

CITY OF ROCKWALL
102 East Washington
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 87-1-2 Filing Fee N/A Date April 29, 1987
Applicant _____ Phone _____
Mailing Address _____

LEGAL DESCRIPTION OF PROPERTY SOUGHT TO BE REZONED: (if additional space is needed for description, the description may be put on a separate sheet and attached hereto.)

N/A

I hereby request that the above described property be changed from its present zoning which is PD-19

PD for Patio Home Lots District Classification
to _____ District Classification
for the following reasons: (~~attach separate sheet~~ if necessary)

Pursuant to the Planning Commission's request, the proposed zoning is tendered to bring the 4.047 acres into closer conformity with the adopted Comprehensive Plan of the City of Rockwall.

There (Are) deed restrictions pertaining to the intended use of the property.
(Are Not)

Status of Applicant: Owner _____ Tenant _____ Prospective Purchaser _____

I have attached hereto as Exhibit "A" a plat showing the property which is the subject of this requested zoning change and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

Signed _____

NOTE: The legal description is used to publish notice of the required hearing and in the preparation of the final ordinance granting the zoning change. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

(The following Certificate may be used by the applicant to give notice to the City of the sufficiency of the legal description, however, the same is not a requirement of the Application.)

CERTIFICATE

I hereby certify that I have checked the legal description of the property described in this Application and the same describes the tract of land shown on the Plat attached hereto as Exhibit "A" and said description is sufficient to allow qualified surveyor to locate and mark off said tract on the ground.

Surveyor or Attorney for Applicant
(Mark out one)

PURPOSE:

The proposed Planned Development permits single family detached home sites including zero lot line homes and patio homes. Patio Home lots accommodate structures which may enclose up to 60% of the lot area providing attractive residences with small, low maintenance yards. Zero lot line homes provide functional side and rear yards.

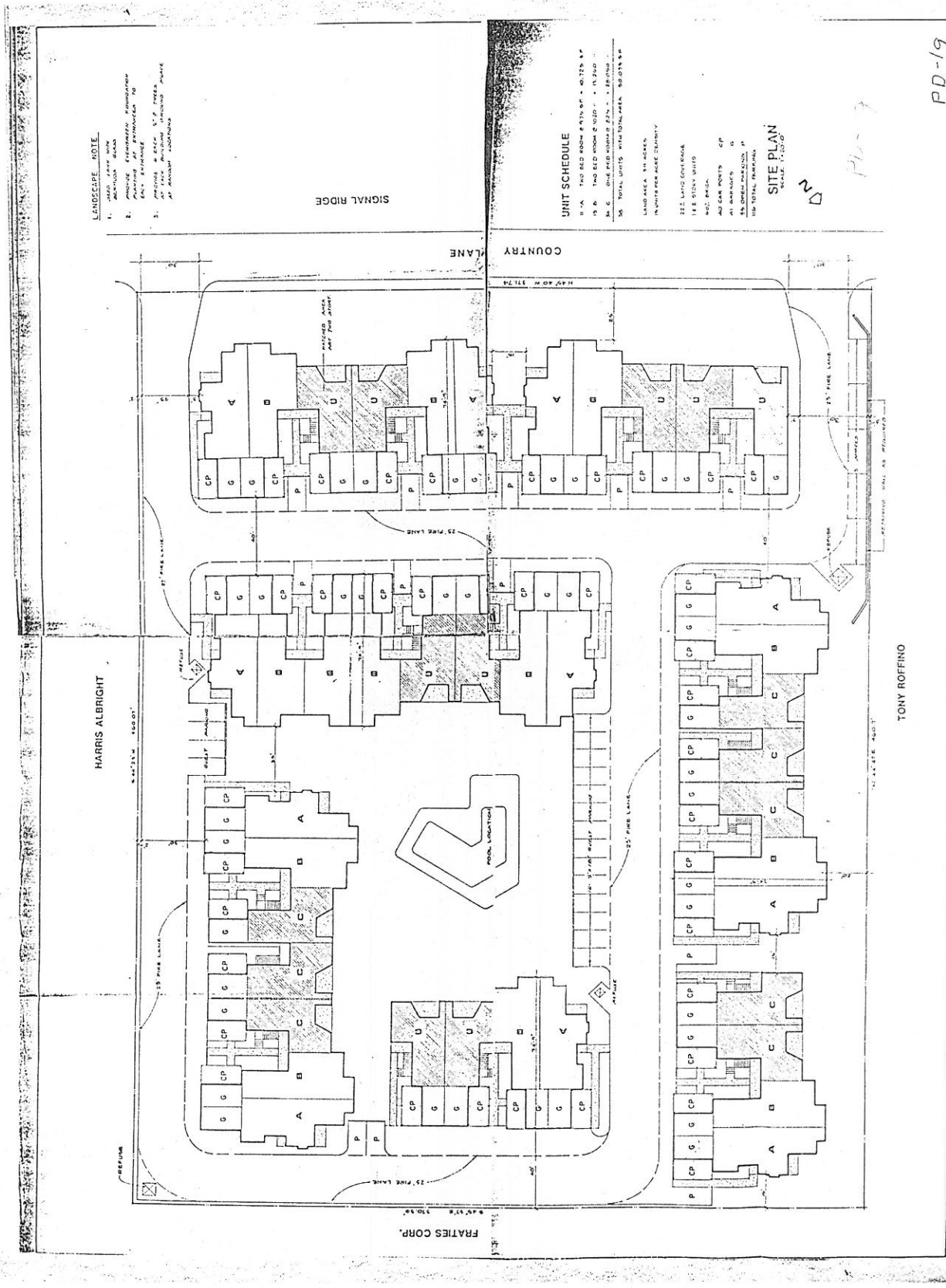
PERMITTED USES:

The following uses are permitted:

- ° Single family detached residential structures.
- ° Home occupations.
- ° Day Care Centers with less than seven children enrolled at any one time.
- ° Municipally owned or controlled facilities, utilities and uses.
- ° Storage buildings not larger than 225 square feet of floor area as an accessory to a residential use on the same lot.
- ° Private residential swimming pools as an accessory to a residential use.
- ° Private unlighted tennis courts on the same lot, as an accessory to a residential use.
- ° Nurseries, greenhouses and gardens, as an accessory to a residential use on the same lot where the products are not to be sold.
- ° An accessory use customarily related to a principal use authorized in this district.
- ° Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two year initial period and one year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
- ° Temporary on site construction offices limited to the period of construction, with a two year initial period and one year extensions being authorized by the Planning and zoning Commission, such offices to be maintained at all times.
- ° Temporary concrete batching plants limited to the period of construction, upon approval of location and operation, of the Building Official.
- ° All uses permitted in zoning districts "SF-7" through "SF-16"

AREA REQUIREMENTS:

<u>Minimum Lot Area</u>	- 3,500 square feet
<u>Minimum Dwelling Size</u>	- 1,000 square feet per dwelling unit
<u>Minimum Lot Frontage</u>	- 35 feet measured at the front yard building line (per Ordinance No. 84-13)
<u>Minimum Lot Depth</u>	- 90 feet
<u>Minimum Front Yard Setback</u>	- 20 feet
<u>Minimum Rear Yard Setback</u>	- 7 1/2 feet
<u>Minimum Side Yard Setback</u>	- 1. zero, one side with minimum 5 feet separation between structures; where structures are proposed to have a less than five foot side yard, the opposite side yard must be a minimum of five feet; - 2. 15 feet abutting a public right-of-way;
<u>Maximum Lot Coverage</u>	- 60%
<u>Maximum Height</u>	- 35 feet
<u>Parking Requirements</u>	- Minimum two offstreet parking spaces plus one car garage per lot



LANDSCAPE NOTE
1. 100' TREE WITH
2. 100' TREE WITH
3. 100' TREE WITH

SIGNAL RIDGE

UNIT SCHEDULE
1. 100' TREE WITH
2. 100' TREE WITH
3. 100' TREE WITH

SITE PLAN
SCALE 1"=100'

TONY ROFFINO

PD-19

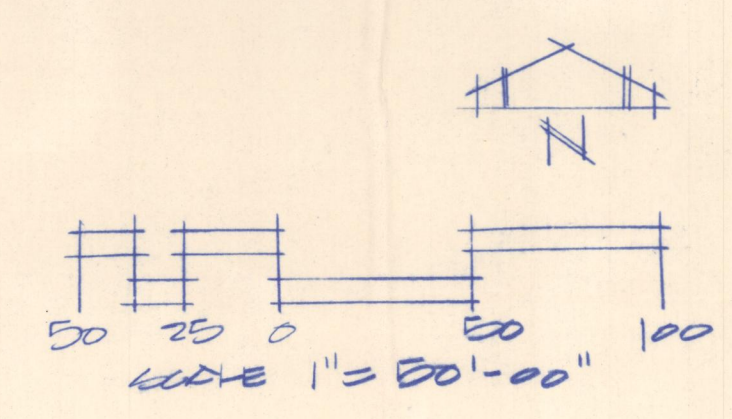


Lakevista Court Estates

Preliminary Development Plan
for
Planned Development District No. 19

4.047 Acres in Rockwall, Texas

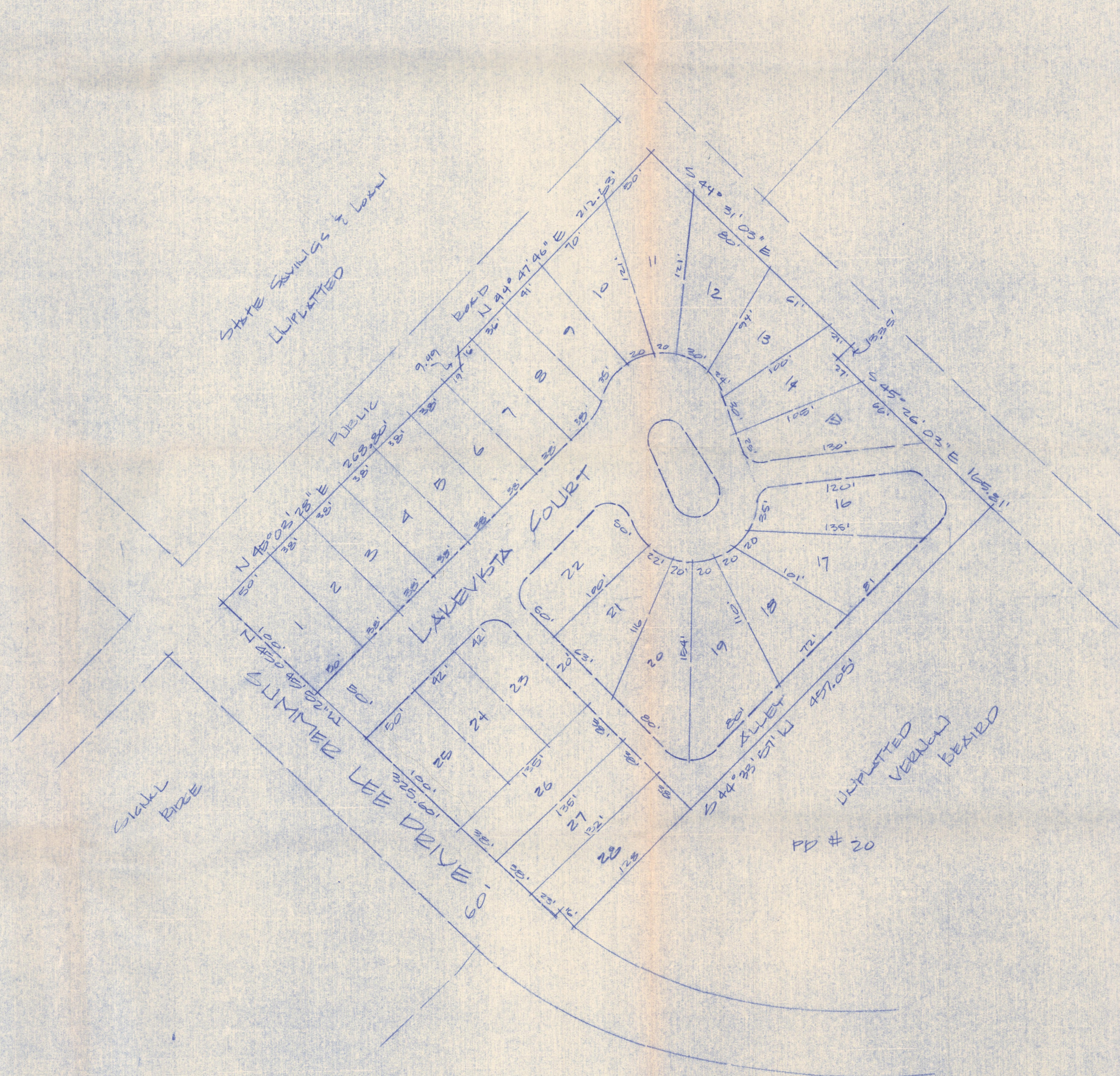
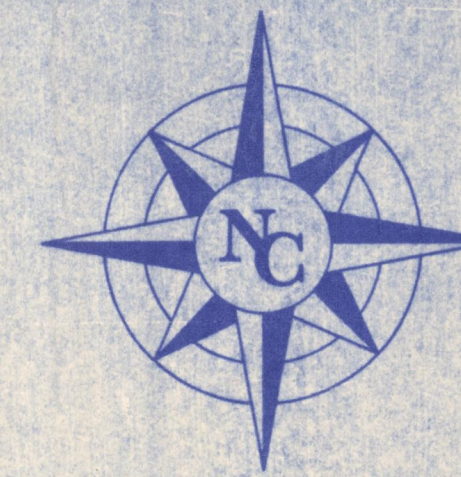
PD # 20



PLANNED BY:
THE NELSON CORPORATION
5999 SUMMERDALE DRIVE
DALLAS, TEXAS 75222

OWNED BY:
ROBERT GREENBERG
P.O. BOX 1963
DALLAS, TEXAS 75221

Revisions	Date	Description	Drawn By	Checked By



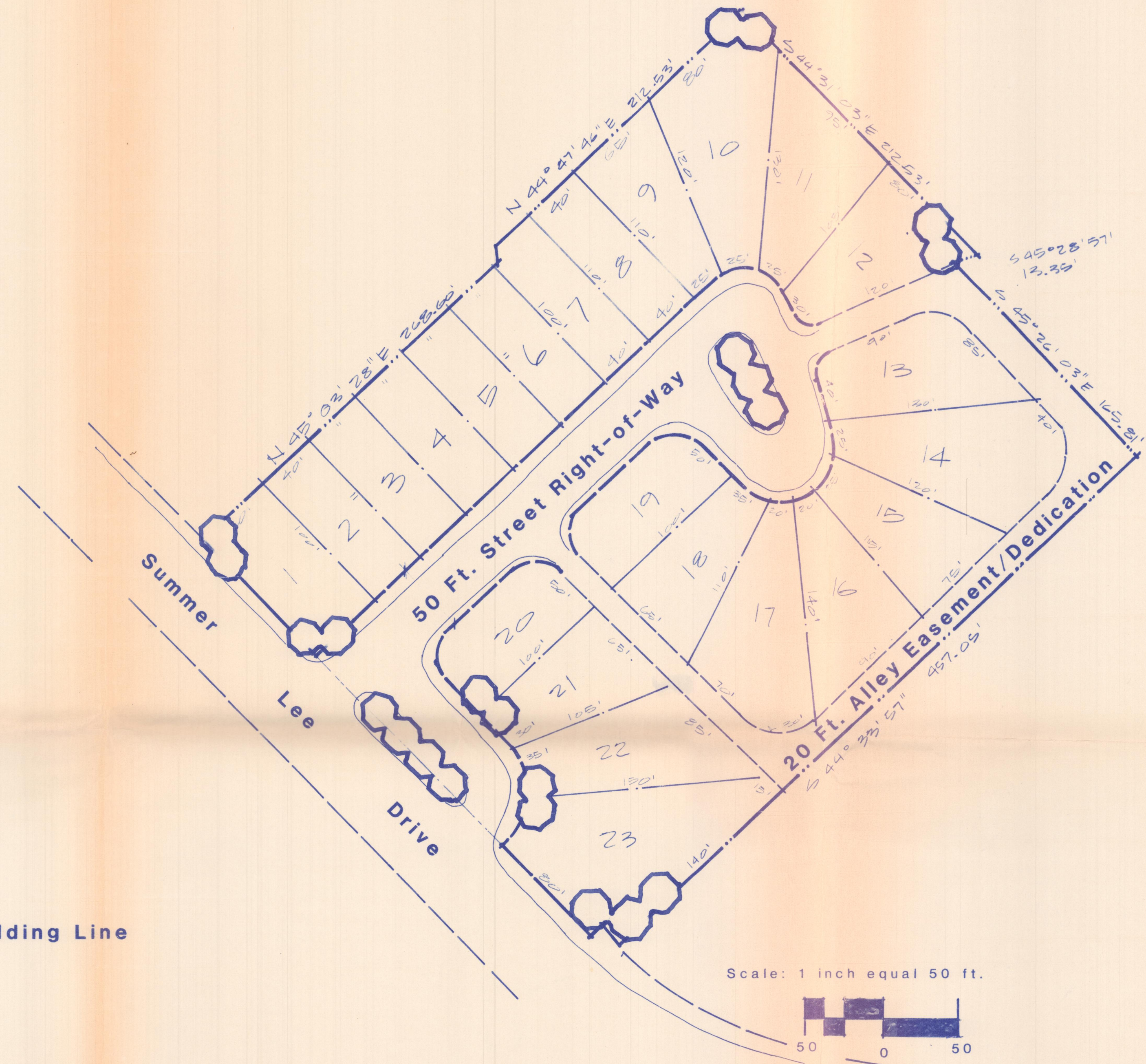
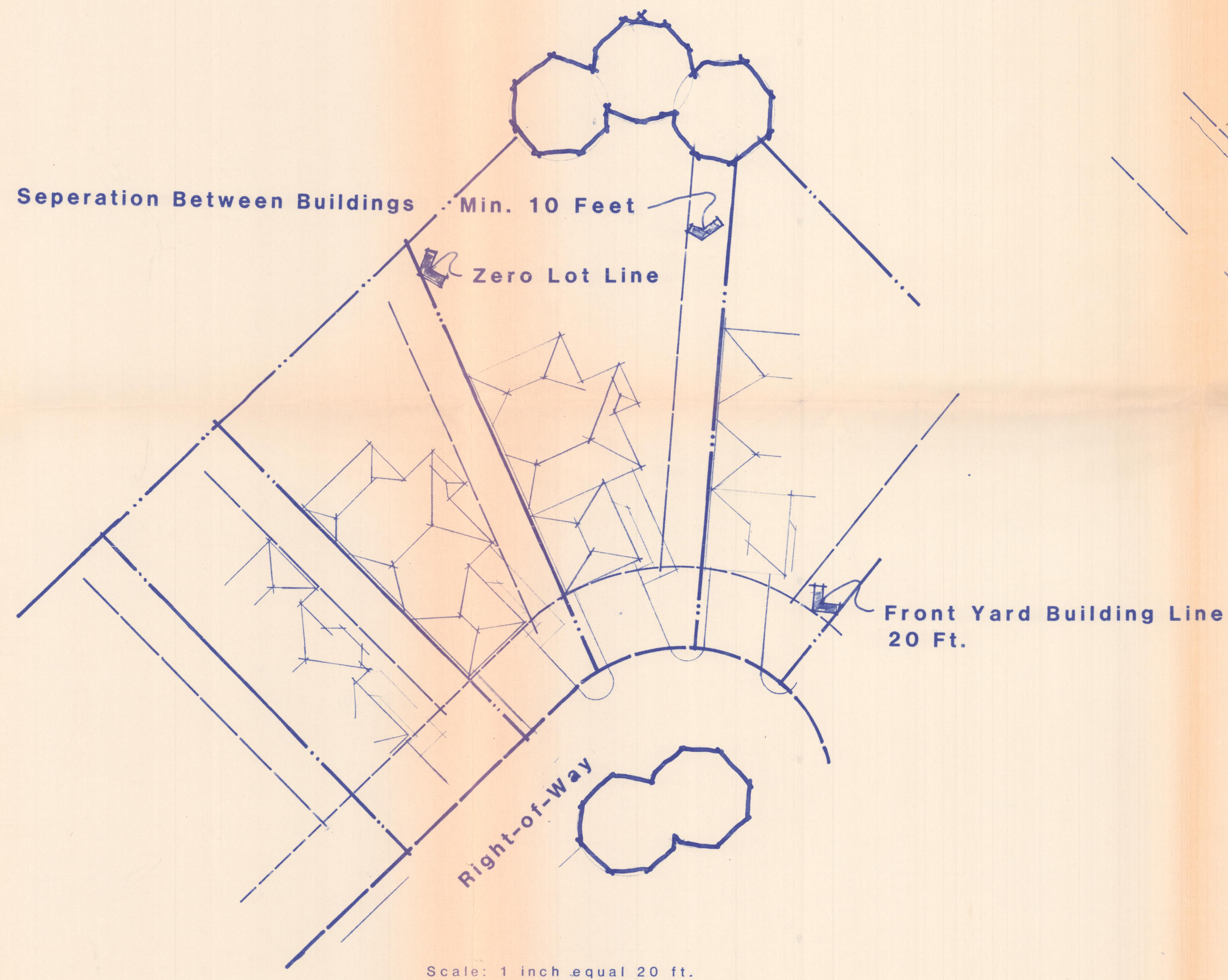
DEVELOPMENT PLAN
E.T.EAL SURVEY ABSTRACT NO 207
CITY OF ROCKWELL
PLANNED DEVELOPMENT NO. 19

LAKEVISTA ESTATES

Date: 4/29/87 Scale: 1" = 50' SHEET 1 OF 1
Drawn By: EKL Approved By: SHEETS

THE NELSON CORPORATION
LAND PLANNING • ENGINEERING • SURVEYING

5999 SUMMERSIDE DRIVE • SUITE 202 • DALLAS, TEXAS 75232 • (214) 380-2505



DEVELOPMENT PLAN
 4.047 Acres in Rockwall, Texas
 Planned Development No. 19

Planning By:
 The Nelson Corporation
 5999 Summerside Drive
 Dallas, Texas 75252

Owned By:
 Robert Greenberg
 P.O. Box 1968
 Dallas, Texas 75221



PURPOSE:

The proposed Planned Development permits single family detached home sites including zero lot line homes and patio homes. Patio Home lots accommodate structures which may enclose up to 50% of the lot area providing attractive residences with small, low maintenance yards. Zero lot line homes provide functional side and rear yards.

PERMITTED USES:

The following uses are permitted:

- ° Single family detached residential structures.
- ° Home occupations.
- ° Day Care Centers with less than seven children enrolled at any one time.
- ° Municipally owned or controlled facilities, utilities and uses.
- ° ^{Portable} Storage buildings not larger than 225 square feet of floor area as an accessory to a residential use on the same lot.
- ° Accessory buildings not taller than 15 feet and exterior covering containing the same materials as the main structure.
- ° Private residential swimming pools as an accessory to a residential use.
- ° Nurseries, greenhouses and gardens, as an accessory to a residential use on the same lot where the products are not to be sold.
- ° An accessory use customarily related to a principal use authorized in this district.
- ° Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two year initial period and one year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
- ° Temporary on site construction offices limited to the period of construction, with a two year initial period and one year extensions being authorized by the Planning and zoning Commission, such offices to be maintained at all times.
- ° All uses permitted in zoning districts "SF-7" through "SF-16"

BUILDING AND AREA REQUIREMENTS:

Orleans
on
the lake
standards

Current
standards

3,600	<u>Minimum Lot Area</u>	- 4,000 square feet	5,000
1,200	<u>Minimum Dwelling Size</u>	- 1,200 square feet per dwelling unit	1,000
40	<u>Minimum Lot Frontage</u>	- 40 feet measured at the building line, except that a lot which fronts on a cul-de-sac or court may have a minimum width of 30 feet provided that the average lot width is no less than 40 feet and approved as part of the development plan;	50
90	<u>Minimum Lot Depth</u>	- 100 feet, except that a lot which fronts on a cul-de-sac or court may have a minimum depth of 95 feet;	90
20	<u>Minimum Front Yard Setback</u>	- 20 feet	20
7 1/2	<u>Minimum Rear Yard Setback</u>	- 7 1/2 feet	10
0-5	<u>Minimum Side Yard Setback</u>	- Zero one side with a minimum of 10 feet separation between buildings; zero lot line shall be designated on the subdivision plat; - minimum side yard setback at street right-of-way: 15 feet;	0-10 15
60%	<u>Maximum Lot Coverage</u>	- 50%	50%
36	<u>Maximum Height</u>	- 30 feet	30
2	<u>Parking Requirements</u>	- Minimum two offstreet parking spaces plus one two-car garage per lot.	2

AREA REQUIREMENTS:

<u>Minimum Lot Area</u>	- 3,500 square feet
<u>Minimum Dwelling Size</u>	- 1,000 square feet per dwelling unit
<u>Minimum Lot Frontage</u>	- 35 feet measured at the front yard building line (per Ordinance No. 84-13)
<u>Minimum Lot Depth</u>	- 90 feet
<u>Minimum Front Yard Setback</u>	- 20 feet
<u>Minimum Rear Yard Setback</u>	- 7 1/2 feet
<u>Minimum Side Yard Setback</u>	- 1. zero, one side with minimum 5 feet separation between structures; where structures are proposed to have a less than five foot side yard, the opposite side yard must be a minimum of five feet; - 2. 15 feet abutting a public right-of-way;
<u>Maximum Lot Coverage</u>	- 60%
<u>Maximum Height</u>	- 35 feet
<u>Parking Requirements</u>	- Minimum two offstreet parking spaces plus one car garage per lot

PD-19

Texas Frates Corp.
1717 S. Boulder
Suite 201
Tulsa, OK. 74119-4817

Home Owners Assoc.
90 Signal Ridge

Signal Ridge Development Corp.
Box 39
Rockwall

Mary Rue Neil
6418 Chevy Chase
Dallas 75225

State Savings & Loan Assoc. of Lubbock
P.O. Box 10216
Lubbock, Tx. 79408

Vernon C. Beard
Rt. 1, Box 119-B
Rockwall



205 West Rusk

CITY OF ROCKWALL

"THE NEW HORIZON"

Rockwall, Texas 75087-3793



Signal Ridge Development Corp.
Box 39
Rockwall, TX 75087

*not
BX 39*



205 West Rusk

CITY OF ROCKWALL

"THE NEW HORIZON"

Rockwall, Texas 75087-3793



Home Owners Assoc.
%Signal Ridge
Box 39
Rockwall, TX 75087

*not
BX 39*



CITY OF ROCKWALL

"THE NEW HORIZON"

February 4, 1987

Dear Property Owner:

On Monday, February 2nd, the City of Rockwall mailed you a Public Notice informing you of a public hearing to be held February 12th to consider modifying the preliminary plan for "PD-19".

This hearing has been re-scheduled to March 12th. Please disregard the previous Public Notice as you will be receiving another prior to the March 12th hearing.

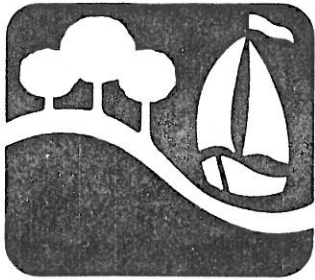
Please call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

MN/mmp



CITY OF ROCKWALL

"THE NEW HORIZON"

May 20, 1987

Mr. Robert Greenburg
P. O. Box 1968
Dallas, Texas 75221

Dear Mr. Greenburg:

On May 14, 1987, the Planning and Zoning Commission recommended approval of a revised preliminary plan and an amendment to the zoning as submitted of PD-19 subject to the following conditions:

1. Permitted uses not to include private tennis courts and temporary concrete batching plants
2. Accessory buildings not taller than 15 feet and exterior covering containing the same materials as the main structure
3. Area requirements include a minimum of two off street parking spaces plus one two-car garage per lot

The Rockwall City Council will hold a public hearing and consider amending the zoning and revising the preliminary plan for PD-19 on June 15th at 7:00 P.M. in City Hall, 205 West Rusk.

Please feel free to call me if you have any questions.

Sincerely,

Mary Nichols
Administrative Aide

CC: Richard Waldorski

THE NELSON CORPORATION

LAND PLANNING • ENGINEERING • SURVEYING
CONSTRUCTION MANAGEMENT

5999 SUMMERSIDE DRIVE • SUITE 202
DALLAS, TEXAS 75252
(214) 380-2605

LINDA SEWELL
SEC.-TREAS.

B. L. NELSON, P.E., R.P.S.
PRESIDENT

BRIAN MARCUS, P.E.
EXEC. VICE PRESIDENT

CRAIG CURRY
VICE PRESIDENT, PLANNING

DONALD W. JOHNSTON, P.E.
VICE PRESIDENT

LAWRENCE R. BEENKEN, P.E.

J. E. ANGELONI
CHIEF DESIGNER

May 28, 1987

Ms. Julie Couch
CITY OF ROCKWALL
Assistant City Manager
Rockwall, Texas

RE: PD NUMBER 19

Dear Julie:

Pursuant to the action of the City Plan Commission on May 14, 1987. We have modified the permitted uses, and building and area requirements proposed for PD 19 to conform with the recommended conditions for approval.

We look forward to the City Council approval of this zoning at the June 15, 1987, public hearings.

Should you need any additional information regarding this meeting, do not hesitate to contact me.

Sincerely,

THE NELSON CORPORATION


Richard Woldorsky
Land Planner

/kjo

cc: Robert Greenberg

BUILDING AND AREA REQUIREMENTS:

<u>Minimum Lot Area</u>	- 4,000 square feet
<u>Minimum Dwelling Size</u>	- 1,200 square feet per dwelling unit
<u>Minimum Lot Frontage</u>	- 40 feet measured at the building line, except that a lot which fronts on a cul-de-sac or court may have a minimum width of 30 feet provided that the average lot width is no less than 40 feet and approved as part of the development plan;
<u>Minimum Lot Depth</u>	- 100 feet, except that a lot which fronts on a cul-de-sac or court may have a minimum depth of 95 feet;
<u>Minimum Front Yard Setback</u>	- 20 feet
<u>Minimum Rear Yard Setback</u>	- 7 1/2 feet
<u>Minimum Side Yard Setback</u>	- Zero one side with a minimum of 10 feet separation between buildings; zero lot line shall be designated on the subdivision plat; - minimum side yard setback at street right-of-way: 15 feet;
<u>Maximum Lot Coverage</u>	- 50%
<u>Maximum Height</u>	- 30 feet
<u>Parking Requirements</u>	- Minimum two offstreet parking spaces plus one two-car garage per lot.

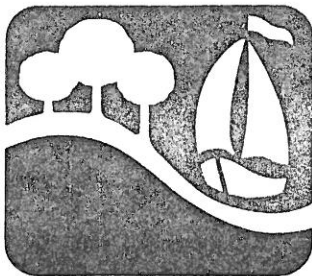
PURPOSE:

The proposed Planned Development permits single family detached home sites including zero lot line homes and patio homes. Patio Home lots accommodate structures which may enclose up to 50% of the lot area providing attractive residences with small, low maintenance yards. Zero lot line homes provide functional side and rear yards.

PERMITTED USES:

The following uses are permitted:

- ° Single family detached residential structures.
- ° Home occupations.
- ° Day Care Centers with less than seven children enrolled at any one time.
- ° Municipally owned or controlled facilities, utilities and uses.
- ° Storage buildings not larger than 225 square feet of floor area as an accessory to a residential use on the same lot.
- ° Accessory buildings not taller than 15 feet and exterior covering containing the same materials as the main structure.
- ° Private residential swimming pools as an accessory to a residential use.
- ° Nurseries, greenhouses and gardens, as an accessory to a residential use on the same lot where the products are not to be sold.
- ° An accessory use customarily related to a principal use authorized in this district.
- ° Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two year initial period and one year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times.
- ° Temporary on site construction offices limited to the period of construction, with a two year initial period and one year extensions being authorized by the Planning and zoning Commission, such offices to be maintained at all times.
- ° All uses permitted in zoning districts "SF-7" through "SF-16"



CITY OF ROCKWALL

"THE NEW HORIZON"

June 17, 1987

Mr. Robert Greenberg
P.O. Box 1968
Dallas, TX 75221

Dear Mr. Greenberg,

On June 15, 1987, the Rockwall City Council voted to amend PD-19, to revise the area requirements and permitted uses to meet the standards for Zero Lot Line as currently adopted in the Comprehensive Zoning Ordinance. The Council will consider approval of an ordinance authorizing the amendment at two separate readings on July 6th and July 20th.

Please contact me, if you have any questions.

Sincerely, .

Mary Nichols

Mary Nichols
Assistant City Secretary

MN/ss

cc:Richard Waldorski

Agenda Notes

P&Z - 3/12/87

III. G. P&Z 87-1-Z - Hold Public Hearing and Consider
Changing the Zoning or Modifying the Preliminary Plan
for PD-19 Located West of FM-740 on Summer Lea Drive

We are now ready to hold hearings on the last two PD's in our review process. PD-19 was annexed and zoned in the early 1980's for condominium development at 15 units per acre. Shortly after it was zoned a site plan was approved for a Multifamily development. Nothing else has occurred on this site since the site plan was approved. The property has not been platted. The Land Use Plan proposes Multifamily for this area and that can range anywhere from Zero Lot Line to apartments. There have been some changes in the general area since it was zoned. A portion of PD-20 has been rezoned to Zero Lot Line. PD-18 has been zoned Townhouse and Zero Lot Line. All of the Multifamily in PD-7 has been removed and all of Chandlers to the south is now Single Family. With these surrounding changes a logical designation under the PD could be Zero Lot Line meeting the City's standards.

We have not heard from the property owners regarding this review. A location map is attached.

MINUTES OF THE PLANNING AND ZONING COMMISSION

March 12, 1987

Chairman Don Smith called the meeting to order at 7:30 P.M. with the following members present: Bob McCall, Norm Seligman, Bill Sinclair, Hank Crumbley and Tom Quinn.

The Commission considered approval of the Consent Agenda which consisted of the minutes of February 12, 1987, and a vacation of and replat for the Goldencrest Subdivision. McCall made a motion to approve the Consent Agenda. Seligman seconded the motion. The motion was voted on and passed unanimously.

Smith then opened a public hearing on a request from Westerfield/Tomlinson for a change in zoning from "A" Agricultural to "C" Commercial on 19.705 acres and "HC" Heavy Commercial on 56.980 acres, both located at SH-205 south off Sids Road and East of Mims Road. Assistant City Manager Julie Couch explained the location of the property and how it related to the Land Use Plan. Couch added that if the request were approved, Staff recommended a 200 ft. depth of Commercial zoning along Mims Road and that the Land Use Plan be amended to reflect the area as Heavy Commercial and Commercial instead of Single Family.

Bob Brown, representing the applicants, explained that the 400 foot depth of Commercial along SH-205 was to be consistent with existing development and that a large depth of Commercial on Mims Road would minimize useable Heavy Commercial property. Bill Lofland, representing Evelyn Lofland, pointed out how Mims Road related to the Thoroughfare Plan and requested a 400 foot deep buffer of Commercial zoning along the frontage of Mims. As there was no one else wishing to address this matter, the public hearing was closed.

Couch noted that of 19 public notices mailed, three were returned in favor and one, Evelyn Lofland's, in favor with a Commercial depth along Mims. After discussion, Seligman made a motion to approve the zone change including a 250 ft. depth of Commercial zoning along Mims and to recommend to the City Council revising the Land Use Plan to reflect Commercial use in that area. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Harold Chenault for a change in zoning from "A" Agricultural to "SF-16" Single Family and a preliminary plat on approximately 14 acres, generally located on SH-205 south of Dalton Road. Couch explained that the request consisted of the rezoning, a preliminary plat and a request for a waiver of street escrow requirements. She added that one of the three lots didn't have street frontage which would require a variance from the minimum lot frontage requirements of the Zoning Ordinance and would be

considered by the Board of Adjustments on March 19th. She also stated that the three lots must meet the requirements of the Park Land Dedication Ordinance.

Harold Chenault addressed the Commission and explained his request. He said that the property would not be salable with street escrow attached to it. As there was no one else wishing to address the Commission with regard to this matter, the public hearing was closed. Smith stated that this house was being sold and escrow would not necessarily cause financial hardship on an individual but on the sale of a piece of property.

Smith told the Commission that no precedent had been set with regard to escrow waivers. Seligman made a motion to approve the preliminary plat and the change in zoning subject to approval by the Board of Adjustments for a variance to the minimum lot frontage requirement and recognizing escrow for compliance with the Park Land Dedication Ordinance in the amount of \$473.02. Sinclair seconded the motion. The motion was voted on and passed, 5 to 1, with Crumbley voting against the motion.

The Commission then held a public hearing and considered approval of a request from Joanne Sidlinger for a change in zoning from "A" Agricultural to "LI" Light Industrial on a .988 acre tract of land located off Airport Road adjacent to the Rockwall Municipal Airport. Couch explained the applicant's request, the location of the property and that "LI" zoning was in conformance with the Comprehensive Land Use Plan. Robert Hager, Attorney representing the applicant, explained that the existing building on the property was being used for storage for an off-premise business but that the use had since ceased. He added that the property needed permanent zoning before the application could get a Certificate of Occupancy for a future use. As there was no one else wishing to address the Commission with regard to this matter, the public hearing was closed. McCall confirmed with Staff that the property would still need to be platted. Sinclair made a motion to approve the zone change. Seligman seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Frank Springer for a Conditional Use Permit for a temporary gun club and target range on a tract of land located on FM-549 between I-30 and SH-276. Couch explained the applicant's request and recommended that if the Planning and Zoning Commission chose to approve the CUP, that it be temporary and allowing adjacent developments to trigger review of the permit. James Needleman addressed the Commission and explained that the new proposed building would be portable and that the gun club would be strictly skeet shooting. As there was no one else wishing to address the Commission on this matter, the public hearing was closed. The Commission discussed the request and the time limit for the permit. Crumbley made a motion to approve the Conditional Use Permit for one year. Seligman offered a substitute motion to approve the CUP for one year, to review the CUP at any point in time

when adjacent or nearby property develops, and to issue a building permit without requiring the property to be platted as the usage was temporary. Sinclair seconded the motion. The motion was voted on and passed unanimously.

Next the Commission held a public hearing and considered approval of a request from Mike Rogers for a Conditional Use Permit for an accessory structure over the maximum height requirement in an "SF-10" classification, and a vacation of and replat for the Carroll Estates. Couch explained that the structure was seven feet over the maximum height and that the building would cut into the hillside, providing minimal visibility from Ridge Road.

Wayne Rogers told the Commission that the height was needed to enclose a car carrier and show cars. He added that it would be 38 feet from the alley and utilizing roll-up doors. Chip Gehle of 1316 South Alamo said that a residential area was not a safe location for such storage, that the building would add noise and deteriorate the neighborhood. Smith confirmed the size, 42 ft. by 60 ft. with Mr. Rogers. He added that the issue at hand was height, not whether or not he could construct the building. Lorraine Burns pointed out that property owners who were present were confused with regard to the proposed height. Rogers stated that with a CUP the structure would be 22 ft. high. J. D. Shriber, 204 Becky Lane, said that the height would be detrimental to the neighborhood. Inez Shriber stated that the permit would defeat the purpose of the high development standards in Rockwall. The Commission discussed the appearance of the building, usage of the structure, and a possible periodic review of the permit. Smith then closed the public hearing. Seligman made a motion to approve the vacation and replat prior to further discussion regarding the permit. Quinn seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed the appearance of the building and concerns of the residents present who were nearest to the proposed building. Smith pointed out that the Commission hadn't seen all sides of the building. Mike Rogers offered some additional drawings and assured the Commission that the structure would be used solely for storage. Sinclair made a motion to deny the CUP request for the height restrictions. Seligman seconded the motion. The motion was voted on and passed 4 to 2, with McCall and Crumbley voting against the motion.

The Commission then held a public hearing and considered approval of a request from Burgy/Miller, Inc. for a change in zoning from "GR" General Retail to "SF-10" Single Family and approval of a preliminary plat. Couch explained the application, the location of the tract, and that the preliminary plat was in compliance with the Land Use Plan. She stated that they were asking for a waiver to alley requirements for homes that backed up to the lake and that they were subject to escrow of \$2,709.45 to comply with the Mandatory Park Land Dedication Ordinance.

Harold Evans, Consulting Engineer for the applicants, explained the locations of General Retail in the area and the need for additional Single Family. Nora Myers, 1100 Teakwood, expressed support for additional residential although she had hoped for a community park at this location. Suzanne Ingram, 1101 Bayshore, expressed her favor for the change to Single Family. As there was no one else wishing to address the Commission on this matter, the public hearing was closed. Seligman made a motion to approve the change in zoning and preliminary plat recognizing a requirement of \$2,709.45 in escrow to comply with the Mandatory Park Land Dedication Ordinance. Quinn seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered changing the zoning or modifying the preliminary plan for PD-19 located west of FM-740 on Summer Lea Drive. Couch explained that the property was undeveloped and zoned for "MF-15". Bryan Marcus, Nelson Corporation, stated that the new ownership only recently became aware of the PD review and requested tabling the PD review until the new owner, Robert Greenberg, had the opportunity to submit a plan. Clark Beaird confirmed with Planning and Zoning Commission that "MF-15" was the only use allowed. As there was no one further wishing to speak on the matter, Smith closed the public hearing. Seligman made a motion to table the review of PD-19 until May 14th. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered changing the zoning or modifying the preliminary plan for PD-20 located west of FM-740 on Summer Lea Drive. Couch explained that only six acres remained undeveloped in the PD and the rest of the property was being developed as Orleans on the Lake. Richard Harris, developer of Orleans on the Lake, asked the Commission to make no changes with regard to this area. Smith stated that Orleans was platted and not the concern at present, but the remainder of the PD was subject to review. Clark Beaird, owner of the six acres in question, explained that he had misunderstood the object of the review and requested action be deferred as on PD-19. Sinclair made a motion to table review of PD-20 until May 14th. Crumbley seconded the motion. The motion was voted on and passed unanimously.

Next, the Commission considered approval of a site plan for a Quick Lube located on Ridge Road. Couch explained revisions to the plan that had been done at Staff or Planning and Zoning Commission's recommendation and briefly reviewed the plan. Sh added that FM-740 in this area was indicated as a scenic route in the Land Use Plan. John Fulgham, Car Wash Equipment Company, outlined the appearance of the building, the materials, the landscaping, and expressed his willingness to comply with recommendations of the Commission. Quinn pointed out that although a Quick Lube was an allowed use in this area, and even though the plan was well-done, this was an inappropriate business for an area designated as a scenic route. He recommended that the City pursue the possibility of establishing overlay zoning requirements for scenic routes. The Commission

discussed this point with the applicants and encouraged some design improvements. Quinn made a motion to approve the site plan with the stipulation that an improved design be submitted to the City Council and recognizing that this use was inappropriate, although allowed. He further recommended that Council consider initiating a study of possible overlay requirements for scenic routes. Crumbley seconded the motion. The motion was voted on and passed 5 to 1, with McCall voting against the motion.

The Commission then considered approval of a site plan/preliminary plat for the Rockwall County Jail site located on High School Road. Couch explained the location of the site, the existing gravel drive and the proposed drive. She added that the County was requesting a waiver to irrigation requirements, to be allowed a temporary gravel drive and to be given a waiver of escrow for substandard paving until next budget year. Chuck Hodges was available to answer questions. Seligman made a motion to approve the site plan/preliminary plat allowing a gravel drive, waiving irrigation requirements, waiving escrow for street improvements, and temporarily waiving escrow for storm sewer, curb and gutter, and sidewalk. Quinn offered a substitute motion to include a time limit of not more than one budget year to the temporary waiver of escrow. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a final plat for Rockwall Towne Centre Phase III located on the north service road of I-30. Couch explained that the only concern regarding the plat was the need for an access easement along the front of the property and the 20 ft. setback needed to meet the required 25 feet. Pat Donovan, Dunning Development, explained that both the requirements could be met and that the same brick would be used on all the businesses locating in the Centre. Seligman made a motion to approve the plat contingent to provision of an access easement through the lots and the required 25 foot setback being met. Crumbley seconded the motion. The motion was voted on and passed unanimously.

As there was no further business to come before the Commission for consideration, the meeting was adjourned.

APPROVED:


Chairman

ATTEST:



MINUTES OF THE PLANNING AND ZONING COMMISSION
May 14, 1987

Chairman Don Smith called the meeting to order with the following members present: Bob McCall, Leigh Plagens, Norm Seligman, Bill Sinclair, and Hank Crumbley.

The Commission first considered approval of the minutes of April 9 and April 30, 1987. Sinclair suggested that in the April 9th minutes the third paragraph specify which items and which applicants were postponed until later in the meeting. Seligman made a motion to approve the minutes of April 9th with the amendment as recommended. Sinclair seconded the motion. The motion was voted on and passed unanimously. Seligman then made a motion to approve the minutes of April 30th. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then continued a public hearing on PD-19 located on Summer Lea Drive. Assistant City Manager Julie Couch explained the location of the tract and the changes in densities of adjacent properties. She explained that the four acre tract was designated for multifamily although densities of area properties had been substantially downgraded. She added that the applicant had submitted a proposal that would designate the property as something between Zero Lot Line and Townhouse. She added that the applicant was not present at this time although he had intended to appear. Seligman made a motion to delay consideration of this item until the end of the public hearing section of the Agenda. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then continued a public hearing on PD-20 located on Summer Lea Drive and considered amending the zoning or modifying the preliminary plan for PD-20. Couch pointed out the location of the tract. She explained that the applicants had expressed a preference to leave the property designated as "MF-15" Multifamily at 15 units per acre, although in the current Zoning Ordinance "MF-15" is 14 units per acre. Kirby Albright addressed the Commission and explained that he was one of several joint property owners who owned this tract of land. He stated that although he preferred to leave the property designated as "MF-15" at 15 units per acre, he hoped that the Commission would not recommend downgrading the density to be less than 7 units per acre which was the same as Orleans on the Lake. He explained that the eleven acres that made up PD-20 had originally been owned by himself until six of those acres were sold and developed into Orleans on the Lake by Richard Harris. McCall suggested reducing the PD to 14 units per acre which is the current standard in "MF-15" zoning classification. Seligman pointed out that although 14 units per acre would be downgrading the density, adjacent properties had been reduced to Single Family and Zero Lot Line. He recommended reducing the density to 7 units per acre to match Orleans on the Lake. Couch pointed out that the two items necessary in amending the PD were designating the land use and establishing area requirements. She

explained that if no area requirements were established, when the developer was ready to develop the property a public hearing process would be necessary to revise the preliminary plan. After further discussion, Seligman made a motion to amend the designated land use from "MF-15" to seven units to the acre. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered approval of a request from Terry Adams for a Conditional Use Permit for a structure with less than 90% exterior masonry materials. Couch explained the applicant's request and that now aggregate tilt wall would be used throughout the building instead of stone veneer. Terry Adams explained that his proposal to use metal doors instead of plexiglass would discourage break-ins while allowing some visibility from a small window strip. He explained that the metal band on the roof would give it a classier appearance and that the tilt wall around the structure would be an integral color and of a pebble texture. He added that he was still waiting to obtain easements from WalMart. After further discussion, Sinclair made a motion to approve the Conditional Use Permit allowing metal doors in the rear and the metal band on the roof. Seligman seconded the motion. The motion was voted on and passed unanimously.

The Commission then held a public hearing and considered amending PD-9 to revise the preliminary plan to include the manufacturing of wiring harnesses as an allowed use and reduce square footage requirements for buildings in Office/Warehouse. Couch outlined the boundaries of PD-9 and explained the location of the Office/Warehouse District in the PD-9. She pointed out that light assembly was an allowed use, but that the developer wanted to be sure that manufacturing of wiring harnesses was an allowed use. She explained that the current landscaping requirement in Office/Warehouse was 20% although the City requirements were only 5% in a Light Industrial zoning classification. Although the proposed development plan for Precision Cable indicated 12.9% landscaping, the developer wished to reduce the landscaping requirement to 5% to bring it in line with the Light Industrial requirements. Prior to opening the public hearing Smith pointed out that the objections that had been received by property owners addressed the land use which had already been established. He read aloud the objections that had been received and pointed out that each one of these addressed land use. Rob Whittle, Whittle Development, pointed out that this section had at one time been proposed for Multifamily, that being the purpose for the 20% landscaping requirement. He stated that although he was requesting a 5% requirement, his deed restrictions could require up to 15%. He stated he was also requesting a new maximum building size of 30,000 square feet to provide the latitude for businesses to increase in size and number of employees. The Commission discussed landscaping, the dedicated right-of-way, possible landscaping strip in the back of the lot by the parking, and the ability for the proposed roads to bear heavy traffic. Richard Lopez addressed the Commission and explained that his property was directly across the street from the Office/Warehouse district and that he was concerned with chemicals,

stripers, and cleaners being passed through the water system and pollutants that could inhibit plant growth accumulate through the water supply. He urged the Commission not to allow businesses that would emit contaminants. The Commission then discussed whether or not the proposed business would contribute to pollutants, whether light assembly would emit pollutants or not, and whether or not the waste materials would be disposed of through the water system of handled on site. Couch explained that as this was light assembly, there were no chemicals to be disposed of to her knowledge. After further discussion, Seligman made a motion to amend the preliminary plan for PD-9 to allow the manufacturing of wiring harnesses, increase the maximum building size to 30,000 square feet, to reduce the required landscaping to 5%, and to require the landscaping of parkways and dedicated rights-of-way. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed PD-19 as the applicant was present and prepared to answer questions. Richard Waldorsky presented a rendering of a proposed subdivision, explaining that by using a cul-de-sac he had attempted to capture a view of the lake from all of the lots, and that lots on the east side would have front entry and lots on the west would have rear entry. He outlined the proposed area requirements and allowed uses. Smith stated that one of the uses for private, unlighted tennis courts was not feasible as the lots were too small. Couch explained that Staff had reviewed the proposed land uses and area requirements and that if these are approved, the development plan can be submitted and acted on without further public hearing. Sinclair suggested that the Commission require a two car garage as a minimum one car garage in Townhouse was not necessarily adequate. Smith recommended removing a temporary concrete batching plant as an allowed use as it was not necessary in a small development. After further discussion, Seligman made a motion to adopt the proposed land uses and area requirements as submitted with the exception of the private unlighted tennis courts, the temporary concrete batching plant, changing the requirement of an accessory building to meet current requirements, and requiring a minimum two car garage. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed and considered approval of a development and final plat for Buffalo Creek Office Park. Couch pointed out that Staff had requested a few technical changes, including the 10 ft. easement at the rear being changed to 15 ft., the 5 ft. dedication for right-of-way along FM-3097 being increased by an addition 5 ft., and reflecting that Rainbow Lake Road ties into Lincoln Drive rather than running alongside it. Harold Evans, Consulting Engineer, pointed out on the plat where Rainbow Lake Road would tie into Lincoln Drive. The Commission then discussed the existing gravel road which would eventually be phased out. Seligman made a motion to approve the final plat and development plan with the recommended changes by Staff. Plagens seconded the motion. The motion was voted on and passed unanimously.

The next item on the Agenda was a final plat for the T.L.A. Subdivision located on Yellowjacket Lane. As the applicant indicated that easements had not as yet been received from WalMart, the Planning and Zoning Commission did not consider the item. Receipt of the easements was a contingency placed on the approval of the preliminary plat.

The Commission then discussed and considered approval of a final plat for Northshore Phase IV, a 45 lot subdivision located on North Lakeshore Drive north of SH-66. Couch stated that the final plat as submitted met all the City's current requirements and that one street, Highpoint, needed to be renamed as there was already a street by that name in Lakeside Village. Sinclair made a motion to approve the final plat with the revision of the street name. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a preliminary plat for Randy's Place, an 8.0156 acre lot located off SH-205 south of Dalton Road. Harold Evans presented a rendering of the preliminary plat and explained that basically it was a creation of a building site. He added that although the lot did not have frontage on SH-205, a variance had been granted by the Board of Adjustments. Seligman made a motion to approve the preliminary plat as submitted. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a final plat for the Rockwall County Jail located on High School Road. Couch pointed out that the plat as submitted met all of the City's requirements and that Council had previously approved certain waivers for the jail site as recommended by the Commission, including a temporary waiver to the drive standards and a waiver for the escrow for paving along High School Road. Council also approved a temporary waiver to the escrow of funds for curb and gutter, sidewalk and storm drainage until the 1988 budget year. Seligman made a motion to approve the final plat, restating that escrow of funds for curb and gutter, sidewalk, and storm drainage would be provided in the 1988 budget year. Sinclair seconded the motion. The motion was voted on and passed unanimously.

The Commission then considered approval of a replat of portions of Ellis Centre Phase I and Phase II located off High School Road. Couch pointed out that this application was basically to move a lot line and an easement to allow space in order to increase the building size on one of the lots. David Ellis of Ellis Companies addressed the Commission and explained that the property owner wanted to expand his business and expand his number of employees and that he could not do this with the lot line where it was currently located. Smith pointed out that where Phase I ended and Phase II began had been the developer's decision to begin with. Ellis stated that the easement could be relocated by moving it approximately 41 ft. north of its present location. Sinclair made a motion to

approve the replat. Plagens seconded the motion. The motion was voted on and passed unanimously.

The Commission then discussed and considered approval of a revised site plan for the Quick Lube to be located on Ridge Road. Couch pointed out that the application was in an effort to save a large tree that was located in the middle of the driveway as it was currently site planned. She stated that the applicant's proposal was to allow two drives, a 20 ft. entry and a 25 ft. exit separated by 30 ft., and making these drives one way. She explained that the Commission could limit the drives to 15 ft. each to insure they would be utilized as one way drives. She also stated that in order to prevent the 30 ft. separation from becoming additional parking the Commission could require the applicant to install a culvert, landscaping it to prevent the area from becoming one large driveway should the tree die. After further discussion, Sinclair made a motion to approve the revised site plan for the Quick Lube with the condition that if technically possible and approved by the State, a culvert would be installed all the way between both drives and that this area be landscaped and curbed. McCall seconded the motion. The Commission then briefly discussed whether or not to require limiting the drives to 15 ft. in width. The motion was voted on and passed, with all voting in favor except Seligman, who voted against the motion.

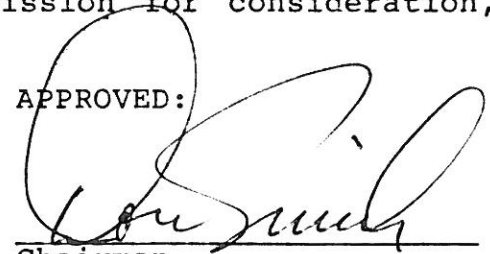
The Commission then reviewed and discussed SUP-7, a Specific Use Permit issued for miniwarehouses located on Yellowjacket Lane. Couch explained that the permit had been issued in 1978 for the site where Mitchell's Hardware building is located. She stated that although the original plan was to construct offices where the current building is located, nothing has been built in the area where the miniwarehouses were planned to go. Jim Mitchell, the property owner, addressed the Commission and explained that although he didn't have any immediate plans, he would like to retain the option to put in the miniwarehouses as he did still hope to develop a carwash. He stated that the property was in a landlocked situation surrounded on three sides in and no other use would be appropriate. Plagens pointed out that there was no provision in today's Zoning Ordinance for granting a Conditional Use Permit for miniwarehouses in a Commercial zoning classification. She stated that SUP-7 did necessitate public hearings. Plagens then made a motion to remand the SUP to City Council and recommended initiation of public hearings. Seligman seconded the motion. The motion was voted on and passed unanimously.

The next item on the Agenda, a possible overlay zoning district along certain areas of FM-740, was not reviewed. Couch stated that this item would be on the Work Session for discussion. She stated that if the Commission so chose, she could put it on the Agenda as an action item. The Commission voiced no objections to this.

Council stated that the applicants for Harbor Landing, Phase II had asked that the final plat be considered as an action item at the Work Session as well. The Commission did not favor this idea.

Smith also suggested that at the next meeting the Commission meet at 6:30 at the Work Session in order to do site tours. As there were no further items to come before the Commission for consideration, the meeting was adjourned.

APPROVED:


Chairman

ATTEST:

By _____

AGENDA NOTES
City Council
July 15, 1987

- IV. C. P&Z 87-1-Z- Hold Public Hearing and Consider Amending
the Zoning or Modifying the Preliminary Plan for PD-19
on Summer Lea Drive

We are now ready to hold public hearings on the last two PD's to be reviewed.

PD-19 is a little over 4 acres, located on Summer Lea Drive. The current zoning allows Multifamily development at 15 units per acre. The Land Use Plan indicates Multifamily in this area, but the density can range anywhere from Zero Lot Line to standard Multifamily. As we have pointed out in the past there have been a number of changes in this area recently which have substantially reduced density in the area. Chandlers Landing to the south has amended their plan to Single Family Detached and Zero Lot line from Multifamily. A portion of PD-20 has been changed from Multifamily to Zero Lot Line and Orleans on the Lake has been developed. Frates Corp. has established Zero Lot Line and Townhouse in PD-18 to the north. PD-7 to the west has eliminated all Multifamily in the lower portion of PD-7 and has retained only a few acres of Zero Lot Line in the north portion. Signal Ridge is the only existing Multifamily development and it is constructed at less than 13 units per acre.

The applicant has submitted a request to change the Land Use to a Zero Lot Line concept with area requirements that fall between our Townhouse and Zero Lot Line requirements. Attached you will find the applicant's proposed area requirements. In the margin are the City's current Zero Lot Line standards for comparison. The standards are still less than our Zero Lot Line classification but are more in line with Orleans on the Lake.

The Commission has recommended amending the Planned Development to Zero Lot Line residential meeting the area requirements as attached.

MINUTES OF THE ROCKWALL CITY COUNCIL

June 15, 1987

Mayor Frank Miller called the meeting to order with the following members present: Nell Welborn, Jean Holt, John Bullock, Bill Fox, Pat Luby, and Ken Jones.

The Council first considered approval of the Consent Agenda which consisted of (a) the minutes of June 1, 1987, (b) an ordinance authorizing taxation of telecommunication services on second reading, (c) a resolution naming the ballfield park, and (d) an amendment to the contract with the Rockwall Baseball Association. Assistant City Manager Julie Couch read the ordinance caption. Bullock made a motion to approve the Consent Agenda. Welborn seconded the motion. The motion was voted on and passed unanimously.

Don Smith then gave the Planning and Zoning Commission Chairman's report in which he addressed items which had previously been considered by the Planning and Zoning Commission including public hearings on PD-19 and PD-20, the site plan for Hubbard Car Wash, and a final plat for Harbor Landing Phase 2. Fox questioned the densities that the Commission recommended approving for PD-19 and PD-20. Smith explained that these densities were submitted by the applicants as a result of the PD review process. Fox stated that he would prefer a lower density in both of these Planned Developments. Miller stated that the density had obviously been based on adjacent development.

Couch explained that the next item, an appointment with Robert Hart to discuss Ordinance 86-51 governing satellite dishes and radio transmitters, had been pulled at the applicant's request and would be rescheduled.

Council then held a public hearing and considered amending the zoning or modifying the preliminary plan for PD-19 on Summer Lea Drive. Couch explained that based on adjacent development, the applicant had submitted some revised area requirements. She added that although he did have a lot layout to present, only land use and area requirements were being considered. Richard Waldorsky of the Nelson Corporation, representing Robert Greenberg, addressed the Council and outlined the lot layout and explained that the basic Townhouse requirements from the Zoning Ordinance had been used as a guideline. Bullock stated that he would abstain from voting due to a conflict of interest and left the room. Lee Wilson addressed the Council. He stated that he lived on 4.2 acres surrounded with property zoned for higher density. He urged Council to consider zoning this tract a lower density. Fox stated

that he would favor zoning this tract to meet current standards for Zero Lot Line. Brian Marcus of the Nelson Corporation stated that the plan had been submitted as proposed to allow this tract to fit in with the adjacent property and work alone also if necessary. Welborn stated favor for standard Zero Lot Line requirements, retaining a 1,200 square foot minimum building size. After further discussion with regard to setbacks and densities Welborn made a motion to deny without prejudice the plan as submitted. Jones seconded the motion. City Manager Eisen pointed out that in a Planned Development Council did have the ability to revise the land use and area requirements at this time. Welborn then withdrew her motion and made another motion to amend the preliminary plan for PD-19 to revise land uses and area requirements to conform with standard Zero Lot Line requirements as currently adopted in the Comprehensive Zoning Ordinance. Jones seconded the motion. The motion was voted on and passed with all in favor except Bullock, who abstained.

Council then held a public hearing and considered amending the zoning or modifying the preliminary plan for PD-20 located on Summer Lea Drive. Couch explained that the owners did not at this time know how they wanted to develop the property and, although they wished the zoning to be left as is, would like to retain a density of seven units per acre if the density was reduced. She pointed out that the lower portion of this tract of land was already being developed as Orleans on the Lake at seven units per acre. As there was no one wishing to address the Council on this matter, the public hearing was closed. Holt then made a motion to amend the preliminary plan for PD-20 to conform with Zero Lot Line standards as currently adopted in the Comprehensive Zoning Ordinance. Fox seconded the motion. The motion was voted on and passed unanimously.

The Council then considered approval of a site plan for Hubbard Car Wash located on Washington at SH-66. Couch stated that the site plan was the same site plan as originally submitted to the Planning and Zoning Commission with additions that were requested by Council. She added that the applicants also planned to construct brick enclosures around the trash cans and vacuum areas and that the six foot masonry screen would be set back 20 ft. from the front property line. David Belt addressed the Council and explained the proposed changes and also outlined the original changes made by the applicants at the time of their first application. Miller confirmed that the rear vacuum area would be covered. Jones confirmed with the applicant that landscaping would still be provided on both sides of the masonry screen. After further discussion, Bullock made a motion to approve the site plan/preliminary plat for Hubbard Car Wash as submitted and including all

the requirements placed on the original submission. Holt seconded the motion. The motion was voted on and passed four to three, with Miller, Fox, and Luby voting against the motion.

Council then considered approval of a final plat for Harbor Landing, Phase 2. Couch pointed out that changes which had been requested at the preliminary plat stage had been met and with these changes the application met all requirements as submitted. Van Hall, Consulting Engineer, explained that the drawings Council had received regarding elevations represented several weeks of work and was generally agreed upon by homeowners and all parties involved. Holt pointed out that several lots were nonconforming with regard to the 12 ft. rule. Ed Heath, Director of Community Services, explained that there were several lots that could not meet the 12 ft. rule, but that the conflict was internal to Phase 1 and Phase 2 of Harbor Landing and not with existing homes on Yacht Club Drive. City Manager Bill Eisen pointed out that some lots were geographically unable to comply and that the drawing provided to Council was approved by homeowners. Fox stated preference to an empty lot or greenbelt area instead of a residence blocking another residence's view. Holt pointed out that the residences whose view would be blocked were unbuilt homes and that the buyer would know at the time the home was purchased that they would not have a view. Luby stated that he had been in contact with some of the homeowners who had earlier been in opposition and that he felt this was the best possible solution. After extensive discussion, Bullock made a motion to approve the final plat for Harbor Landing Phase 2. Jones seconded the motion. Eisen pointed out that the developer would need to provide funding on a pro rata basis for necessary lift station improvements as estimated by the City Engineer. Bullock restated his motion to include the requirement for pro rata participation in lift station improvements. Jones seconded the motion. After further discussion the motion was voted on and passed unanimously.

Mike Phemister, Director of Finance, addressed the Council to explain the 1986 Annual Audit and a management letter submitted by Arthur Andersen. He pointed out progress being made in areas where improvements had been recommended by Arthur Andersen and also pointed out areas where the recommended improvements were not feasible or were financially impossible. Council discussed the 1986 Annual Audit as well as the 1986 Budget status. After extensive discussion with regard to problems encountered during the audit process, Miller asked Staff to provide Council with monthly expenditure reports.

Council then considered approval of an ordinance declaring the necessity of street improvements and providing for assessment for these improvements on first reading. Couch read the ordinance caption. Eisen explained the ordinance and outlined the process for estimating assessment for commercial and residential areas. Welborn made a motion to approve the ordinance. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an agreement with Precision Cable as permitted by the Property Reinvestment and Tax Abatement Act. Eisen explained the agreement for tax abatement approved for Buffalo Creek Office Park. Fox made a motion to approve the agreement. Holt seconded the motion. The motion was voted on and passed unanimously.

Regarding the next item, an ordinance amending the Code of Ordinances as it relates to animal control, Eisen stated that he had noted some areas for revision and for discussion and requested Council to delay action on this item until the next meeting.

Council then considered approval of an ordinance amending Ordinance No. 85-2 prescribing conditions for the issuance of private club permits on first reading. Couch read the ordinance caption. Eisen outlined two possible revisions: 1. allowing private clubs in restaurants up to 1,000 ft. from the Interstate or in centers with access to or frontage on I-30 not exceeding 1,000 ft. from Interstate 30; or 2. allowing private clubs within 500 ft. of the Interstate, in centers with frontage and access to I-30, or in restaurants with frontage on SH-205 from the first lot fronting Yellowjacket on the north to SH-276, or frontage on FM-740 from the first lot on the north of White Hills Drive and Turtle Cove to FM-3097. Fox confirmed that the second option did not include areas located near residences. Council discussed the two options and the ordinance as it presently existed. Jones stated opposition to either Plan 1 or Plan 2, although he stated he would agree to 530 ft. for the applicant who came in at the previous meeting. After further discussion, Fox made a motion to approve an amendment to the ordinance to include the second option as outlined by the City Manager. Couch read the ordinance caption. Bullock seconded the motion. The motion was voted on and passed six to one, with all in favor except Jones, who voted against the motion.

Council then discussed the annual Budget Retreat and a possible revision in the location for the Retreat. Council discussed holding the Retreat in Arlington, in Greenville, in San Antonio, and in Rockwall. Fox stated that in light of the current Budget situation he would

prefer that Council remain in Rockwall. After extensive discussion, Bullock made a motion to hold the Budget Retreat in the Council Chambers. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then discussed funding for Councilmembers' expenses for the annual Municipal Convention for the Institute of Mayors and Councilmembers. Fox stated that based on a tight budget he had asked this item to be placed on the Agenda so that Council could reach an agreement regarding the curbing of expenditures. He recommended that the City either pay registration only for each member who attended or pay complete expenses for the Mayor and one member who attended. There was extensive discussion with regard to the amount of funding by the City, the number of members who should attend, and whether or not the members attending should pay for any portion of their own expenses. Bullock recommended several motions although no final action was taken on this item and several members had decided not to attend.

Council then adjourned into Executive Session under Article 6252-17 V.A.C.S. to discuss (1) litigation regarding Harbor Landing, Inc., versus the City of Rockwall, and (2) land acquisition regarding water projects. Upon reconvening into Regular Session, City Attorney Pete Eckert explained that there were two items for action by Council, a resolution authorizing the City Manager to enter into a settlement agreement with property owners and a resolution clarifying the interpretation of the ordinance adopting elevation standards for Tract 1-A in Chandlers Landing. Welborn made a motion to approve both resolutions and the settlement agreement. Luby seconded the motion. The motion was voted on and passed unanimously.

Eisen then briefly updated the Council on recent action taken by himself and also Mayor Miller with regard to a decision by Southwestern Bell to remove Rockwall and the City of Allen from the 214 Area Code. He explained that in the year 1989 Southwestern Bell intended for areas outside of Dallas County to have new area codes, and although Extended Area Service would still be in effect, Rockwall would have ten digit dialing. He explained that he would update the Council on any further developments as a result of the letter sent by Mayor Miller and Mayor Rodenbaugh of the City of Allen.

As there was no further business to come before Council for consideration, Jones made a motion to adjourn. Bullock seconded the motion. The motion was voted on, passed unanimously, and the meeting was adjourned.

APPROVED:

Mayor

ATTEST:

By _____

1
ORDINANCE NO. 87-37

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED AND AMENDING ORDINANCE 82-37 SO AS TO AMEND THE PRELIMINARY PLAN FOR PD-19, PLANNED DEVELOPMENT NO. 19; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

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

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be, and the same is further hereby amended by amending Section 3(a) of Ordinance 82-37, amending the preliminary plan for PD-19, Planned Development No. 19, to hereafter read as follows:

"(a) The above described tracts shall be used for Zero Lot Line residential development with land uses and area requirements as prescribed in the Zero Lot Line residential district classification of the Comprehensive Zoning Ordinance."

SECTION 2. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That the above described tracts of land shall be used only in the manner and for the purposes authorized by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended herein, provided that Planned Development District No. 19 is subject to the following special conditions:

- (a) Prior to the issuance of any building permit in Planned Development District No. 19, a comprehensive site plan of the development shall be filed with the Planning and Zoning Commission and, after appropriate hearing, sent to the City Council of the City of Rockwall with an appropriate recommendation by the Commission, and after hearing, the City Council shall approve a final site plan, which shall be filed and included as Exhibit "A" and made a part of this ordinance for all purposes. Such comprehensive site plan shall set forth in detail the requirements for ingress and egress to the property, public or private streets or drives, with adequate right-of-way to conform to the Thoroughfare Plan of the City of Rockwall, sidewalks, utilities, drainage, parking space, height of buildings, maximum lot coverage, yards and open spaces, screening walls or fences and other development and protective requirements considered necessary by the City Council so as to create a reasonable transition to and protection of the adjacent property.
- (b) No building or other permits shall be issued by any officer, agent or employee of the City of Rockwall for development of the above described tracts in "PD-19" unless and until a final comprehensive site plan shall have been finally approved by the City Council of the City of Rockwall and attached to and made a part of this ordinance as Exhibit "B".
- (c) All development of property covered by Planned Development District No. 19 shall be in accordance with the provisions of this ordinance and the finally approved comprehensive site plan and list of approved uses, and not substantial change in the development shall be permitted, except after obtaining approval of the change of such site plan in the manner required for changes and amendments to the Comprehensive Zoning Ordinance.

SECTION 4. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended hereby, and upon conviction shall be punished by a penalty of fine not to exceed

the sum of ONE THOUSAND DOLLARS (\$1,000.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. This ordinance shall become effective from and after its passage and the publication of the caption as the law in such cases provides.

DULY PASSED by the City Council of the City of Rockwall, Texas, on the 20th day of July, 1987.

APPROVED:

Mayor

ATTEST:

By _____

1st reading 7/6/87
2nd reading 7/20/87

PLANNING AND ZONING ACTION SHEET

Applicant _____ Case No. 87-1-2
Property Description PD-19
Case Subject Matter Review Process

CASE ACTION

Date to P&Z March 12 May 14 Approved Disapproved Tabled
X

Conditions requirements & uses as submitted
minus tennis courts and concrete batching plant

Date to City Council June 15 X

Conditions straight zero lot line requirements

Ordinance no. _____ Date _____

ITEMS IN FILE

Zoning Cases

NA Application
NA Site Plan
NA Filing Fee
✓ Notice to Paper
✓ Notice to Residents
✓ List of Residents Notified
✓ Residents' Responses
____ Consultant's Review
✓ Agenda Notes
✓ Minutes
87-31 Ordinance
✓ Correspondence
____ Applicant Receipts

Plat/Site Plan Cases

____ Application
____ Filing Fee
____ Plat/Plan
____ Engineer's Review
____ Consultant's Review
____ Agenda Notes
____ Minutes
____ Correspondence
____ County File Number
____ Applicant Receipts

PUBLIC NOTICE

The Planning and Zoning Commission will hold a public hearing at 7:30 P.M. on March 12, 1987, in the Rockwall City Hall, 205 West Rusk, Rockwall, Texas, to consider changing the zoning or modifying the preliminary plan for PD-19, generally located west of FM-740 On Summer Lea Drive, to include the following zoning classifications or designations:

- | | |
|------------------------|-----------------------------|
| 1. "2-F" Duplex | 3. "ZL-5" Single Family |
| 2. "MF-15" Multifamily | 4. "PD" Planned Development |

on the tract of land more fully described on the attached Exhibit "A".

As an interested property owner, you may wish to attend this hearing or notify the Commission in writing of your feeling in regard to the matter.

PUBLIC NOTICE

The Rockwall City Council will hold a public hearing at 7:00 P.M. on June 15, 1987, in the Rockwall City Hall, 205 West Rusk- Rockwall, Texas to consider changing the zoning or modifying the preliminary plan for PD-19, generally west of FM-740 on Summer Lea Drive, to include the following zoning classifications or designations:

- | | |
|------------------------|-----------------------------|
| 1. "S-F" Duplex | 3. "ZL-5" Single Family |
| 2. "MF-15" Multifamily | 4. "PD" Planned Development |

on the tract of land more fully described on the attached Exhibit "A."

As an interested property owner, you may wish to attend this hearing or notify the Commission in writing of your feeling in regard to the matter.

TRACT I. Being a part of the Edward Teal L&L Survey, Abst. #207, and being out of the North corner of that certain 18½ acre tract of land conveyed to James E. Floyd by H. H. Hickok, by deed dated February 1, 1901, recorded in Volume W, Page 170, Deed Records of Rockwall County, Texas, the tract herein conveyed being described by metes and bounds as follows:

Beginning at the North corner of said 18½ acre tract, said point being in the center of public road;
 Thence S 45° W with the center of said road 210 feet, stake for corner;
 Thence S 45° E 210 feet to stake for corner;
 Thence N 45° E 210 Feet to a point in center of public road;
 Thence N 45° W 210 feet with the center of said road to the place of beginning and containing 1 acre of land, more or less;

Tract II. Being a tract of land situated in the Edward Teal Survey Abstract No. 207, Rockwall County, Texas, and being part of a tract as conveyed to Whilden Construction Co. as recorded in Volume 44, Page 618, Deed Records, Rockwall County, Texas, and further being part of a 14.502 acre tract as surveyed by Robert H. West 2/7/78 and being more particularly described as follows:

Beginning at a point on the southwest line of a Public Road, said point being the most Easterly North corner of said 14.502 acre tract, an iron stake found for corner;
 Thence S, 45° 37' E., along the Southwest line of a Public Road, a distance of 165.81 feet to an iron stake set for corner;
 Thence, S. 44° 23' W., leaving the said Southwest line of a Public Road, a distance of 225.24 feet to an iron stake set for corner;
 Thence N. 45° 40' W., a distance of 370.37 feet to an iron stake set for corner;
 Thence, N. 44° 43' E., along the Southeast line of a Public Road, a distance of 28.77 feet to an iron stake found for corner;
 Thence, S. 45° 40' E., leaving the said Southeast line of a Public Road, a distance of 201.25 feet to an iron stake found for corner;
 Thence, N. 45° 18' E., a distance of 196.75 feet to the Place of Beginning, and containing 1.00 acre of land.

Tract III. Being a tract or parcel of land situated in the E. Teal Survey, Abstract No. 207, Rockwall County, Texas, and being the same tract of land conveyed to Jerry W. Heflin and wife by deed dated April 14, 1978, and being more particularly described as follows:

Beginning at a point on the southwest line of a public road, said point being the west corner of a 14.502 acre tract of land.
 Thence: N 44° 43' E. along the Southeast line of a public road 234.82 feet to a point for a corner;
 Thence: S 45° 40' E leaving said public road a distance of 370.37 feet to a point for corner;
 Thence S 44° 23' W a distance of 234.83 feet to a point for a corner;
 Thence N 45° 00' W a distance of 371.74 feet to the place of beginning and containing 2.0 acres of land.

1000

DATE
MUNITY
15
HENSIVE
40.

red
23

