture will proceed with vacation of the existing plat.


By: Van R. Hall, P.E.

For: Harold L. Evans and Associates
Consulting Civil Engineers and
Applicant Representative



CITY OF ROCKWALL

"THE NEW HORIZON"

TO: Barry-Wheeler, Rockwall National Bank, Assoc.

FROM: Mary Nichols, Administrative Aide

RE: P&Z Case No. 86-56-P

On September 11, 1986 the Rockwall Planning and Zoning Commission recommended approved of your request for approval vacation of and a replat for the Peoples Addition Part IV on Tabbs Road South of I-30

The Rockwall City Council will (hold a public hearing and consider approval) (consider approval) of your request on October 6, 1986 beginning at 7:30 P.M. at the City Hall, 205 West Rusk. If you have any questions regarding this matter or the meeting schedule, please do not hesitate to call.

Mary Nichols

MEMORANDUM

October 8, 1986

TO: Barry Wheeler
Rockwall National Bank Associates, Inc.

FROM: Mary Nichols, Administrative Aide *mn*

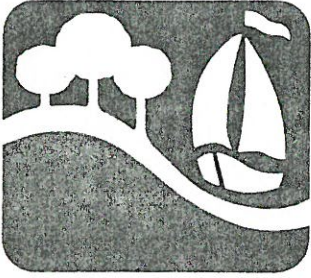
RE: Case No. P&Z 86-56-FP

On October 6, 1986, your request for approval of a vacation and replat for the Peoples' Addition Part IV came before the Rockwall City Council. Due to a conflict of interest on the part of two Council members and the absence of two members, the Council was left without a quorum and was, therefore, unable to hear your request.

This case has been rescheduled and will be heard by Council on October 20, 1986, at City Hall, 205 West Rusk at 7:30 P.M.

Please feel free to call should you have any questions.

CC: Harold Evans
Consulting Engineers



CITY OF ROCKWALL

"THE NEW HORIZON"

October 22, 1986

Mr. Van Hall
Harold Evans and Associates
P. O. Box 28355
Dallas, Texas 75228

Dear Van:

On ~~November~~ ^{October} 20th the Rockwall City Council approved your request for a vacation of and replat for the Peoples Addition, Part IV.

Please provide revised deed restrictions clearly defining common areas as this was a stipulation upon approval. In addition, I will need twelve signed blue-line copies and two signed mylars of the approved vacation and replat.

Please feel free to call if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

MN/mmp

V. Consider Approval of a Replat for the Peoples Addition
Part Four Located on Tubbs Road South of I-30

The current owners of the subdivision known as the Peoples Addition Part Four is the Rockwall National Bank. This site is the original location for a 36 unit Housing Authority project located on Tubbs Road south of I-30. Several years ago the Housing Authority project was foreclosed on by the bank and was taken over. The bank has since converted the duplexes into individually owned and metered units, and is proposing to replat the current one lot subdivision into individual lots for each unit. There will be common walls along property lines where the property line splits a duplex. You will notice some unusual varying lot widths. These are based on the actual locations of the duplexes as they exist today. One question that has developed on this proposal is that they are proposing to dedicate Hail Drive to the City as a public street rather than maintaining it as a private drive as it was built. We are still reviewing this proposal and will have a definite recommendation on it for you at the meeting Tuesday night.

The the property on which this development is located is currently zoned Planned Development.

Agenda Notes

P&Z - 8/28/86

- III. Consider Approval of a Replat for the Peoples Addition,
Part Four Located on Tubbs Road South of I-30

Ross Wilcox with Rockwall Bank should be here to explain what they want to do with the Peoples Addition Part Four replat.

- IV. Consider Approval of a Revision in th Site Plan on a
Proposed Office/Retail Development on a 3.3 Acre Tract
Regarding the Required Buffer

If you will recall, at the last meeting the Planning and Zoning Commission approved a site plan for Mr. Burks using a 6 ft. brick wall along the alley between the homes along Alta Vista and their property. As a part of that approval the Commission put a stipulation on the motion that the fence be moved back 5 ft. and that 5 ft. be dedicated to the City to give us a total of 20 ft. of right-of-way. After the meeting the architect and property owner reviewed the physical site and now believe that they would prefer using a combination berm and planting along this area rather than a brick wall. They believe this will look much better than a brick wall while still meeting the screening requirement.

They are now proposing to construct a combination berm and planting to provide the screen. They propose that the berm be located in the five feet proposed for dedication. Attached you will find a drawing showing their proposal. After reviewing their proposal, we would not recommend that the five feet be dedicated to the City if the plan is approved. If this is built there is little likelihood we would ever widen the alley.

They have asked to be able to come back to the Commission at the Work Session rather than wait until the next meeting. After visiting with Chairman Smith we agreed to put them on this Agenda for several reasons. First, it met the basic criteria of being something the Commission has already reviewed. In addition, the public hearing o the zoning case before Council is scheduled for September 8th. If the Commission approves this change, any interested property owners who may attend will be able to see the entire proposal.

Agenda Notes
P&Z - 9/9/86

IV. C. P&Z 86-56-P - Consider Approval of Vacation and
a Replat for the Peoples Addition Part IV on
Tubbs Road South of I-30

Action Needed: Approval or Denial of vacation and replat

At the Work Session the Commission denied this item and asked the applicant to return with proposed deed restrictions in order to protect the City and to ensure ongoing maintenance of the property. The Engineers have prepared a list of items that they would propose to include in a set of deed restrictions. They are proposing that all property owners will be required to participate in the cost of maintenance of all common area and parking areas. The parking areas are proposed to be designated common area under the deed restrictions. The deed restrictions as proposed would also require maintenance of the individual lots and could be enforceable by the other property owners.

Some other concerns expressed by the Commission dealt with the creation of substandard lots and liability to the City. The buildings as constructed will meet the City's side setback requirement even with the proposed new lot lines. The lot depths which are already established by the first plat are 95 feet and 120 feet. Our current minimum is 100 feet. Creation of additional lots will not change the existing lot depths. The front setback is 10 feet and again is also already established by the existing plat and buildings. This would not change with this new plat. The minimum lot width under standard zoning would be 60 feet. All but one lot contains 60 feet of frontage. The minimum lot area is 7,000 sq. ft. The majority of the lots in Block B and some of the lots in Block A do not meet this minimum. However, the Commission under PD zoning has the authority to grant any area requirements and, if approved, they are not classified as substandard. Our Attorney does not believe the City would incur any liability in approving these lots.

Attached is a copy of the existing plat and the proposed plat, and a copy of the letter from Van Hall. They propose to have deed restrictions prepared in accordance with these conditions if approved by the Commission and Council. If that is a condition of approval, the Commission could require that the actual deed restrictions be prepared prior to submission to Council, prior to the City filing the

plat, or submitted back to Planning and Zoning Commission before going on to Council.

was only proposing a 10 ft. wide drive, he was providing a 24 ft. access easement that would be developed in accordance with City requirements when he developed that portion of the property.

The Commission discussed the water and sewer requirements and location of an existing and proposed line.

Seligman made a motion to approve the request with the condition that water and sewer requirements would be met and that the 10 ft. width of the drive would be made 24 ft. as the front portion of the property is developed. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a request from Frates Corporation for a final plat on Chandlers Landing, Phase 15.

Van Hall, Consulting Engineer, explained the changes and improvements made in the plat. He added that the engineering was complete and he did not anticipate any problems or objections.

Seligman made a motion to approve the final plat. Plagens seconded the motion. The motion was voted on and passed unanimously.

[The Commission then considered approval of vacation and replat for the People's Addition Part IV on Tubbs Road south of I-30.

Couch addressed some of the Commission's previous questions including liability, maintenance, and setback requirements.

Smith clarified the filing process for deed restrictions.

McCall reconfirmed that small lots would not pose a problem.

Seligman made a motion to approve the vacation and replat subject to deed restrictions being filed prior to the City's filing the plat. Plagens seconded the motion. The motion was voted on and passed unanimously.]

As there were no more actions required by the Commission, the meeting was adjourned at 9:25 P.M.

APPROVED:

ATTEST:

Chairman

BY: _____

Agenda Notes
City Council - 10/6/86

P&Z 86-56-FP - Consider Approval of a Vacation of and Replat for the Peoples Addition Part IV on Tubbs Road South of I-30

The current owner of the Meadows located on Tubbs Road south of I-30 has submitted a request to replat the property from a 2-lot subdivision to a 17-lot subdivision. This is the development originally started as a housing authority project a number of years ago. The project has 36 housing units contained in duplexes, several triplexes, and one single family unit. The project went under and the Rockwall Bank took it over. They have formed a joint venture that now owns the project. They have completed the development and it is now occupied.

The Bank, as we understand it, has a financial problem that needs to be resolved by platting each building into a separate lot and therefore being able to sell each lot to a single investor. They have technically exceeded their loan limit with one loan for the entire project to the joint venture.

Physically the plat changes nothing, except arbitrarily dividing the existing development into single lots. The road exists, the parking exists, and the buildings are all built. The Planning and Zoning Commission had several concerns with the proposal that included maintenance of the common parking spaces and other common areas as well as maintenance of the individual lots if they are individually owned. The Bank has proposed some deed restrictions that will address maintenance and access. They are proposing that all property owners will be required to participate in the cost of maintenance of all common areas and parking areas. The parking areas are proposed to be designated common area under the deed restrictions. The deed restrictions as proposed would also require maintenance of the individual lots and could be enforceable by the other property owners.

Some other concerns expressed by the Commission dealt with the creation of substandard lots and liability to the City. The buildings as constructed will meet the City's side setback requirement even with the proposed new lot lines. The lot depths which are already established by the first plat are 95 feet and 120 feet. Our current minimum is 100 feet. Creation of additional lots will not change the existing lot depths. The front setback is 10 feet and again is also already established by the existing plat and buildings. This would not change with this new plat. The minimum lot width under standard zoning would be 60 feet. All but one lot contains 60 feet of frontage. The minimum

lot area is 7,000 sq. ft. The majority of the lots in Block B and some of the lots in Block A do not meet this minimum,. However, the Council under PD zoning has the authority to grant any area requirements and, if approved, they are not classified as substandard. Our Attorney does not believe the City would incur any liability in approving these lots.

Attached is a copy of the existing plat and the proposed plat, and a copy of the letter from Van Hall. They propose to have deed restrictions prepared in accordance with these conditions if approved by the Council.

The Planning and Zoning Commission has recommended approval subject to deed restrictions in accordance with these requirements being submitted and approved by the City prior to filing the replat.

Agenda Notes

City Council - 10/20/86

- IV. B. P&Z 86-56-FP- Consider Approval of a Vacation of and Replat for the Peoples Addition Part IV on Tubbs Road South of I-30

The Council could not act on this item at the last meeting due to lack of a quorum. We have attached the notes and a copy of the plat from last meeting.

10/20/86

Peoples Addition
Minutes of 10/20/86

Eisen stated that he felt like the compromise was reasonable and would be in the City's best interest. Fox stated that although the retention may not have been a good idea, the Post Office should be required to help alleviate the drainage problem. He added that Rockwall shouldn't back away from requirements just because the City of Bedford lost their court case with the Postal Service.

Miller confirmed with Staff that a five foot dedication had been provided for. He then clarified with Hennessey that a sidewalk existed and would remain on Goliad and another would be added on Boydstun. Welborn suggested that these stipulations could be contingent to approval in the motion. Miller stated that he wouldn't be ready to make a motion until the following conditions were met: a sidewalk on Fannin, the required dedication, irrigation for landscaped areas, curb and gutters, and the omission of the water retention in the parking lot.

Hennessey explained that irrigation would be difficult to get approved. Bullock, Jones, and Fox stated agreement with Miller's suggested requirements. Eisen explained that the Post Office was prohibited from doing off site improvements. Fox asked if the Post Office had ever in the past participated in improvements. Hennessey and Eisen both indicated they were not aware of any such occasion. Holt stated her agreement with Miller and added that irrigation was a requirement by ordinance. Welborn reminded Council of Jim Goodram's statement at the previous meeting that a lawn care service would be responsible for maintenance and watering. She added that regarding the drainage, she would be willing to trade \$40,000 in curb and gutter for \$15,000 in drainage improvements that would have to be done anyway as the problem already existed. Holt stated that Goodram had also said the lawn service would only be contracted for a year.

Bullock said that Council had made previous progress through protest and he, therefore, made a motion to table the request. Jones confirmed with Staff that the existing drainage problem was being addressed by the City. Miller seconded the motion. The motion was voted on and passed five to one, with Welborn voting against and Tuttle out of the room.

[Council then considered approval of a vacation of and replat for the Peoples Addition Part IV on Tubbs Road south of I-30. At this time Tuttle resumed the chair. Holt and Miller abstained due to a conflict of interest and left the room.

Van Hall, Consulting Engineer, addressed Council and explained his request to divide the property into 21 lots so they could be sold to individual owners. Jones asked if the 21 lots would meet minimum lot size requirements. Couch stated that they would not, but as this was in a planned development Council had the authority to grant approval of less than standard lot sizes.

Fox stated that he didn't feel Council was responsible for getting the bank off the hook. Fox added that the lots were too small, too close to the street and each other, and certain ones should be sold in sets of two.

Hall pointed out common areas that would be maintained by the community association. Couch stated that this was originally public housing and that the City agreed to put in the public street. She added that the parking existed and would be apportioned. Eisen explained that with or without approval of the plat, the same situation would exist. Couch told Council that the Planning and Zoning Commission had also been concerned with parking and had looked at the situation on two or three occasions.

There was some discussion as to whether or not the City Attorney had reviewed the deed restrictions. Eckert stated that he did recall looking over the deed restrictions and recommended clarification of common areas. Tuttle confirmed the street width with Staff. Fox stated he felt that the lots with no parking should be sold to one owner. Welborn said that Council couldn't dictate how the lots were sold.

Welborn then made a motion to approve the request subject to deed restrictions attached to and made a part of the plat as well as filed for record along with the plat, that property owners be responsible for maintenance of all common areas, including parking areas, that deed restrictions require maintenance of individual lots and all covenants be enforceable by other property owners. Jones seconded the motion. The motion was voted on and passed three to two, with Fox and Bullock voting against the motion.]

Council then considered approval of an ordinance prescribing areas for "smoking" and "no-smoking" in retail and service establishments, food service establishments and certain other areas of the City. Couch read the ordinance caption. Council discussed at length smoking areas in government offices and the minimum number of seats in a restaurant before being subject to the requirement for a "no-smoking" area.

PLANNING AND ZONING ACTION SHEET

Applicant Rockwall National Bank Case No. P+Z 86-56-P
 Property Description The Meadows/Peoples Part IV
 Case Subject Matter Replat

CASE ACTION

Approved Disapproved Tabled
 Date to P&Z 8/19, 8/28 X
 Conditions Approved 9/11/86

Date to City Council 10/6/86 X
 Conditions Tabled 10/6 due to lack of quorum
Approved 10/20/86

Ordinance no. Date November 14, 1986

ITEMS IN FILE

Zoning Cases

 Application
 Site Plan
 Filing Fee
 Notice to Paper
 Notice to Residents
 List of Residents Notified
 Residents' Responses
 Consultant's Review
 Agenda Notes
 Minutes
 Ordinance
 Correspondence

Plat/Site Plan Cases

✓ Application
✓ Filing Fee
✓ Plat/Plan
N/A Engineer's Review
N/A Consultant's Review
✓ Agenda Notes
✓ Minutes
✓ Correspondence

B353+354 County File Number