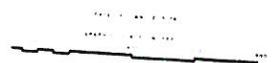


OFFICIAL ZONING MAP

ROCKWALL, TEXAS



DATE: MAY 19, 2011. DRAWN BY: JEFFREY W. FLORES. FILE NO. 11-01-76
ALL CITY LIMITS ALONG CASE HISTORY BOARD IN ELEV. 433.00

ZONING DISTRICTS

- 16 AGRICULTURE
- 10 SINGLE-FAMILY DWELLING
- 7 SINGLE-FAMILY DWELLING
- 7 TWO-FAMILY DWELLING
- 5 MULTI-FAMILY DWELLING
- COMMERCIAL
- GENERAL RETAIL
- OFFICE
- CENTRAL BUSINESS DISTRICT
- NEIGHBORHOOD SERVICE
- HEAVY COMMERCIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- PLANNED DEVELOPMENT
- SPECIAL USE PERMIT

LEGEND

ROCKWALL CITY LIMITS LINE
ZONING DISTRICT BOUNDARY
APPROXIMATE LOCATION OF DALLAS TAKE LINE

HUBBARD

THIS MAP IS THE PROPERTY OF THE CITY OF ROCKWALL, TEXAS. IT IS TO BE USED ONLY FOR THE PURPOSES OF THE ZONING ORDINANCE. ANY OTHER USE IS STRICTLY PROHIBITED.

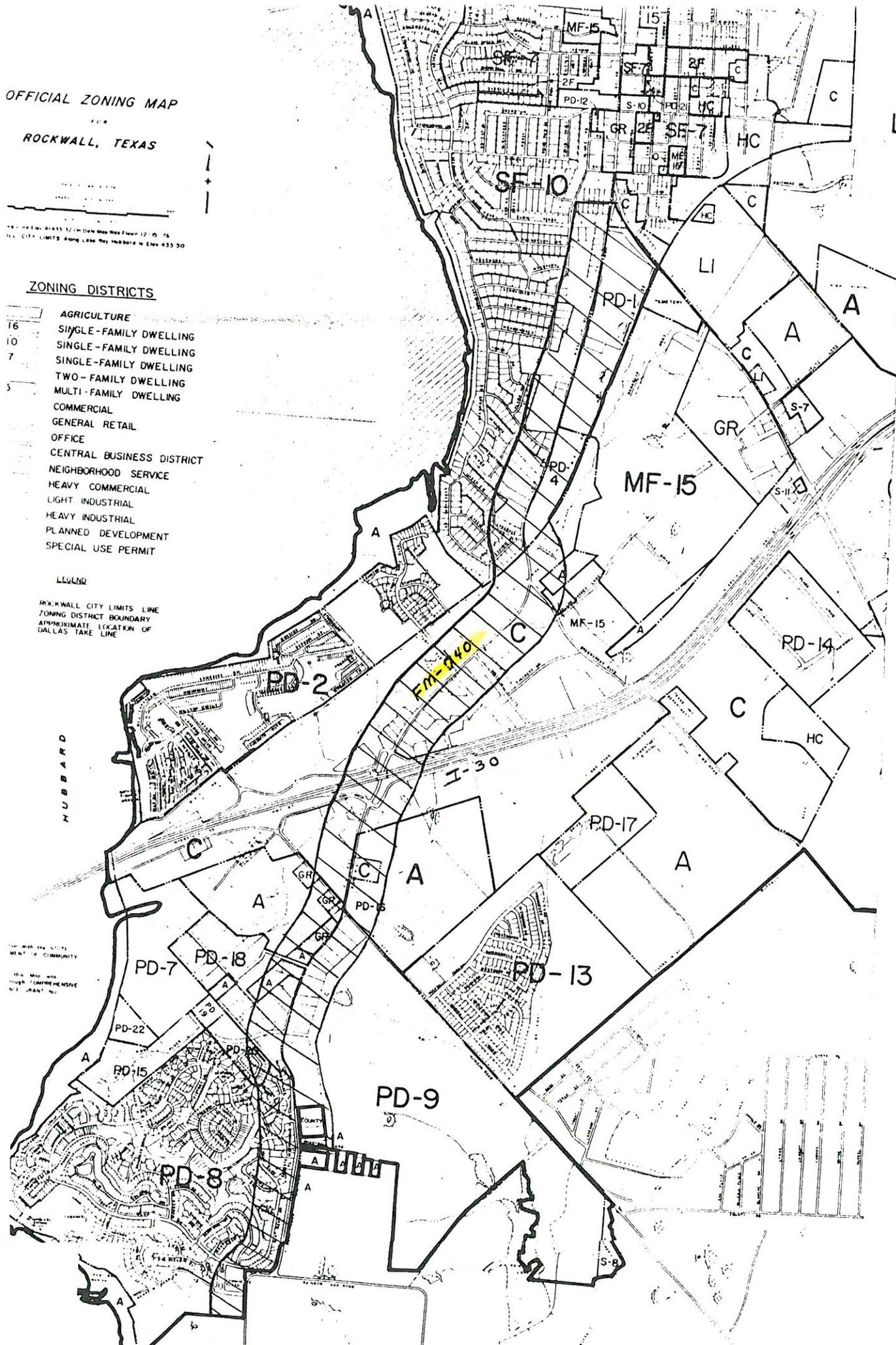


EXHIBIT "A"

Being a tract of land located in the B.J.T. Lewis Survey, Abstract No. 255, the D. Atkins Survey, Abstract No. 1, the E.P.G. Chisum Survey, Abstract No. 64, the J. Smith Survey, Abstract No. 200 and the E. Teal Survey, Abstract No. 207, and being more particularly described as follows:

Beginning, at a point in the south right-of-way line of Glenn Avenue, said point being 500 feet from the west right-of-way line of FM-740,

Thence in a easterly direction, along the south right-of-way line of Glenn Avenue, a distance of approximately 555 feet to a point in the southwest right-of-way line of SH-205,

Thence, in a southeasterly direction along the southwest right-of-way line of SH-205, a distance of approximately 1190 feet to a point on the northwest right-of-way line of the M.K.T. Railroad,

Thence, in a southwesterly direction along the northwest right-of-way line of the M.K.T. Railroad, a distance of approximately 3980 feet to a point 500 feet from the east right-of-way line of FM-740,

Thence, in a southerly direction along a line parallel to and 500 feet from the east right-of-way line of FM-740, a distance of approximately 9900 feet to a point on the north right-of-way line of Shadydale Lane,

Thence, in a westerly direction along, said line being the City Limits, the north right-of-way line of Shadydale Lane, a distance of 500 feet to a point on the east right-of-way line of FM-740,

Thence, in a southerly direction, said line being the City Limits, along the east right-of-way line of FM-740, a distance of 50 feet to a point on the south right-of-way line of Shadydale Lane,

Thence, in an easterly direction, along the south right-of-way line of Shadydale Lane, said line being the City Limits, a distance of 363.50 feet to a point being the northwest corner of Lot 1, Block A, Highland Acres Addition, recorded in Volume 80, Page 276, Rockwall Deed Records,

Thence, in a southerly direction, along the west line of Lot 1, Block A, Highland Acres Addition, said line being the City Limits, a distance of 140.55 feet to a point for corner,

Thence, N. 84 degrees, 24 minutes, 50 seconds west, a distance of 366.02 feet, said line being the City Limits, to a point on the east right-of-way line of FM-740,

Thence, in a southerly direction, along the east right-of-way line of FM-740, said line being the City Limits, a distance of 1150 feet to station 205 + 00,

Thence, in a westerly direction, across the right-of-way of FM-740, said line being the City Limits, a distance of 80 feet to a point on the west right-of-way line of FM-740,

Thence, in a southerly direction, along the west right-of-way line of FM-740, said line being the City Limits, a distance of approximately 1450 feet to a point being the northeast corner of Lot 1, Block A, Windward Slopes Addition recorded on Slide A-368, Rockwall County Deed Records,

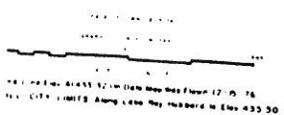
Thence, in a westerly direction, along the north line of Lot 1, 2, 3 and Lot 4, Block A, Windward Slopes, said line being the City Limits, a distance of 500 feet to a point for corner,

Thence, in a northerly direction, along a line parallel to and 500 feet from the west right-of-way line of FM-740, a distance of approximately 16,690 feet to point of beginning.

Public Administration,

OFFICIAL ZONING MAP

ROCKWALL, TEXAS



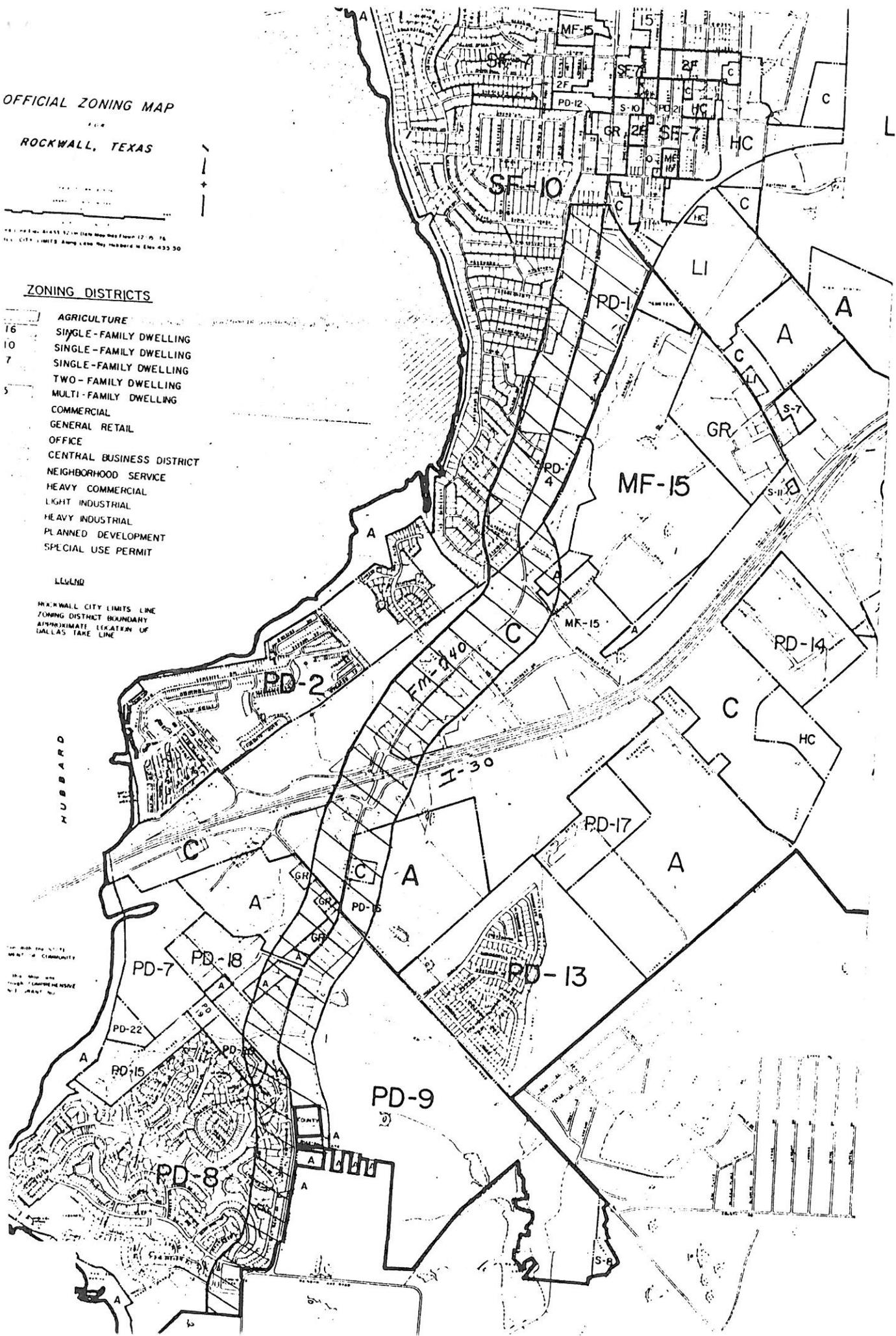
THE CITY LIMITS ALONG LEAN MAY 1988 ARE IN BLUE
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ZONING DISTRICTS

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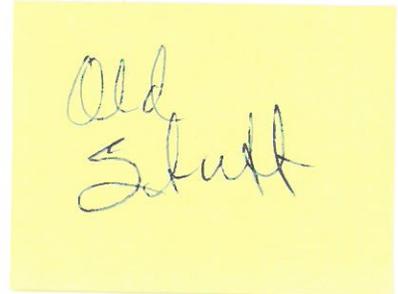
LEGEND

ROCKWALL CITY LIMITS LINE
 ZONING DISTRICT BOUNDARY
 APPROXIMATE LOCATION OF
 DALLAS TAKE LINE



THIS MAP IS THE PROPERTY OF THE CITY OF ROCKWALL, TEXAS. IT IS TO BE USED FOR OFFICIAL PURPOSES ONLY. ANY REPRODUCTION OR DISTRIBUTION OF THIS MAP WITHOUT THE WRITTEN PERMISSION OF THE CITY OF ROCKWALL, TEXAS IS STRICTLY PROHIBITED.

ORDINANCE NO. _____
EXHIBIT "A"



SECTION 2.18 (OV) Scenic Overlay District

A. Purpose

1. The Scenic Overlay District is a specialized zoning district overlaid along FM-740 which has been identified in the Comprehensive Land Use Plan as a scenic thoroughfare. The identified scenic aspects of FM-740 include views of the Lake, existing natural topography, and existing natural landscaping. The District has been established to protect scenic or historic qualities through the use of additional development criteria and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development.
2. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along a major thoroughfare. These uses may, however, be located close to residential areas. The type of allowed uses and the more restrictive development requirements provide protection for residential areas.
3. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through an Architectural Review Committee.

B. Application and Boundaries

This Overlay District shall apply to all property located within the established boundary along FM-740 as set forth on Exhibit A. Property that has been zoned, platted and site planned at the time of adoption of this ordinance shall be exempted from the provisions of this ordinance unless and until an application for zoning, platting, or site planning is re-submitted on the property.

All property developed within the Overlay District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the Overlay District. The most restrictive requirement applicable to the property shall apply.

C. Permitted Uses:

1. Agricultural use of unplatted land in accordance with all other adopted ordinances.
2. Uses allowed in single family classifications including "SF-16", "SF-10", "SF-7", and "PD" for single family uses. Property developed under these classifications within the Overlay District shall meet the area requirements set forth in the underlying single family classification.
3. Any retail businesses, personal services, professional services, business services conducted within a completely enclosed building, except the following: lumberyards or contractor yards, farm equipment or other heavy equipment sales or service, farm products warehousing and storage or stockyards, general warehousing or storage, vehicle or equipment servicing or repair, or other similar uses.
4. Planned shopping centers and neighborhood convenience centers.
5. Office buildings and accessory uses.
6. Restaurants, including accessory outdoor seating.
7. Hotel, motel.
8. Theaters and auditoriums.
9. Paved parking lots necessary to meet the parking requirements as an accessory use to an approved use, not including commercial parking lots.
10. Funeral homes.
11. Fabrication of jewelry for sale on-premises.
12. Telephone, telegraph, television, radio or similar media stations, centers, studios, but not including public microwave, radio, and television towers.
13. Drive through facilities as an accessory to a permitted use.
14. Municipally owned or controlled facilities, utilities, and uses.
15. Temporary sale of Christmas trees with permit and approval of the Building Official.

16. Temporary indoor and outdoor fund raising events sponsored by nonprofit organizations with permit and approval of the Building Official.
17. Outdoor carnivals not exceeding 2 weeks sponsored by and on the same site as a permanent business with permit and approval of the Building Official.
18. Temporary on site construction offices limited to the period of construction and approved by the Building Official.

C. Conditional Uses: (Require Use Permits, See Article IV).

1. Gasoline service stations, and retail outlets where gasoline products are sold as an accessory to a retail use, subject to the conditions established in Article IV.
2. Car Wash, tunnel or rollover design, as an accessory to a gasoline station, limited to one bay..
3. Nursery, greenhouse, or garden center.
4. Private club as an accessory to a general restaurant.
5. Institutional uses.
6. New buildings with over 5,000 square feet, or additions of over 40% of existing floor area or over 5,000 square feet with combustible structural construction materials.
7. Buildings with exterior walls with less than 90% masonry materials excluding overhead doors on walls without street frontage.
8. Any structure over 36 feet in height.

D. Required Conditions:

1. All business establishments other than those selling a service shall be retail service establishments dealing directly with customers.
2. All business operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as listed (except for off street parking and loading, and incidental display of retail items for sale) excluding retail outlets where gasoline products are sold and drive through businesses. Incidental display shall not extend beyond 4 feet located in front of the building. Such display shall not impede pedestrian traffic along any sidewalk. These provisions shall not apply to

temporary promotional or "sidewalk" sales lasting no more than 3 days, upon approval of the Building Official.

3. Any owner, builder, or developer of a tract or parcel of land zoned for non-residential uses within this district shall submit, prior to issuance of a building permit for new construction or exterior changes to existing structures, a site plan and building plan for the proposed development to the Planning and Zoning Commission and the City Council for review and approval. The contents of this site and building plan shall comply with the requirements as specified in Article III. In addition to the above, the building elevations and plans shall be subject to architectural review as specified in Article III. Upon approval such development shall comply with approved plans and elevations.

E. Prohibited Uses:

1. Any building erected or land used for other than one or more of the preceding specified uses.
2. Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required.
3. The storage, sale, lease, or rental of boats, autos or hauling trailers is prohibited.

Area Requirements:

1. Minimum platted area - 10,000 square feet
Adjacent to Interstate 30 - 1 acre
2. Minimum platted frontage on a public street - 60 feet
Adjacent to Interstate 30 - 200 feet
3. Minimum platted depth - 100 feet
Adjacent to Interstate 30 - 200 feet
4. Minimum depth of front setback - 25 feet from the future right-of-way as shown on the adopted Thoroughfare Plan, or as actually exists, whichever is greater.
5. Minimum width of side setback
 - a. Abutting a side lot line - 20 feet*

*This setback may be decreased by the Planning and Zoning Commission and City Council upon request of

the applicant. The setbacks may be decreased to a minimum of 0 only with a fire retardant wall and only if it is shown that the proposed development will not have an adverse impact on a scenic corridor or adjacent development.

- b. Abutting residentially zoned property - 30 feet plus 1/2 the building height over 36 feet.
 - c. Abutting Interstate 30 or an arterial street - 25 feet from the future width of the right-of-way as shown on the adopted Thoroughfare Plan, or as actually exists, whichever is greater.
 - d. Abutting all other streets - 15 feet from the future width of the right-of-way as shown on the adopted Thoroughfare Plan, or as actually exists, whichever is greater.
 - e. In no case shall more than a 50 foot setback be required.
6. Minimum depth of rear setback
- a. Abutting non-residentially zoned property, with fire retardant wall and alley separating- 0 feet
 - b. Without fire retardant wall or alley - 20 feet
 - c. Abutting Residentially zoned property - 20 feet plus 1/2 the building height over 36 feet.
 - d. In no case shall more than a 50 foot setback be required.
7. Minimum distance between detached buildings on the same lot or parcel of land - 20 feet*

*This distance may be decreased by the Planning and Zoning Commission and City Council upon request of the applicant. The distance may be decreased to a minimum of 0 only with a fire retardant wall and only if it is shown that the proposed development will not have an adverse impact on a scenic corridor.

8. Minimum requirement for construction materials
- a. Structures
 - 1. All structural materials for new buildings greater than 5,000 square feet in floor area, or additions of more than 40% of the existing floor area or exceeding 5,000 square feet, shall consist of 100% non-combustible materials.

2. All structural materials for new buildings 5,000 square feet or less in floor area, and any additions to existing buildings 40% or less than the existing floor area and 5,000 square feet or less may consist of combustible materials rated a minimum of one-hour fire resistive on all walls, floors, and ceilings.
 - b. Exterior walls - Each exterior wall shall consist of 90% masonry materials as defined herein excluding overhead metal doors on walls not having street frontage.
9. Maximum building coverage as a percentage of lot area - 60%.
10. Maximum amount of impervious coverage as a percentage of lot area - 90%.
11. Minimum amount of landscaped areas as a percentage of lot area - 10% with 25% of total requirement located in front and alongside buildings along street frontages. Any parking lot with more than 2 rows of spaces shall have a minimum of 2% of the interior area of the parking lot in landscaping. Such landscaping shall be counted toward the total landscaping requirement. A ten (10) foot landscape buffer shall be required adjacent to any arterial street. A minimum number of trees shall be required in the landscape buffer in a number equal to the length of street frontage divided by 30, or as otherwise approved by a 2/3 vote of the City Council. Each tree shall be a minimum of 3" caliper at time of installation and must be of a type which will exceed 30 feet in height at maturity. All required landscaped areas and any required screening or buffering shall be permanently maintained and shall have an irrigation system installed that meets all applicable City codes and which has been approved by the Building Official. A landscaping plan shall be required as a part of the site plan approval process. All required landscaping shall comply with all applicable ordinances and regulations of the City.
12. Screening - All dumpsters, refuse containers, loading areas, pad mounted utility equipment, and air conditioning units, including roof mounted units, shall be screened from horizontal view from any public street adjacent to the property. Loading areas, utility equipment and air conditioning units shall be screened utilizing plantings, berms, or walls matching the main structure. Trash or dumpster areas shall be screened on three sides with an enclosure matching the main structure. The access entrance to the enclosure shall not be visible from a public street.

13. Maximum floor area ratio - 4:1
14. Maximum height of structures - 120 feet. Any structure exceeding 36 feet in height shall require a Conditional Use Permit.
15. Utility Service- All Utility service lines shall be underground.
16. Minimum number of paved off-street parking spaces required - See Off-street Parking Article V.
17. Maximum number of entrances and/or exits
 - a. Arterial streets - 1 per each 200 feet of street frontage per site, or as approved by the City Council.
 - b. Collector streets - 1 per each 100 feet of street frontage per site, or as approved by the City Council.
 - c. Local streets - 1 per each 50 feet of street frontage per site, or as approved by the City Council.
18. Lots with non-residential uses that have a side or rear contiguous to or separated only by an alley, easement or street, from any residential district must be separated from such district by a buffer as defined herein, or as approved by the City Council.
19. Cross access easements may be required at time of site plan approval to ensure access to future median breaks and to reduce the number of needed curb cuts.
20. The building code may impose more restrictive area requirements, depending on the size, use and construction of the structures. See Article VIII for further clarification, exceptions and modifications.

SITE PLAN APPROVALS

F. Architectural Board of Review

1. Created: There is hereby created an Architectural Board of Review which shall serve as an advisory body to the Planning and Zoning Commission. Such Board shall consist of seven (7) members to be appointed by the City Council after recommendation of the Planning and Zoning Commission.
2. Term of Office; Qualifications: The members shall be appointed for a term of two (2) years with

staggered terms and shall be removable for cause by the City Council. Their terms of office shall expire on the last day of July or when their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed. The membership shall include one (1) registered architect, one residential property owner in the district and one commercial property owner in the district. The remaining membership shall include no more than one representative from any of the following categories: (1) landscape architects; (2) civil engineers; (3) structural engineers; (4) experienced commercial builders in the District; (5) professional land planners and/or (6) building designers who are members in good standing with a recognized professional association. All members must be residents of Rockwall County.

3. Duties: The purpose of the Board is to provide professional recommendations to the Planning and Zoning Commission regarding site plans and building elevations submitted within the (OV) Scenic Overlay District Meetings of the Board shall be called as needed. The Board shall review site plans and building elevations placed before them within the time frame allowed for processing applications prior to submission to the Planning and Zoning Commission. The review shall evaluate compatibility with the surrounding development and compatibility with existing topography, scenic corridors and landscaping, and with the goals and objectives established in the Scenic Overlay District the Land Use Plan and applicable provisions of the Urban Design guidelines. The Board shall make recommendations on design changes based on its professional experience and knowledge. The Planning and Zoning Commission shall consider the Board's recommendations in its deliberation of the proposed development. The Commission may include recommended changes in the proposed building elevations and site plan based upon the recommendations of the Board in its recommendation to the City Council.
4. Officers: The Board shall elect a Chairman and Vice Chairman at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Zoning Administrator shall be Secretary of the Board and an ex-officio member.

5. Voting: Each member in attendance shall have a vote on plans submitted to the Board with that vote reported to the Commission. Any member professionally or financially involved in matters pending before the Board shall abstain from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration.

ORDINANCE NO.

EXHIBIT "C"

ARTICLE IV. Conditional Use Permits:

Section 4.1 Permit Requirements

G. Conditions of Conditional Use

7. Gasoline Service Stations and retail outlets where gasoline products are sold as an accessory to a retail use located in the Scenic Overlay District shall meet the following requirements to apply for a Conditional Use Permit:
 - a. The site must be located at the intersection of two major arterial streets. Major Arterial Street is defined as either a four-lane divided or six-lane divided street that is shown on the Thoroughfare Plan.
 - b. Service bay doors shall not face any public street.
 - c. The automobile servicing area and waiting/storage area shall be screened from view by an 8 ft. tall masonry fence. Landscaping along the entire length of the outside wall shall be provided. All service vehicles must be stored inside the walled area when not in use.
 - d. The service bays shall be set back a minimum of 50 ft. from the street frontage.
 - e. There shall be no outside storage or display of any merchandise, inventory or equipment.
 - f. Indoor service areas shall provide space for no more than six vehicles, in addition to car wash tunnels.
 - g. Sites for such facilities shall be a minimum of one acre.
 - h. A minimum 20 foot landscape buffer strip along all street frontages shall be required.
8. The Planning and Zoning Commission and City Council may impose additional restrictions or conditions to carry out the spirit and intent of this Ordinance and to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, suitable landscaping, and additional improvements such as curbing and sidewalks.

OVERLAY DISTRICT

1. The District would generally include all property to a depth of 500 feet on either side of FM-740 and include all of PD-1 and PD-4.
2. The District will overlay all current zoning. The most restrictive requirement will apply.
3. The District will apply to all property not currently zoned, platted, and site planned. It will apply if the property owner resubmits a request for zoning platting, or site planning.
4. Residential uses allowed in the District include only "SF-16", "SF-10", "SF-7" and PD zoning for single family uses. Multifamily, "2F" and "ZLL" are not allowed. Residential uses must only meet the requirements in the underlying zoning classification.
5. The permitted non-residential uses, as compared to Commercial zoning, which underlies a substantial portion of the proposed District, are more restrictive generally in the area of automotive related uses. "C" zoning currently allows gasoline stations, car washes, automotive repair as an accessory to a retail use, and drive-in businesses. The Overlay District eliminates any automobile servicing or repair from the District, and restricts gasoline stations and tunnel car washes as accessory uses to gasoline stations to conditional uses. Several other incidental uses have been restricted or eliminated from the Overlay District.
6. All non-residential property within the District would be required to site plan prior to construction. All nonresidential property would also be subject to architectural review during site planning. Currently, only those properties that abut FM-740 are required to site plan and we do not have any formal architectural review process.
7. Non-residential uses could be subject to a 20 foot side setback. The draft currently states that the 20 feet could be reduced to 0 if the development will not adversely impact view corridors or adjacent development. We currently have a 0 side setback requirement with a fire retardant wall.
8. The District would require all non-residential uses to provide 10% landscaping with 25% in front of buildings, a 10 foot landscape strip along the front property line, with 3 inch caliper trees planted equal in number to 1 per each 30 feet of frontage or as otherwise approved by Council. A landscaping plan will also be required as a part of the site plan process. These are all additional requirements from our current standards. The landscape strip can be included in the overall required percentage on the site. The current "C"

classification requires 5% landscaping and 20% in front of buildings.

9. There are some screening requirements that would apply to trash facilities, equipment areas, and loading areas that are not currently required.
10. All utility service drops would be required to be underground. We don't currently have this requirement.
11. The maximum height allowed under the District is 36 feet without a Conditional Use Permit, 120 feet with a Conditional Use Permit. The "C" classification currently allows a structure 60 feet in height without a Conditional Use Permit and 240 feet with a Conditional Use Permit.
12. Cross access easements may be required under this District.
13. An architectural review committee is created that would be made up of seven members. One member must be a registered architect, one member must be a residential property owner in the District, and one member must be a commercial property owner in the District. The other members must be builders, architects, engineers, or planners. All members must be residents of the County.

The Committee is responsible for reviewing all site plans and building elevations and making recommendations on the plans to the Commission and Council. The make-up of the committee is designed to provide professional expertise to the Commission and Council in their review of these projects.

OVERLAY DISTRICT

- BORGAMY ADDN. CENLAND ASSOC. LIMITED, 1/2 TAX DEPT #246, 2838 N HASKELL, DLS 75204
- EASTRIDGE CENTRE CAMERON COMPANY, 1101 RIDGE ROAD, ROCKWALL
- EASTRIDGE CENTRE RIDGE ROAD SHIPPING PARTNERSHIP, 1101 RIDGE RD, ROCKWALL
- IND COM. FIN. CORP ADD ROCKWALL BANK N.A., P.O. Box 129, ROCKWALL
- AB 255 TR 6 TED CAIN, 206 ROCKBROOK, ROCKWALL
- TR 6-2 INDEPENDENT EQUITIES, 4533 LOSA DR, DLS 75218
- AB-1 TR 2 PAIGE B. BAYOUB, 6211 W NW HWY, DALLAS 75225
- AB 255 - TR 23 LUCILLE BELL, P.O. Box 682, ROCKWALL
- TR 20 MELVIN J GRAEM, RT 3, Box 3, ROCKWALL
- TR 21 CLIFFORD HALL 1/2 JAMES CLADREY, 108 GLENN AVE, ROCKWALL
- TR 29, 30, 35, 13 AND COLE LAFFER, RT 1 Box 231-C, ROCKWALL
- TR 12 BILLY D. COLLINS, RT 3 Box 7, ROCKWALL
- TR 32, 33 V.M. WALLACE & E. LOFLARD, 105 E KAUFMAN, ROCKWALL
- TR 38 V.M. WALLACE, 6307 MOUNTAIN CLIMB, AUSTIN 78731
- TR 24 W. I. LOFLARD, 105 E KAUFMAN, ROCKWALL
- TR 4 HORACE BOWEN, 1301 ALAMO, ROCKWALL
- TR 28 LOUISE PICKENS, 1303 ALAMO RD, ROCKWALL
- M.C. PASSMORE WILLIAM L. BELLENFANT, 1401 S ALAMO, ROCKWALL
- AB 255 TR 3-2 ROBERT BECK, 4739 SARAZEN, MESQUITE 75149
- L&W Lot 1 Bldg CHARLES CRAIG PINNELL, 1425 S ALAMO
- LOT 2 Bldg 2 LOUISE PICKENS, 1303 ALAMO RD
- LOT 3, Bldg 2 MRS JOHN A. BRYAN, 109 GLENN AVE
- LOT 4 Bldg 2 CLAYTON CUMMINGS, 107 GLENN AVE
- LOT 5 Bldg 2 AILEEN D McFARLIN, 105 GLENN AVE
- LOT 6 Bldg 2 VINCENT R. JACOBS, 103 GLENN AVE
- LOT 7 Bldg 2 HUGH T NAUS, 101 GLENN AVE
- RIDGE ROAD VILLAGE
- LOT 1 Bldg ROBERT N HART, 113 SUMMITT RIDGE
- LOT 2 Bldg RONALD ROY ROONSLEY, 111 SUMMITT RIDGE
- LOT 3 Bldg CLYDE WILLIAMS, 104 SUMMITT RIDGE
- LOT 4 Bldg WILLIAM R. LESLIE, 1205 S ALAMO

RIDGE RD VILLAGE

- BLOCK R LOT 18 JIMMY PANNELL, 1407 S ALAMO
- LOT 17 JIMMY PANNELL, 1407 S ALAMO
- LOT 16 JIMMY FULLER, 1411 S ALAMO
- LOT 15 JOHN ALBRITTON P.O. BOX 822, ROCKWALL
- LOT 14 STERLING R SCHAROW, 1415 ALAMO RD
- LOT 13 JEFF GRINNAN, 8825 MIAMI DR, ROWLETT 75088
- LOT 12 RICHARD L BROOKS, 1419 ALAMO
- LOT 11 DOYLE CAIN, 40 EQUITY TAX GROUP, P.O. BOX 1400, ROWLETT 75088
- LOT 10 URIAH SHOCKLEY, 1423 ALAMO RD, ROCKWALL, 75087
- LOT 9 CHARLES PINNELL AND C.E. NEVA, 1425 ALAMO
- LOT 5 BK K CARL L MCDOWELL, 606 GRIFFITH, TERRELL, 75160
- LOT 4 BK M JOMAYE RAY, 201 WOODPARK, ROCKWALL
- LOT 7 BK M ALLAN H THOMAS, 1408 ALAMO
- LOT 8 BK M LESTER L REAGAN, 1219 ROWLETT RD, CARLANDS 75043
- LOT 11 BK N MARVIN L ALDRIDGE, 201 STONECREST, ROCKWALL
- LOT 21 BK N BARRY BARNHILL, 202 DARTBROOK, ROCKWALL
- LOT 10 BK O CERADY C YOUNG, 201 DARTBROOK
- LOT 19 BK O RUSSELL STOUT, 202 MEADOWDALE
- LOT 8 BK P SAMMY E FOX, 201 MEADOWDALE
- AB 1 TR 20 TED CAIN, 812 S COLIAD, ROCKWALL
- AB 1 TR 21 LEE RHOADES, 1101 S ALAMO, ROCKWALL
- AB 1 TR 14 B. A. KLUTTS, 406 N COLIAD, ROCKWALL
- ATKINS/COLLINS RICHARD COLLINS, P.O. BOX 704, ROCKWALL
- AB 1 TR 6 BILLY W PEOPLES, P.O. BOX 35, ROCKWALL
- AB 1 TR 7 BILLY W PEOPLES, P.O. BOX 35, ROCKWALL
- AB 1 TR 16, 16-1 OWEN L MITCHELL, 1402 RIDGE ROAD, ROCKWALL
- CARROLL ESTATES CLAYTON CARROLL, 1400 RIDGE ROAD, ROCKWALL
- ROGERS AND ROGERS, 1013 S COLIAD
- AB 1 TR 19 GORDON PETERSON, P.O. BOX 704
- AB 1 TR 17 MARTIN C PARKS, BOX 132
- LAKE RAY HUBBARD EST
- BCK A LOT 13 JOHN WEDDIE, 1601 ALAMO, ROCKWALL
- LOT 12 ROY L. HETOURNEAU, 1603 ALAMO
- LOT 11 LORRAINE BURNS, 1605 ALAMO

- LOT 10 Bx A SEARS SAVING BANK, 701 N BRAND, 7th Floor, GLENDALE CA. 91203
- LOT 9 ARTHUR AND FRANCES CAMPBELL, 1609 SOUTH ALAMO
- LOT 8 RANDY SIMMONS, 1611 ALAMO
- LOT 7 WILLIAM F COENLE JR, 1613 S ALAMO
- LOT 6 JIMMY D SCHREIBER, 204 BECKY LN
- LOT 5 ROBERT D REEVES, 202 BECKY LANE
- LOT 1 JAMES E RIDINGS, 1412 RIDGE RD
- LOT 2 ED EUBANKS, 1410 RIDGE RD
- LOT 3 EDWARD TRAVIS EUBANKS, 1410 RIDGE RD / JAMES RIDINGS, 1412 RIDGE RD
- LOT 4 EUGENE BUTSAROS, 104 BECKY LANE
- LOT 1 Bx B BOB LACKLAND, 1504 RIDGEWOOD
- LOT 2 MELVIN N WILUS, 1502 RIDGE ROAD
- LOT 3 MRS HERBERT W AVE JR, 101 BECKY LN
- LOT 4 K.O. MCCORMICK, 103 BECKY
- LOT 5 B N WATSON, 105 BECKY LN
- LOT 6 RICKEY D RUDOLPH, 107 BECKY LN
- LOT 7 JOSEPH C CONRAD, 201 BECKY LN
- LOT 8 GARY L MARRODE, 203 BECKY LN
- COAST ROYALE
- LOT 1 Bx C ROCKWALL 740 CORP c/o CECIL UNROTH, 1722 RIDGE RD
- LOT 2 ROCKWALL 740 CORP "
- LOT 3 JAMES & BARBARA HENDRICKS, 1602 RIDGE RD
- LOT 4 CECIL UNROTH, 1722 RIDGE RD
- LOT 5 VAN CORP, JO HANNAS c/o OBIE VELDMAN, P.O. BOX 2297, ^{CORSICANA} 75110
- AB 1 TR 12 KENNETH RAY JONES, 1728 RIDGE ROAD
- AB 1 TR 4 O K COPELAND, 1726 RIDGE ROAD
- LAKE RIDGE PARK
- LOT 7 Bx A DAN T AND SUSAN SHELLITO, 210 LAKEVIEW
- LOT 8 RICHARD D SWETNAM, 208 LAKEVIEW
- LOT 9 DENNIS WHITE, 206 LAKEVIEW
- LOT 12 Bx B HIGH LAWRENCE KELLY, 209 LAKEVIEW
- LOT 13 LYNN BROYLES, 207 LAKEVIEW
- LOT 14 WANDA KAY LARLEY 205 LAKEVIEW
- LOT 15 CECILE PAUL SHARBER, 203 LAKEVIEW
- LOT 16 GERALD L KILMAN, 201 LAKEVIEW

- LOT 10 BKA OSCAR P PECK, 108 LAKE DALE
- LOT 11 GERALD LEON KINMAN, 1902 LAKEVIEW
- LOT 12 ALPHA YARBROUGH III, 104 LAKE DALE
- LOT 13 GERALD LEON KINMAN
- LOT 24 BKD MAL C BRAUM, 1944 LAKESHORE DR
- LOT 25 TIMOTHY A ADKINS, 2002 LAKESHORE DR
- LOT 26 ROBERT A CROSS, 2004 LAKESHORE DR
- LOT 27 REX CAMERON, 2006 LAKESHORE DR
- LOT 28 RICHARD L SHARP, 2008 LAKESHORE DR
- LOT 29 ROBERT STEBBINS, 2010 LAKESHORE DR
- LOT 30 BOBBY F JOHNSON, 2012 LAKESHORE DR
- LOT 31 TERRY W HORN, 2014 LAKESHORE DR
- LOT 3 BKE KEVIN L BALLARD, 1907 LAKEVIEW DR
- LOT 4 ROGER BLAKE JOHNSON, 1905 LAKEVIEW DR
- LOTS SURENDRA B NAIK, 1903 LAKEVIEW
- LOT 6 ROBERT M MILLER, 1901 LAKEVIEW
- LOT 7 C L FREEMAN, 2013 LAKESHORE DR
- LOT 8 JACK B COWLEY, 2004 LAKESHORE
- LOT 9 KENNETH C DEIKE, 2009 LAKESHORE
- LOT 10 JOHN J REDMOND, 2007 LAKESHORE
- LOT 11 JERRY W TOWELL, 2005 LAKESHORE
- LOT 12 GERALD LEON KINMAN
- A1-TR 9 ~~CHARLES PROCK~~, JAMES P SYVRUD, 121 SHEPHERDS COLEN RD
- A1-TR 11 GARY KOOLL, RT 3 BOX 22 ROCKWALL
- A1 TR 18 CHARLES PROCK, RT 3 BOX 22-A, ROCKWALL
- A1 TR 7 CURTIS COSBY 1/2 WM T ALLEN, 1630 WILLIAMS, ROCKWALL
- AB 64 TR 19 CECIL J UNRUH, 1722 RIDGE RD
- AB 64 TR 3 (1.53 acres) COLDENCREST IV 4817 ROWLETT RD SUITE B ROWLETT 75088
- AB 64 TR 1-3 (11.14 acres) SANDKNOOP
- LAKWOOD PK
- LOT 1 BKA BUEGG-MILLER, INC, 319 YACHT CLUB DR
- LOT 2 LES T SANDKNOOP, 2306 RIDGE RD
- SAMI E CONSTANTINE, 7252 STEFANI, DLS 76225
- MICHEL STEPHAN, 2540 N GALLOWAY, #101, MESQUITE 75150

LOT 3, Bk A ⁴¹⁵ TEXAS CENTRE JV, 46 WILLIAM WAY, RT 4 BOX 106A, ROCKWALL
 LOT 6 RICK ROMO ASSOCIATION, INC, P.O. BOX 715, ROCKWALL
 HUDSPETH HUDSPETH WARD, P.O. BOX 934, ROCKWALL 75087

AB 145 TR 9 GOLDENCREST JV

AB 64 TR 1-3 ROLAND J SACZEK, RT 4 BOX 552, ROCKWALL

1ST PRES FIRST UNITED METHODIST CHURCH, 102 ^{Box 158} JARDIN ROCKWALL

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HP MAIS JOYCE WALTERS, BOX 217, ROCKWALL

AB 64 TR 20 ROCKWALL VILLAGE LTD 46 Roy A BUSBY, P.O. BOX 801308, DLS 75380

TR 14 CARL K MCKENNEY, 2306 RIDGE RD, ROCKWALL

TR 21 HAYWOOD EASON + ASSOC, BOX 716, ROCKWALL

TR 10 DAVID SHURGER JR, 1617 GREENBRIAR, OK CITY 73159

TR 10-1 HAYWOOD EASON

TR 4 KENNETH ENGLISH, 2222 REPUBLIC BANK TOWER, DALLAS 75201

TR. 15 JAMES AND VADA REESE, 303 DARTBROOK, ROCKWALL

Rd 4 RD OFFICE PR ROBERT VANDERSLICE, 1408 LAKESHORE

EDWIN ORNISH, 7516 COEN ALBENS CIR, DALLAS 75225

ROCKWALL EX. CNTR DAVID SHURGER

LELAND MILLER ADDITION

RURAL TOWNE CENTRE ROCKWALL Vlg 46 Roy A BUSBY

SALT LAKE CITY, UTAH

AMERICAN STORES PROPERTIES, INC., 444 E. SOUTH STREET, 84111-1897

SUNBELT RETAIL JV, 8235 DOUGLAS #816, DALLAS 75225

MCDONALDS CORP, P.O. BOX 66207, CHICAGO ILLINOIS 60666

CHEVRON U.S.A. INC, P.O. BOX 285, HOUSTON 77001

AB 9 ~~TR~~ TR 1 GAR-Com, LTD 46 KEN ANDREWS P.O. BOX 495, SEAGOVILLE 75159

AB 9 TR ROBERT H THOMAS, 3131 STEMMENS Fwy DALLAS 75247

CATFISH SUB ERNEST HUGHES, BOX 758, ROCKWALL

RICH HARRIS RICHARD HARRIS, P.O. BOX 274, ROCKWALL

4099 DAVID HOY9, BOX 20, FATE, TX 75032

VILLAGE 1 JAMES MATTOX 1110 VALENCIA, DALLAS 75223

EZ MART #78 P.O. BOX 1426, TEXARKANA 75501

I30/FM 740 EASON, HAYWOOD

PEOPLES #2
AB 200 TR1

Billy Peoples & D Beckout P.O. Box 35, Rockwall

STEGAR #1

LAKESIDE NATIONAL BANK, LYN McREARY, P.O. Box 9, Rockwall

Rockwall Chamber of Commerce, P.O. Box 92, Rockwall

TR 11-13
AB 200 TR11

Emily Sue Whitehead, c/o O.L. Stegar, 304 Highland Dr, Rockwall

CARUSLE PLAZA

CARUSLE Rockwall Village JV, c/o REAL ESTATE TAX SVC, P.O. 832310, RICHARDSON, 75083-2310

HIGHLANDS ACRES

RIDGE ENTERPRISES, INC, Rt 4 #1 SHADYSIDE LN, Rockwall

AB 207 TR 54

RIDGE ENTERPRISES

LAKE RIDGE ESTATES

LOT 28

740 JOINT VENTURE, 5449 GLEN LAKES #110, DALLAS 75231

LOT 27

PEOPLES SAVINGS & LOAN, P.O. DRAWER 130, CLARK, TX 78643

LOT 26

F.P. HUGHES, 2930 S Ridge Rd, Rockwall

LOT 23

LOT 13

I. L. Wilson Rt 4, Box 37, Rockwall

TRACT 4
3.175 ac

LOT 22

LOT 14

TRACT 5
6.107 ac

LOT 25

LOT 24

LOT 12

TEXAS FRATES

TRACT 2
8.756 ac

LOT 7

LOT 8

LOT 9

LOT 10

LOT 11

CHANDLERS PH 15

TEXAS FRATES, #1 Commodore Plaza, Rockwall

1-12 BK B

QUEENS ON THE LAKE JOINT VENTURE, P.O. 279 Rockwall

1-17 BK A
↓

JOHNNIE W RAY, 201 WOODPARK, Rkwl

JOYCE M WALTERS, P.O. Box 217, Rockwall

ANTHONY ROFFINO, P.O. Box 233, Rkwl

A J WAGNER, 3123 BOURBON ST CR, Rockwall

RICHARD HARRIS, P.O. Box 279, Rockwall

PH 19
CHANDLERS

CAROL BARNETT, 4325 LARCHMONT AVE, DIS 75205

1-11 BK C

KENNETH W HOLCOMB, 2105 MEADOW DALE, IRVING 75060

1-16 BK B

MERRI D GAMMILL 8703 CANYON DR

28-45 BK A

WALTER CRABTREE, 109 BRIARCREST, RICHARDSON 75081

JOE DOTSON, 1818 CRIPPLE CREEK, CARLAND 75041
 CHANDLERS LANDING DEV CORP, 1717 S BOULDER #201, TULSA 74119-4817
 IRVIN JACKSON, 714 RIDGEVIEW DR, ROCKWALL
 ROBERT T BISHOP, 4612 ISABELLA LN, DLS 75229
 LUI HUI PIN CHAN, 5309 GALAXIE, CARLAND 75042
 CARY D ~~SMITH~~ SMITH, 1637 WINCHESTER WAY, BEDFORD 76022
 ROBERT M TAYLOR, 1017 SIGNAL RIDGE, ROCKWALL
 PLUMMER MORTON, #1 E PROVIDENCE, YEADON, PA 19051
 SUSIE PASCHALL, #1 E PROVIDENCE, YEADON, PA 19050

PHASE 10

LOT 5 BEK BARRY BROWN, 3320 EASH SHEA BLVD, PHOENIX AZ 85028
 LOT 1 BIC A NIGEL BROWN, 3500 N HAYDEN RD #1904, SCOTTSDALE, AZ 85251
 LOT 2 ROBERT S JOHNSON, 5813 YACHT CLUB DR,
 LOT 3 ANTONIO AZORES, 5811 YACHT CLUB DR
 LOT 4 JIMMY WILLIAMSON, 5809 YACHT CLUB DR
 LOT 5 JAMES IMBURGIA, 5807 YACHT CLUB DR
 LOT 6 WESLEY W + WILLIAM KUCERA, 208 BARDES BRIDGE, SUNNYVALE 75182
 LOT 7 STEPHEN D + ANNA HALAMA, 807 N CENTERVILLE RD, CARLAND 75041
 LOT 8 KAREN W FREY, 4292 CHANA RD #103, CARLAND 75043
 LOT 9 SUNBELT SAVINGS ASSOC, 4901 LBJ FWY # DALLAS, TX 75244
 LOTS 10-11 CHANDLER'S LANDING DEV CORP
 LOT 12 ~~SPARK~~ CHARLES H SMEDLEY, 210 EAST CORAL, GRAND PRAIRIE 75051
 LOT 13 WESLEY W + WILLIAM KUCERA
 LOT 14 BILLY W FISHER, 5701 YACHT CLUB DR
 LOT 15 JEFFREY DWAYNE WARRER, 102 CERESTA PLACE, ROCKWALL
 LOT 16 DONALD W MURRAY, 807 CASTLEGLEN DR #102, CARLAND 75043
 LOT 17 BROWN + ROBERTS HOMES INC, 10006 BRIDGEGATE LN, DLS 75243
 LOT 18 CECIL UNROTH, 1732 RIDGE RD, ROCKWALL
 LOT 19 CARY MCKIBBEN, 608 SHOREVIEW, ROCKWALL
 LOT 20 TEXAS FRATES
 LOT 21 JOHN S SPIROS, 5601 YACHT CLUB DR, ROCKWALL
 LOT 22 DANIEL S LAYTON, 5507 YACHT CLUB DR
 LOT 23 PAUL COORSEY, P.O. BOX 66, ROCKWALL

- LOT 1 BLEB BRIAN L STEBIER, 1014 HOLLAND DR, CARLAND 75041
- LOT 2 PETER J MAY, 5808 YACHT CLUB DR
- LOT 3 COL A + SANDRA MERCIER, 5806 YACHT CLUB DR
- LOT 4 JAMES MICHAEL STAWELL, 5804 YACHT CLUB DR
- LOT 5 MARK J PETERSON, 101 AURORA CR, ROCKWALL
- LOT 6 MARVIN G KRAMER, 103 AURORA
- LOT 7 RONALD E TRIVITS, 105 AURORA CR
- LOT 8 JOHN G. O'BRIEN, 104 AURORA CR
- LOT 9 MARTIN EUGENE GREEN, 102 AURORA CR
- LOT 10 LAWRENCE A MAINZER, 5704 YACHT CLUB
- LOT 11 TIMOTHY WESTRICH, 3427 BRIAR OAKS DR, CARLAND 75042
- LOT 12 JOSEPH F CURRAN, 5624 CAMBRIA, ROCKWALL
- LOT 13 WILLIAM S UTHLAUT, 5622 CAMBRIA
- LOT 14 WILLIAM F DANNENBRING, 5620 CAMBRIA
- LOT 1 BKC WILLIAM V SCHMALTZ, 5613 CAMBRIA
- LOT 2,3 BROWN + ROBERTS HOME
- LOT 4 W. S. HUMPHREYS, #1 INTREPID CIRCLE, ROCKWALL
- LOT 5 SIDNEY JOHNSON, 9001 MILLWOOD, ROWLETT 75088
- LOT 9 ERIC YOUNG BAKER, 5604 YACHT CLUB
- LOT 10 STEVEN SPEED, 5606 YACHT CLUB DR
- LOT 11 CHRIS CATTANIS, 5608 YACHT CLUB DR
- LOT 12 B W PAULICKER, 208 TIMBERLINE, COLLEGEVILLE 76034
- PHASE 6 BKF
- LOT 8 V CLARKE CONS INC, #2 SHEPHERDS WAY, HEATH 75087
- LOT 9 ROBERT KLIDE, 3543 VANCOUVER, DALLAS 75229
- 11, LOT 10 SUNBELT SAVINGS ASSOC OF TEXAS, P.O. 1157, GREENVILLE 75041
- LOT 12 JACK F OSTRANDER, 116 SEPTRE DR, ROCKWALL
- LOT 13 EQUITABLE RELOCATION MANAGEMENT CORP, 20 N WACKER, CHICAGO, IL 60606
- LOT 14 MICHAEL MUNDEN, 5038 HOLLOW RIDGE, DALLAS 75227
- LOT 15 LARRY WILHITE, P.O. Box 672, WYLIE 75098
- LOT 16 MARK S WEINBURG, 146 HENRY M CHANDLER DR, ROCKWALL
- LOT 17, 18, 19 JOHN B. BULLOCK, 5912 YACHT CLUB DR
- LOT 12 BKC RALPH S MILLER, 2016 JESSIE PLACE, FT. WORTH 76134
- LOT 13 DEAN SCHREIDER, 8 CENTURY COURT, ROANOKE, TX 76262

Lot 14-16 LORETTA BARTON, 5722 GASTON, DALLAS 75214

Lot 15 CHANDLERS LANDING DEVELOPMENT CORP

Lot 16-17 JOHN B BOLLOCK

Lot 18-19 CHARLES HOFFMAN & ASSOC INC, P.O. BOX 232, ROCKWALL

PHASE 7 #1 1A MARK ELLISTON, 131 YACHT CLUB DR

2 - 1/2 OF 3 WILLIAM F WALTER, 123 YACHT CLUB DR, RT 4

#2 1/2 3 ALI AND ANNE ZOLNER, 341 TROUT RD

#2 Lot 4 SERGIY COLERGINE, 5537 CHARLESTOWN DR, DALLAS 75230

#2 Lots TEXAS FRATES COMPANY

HIGHLAND ACRES

Lot 1 BK A CALVIN OYLEE, #1 SHADYDALE LN

~~Lot 2 ROBERT MCKINNEY, #3 SHADYDALE LN NOT WITHIN 500'~~

Lot 1 BK B RIDGE ENTERPRISES

Lot 2 JAMES COODSON RT 4 BOX 113Q

Lot 3 DAVE DAVIS RT 4 BOX 113J

Lot 4 JAMES SRYGLEY, RT 4 BOX 113N

ISAAC BROWN

Lot 1 HORACE LEE WILLIAMS, 411 ~~DE~~ VALLEY DRIVE, RWL

LA, Lot 2 PHILLIP WILLIAMS & W DOUGLAS 8023 CLAREMONT, DLS 75228

3, 8A, 7A, 2A, 6 PHILLIP WILLIAMS, 8023 CLAREMONT, DALLAS 75228

Lot 4 EMMITT YOUNG, 2880 HORIZON RD, RWL

Lot 7, 5, 8, 4A SPATEX/PATRICK STEPHENSON, 1127 CONVEYER LN, DLS 75247

1A, 5 OLA YOUNG c/o EMMITT YOUNG, 2880 HORIZON RD, RWL

3A SPATEX c/o COARY SCHULTZ, 1127 CONVEYER, DLS 75247

5A WILLIAM D DOUGLAS, 7446 E GRAND DLS 75214



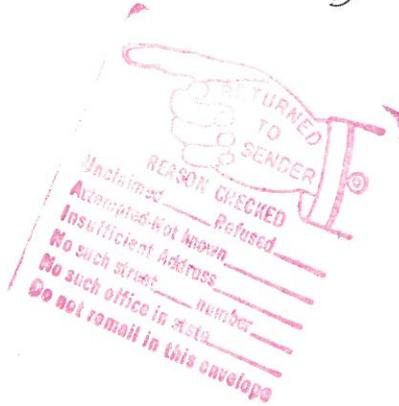
205 West Rusk

CITY OF ROCKWALL

"THE NEW HORIZON"

Rockwall, Texas 75087-3793

Robert



Martin Eugene Green
102 Aurora Cr.
Rockwall, TX 75087



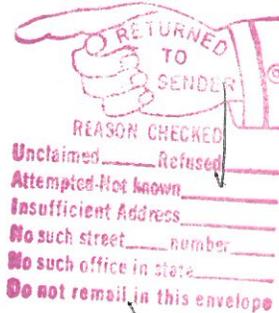
205 West Rusk

CITY OF ROCKWALL

"THE NEW HORIZON"

Rockwall, Texas 75087-3793

William



William F. Walton
123 Yacht Club Dr.
Rt. 4
Rockwall, TX 75087



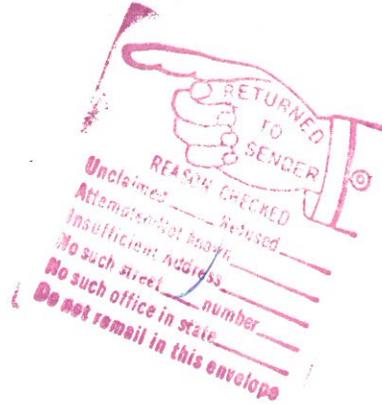


205 West Rusk

CITY OF ROCKWALL

"THE NEW HORIZON"

Rockwall, Texas 75087-3793



Merci D. Gammill
8703 Canyon Dr.
Rockwall, TX 75087

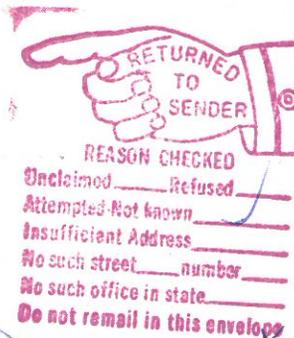


205 West Rusk

CITY OF ROCKWALL

"THE NEW HORIZON"

Rockwall, Texas 75087-3793



not at this address

Jack B. Cowley
2004 Lakeshore
Rockwall, Tx. 75087

CDW 04 9R24UJN1 06/24/87
RETURN TO SENDER
NO FORWARDING ORDER ON FILE
UNABLE TO FORWARD

CDW 04 9R17D1N1 06/17/87
RETURN TO SENDER
NO FORWARDING ORDER ON FILE
UNABLE TO FORWARD



205 West Rusk

CITY OF ROCKWALL

"THE NEW HORIZON"

Rockwall, Texas 75087-3793



AZO 01 10185051 06/18/87
NOTIFY SENDER OF NEW ADDRESS
AZORES
1925 BYRD RD
VIENNA VA 22180-3704

~~Antonio Azores
5811 Yacht Club Dr.
Rockwall, TX 75087~~

AZO 11 01151581 06/15/87
AZORES
3701 JUNIUS ST #F002
DALLAS TX 75252-9811

SECTION (OV) Scenic Overlay District

A. Purpose

1. The Scenic Overlay District is a specialized zoning district overlaid along a designated scenic or historic thoroughfare. It has been established to protect scenic or historic qualities through the use of additional development criteria and by requiring uses compatible with both existing uses and with the visual environment. The development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and quality of development along the thoroughfare to which it is applied.
2. This district is designed to be primarily an office and retail/commercial shopping district with an intensity of uses normally found along a major thoroughfare. These uses may, however, be located close to residential areas. The type of allowed uses and the increased development requirements provide protection for residential areas.
3. In order to ensure that the visual impact of development does not detrimentally affect the area in

which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through an Architectural Review Committee.

B. Application and Boundaries

This Overlay District shall apply to all property located within the established boundary along FM-740 as set forth on Exhibit A. Property that has been zoned, platted and site planned at the time of adoption of this ordinance shall be exempted from the provisions of this ordinance unless and until an application for zoning, platting, or site planning is re-submitted on the property.

All property developed within the Overlay District must meet both the terms and requirements of the underlying zoning classification applicable to the property and the provisions set forth in the Overlay District.

C. Permitted Uses:

1. Agricultural use of unplatted land in accordance with all other adopted ordinances.

2. Uses allowed in all single family classifications including "SF-16", "SF-10", "SF-7", "2F", "ZL-5", and "PD." Property developed under these classifications within the Overlay District shall meet the area requirements set forth in that district. Lots abutting FM-740 shall also be subject to the architectural review and site plan requirements included in the Overlay District.
3. Uses allowed in the "MF-15" and "PD" classifications. Property developed under this classification within the Overlay District shall meet the area requirements of the "MF-15" classification and shall also be subject to the site plan and architectural review requirements of the Overlay District.
4. Any retail businesses, personal services, professional service, business services conducted within a completely enclosed building, except the following: lumberyards or contractor yards, farm equipment or other heavy equipment sales or service, farm products warehousing and storage or stockyards, general warehousing or storage, vehicle or equipment servicing or repair.
5. Planned shopping centers and neighborhood convenience centers.

6. Office buildings and accessory uses.
7. Restaurants, including accessory outdoor seating.
8. Hotel, motel.
9. Theaters and auditoriums.
10. Paved parking lots necessary to meet the parking requirements as an accessory use to an approved use, not including commercial parking lots.
11. Funeral homes.
12. Retail outlets where gasoline products are sold.
13. Fabrication of jewelry for sale on-premises.
14. Telephone, telegraph, television, radio or similar media stations, centers, studios, but not including public microwave, radio, and television towers.
15. Institutional uses.
16. Drive through facilities as an accessory to a permitted use.

17. Municipally owned or controlled facilities, utilities, and uses.
18. Temporary sale of Christmas trees with permit and approval of the Building Official.
19. Temporary indoor and outdoor fund raising events sponsored by nonprofit organizations with permit and approval of the Building Official.
20. Outdoor carnivals not exceeding 2 weeks sponsored by and on the same site as a permanent business with permit and approval of the Building Official.
21. Temporary on site construction offices limited to the period of construction and approved by the Building Official.

C. Conditional Uses: (Require Use Permits, See Article IV).

1. Gasoline service stations.
2. Car Wash as an accessory to a gasoline service station within 500 feet of I-30.

3. Automotive repair, accessory to a permitted retail use, provided all work is conducted wholly within a completely enclosed building.
4. Nursery, greenhouse, or garden center.
5. Private club as an accessory to a general restaurant.
6. New buildings with over 5,000 square feet, or additions of over 40% of existing floor area or over 5,000 square feet with combustible structural construction materials.
7. Buildings with exterior walls with less than 90% masonry materials excluding overhead doors on walls without street frontage.
8. Any structure over 36 feet in height.

D. Required Conditions:

1. All business establishments other than those selling a service shall be retail or wholesale service establishments dealing directly with customers. All goods produced on the premises shall be sold on premises where produced.

2. All business operations including storage shall be conducted within a completely enclosed building unless specifically authorized for the use as listed (except for off street parking and loading, and incidental display of retail items for sale) excluding retail outlets where gasoline products are sold and drive through businesses. Incidental display shall not extend beyond 4 feet located in front of the building. Such display shall not impede pedestrian traffic along any sidewalk. These provisions shall not apply to temporary promotional or "sidewalk" sales lasting no more than 3 days, upon approval of the Building Official.

3. Any owner, builder, or developer of a tract or parcel of land within this district shall submit, prior to issuance of a building permit, to the Planning and Zoning Commission and the City Council for review and approval, a site and building plan for the proposed development. The contents of this site and building plan shall comply with the requirements as specified in Article III. In addition to the above, the building elevations and plans shall be subject to architectural review as specified in Article III. Upon approval such development shall comply with approved plans and elevations.

E. Prohibited Uses:

1. Any building erected or land used for other than one or more of the preceding specified uses.
2. Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required.
3. The storage, sale, lease, or rental of boats, or hauling trailers is prohibited.

Area Requirements:

1. Minimum site size - 10,000 square feet
Adjacent to Interstate 30 - 1 acre
2. Minimum site frontage on a public street - 60 feet
Adjacent to Interstate 30 - 200 feet
3. Minimum site depth - 100 feet
Adjacent to Interstate 30 - 200 feet
4. Minimum depth of front setback - 25 feet from the
future right-of-way as shown on the adopted

Thoroughfare Plan, or as actually exists, whichever is greater.

5. Minimum width of side setback

a. Abutting a side lot line - 20 feet*

*This setback may be decreased by the Planning and Zoning Commission and City Council upon request of the applicant. The setbacks may be decreased to a minimum of 0 only with a fire retardant wall and only if it is shown that the proposed development will not have an adverse impact on a view corridor or adjacent development.

b. Abutting residentially zoned property - 20 feet plus 1/2 the building height over 36 feet.

c. Abutting Interstate 30 or an arterial street - 25 feet from the future width of the right-of-way as shown on the adopted Thoroughfare Plan, or as actually exists, whichever is greater.

d. Abutting all other streets - 15 feet from the future width of the right-of-way as shown on the adopted Thoroughfare Plan, or as actually exists, whichever is greater.

e. In no case shall more than a 50 foot setback be required.

6. Minimum depth of rear setback

a. Abutting non-residentially zoned property, with fire retardant wall and alley separating- 0 feet

b. Without fire retardant wall or alley - 20 feet

c. Abutting Residentially zoned property - 20 feet plus 1/2 the building height over 36 feet.

d. In no case shall more than a 50 foot setback be required.

7. Minimum distance between detached buildings on the same lot or parcel of land - 20 feet*

*This distance may be decreased by the Planning and Zoning Commission and City Council upon request of the applicant. The distance may be decreased to a minimum of 0 only with a fire retardant wall and only if it is shown that the proposed development will not have an adverse impact on a view corridor.

8. Minimum requirement for construction materials.

a. Structures

1. All structural materials for new buildings greater than 5,000 square feet in floor area, or additions of more than 40% of the existing floor area or exceeding 5,000 square feet, shall consist of 100% non-combustible materials.
2. All structural materials for new buildings 5,000 square feet or less in floor area, and any additions to existing buildings 40% or less than the existing floor area and 5,000 square feet or less may consist of combustible materials rated a minimum of one-hour fire resistive on all walls, floors, and ceilings.

b. Exterior walls - Each exterior wall shall consist of 90% masonry materials as defined herein excluding overhead metal doors on walls not having street frontage.

9. Maximum building coverage as a percentage of lot area - 60%.

10. Maximum amount of impervious coverage as a percentage of lot area - 95%.

11. Minimum amount of landscaped areas as a percentage of lot area - 5% with 20% of total requirement located in front and alongside buildings along street frontages. Any parking lot with more than 2 rows of spaces shall have a minimum of 2% of the interior of the parking lot in landscaping. Such landscaping shall be counted toward the total landscaping requirement. A ten (10) foot landscape buffer shall be required adjacent to any arterial street. One large tree, defined as a tree that will exceed 30 feet at maturity, for every thirty (30) feet of frontage is required to be installed in the landscape buffer strip. All required landscaped areas and any required screening or buffering shall be permanently maintained and shall have an irrigation system installed that meets all applicable City codes and which has been approved by the Building Official. A landscaping plan shall be required as a part of the site plan approval process.

12. Screening - All dumpsters, refuse containers, loading areas, pad mounted utility equipment, and air conditioning units shall be screened from view from any public street. Loading areas, utility equipment and air conditioning units shall be screened utilizing plantings, berms, or walls matching the main structure. Trash or dumpster areas shall be screened on three sides with an enclosure matching the main

structure. The access entrance to the enclosure shall not be visible from a public street.

13. Maximum floor area ratio - 4:1
14. Maximum height of structures - 120 feet within 500 feet of I-30; 72 feet in the remainder of the District. Any structure exceeding 36 feet in height shall require a Conditional Use Permit.
15. Utility Service- All Utility service lines shall be underground.
16. Minimum number of paved off-street parking spaces required - See Off-street Parking Article V.
17. Maximum number of entrances and/or exits
 - a. Arterial streets - 1 per each 200 feet of street frontage per site, or as approved by the City Council.
 - b. Collector streets - 1 per each 100 feet of street frontage per site, or as approved by the City Council.

c. Local streets - 1 per each 50 feet of street frontage per site, or as approved by the City Council.

18. Lots with non-residential uses that have a side or rear contiguous to or separated only by an alley, easement or street, from any residential district must be separated from such district by a buffer as defined herein, or as approved by the City Council.
19. Cross access easements may be required at time of site plan approval to ensure access to future median breaks and to reduce the number of needed curb cuts.
20. The building code may impose more restrictive area requirements, depending on the size, use and construction of the structures. See Article VIII for further clarification, exceptions and modifications.

SITE PLAN APPROVALS

F. Architectural Board of Review

1. Created: There is hereby created an Architectural Board of Review which shall serve as an advisory body to the Planning and Zoning Commission. Such Board shall consist of five (5) members to be appointed by the City Council after recommendation of the Planning and Zoning Commission.

2. Term of Office; Qualifications: The members shall be appointed for a term of three (3) years with staggered terms and shall be removable for cause by the City Council. Their terms of office shall expire on the last day of July or until their successor has been appointed. In the event that a vacancy occurs prior to the expiration of a full term the City Council shall appoint a new member to complete the unexpired term. Any member may be reappointed by the City Council upon completion of a term to which he has been appointed. The members shall include at least one (1) registered architect and one person owning property in the district. Other members must be one of the following: licensed architects, landscape architects, civil or

structural engineers; recognized builders in the area; or professional land planners or building designers who are members in good standing with a recognized professional association. All members must be residents of Rockwall County.

3. Duties: The purpose of the Board is to provide professional recommendations to the Planning and Zoning Commission regarding site plans and building elevations submitted within the (OV) Scenic Overlay District. Meetings of the Board shall be called as needed. The Board shall review site plans and building elevations placed before them for compatibility with the surrounding development and compatibility with existing topography, view corridors and landscaping, and with the goals and objectives established in the Scenic Overlay District the Land Use Plan and applicable provisions of the Urban Design guidelines. The Board shall make recommendations on design changes based on its professional experience and knowledge. The Planning and Zoning Commission shall consider the Board's recommendations in its deliberation of the proposed development. The Commission may include recommended changes in the proposed building elevations and site plan based upon the recommendations of the Board in its recommendation to the City Council.

4. Officers: The Board shall elect a Chairman and Vice Chairman at the first meeting in August or at the first meeting thereafter for a term of one (1) year. The Zoning Administrator shall be Secretary of the Board and an ex-officio member.

5. Voting: Each member in attendance shall have a vote on plans submitted to the Board. Any member professionally or financially involved in matters pending before the Board shall excuse himself from any discussion, consideration or vote on that item and shall leave the room during such discussion and consideration.

July 31, 1987

MRS. JULIE COUCH
SH66
ROCKWALL TEX

Re: Creating a district for view corridors.

Dear Mayor and Members of the Rockwall City Council:

As a resident of Rockwall I applaud the city's effort to have a attractive entrance to our city. Trees are a lovely part of our natural landscape and the view of not only the lake but the sunset and the lights of Dallas is a valuable asset that we all recognize should be preserved especially by those that will design, build and utilize these most prominent properties.

However. I request that you consider the following:

A. If we are trying to protect the view for the public, which I assume we are, I would like to enlarge our protection to include not only the travelers on Ridge Road but also the patrons of the restaurants which will number around one million per year. It would be short sighted to encourage only drivers to watch the sunset while discouraging restaurant owners from designing for the terrific sunsets. THEREFORE I REQUEST THAT YOU EXTEND THE DISTRICT FOR VIEW PROTECTION ALL THE WAY TO THE LAKE.

B. As the ordinance is now proposed there will be a 20' side yard requirement which will create a 40' space between the buildings. This approach virtually destroys the view from the restaurants because the other building to be placed behind a restaurant could ONLY be built directly behind the restaurant! Otherwise it would be in the view corridor. YOU ARE LEGISLATING THE PLACEMENT OF THE BUILDINGS AND FORCING THEM TO BE PLACED IN THE EXACT LOCATION THAT BLOCKS THE VIEW OF THE BUILDING UP THE HILL! THIS DESTROYS THE ENTIRE GOAL OF KEEPING THE AREA OPEN FOR VIEW CORRIDORS AND ELIMINATES ANY CREATIVE LAND PLANNING. The only alternative a builder would have under this ordinance is to discard the view and simply build to the street frontage like all other similar buildings.

We are with you in your effort to create and protect the view corridors as long as all the interested parties can have their views protected!

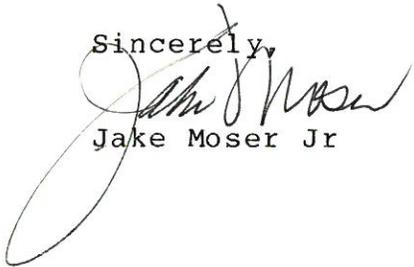
I suggest that the city meet with the property owners that are located on the northwest quadrant of I30 and Ridge Road and present them with a land plan professionally prepared based upon the topography and the views so that we may all be protected and feel safe that what we build will be safeguarded in the future by the ordinances of the

city. Perhaps that will encourage the highest grade of investment and create a beautiful front door to our city.

Again, we are willing and anxious to work with the Rockwall city planners. I think we are after the same goal.

Thank you.

Sincerely,



Jake Moser Jr

cc: Haywood Eason
EArnie Hughes
Tommy Singleton

Haywood Eason & Associates, Inc.

P.O. BOX 716 • ROCKWALL, TEXAS 75087 • (214) 722-3143 • 475-8231

September 4, 1987

Mayor and City Council
of Rockwall

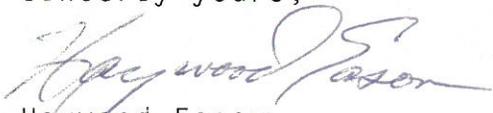
I am writing in concern of the proposed overlay district. I think more thought needs to be put into good planning for the area. I can see you might not want service stations or lube service facilities placed all up and down 740 but I do believe there should be some of these facilities at appropriate places on 740.

One of the properties I own is at the intersection of 740 and 1-30 and in my opinion would be a good location for such a facility. I read in the Success that such sites are going to be restricted a lot more because of being on that part of 740.

One big concern of mine is the signage (proposed change). Everyone that has looked at my site is freeway oriented and very concerned about people seeing them from the freeway. I have reduced the asking price on our tract \$100,000 already because of the talk of the overlay district and will probably have to reduce even further if you keep adding restrictions to this area. I think it's wrong thru back zoning such as this, to cause the few property owners involved to suffer so much financial loss.

Any consideration you could give to these concerns would be greatly appreciated.

Sincerely yours,



Haywood Eason

Overday

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.

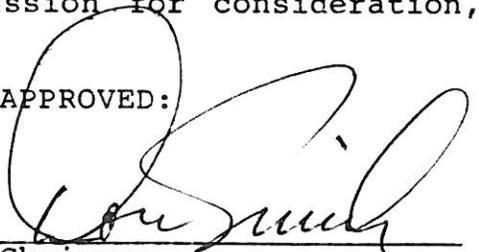
The Commission then reviewed and discussed SUP-7, a Specific Use Permit issued for miniwarehouses located on Yellowjacket Lane. Couch explained that the permit had been issued in 1978 for the site where Mitchell's Hardware building is located. She stated that although the original plan was to construct offices where the current building is located, nothing has been built in the area where the miniwarehouses were planned to go. Jim Mitchell, the proper owner, addressed the Commission and explained that although he did not have any immediate plans, he would like to retain the option put in the miniwarehouses as he did still hope to develop a cash. 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 Ordinance for granting a Conditional Use Permit for miniwarehouses in a Commercial zoning classification. She stated that it 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 in 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.

Couch stated that the applicants for Harbor Landing, Phase II had asked 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
P&Z - 6/11/87

V. A. Discuss the Proposed Scenic Overlay District

Enclosed is a revised copy of the Overlay District Text. The Council has initiated hearings on this District and we have scheduled the hearing before the Commission on June 25th and before the Council on July 6th. In their review of the draft of the text the Council asked that the Commission consider several items regarding the proposed District. Their comments are as follows:

1. That in nominating the proposed members of the Architectural Board, the Commission nominate a number of potential candidates for each position, rather than just a slate of candidates.
2. That the number of the Board be increased to 4 or 5 and include a property owner in the District.
3. That the use of Multifamily be reviewed as to whether or not to keep it as a permitted use in the District.

You will notice in the draft that I indicate that only those residential lots abutting FM-740 would be required to submit to architectural review. We need to discuss this Thursday night. I have also added a requirement that all power service lines need to be underground.

MINUTES OF THE PLANNING AND ZONING COMMISSION

June 25, 1987

Chairman Don Smith called the meeting to order with Bob McCall, Norm Seligman and Bill Sinclair present. Smith opened the public hearing and the Commission considered an amendment to the Comprehensive Zoning Ordinance to add a Scenic Overlay District to the list of zoning categories to apply to development along FM-740 from Goliad to the south City Limits for a depth of 500 feet on each side, and including all of Planned Development No. 4 and Planned Development No. 1. Smith explained to the audience that the comprehensive Land Use Plan, which was a tool used by the Planning and Zoning Commission and Council for development in Rockwall, indicated that FM-740 was a scenic or vista route. He explained that the intent of the Scenic Overlay District was to protect the scenic corridor as adopted in the Land Use Plan. Assistant City Manager Julie Couch explained the location of the District, its depth and length, and that existing zoning would not be eliminated. She explained that future development would have to comply with both the existing zoning and the Overlay District requirements, recognizing that the more restrictive regulations would apply. She explained that the only residential property that would be affected would be the property that abutted FM-740. Non-residential properties that were not zoned, site planned, or platted, whether they abutted FM-740 or not, would fall under the requirements of the District. The District provided for an architectural review board, additional side setbacks, screening of utility equipment including dumpsters, requirements for a landscaping plan, and the 10 foot buffer zone. Couch pointed out that certain types of uses that were currently allowed in Commercial zoning would only be allowed in the Overlay District with a Conditional Use Permit. These uses included gas stations, car washes, and auto repair businesses. She explained that the District recognizes the scenic corridor as basically general retail, restaurant and office uses.

Seligman reiterated for the benefit of the audience that only residential properties that abutted FM-740 would be subject to the architectural review committee. Haywood Eason addressed the Commission, asking for the item to be tabled as he felt that property owners were not sufficiently notified. He stated that if an architectural review committee were approved, the entire City should fall under the review requirements so as not to penalize existing and future property owners along FM-740. Richard Harris explained that his office at 2604 Ridge Road was already built and did not have sufficient setback for requirements for a buffer zone that currently was in the District. He stated that any major renovations or remodeling he intended to do would make him subject to these requirements. Bill Lofland stated that his family owned the only residential lot abutting FM-740 north of I-30 that was not platted. He stated that an architectural review committee would restrict a property owner's ability to design his own home. Lorraine Burns stated that the District was basically a good plan

but that the landscaping of 5% seemed light and that she would request the requirement for sidewalks to allow a ridge walk along Ridge Road. Cecil Unruh stated that although he basically supported a scenic corridor and supported the visual aspects of the District, he was opposed to the height restrictions that would reduce the number of buildable feet on a piece of property. He asked the Commission to recommend mandating the review board to not restrict the platting or development process and that the City participate in the cost of the beautification so that not only the property owners along Ridge Road would be paying for beautification that would benefit the entire City.

Couch explained that in Commercial zoning maximum building height was 60 feet without a Conditional Use Permit. However, in the Overlay District the maximum height would be 36 feet without a Conditional Use Permit and 72 feet with a Conditional Use Permit, thus reducing the permitted height without a permit. Sinclair stated that with regard to Lofland's remark about a resident not being able to design his own home, that the review board was only to make professional recommendations to the Planning and Zoning Commission. He stated that the Commission did not always have the time necessary to review some of the development as extensively as they would prefer. Sinclair added that he did feel the time limitation on the part of the review board to prevent unnecessary delays in the platting or zoning process. Smith pointed out that just as the Planning and Zoning Commission considered recommendations by the Park Board, the architectural review recommendations would also become a part of the Planning and Zoning Commission's reviews. Couch added that along FM-740 the area slated to be widened from two lanes to four lanes divided did have planned sidewalks upon widening.

Evelyn Lofland addressed the Commission and explained that she had owned property on FM-740 for thirty years and that she was the one who had the legal right the view. Cecil Unruh suggested a workshop with commercial property owners along FM-740 to discuss the Overlay District. Ann Lauffer stated that the District should not differentiate between residential and commercial property, and that the restrictions that apply to commercial property should apply to all the affected property owners in the District. Gordon Peterson asked how current road improvements taking place throughout the City affected this program. Smith explained that these were two separate items. David Hogg stated that he had the same setback situation as Mr. Harris and would also be affected by the District if he planned any major expansion or renovation. Hulen McFarlin asked if the property within the 500 foot depth would be immediately affected upon the adoption of the District. Couch explained that as Mr. McFarlin's property did not abut FM-740, his property was not affected by the District at all. James Radney stated opposition to the limitation of uses that were currently allowed in commercial district classifications. The Commission discussed the moratorium currently in effect, the possible ramifications of tabling or continuing the public hearing, and whether or not property owners

had been given sufficient notice. After further discussion, the public hearing was closed.

McCall pointed out that the property owners did not appear to have a good understanding of the District and that further education of the property owners with regard to the District was necessary. Seligman questioned the impact of reducing the depth of the District to 300 feet. Couch pointed out that two items taken into consideration when determining a possible depth was (1) insuring enough depth to protect the view, and (2) making sure there was adequate depth for substantial development. Smith pointed out that the increase in side setbacks would reduce the amount of buildable lot coverage. McCall pointed out that that was true but there was a provision for setbacks to be met unless otherwise approved. He pointed out that the checks and balances existed in the District and that regulations were not directed at any one property owner. After further discussion, Seligman made a motion to recommend approving the Scenic Overlay District, exempting single family development, correcting any typographical errors, and including the formation of a citizen's workshop to resolve questions regarding area requirements, permanent uses and the depth of the proposed District. Sinclair seconded the motion. The motion was voted on and failed, two to two, with Smith and McCall voting against the motion. Seligman then made a motion to recommend approval of the Overlay District subject to correction of any typographical errors and the formation of a citizen's workshop to resolve questions regarding area requirements, permanent uses, depth of the District along FM-740, and whether or not single family residences should be included in the District. McCall 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:

By: _____

OVERLAY DISTRICT

The Council is now scheduled to hold the public hearing on the Overlay District as it is currently proposed. Following is a summary of the major requirements of the District and a summary of the changes the proposed district would have on the property currently proposed for inclusion in the district. This district is currently proposed to generally include all property to a depth of 500 feet on either side of FM-740 and including all of PD-1 and PD-4.

1. The District will overlay all current zoning. The most restrictive requirement whether in the Overlay District or the underlying zoning shall apply.
2. The District will apply to all property not currently zoned and site planned. It will apply if the property owner resubmits a request for zoning, platting, or site planning.
3. The District allows all currently allowed residential uses, both single family and multifamily. The underlying zoning, if it is not currently zoned for single family or multifamily would have to be requested just as in all zoning requests and approved by Council.
4. The only portion of the Overlay District that will apply to single family residential would be the site plan and architectural review requirements, only if the lots have frontage on FM-740. This requirement will impact those residential lots on FM-740 by requiring them to site plan for any new construction and for any exterior change that would require a building permit.
5. Multifamily uses would be subject to the site plan and architectural review requirements.
6. The permitted non-residential uses, as compared to Commercial zoning which underlies a substantial portion of the proposed District, are more restrictive generally in the area of automotive related uses. "C" zoning currently allows gasoline stations, car washes, automotive repair as an accessory to a retail use, and drive-in businesses. The Overlay District would restrict most of these uses to requiring Conditional Use Permits and further restricts car washes to be eligible only within 500 feet of I-30 and only as an accessory to a gasoline station. Several other incidental uses have been eliminated from the Overlay District. Attached is a copy of the "C" classification for comparison purposes.
7. All non-residential property within the District would be required to site plan prior to construction. All non-residential property would also be subject to architectural

review during site planning. Currently, only those properties that abut FM-740 are required to site plan and we do not have any formal architectural review process.

8. Non-residential uses could be subject to a 20 foot side setback. The draft currently states that the 20 feet could be reduced to 0 if the development will not adversely impact view corridors or adjacent development. We currently have a 0 side setback requirement with a fire retardant wall.
9. The District would require all non-residential uses to provide a 10 foot landscape strip along the front property line, with large trees planted equal in number to 1 per each 30 feet of frontage or as otherwise approved by Council. A landscaping plan will also be required as a part of the site plan process. These are all additional requirements from our current standards. The landscape strip can be included in the overall required percentage on the site.
10. There are some screening requirements that would apply to trash facilities, equipment areas, and loading areas that are not currently required.
11. All utility service drops would be required to be underground. We don't currently have this requirement.
12. The maximum height allowed under the District is 36 feet without a CUP, 120 feet with a CUP within 500 feet of I-30, and 72 feet elsewhere with a CUP. The "C" classification currently allows a structure 60 feet in height without a CUP and 240 feet with a CUP.
13. Cross access easements may be required under this District.
14. An architectural review committee is created that would be made up of 5 members. One member must be a registered architect and one member must be a property owner in the District. The other members must be builders, architects, engineers, or planners. All members must be residents of the County.

The Committee is responsible for reviewing all site plans and building elevations and making recommendations on the plans to the Commission and Council. The make-up of the committee is designed to provide professional expertise to the Commission and Council in their review of these projects.

Attached is a copy of the ordinance adopting the District and a copy of the District, and a map showing the boundary of the District. The text of the ordinance is as it has been recommended by the Commission with some additional wording that we have included to clarify some of the points that were raised during the hearing before the Commission. In regard to site plan and architectural review of residential uses, we would recommend that the Council consider limiting that to new construction only rather than to remodeling as well, if this requirement is retained in the ordinance.

There were a number of comments made during the Planning and Zoning Commission public hearing. Following is a list of the major items of concern that were raised during the hearing:

1. There was concern over any site plan or architectural review requirements applicable to residential classifications.
2. There was concern over the limitation of non-residential uses.
3. There was concern over the additional side setbacks and the more restrictive height requirements in the non-residential uses.
4. There was concern over the depth of the District, and whether or not it needed to be 500 feet deep.
5. There was concern that the architectural review process might hold up the development process.

The Planning and Zoning Commission has recommended the Overlay District as drafted and has recommended that the Council appoint a citizens committee to review the issues of including single family residential in the architectural review and site plan requirements, the proposed area requirements and permitted uses, and the boundaries of the District.

The Council can, after holding the public hearing, adopt the text as written or with any changes that might be included; or table the public hearing or consideration of the ordinance and appoint a committee to review some of the issues. If the Council does wish to appoint a committee to study some of these issues some action may be necessary to extend the existing moratorium on any development along FM-740. We do have several pending cases, two of which involve requests for Conditional Use Permits for existing locations. We have prepared a revised resolution that could be considered by the Council to extend the moratorium, but have it apply only to new construction and not to existing facilities. We can discuss this Monday night if this an an option the Council wishes to consider.

MINUTES OF THE ROCKWALL CITY COUNCIL
July 6, 1987

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

Council first considered approval of the Consent Agenda which consisted of A) the minutes of June 15, 1987; B) an ordinance declaring the necessity of street improvements and providing for assessment for the improvements on second reading; C) an ordinance amending Ordinance 85-2 prescribing conditions for the issuance of private club permits on second reading; D) an ordinance revising the preliminary plan for PD-19 to amend the area requirements and permitted uses on first reading; E) an ordinance revising the preliminary plan for PD-20 to amend the area requirements and permitted uses on first reading; and F) an ordinance requiring businesses operating in Lake Ray Hubbard out of areas leased by the City of Rockwall to obtain a permit for such operation on first reading. Assistant City Manager Julie Couch read the ordinance captions. Holt requested Item A be pulled from the Consent Agenda. Jones made a motion to approve the Consent Agenda with the exception of Item A. Bullock seconded the motion. The motion was voted on and passed unanimously.

Holt asked Staff to point out revisions that had been made in the corrected set of minutes that the Council had received. City Manager Bill Eisen pointed out these changes. Holt then made a motion to approve the Minutes of June 15, 1987. Luby seconded the motion. The motion was voted on and passed unanimously.

Kambiz Rafraf addressed the Council and presented the members with a copy of a Statement of Peace written by the Universal House of Justice. Mr. Rafraf explained that the Baha'i faith teaches the unity of mankind, encouraged the unity of religions, equality of races and harmony of religion and science. Mr. Rafraf gave a brief background of the Baha'i Faith and urged the Council to work toward world peace.

Don Smith then gave the Planning and Zoning Commission Chairman's report. Smith outlined three items on the Agenda on which the Commission had made recommendations: 1) the Scenic Overlay District, 2) the review of SUP-7, a Specific Use Permit issued for miniwarehouses, and 3) a zone change request from Scott Bowman for a change in zoning from "C" Commercial to "LI" Industrial. He explained the Commission's recommendations on each item and by what criteria these recommendations

had been reached. Miller asked if outside storage would be allowed with regard to the zone change request. Couch explained that as the applicant was requesting Light Industrial zoning, outside storage would not be allowed.

Council then held a public hearing and considered approval of an amendment to the Comprehensive Zoning Ordinance to add a Scenic Overlay District to the list of zoning categories to apply to development along FM-740 from Goliad to the south City Limits for a depth of 500 feet on each side and including all of Planned Development No. 4 and all of Planned Development No. 1. Couch explained that Council had received a summary of the major requirements of the District and a summary of the changes the proposed District would have on the property currently proposed for inclusion in the District.

Richard Harris addressed the Council and explained that his office located at 2604 Ridge Road did not have adequate lot area to meet the required setbacks and 10 ft. landscaping buffer required in the District. He explained that although he would have nonconforming status, any major renovations would force him to comply with the requirements of the District which included setback requirements which were impossible for him to meet without removing his parking. Wayne Baccus addressed the Council and explained that although he did not currently own property, he intended to site plan a car wash which was not allowed in the District without a Conditional Use Permit. He explained that the building he planned contained more than adequate landscaping, and as he proposed to locate it at FM-740 and Yellowjacket Lane, the building would fall within the Overlay District requirements. Haywood Eason urged Council to spend more time considering the potential effects of the District on the District's property owners. He stated opposition to a 500 ft. depth and stated that it was unfair to penalize a few existing and future property owners for a District that would benefit the entire City. He further stated that he could support a 200 ft. depth for the District, but reminded Council that the height and setback requirements would reduce the buildable area of a property owner's land. Tom Briscoe, a representative of Mobil Oil Distributors for Rockwall County, stated that Mr. Baccus proposed to build a gas station with an automatic car wash as an accessory. He told Council that without the car wash, which was not allowed in the District, Mr. Baccus would not be able to compete with the Gulf Station at FM-740 and I-30. Cecil Unruh, 1722 Ridge Road, stated opposition to the height limitations, setback requirements and landscaping requirements which, he said, would all reduce the buildable area of a lot, thus affecting property value. He asked Council to define the architectural review board procedures so as not to

lengthen or impede the overall review process. He suggested that the City participate in the overall cost of additional landscaping and suggested to Council that they remove the word "historical" from the District as it could cause future problems for property owners. Bill Lofland objected to the District in general, but more particularly to residential properties being included under the requirements of the District and being subject to architectural review. He pointed out various styles of homes in the City of Rockwall and stated that the City should not legislate the design of an individual's home. He told Council that if FM-740 was a scenic route, then SH-66, I-30, and Lakeshore Drive, which all have lake views, should fall under the same requirements. He added that he was ready to begin construction of a home on FM-740 and that the moratorium was preventing him from beginning. As there was no one else wishing to address the Council with regard to this matter, the public hearing was closed.

Miller pointed out that although the District had been worked on extensively, there were many areas still to be addressed. Bullock suggested that Council hold a workshop before taking any further action with regard to the District. Council discussed extending the moratorium on FM-740 and whether or not the moratorium should apply to residential properties. Jones made a motion to set a time and date for a workshop and to adopt the resolution extending the moratorium for 30 days. Luby seconded the motion. Holt and Bullock both stated opposition to inclusion of residential properties within the moratorium. Luby withdrew his second and Jones then withdrew his motion. Holt then made a motion to approve the resolution extending the moratorium for 30 days, excluding its application to residential properties. Bullock seconded the motion. Miller asked Council to consider the moratorium for 45 days as he would be absent at the next Council meeting and would like to be instrumental in the District. Holt amended her motion to extend the moratorium for 45 days. Bullock seconded the amendment. The amendment was voted on and passed unanimously. The motion as amended was voted on and passed unanimously.

Council then took a brief recess. Upon reconvening Miller stated with regard to the moratorium on FM-740 that it might be prudent to not exclude all residential development from the moratorium, but single family residential only. Holt then offered a motion to approve the resolution extending the moratorium for 45 days, excluding its application to single family residential property. Luby seconded the motion. The motion was voted on and passed unanimously. (Councilman Jones was not in the Council Chambers for this vote.) Council briefly

discussed an appropriate date on which to hold the workshop. It was decided that the workshop would be held July 27th at 7:00 P.M.. It would include Councilmembers, Planning and Zoning Commission, and Staff, and could be extended to the 28th if one evening proved to be inadequate time for review.

Council then held a public hearing and considered approval of a request from Cecil Unruh for a variance to the setback requirements of the Sign Ordinance to allow a sign on an existing stone column located on Lakeshore Drive. Councilman Jones was not present as he was abstaining due to a conflict of interest. Couch explained that the columns had previously been granted a variance by the Board of Adjustments as they did not meet the Zoning Ordinance's setback requirements for structures. She stated that the applicant now proposed to add lettering to one column, constituting a sign that also did not meet the setback requirements of the Sign Ordinance. Cecil Unruh explained that he proposed to add 4 inch letters to the column for subdivision identification. Holt pointed out that the two notices received in opposition to the variance were opposed to the existing column and were not valid objections to the addition of 4 inch letters. Luby pointed out that Lakeshore was a continuous drive, not a separate or private entry to an individual subdivision. Holt pointed out that that was the same situation with Lake Ridge Park and Stonebridge Meadows. After further discussion, Bullock made a motion to approve the variance. Holt seconded the motion. The motion was voted on and passed unanimously, with Jones abstaining.

At this time Jones rejoined the meeting.

Council held a public hearing to consider amending, modifying or removing SUP-7, a Specific Use Permit issued for miniwarehouses at Yellowjacket Lane and SH-205. Couch explained that this SUP had been issued in 1978 for the site where Mitchell's Hardware Building is located. She pointed out that nothing had been built in the area where the warehouses were planned to go, and that under current ordinances miniwarehouses were not a permitted or a conditional use in Commercial zoning. Bob Harper, one of the two property owners on this tract, explained that the Planning and Zoning Commission had recommended a three year extension of the permit. He clarified the location of the tract and pointed out that the site plan as currently approved was not accurate. He stated that as he and Mr. Mitchell were both in a landlocked situation, miniwarehouses were the only appropriate use. Council discussed the general location of both ownerships, the depth of development from Yellowjacket Lane, and access available by both owners. The public hearing was closed. Bullock made a motion to continue the Specific Use

Permit. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered an ordinance approving a request from Scott Bowman for a zone change from "C" Commercial to "LI" Light Industrial on a portion of the Lafon Addition located on I-30 and considered approval of a site plan. Couch stated that the existing blue metal building at this location had nonconforming status and could be occupied as is. She pointed out exterior improvements that Mr. Bowman proposed to make, including a brick veneer in the front and around the front one third of the sides of the building. She explained that he proposed a brick entrance canopy to dress up the front and that his proposed metal fabrication and sales and operations were too intensive uses for Commercial, which was the basis for his application for Light Industrial zoning. She pointed out that the drives were 127 ft. apart, not meeting the 200 ft. drive separation requirement, and that the applicants were requesting a waiver of this requirement. She added that the drive along the west property line would need to be 10 ft. off the property line unless granted a waiver. The applicant had proposed the drive location to provide for a future joint drive between this tract and the adjacent tract. Miller questioned the adequacy of landscaping. Couch pointed out that as both Light Industrial and Commercial zoning required 5% landscaping, the applicant would meet this. Miller confirmed that there would be no outside storage. Scott Bowman addressed the Council and offered to answer any questions. Miller confirmed that a sprinkler system would be required. As there was no one else wishing to address the public hearing, the public hearing was closed. Couch read the ordinance caption. Jones then made a motion to approve the zone change and the ordinance authorizing the zone change on the 5.7 acre tract and to approve the site plan with all of Planning and Zoning Commission's recommended conditions and including the requirement for an access easement on the west property line. Luby seconded the motion. The motion was voted on and passed unanimously.

Bill Eisen then gave the City Manager's report, addressing the turn lane on FM-740 south of Goliad, the resignation of the Airport Manager, an upcoming Agenda item with regard to a request to amend the ordinance regulating antennas within the City, the budget report which would be provided to Council the second meeting of each month, and a newsletter published by First Southwest Company in which Rockwall was mentioned by the City's financial advisor.

Council then considered approval to an amendment to the Fence Ordinance authorizing Council to grant variances

to certain requirements regarding front yard fences on first reading. Eisen explained that Council had granted a permit for a front yard fence at 1608 Amesbury, but that the fence exceeded the 36 in. maximum height for a front yard fence. He stated that this ordinance would authorize Council to vary height requirements and other requirements regarding front yard fences. Couch read the ordinance caption. Bullock made a motion to approve the ordinance. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered award of bid for painting the elevated storage tank. The bids were as follows:

Apex Tank & Bridge, Inc.
Bellevue, Texas
Bid: \$28,950
Number Working Days: 45

Blue Ribbon Painting Co.
Houston, Texas
Bid: \$34,000
Number Working Days: 60

Water Tank Service Co.
Red Oak, Texas
Bid: \$36,745
Number Working Days: 45

Corrosion Eliminator, Inc.
Mineral Wells, Texas
Bid: \$46,740
Number Working Days: 60

Don Owen Painting
Seagoville, Texas
Bid: \$49,458
Number Working Days: 40

Eisen stated that Staff recommended the low bid be awarded to Apex Tank and Bridge, Inc. in the amount of \$28,950 to be completed in 45 working days. City Engineer W. L. Douphrate stated that maintenance bond was provided for a two-year time period. Mayor Miller questioned the necessity of funding this project in light of the recent budget situation. Eisen explained that due to rusting and corrosion improvements were necessary at this time. Holt then made a motion to award the bid to Apex. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then discussed and considered approval of an ordinance amending the Code of Ordinances regarding animal control on first reading. Eisen outlined some amendments

to the existing animal control requirements including registration requirements, impound fees, prohibition of wild or vicious animals, protection from the sale of novelty animals, limiting the number of pets at a certain location, prescribing waste disposal, and prescribing special requirements for pit bulls. He pointed out that the ordinance that Council had a copy of prescribed a 3 1/2 ft. fence for pit bulls, and he recommended that be changed to a 6 ft. fence. Council discussed various provisions of the revised ordinance - provisions for registration tags, holding animals for five days after notification prior to destruction, and a time frame for registration. Eisen confirmed that Council desired the following amendments: 1) a September 1st effective date for registration; 2) providing that all impounded animals not redeemed within 5 days shall be destroyed in a humane manner; 3) from the same section removing the phrase "or sold by the Animal Control Officer"; and 4) requiring a 6 ft. fence for confinement of pit bulls instead of a 3 1/2 ft. fence. Couch read the ordinance caption. Holt made a motion to approve the ordinance with the changes as outlined by the City Manager. Bullock seconded the motion. The motion was voted on and passed unanimously.

Bill Eisen then briefed the Council on the current year's General Fund Budget, explaining that actual revenues would fall about \$45,000 short of budgeted amounts, but that savings resulting from cutbacks in personnel by not filling vacant positions and cutbacks in certain operating expenses would result in expenditures being about \$76,000 less than budgeted. He explained that this would produce a cushion of about \$31,000, providing an additional measure of protection if revenues have been over estimated or expenditures under estimated. Council briefly discussed the budget status and a report received from the Chamber of Commerce with regard to the expenditure of funds received from Hotel/Motel tax.

Council then considered approval of a resolution establishing certain regulations for the investment of idle City funds. Eisen explained the resolution and pointed out that it would allow the Finance Director to invest in investments permitted by State law. Bullock made a motion to approve the resolution. Luby seconded the motion. The motion was voted on and passed unanimously.

The Council then adjourned into Executive Session under Article 6252-17 V.A.C.S. to discuss land acquisition. Upon reconvening, as there was no action to be taken resulting from the Executive Session, Jones made a motion to adjourn. Bullock seconded the motion. The motion was voted on, passed unanimously, and the meeting was adjourned.

APPROVED:

ATTEST:

Mayor

By _____

By _____

MINUTES OF THE ROCKWALL CITY COUNCIL
August 17, 1987

Mayor Frank Miller called the meeting to order at 7:00 P.M. with the following members present: Nell Welborn, Jean Holt, John Bullock, Bill Fox and Pat Luby.

Council first considered approval of the Consent Agenda which consisted of A) the minutes of July 20, July 27, July 28 and August 3, 1987, B) an ordinance authorizing a revision in the preliminary plan for PD-8, Chandlers Landing to amend the zoning designation on four lots located within Phase 17 on second reading, C) an ordinance authorizing a Conditional Use Permit for a structure over 36 feet in height to be located at 1101 Ridge Road on second reading, D) an ordinance amending ordinance 86-51 regarding antennas and satellite dishes on second reading, E) an ordinance authorizing the collection of a special expense for processing costs on second reading, F) an ordinance establishing a fee associated with driving records on first reading, and G) an ordinance amending the maximum penalty for violators of City ordinances on first reading. Assistant City Manager Julie Couch read the ordinance captions. Welborn asked Item D to be pulled. Fox pulled Item C. Holt made a motion to approve the Consent Agenda with the exception of Items C and D. Welborn seconded the motion. The motion was voted on and passed unanimously.

Regarding Item C, Fox stated approval of an ordinance authorizing an antenna in excess of 50 feet was in conflict with the purpose of the proposed Scenic Overlay District. Welborn asked if the antenna was larger than necessary for effective communication. Gary Johnson of TP&L explained that the antenna had originally been located at the Cameron Building but had been moved upon completion of the service center on Kristy Lane. He explained that the service center was merging with Garland and the antenna needed to be moved towards that City. He stated that although he didn't know if 55 feet was necessary, it was cost effective and would be painted to match the building. Miller asked Johnson if the item were tabled, would he return with another proposal. Johnson agreed to consider a roof mount antenna but stated that it may still exceed the height requirements. At this time, 7:15 P.M., Ken Jones joined the meeting. Fox made a motion to table consideration of the second reading pending another proposal to be submitted by Gary Johnson. Welborn seconded the motion. The motion was voted on and passed unanimously.

Regarding Item D, Welborn confirmed that permits were required and applicants were made aware of other

applicable requirements at the time of application. She made reference to a letter written by Mrs. Hart and asked for explanation of the wording in the ordinance in an effort to address Mrs. Hart's concerns. City Attorney Pete Eckert explained that the ordinance was worded to coincide with the requirements and procedures already established in the Comprehensive Zoning Ordinance. He stated that another option would be to redefine "structure" in the Zoning Ordinance to not include antennas or to raise the maximum height without a Conditional Use Permit in residential areas. Fox confirmed that screening requirements hadn't been removed. Miller explained that only the clause pertaining to the retroactivity of the screening requirements had been removed. Fox pointed out that the ordinance did not contain a maximum height with a permit. Eckert explained that Council could limit height individually upon each permit application. As there was no further discussion, Welborn made a motion to approve the ordinance on second reading. Jones seconded the motion. The motion was voted on and passed 6 to 1 with all in favor except for Bill Fox, who voted against it.

Couch explained that neither the Planning and Zoning Commission Chairman or Vice Chairman were able to be present to give the Chairman's report. Miller suggested that as Council had copies of the Planning and Zoning Commission minutes that they read the section of the minutes that pertained to each item as these items came up on the Council Agenda.

Council then held a public hearing and considered approval of an amendment to the Comprehensive Zoning Ordinance to add a Scenic Overlay District to the list of zoning categories to apply along FM-740 from SH-205 to the City Limits for a depth of 500 feet on each side and including all of PD Nos. 1 and 4. Couch briefly outlined the District as it was currently drafted, addressing permitted uses, setbacks, landscaping, certain screening requirements, height requirements with and without a Conditional Use Permit, provisions for cross access easements, and the architectural review committee. Miller told the audience present that the Planning and Zoning Commission and Council both had reviewed piece by piece the Overlay District and had reviewed detailed notes on each person's concerns who had spoken at either the Planning and Zoning Commission hearing or Council hearing. Fox added that in every case where there was a reasonable problem mentioned or a large number of people sharing the same complaint, Council had attempted to provide a mechanism for compromise which was, in some cases, a provision for a Conditional Use Permit.

Wayne Baccus addressed the Council and explained that he wanted to put in a Mobil Station at FM-740 and Yellowjacket Lane, but under the current provisions of the Overlay District a full service auto repair station would not be allowed. He stated that there was a need for a full service center in Rockwall and that in his 35 years of business he had received several awards with regard to service and appearance of his station. Fox suggested that a full service station be allowed as a conditional use in the District with a minimum square footage requirement. Welborn suggested adding wording that restricted repair areas from fronting Ridge Road. Miller told Council that if they did not wish to approve the entire District one option would be to table the ordinance completely or to approve the ordinance minus the items that were unresolved. Eckert suggested tabling the entire ordinance instead of portions of it and reminded Council that the moratorium on zoning requests and plats would expire, recommending that it be extended another 30 days if the ordinance was tabled. Walker Rowe, a builder in Rockwall, addressed Council and urged them not to restrict any uses that were allowed in a Commercial zoning classification. He stated that as the district was zoned Commercial, those uses should be allowed and that Council could regulate architectural design to protect the District as opposed to limiting types of businesses. James Johnson of Garland explained that he owned a small piece within the District and was concerned about additional setback requirements that could apply to narrow and deep lots, making some lots unuseable. Couch read the section of the District pertaining to setbacks and by which conditions setback requirements could be brought down to zero. Cecil Unruh addressed the Council, commending the ordinance and urging Council to leave the permitted uses as currently drafted. He supported the promotion of upscale usage, but asked Council to reconsider the maximum height of 36 feet allowed without a Conditional Use Permit. He pointed out that some of the nicest, most appropriate buildings on Ridge Road were the largest. Miller explained that with a Conditional Use Permit the height could go as high as 120 feet. Unruh requested that Council leave the ordinance as currently drafted, but change the maximum height allowed to 60 feet without a Conditional Use Permit. At this point Miller outlined items so far addressed. As there was no one else present wishing to speak, the public hearing was closed.

Luby stated he would support the removal of an exclusion of auto service and repair. Jones recommended prohibition of satellite dishes in front and side yards along FM-740, a date deadline for removal of Christmas trees after temporary sales along Ridge Road, and another 75 foot front setback in addition to the current 25 foot requirement which pertained only to car washes. Welborn

stated favor for an auto repair that was not visible from FM-740 and the allowance of tunnel car washes only. Council discussed the penalty for zoning violations and whether or not Council was prepared to make amendments to the ordinance and approve it on first reading at this meeting. After further discussion, Welborn made a motion to table consideration of the first reading, allowing Staff time to review the particular wording, to consider the ordinance on first reading at the next regularly scheduled Council meeting and to extend the moratorium for 30 days or until the final reading of the ordinance. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council took a brief recess and then continued a public hearing on a request from Sanders Thompson for a change in zoning from "SF-10" Single Family to "PD" Planned Development meeting "SF-7" area requirements with a minimum 1,500 square foot dwelling size. Harold Evans, the consulting engineer, addressed the Council and requested Council table the item and consider a Work Session with the applicant to review the Council's concerns about the zone change request. Miller stated that Evans was basically asking for the opportunity to review and attempt to resolve specific objections. Fox stated opposition to meeting in a Work Session with the applicants, opposition to reducing the lot sizes, and a preference for considering the item in the regular meeting. Evans stated that although the request was to meet with Council in Work Session, he was prepared to make a presentation. Welborn pointed out that Work Sessions were public meetings and that a Work Session could be scheduled at a time when Council could review the unresolved items with regard to the Overlay District as well. Holt made a motion to continue the public hearing to September 8th and to discuss the item in a Work Session the following Monday night along with any other discussion items that might be added. Bullock seconded the motion. After further discussion regarding the motion, the motion was voted on and passed five to two, with Fox and Luby voting against the motion.

Council then continued the public hearing and considered approval of an ordinance authorizing a Conditional Use Permit for a private club to be located at the Gridiron, a proposed restaurant within the Rockwall Village Shopping Center. The applicant, John Crow, addressed the Council and explained that his restaurant would contain approximately 5,200 square feet with the capability of seating 200 people, and that he would like to operate a private club as an accessory to his restaurant. Couch read the ordinance caption. Fox made a motion to approve the ordinance and the granting of a

Conditional Use Permit. Luby seconded the motion. The motion was voted on and passed unanimously.

Couch explained that the next item, public hearing regarding the replat of two lots located within Phase I of The Shores had been withdrawn by the applicant and there was, therefore, no need for consideration of the item.

Council then considered approval of a request from Bill Lofland for a final plat for Park Place No. 1, a one lot subdivision located on Ridge Road. Couch outlined the applicant's request and the location of the property. Jones made a motion to approve final plat subject to the recommended conditions of the Planning and Zoning Commission which required escrowing for parkland dedication in an amount estimated between \$200 and \$300. Bullock seconded the motion. Welborn questioned if the subdivision requirements with regard to escrowing for curb and gutter were applicable to this plat. Couch explained that the State Legislature had passed a law which no longer allowed for escrow for street improvements on State roadways. Council briefly discussed the State's policy with regard to street improvements in residential areas. Miller pointed out that although it was Council's preference that right-of-way be obtained from the east side of Ridge Road as opposed to residential properties on the west side, he did want the applicant to be made aware that although the City chose not to require the right-of-way, the State could still at a future date require a provision for right-of-way. As there was no further discussion, the motion was voted on and passed unanimously.

Council then considered approval of a request from Randy Sanders for a site plan for a proposed expansion at Tejanos on White Hills Drive. Couch outlined the applicant's request and explained that existing and future parking that would be paved, only the additional landscaping would be irrigated, and that the Planning and Zoning Commission had recommended that the future proposed entrance to I-30 be included in the approval. Welborn questioned whether the 20' x 30' section of landscaping in the northwest corner qualified as interior landscaping. Couch pointed out that the applicant did originally propose two foot landscaping islands in the interior of the parking area, but that the Planning and Zoning Commission had preferred the northwest section to be landscaped instead. Miller stated that he did not wish to encourage other parking lots to ignore the 2% interior requirement. Walker Rowe, the builder for Tejanos expansion, explained that the Commission had been concerned that the islands would be unseen after cars were parked on either side. After further discussion, Bullock made a motion to approve the site plan with all of the

conditions suggested by the Planning and Zoning Commission, including trees to be placed in the newly landscaped area, irrigation of the area, and approving proposed future entrance to I-30. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a revised development plan for PD-8, Chandlers Landing for a proposed park area. Couch explained that the applicant's request was to shift the park area about 20 feet to accommodate a rear entry drive that had been approved by the Homeowner's Association in 1982. She explained that the Planning and Zoning Commission had recommended a 2 foot retaining wall along the length of the drive to prevent vehicles from entering the park area. Peter Oetking, the applicant, explained that when the park's plan was drawn a provision for a rear entry drive to his lot had been overlooked and that the section he was proposing for rear entry access was too steep for park use. Council discussed the length of the drive and a proposal for landscaping along the 2 foot retaining wall. After further discussion, Jones made a motion to approve the revised development plan for the park area, requiring the 2 foot retaining wall to be landscaped and to run along the entire length of the drive. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then considered setting the date for a hearing on a request for a permit to operate a business between the shoreline and takeline of Lake Ray Hubbard. City Manager Bill Eisen explained that Council had recently adopted an ordinance which required that a permit be approved before a business could be operated within the takeline in an area leased by the City of Rockwall. He explained that while the ordinance did not set out a specific procedure for considering such requests, the City Attorney had recommended that Council hold a hearing on the request in order to give all parties interested an opportunity to provide any testimony. He suggested scheduling the hearing on the next regular meeting, which was September 8th. Welborn made a motion to set a hearing on September 8th to consider the request and to determine the notification requirements. Holt seconded the motion. Luby stated that the application didn't deserve a hearing as two years previously a petition had been submitted with 94 residents opposing the operation of the business and only two supporting it. He stated that the loading and unloading of passengers had resulted in damage to property and that residents had already made known their feelings with regard to this matter and shouldn't have to do so again. Fox stated that Council had in the past supported the majority opinion of the residents and should continue to do so. He presented a copy of a

petition signed by 144 property owners, as well as copies of police reports citing situations of loud music and situations where additional police were called to assist the guards in unruly situations. He stated that if Mr. Hughes furnished a petition signed by the majority of homeowners stating favor for his request, Council could at that time approve a permit, but that a hearing was not necessary on an item that had been previously addressed. Miller mentioned that Council may be obligated to consider the request since the ordinance was passed after previous action had been taken on the item. He questioned the prescribed procedures for processing such a permit. Eisen explained that as this was the first application since the adoption of the ordinance, no specific procedure had been outlined, but that he and the City Attorney had recommended a hearing as one option since it would provide the City the opportunity to request more details regarding his application. Welborn stated that Council should not deny someone the right to apply for a permit based on prior information. Fox stated that as public hearings were not required by law, the applicant should be required to make his presentation and provide documentation that the neighboring homeowners were unopposed to his business operation. He stated that when the winds were in excess of 25 miles per hour the boat was unable to launch and resulted in passengers having parties on the boat and creating disturbances on the shoreline. Bullock stated that although he was not advocating approval or denial, he agreed that the applicant deserved a hearing. Holt stated that although she had not heard the presentation nor had she formed an opinion on whether or not to issue the permit, she did know that many loud parties took place at the Yacht Club in Chandlers Landing, both indoors and out. Welborn pointed out that the issue was not whether or not to grant the permit, but by what process to hear the request. After further discussion, Welborn restated her motion to set September 8th as the date for the hearing on the request by Ernie Hughes and to determine notification requirements. Miller pointed out that notification requirements needed to be determined prior to the hearing. Eisen suggested that Staff follow the current guidelines for notifying zoning cases, and in the case of Chandlers Landing everyone within the Planned Development would be notified. Fox stated opposition to spending funds on notification when the item could be put on as an appointment. Welborn clarified her motion to state that property owners within the Planned Development would be notified of the public hearing pending. The motion was voted on and passed five to one, with Fox voting against the motion and Luby abstaining. Miller asked Staff to produce a written policy outlining notification procedures for processing of permit applications of this nature. Eisen stated that if it was Council's intention to treat these permit applications as

were zoning cases, Staff could provide an outline of notification procedures for zoning cases.

Council then discussed the proposed 1987-88 Annual Budget and a proposal to increase taxes and the date for a public hearing. Eisen outlined some adjustments that had been made in the General Fund resulting from the two day Budget Work Session. He outlined requested reductions which included a \$25,000 decrease in revenue resulting from sales and beverage taxes and a \$41,000 reduction in expenditures. Some added expenditures in the General Fund Budget included a study regarding self-insurance programs, the reinstatement of the Square project, the addition of a Police Officer, and a \$20,000 addition in street materials totaling \$82,000 in additional expenditures. He stated that the longevity pay that had been allocated in Water and Sewer Fund, Sanitation Fund, and the Airport Fund had been removed from those funds and the sum set aside in the Water and Sewer Fund for longevity pay had been used to increase the transfer to the General Fund. The sum total of the reductions in revenue and expenditures and the additional expenditures would result in taking from the General Fund Reserves a total of \$27,333.

Regarding the Fire Department, Eisen explained that the Budget for the Fire Department had not yet been reviewed by Staff at the time of the Work Session. Staff had since reviewed the Budget consisting of \$59,000 for the Fire Department, a slight increase over the previously estimated \$56,000. Eisen explained that the Equipment Fund as submitted consisted of 1) a new grass truck, 2) a burn house used to simulate house fires and utilized by the Fire Department as a training tool which would cost about \$25,000, and 3) miscellaneous equipment totaling approximately \$13,000. He explained that representatives of the Fire Department had expressed concern about funds received from the County for fire calls which had been increased two years ago. The Fire Department had asked that the City's portion of the funds be put in the Fire Equipment Fund as opposed to the General Operating Budget. Eisen explained that about \$1,500 had been budgeted for the next year. Additionally, the Fire Department had asked that the \$13,000 allocated for miscellaneous equipment be taken from the General Operating Fund. Eisen explained that if this was Council's desire, one of three options was possible: 1) increasing revenues, 2) reducing expenditures, or 3) taking these funds out of the General Operating Fund Reserves. He stated a preference for taking funds out of Reserves only for major one-of-a-kind projects such as the reinstatement of the Square Project. As this fund had not previously been reviewed by Council, Miller asked Council to review the Fire Equipment Fund as if they were in a Work Session. At this time Eisen summarized the proposed

Fire Equipment Fund, funds reserved for training that consisted of donations, and proposed expenditures.

Mark Poindexter, Assistant Chief of the Fire Department, addressed the Council to make the following requests: 1) that the \$30,000 budgeted to be transferred in from the General Operating Fund be left as is; 2) that the \$13,940 budgeted for miscellaneous fire equipment, including bunker gear and hoses, be expended from either the General Fund or another fund; 3) that the City's share of funds received from County fire calls be put into the Fire Equipment Fund instead of the General Fund. Miller questioned the amount of funds received for County fire calls. Poindexter explained that of every \$75 per call, \$50 went to the Fire Department and \$25 went into the General Fund. He added that this was a total of \$3,275. Holt questioned the use of the burn building for training. Poindexter explained that in the past Firemen had been going to A&M for training and would continue to do so once a year. A burn building was available for lease from the City of Garland, although this training was only available during week days at which time the firemen held primary jobs. Welborn stated that based on a tight budget it might be necessary to take the \$13,940 out of the Fire Equipment Fund in order to provide the other items such as the burn house. Poindexter stated that it was the Fire Department's goal to keep \$100,000 in the Fire Equipment Fund at all times to be available for large, more permanent purchases such as trucks and large equipment. Council discussed the proposed burn house, previous items budgeted from the Fire Equipment Fund which were never purchased, allocating to the Fire Equipment Fund the amount of funds received during the last two years for County fire calls, and whether to take these funds from the General Operating Reserves. Eisen explained that when the cost of fire calls was raised he had interpreted that the funds received by the City for County fire calls was to offset the cost of fire services which could include fuel and other items taken out of the General Fund. He explained that Poindexter had understood that these funds were to go directly into the Fire Equipment Fund. After further discussion, Welborn made a motion to transfer \$13,940 from the General Revenue Fund to the Fire Equipment Fund, to transfer \$3,275 from the General Fund to the Fire Equipment Fund, to direct the Staff put the City's share of County fire call funds into the Fire Equipment Fund. The motion failed for lack of a second. Fox then made a motion to transfer the \$13,940 from the General Fund Reserves into the Fire Equipment Fund; additionally, to transfer \$6,550 from the General Fund Reserves into the Fire Equipment Fund which would equal the amount of funds received by the City for County fire calls in the last two years; and to amend the 1987-88 Budget to direct the City's portion of County fire calls

into the Fire Equipment Fund. Bullock seconded the motion. The motion was voted on and passed unanimously.

Eisen suggested September 8th as the date for the public hearing to propose an increase in the effective tax rate. Welborn confirmed that an additional patrolman would not increase the cost of uniforms in the Police Department. After further discussion, Welborn made a motion to set the date for the public hearing on September 8th. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then discussed the screening requirements pertaining to satellite dishes. Eisen explained that Council had recently adopted an ordinance amending the height requirements for radio transmitters and satellite dishes and had at that time asked to have the retroactivity of screening requirements addressed separately. Eisen explained that only the screening requirements had not been grandfathered and that all other requirements with regard to location, etc., were grandfathered. Council discussed the permit process, notification process prior to issuance of a citation, and the amount of fine. Fox stated preference for leaving the ordinance as is, retaining the retroactive screening requirements. Jones made a motion to require all satellite dishes to be screened by at least a 6 ft. fence except those dishes installed prior to the adoption of the regulatory ordinance. Holt seconded the motion. The motion was voted on and passed four to three, with Bullock, Fox and Luby voting against the motion.

Council then discussed raising the minimum square footage requirements in "SF-7" and "SF-10" Single Family zoning classifications and discussed the establishment of minimum square footage requirements in Multifamily and Planned Development zoning classifications. Fox stated opposition to small dwelling sizes as they required the same amount of street improvements and Police protection as did larger homes while providing fewer tax dollars. Fox recommended Council consider amending the minimum dwelling size in an "SF-7" district to 1,500 square feet and amending the "SF-10" minimum dwelling size to 1,800 square feet. He further recommended that Council consider addressing every category, including Multifamily and Planned Development. Council discussed holding a Work Session with the Planning and Zoning Commission to review the minimum dwelling sizes in every zoning category. Welborn made a motion to schedule a joint Work Session with the Planning and Zoning Commission on either the second or fourth Monday for the purpose of reviewing the minimum dwelling sizes. Jones seconded the motion. The motion was voted on and passed unanimously.

The Council then considered approval of an ordinance adopting an amended fine schedule on first reading. Couch explained that the State Legislature had recently passed a law that required all speeding fines collected on State highways over \$2.00 per mile be remitted to the State. She explained that this would create more paper work than the current personnel could handle to continue to collect the current fines and keep track of what had to go to the State. She added that the amended ordinance would change the speeding fines to \$2.00 per mile over the speed limit plus the State court costs. Police Chief Bruce Beaty distributed copies of the current fine schedule for comparison with the new schedule. Miller stated concern about reducing fines to avoid additional paper work. He stated that a reduction in fines would not work well as a deterrent. Eisen explained that the penalty on one's insurance as a result of a ticket was stiffer than the cost of the fine. He explained that in some cases insurance could increase as much as \$100 per year for a period of three years. After further discussion, Couch read the ordinance caption. Jones made a motion to approve the ordinance on first reading. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then adjourned into Executive Session under Article 6252-17 V.A.C.S. to discuss personnel pertaining to the Airport Advisory Board. Upon reconvening into regular session, as there was no action necessary as a result of the Executive Session, Jones made a motion to adjourn. Holt seconded the motion. The motion was voted on and passed unanimously. As there was no further business to come before the Council, the meeting was adjourned at 11:55 P.M.

APPROVED:

ATTEST:

By _____

MINUTES OF THE ROCKWALL CITY COUNCIL
August 24, 1987

Mayor Frank Miller called the meeting to order at 7:10 P.M. with the following members present: Nell Welborn, Jean Holt, John Bullock, Pat Luby, Bill Fox, and Ken Jones.

Miller explained that the first item, a discussion regarding a request for a change in zoning from Sanders Thompson, could be pulled. He explained that the applicant had had a death in the family and was unable to attend. Council discussed whether or not to hold a discussion on the item in the absence of the applicant. Welborn pointed out that while the Scenic Overlay District was the primary reason for Council's presence, discussion on the Sanders Thompson request could be delayed. She suggested that Council table discussion on the item until the joint Work Session with the Planning and Zoning Commission with regard to amending the minimum dwelling sizes in single family residential districts. After a discussion with regard to availability of Councilmembers, Council set the date for the joint meeting with the Planning and Zoning Commission for September 14th at 7:00 P.M.

City Manager Bill Eisen briefly reviewed comments made by individuals at the August 17th Council hearing where the Overlay District had been considered. With regard to Wayne Baccus' concern about exclusion of a full service gasoline station in the District, Eisen reviewed some alternatives that had been submitted by Staff. Alternative I would be to leave the current wording in the District as is, which would clearly exclude all forms of automobile servicing from the Overlay District. Alternative II would maintain gasoline stations in the Overlay District with a Conditional Use Permit to allow automobile servicing as an accessory. In this case automobile servicing could be defined as minor servicing of vehicles including tire repair, tire change, wheel balancing, wheel alignment, fluid change, lubrication, and miscellaneous minor tune ups. Eisen added that the City Attorney had recommended if this alternative were allowed, less intensive uses such as tire sales where tire work was done and lube centers would have to be allowed as well. Eisen explained that Alternative III would allow automobile servicing with a Conditional Use Permit only if certain basic criteria were met. City Attorney Pete Eckert suggested that Council consider either Alternative I or a combination of Alternatives II and III. He reminded Council that if automobile servicing were allowed, lube centers, tire centers, and less intense uses would have to be allowed as well. He told Council that

even if minor servicing were defined, it would be difficult to enforce. Council discussed the location of a auto servicing area at a major arterial intersection, limiting storage areas, increasing landscaping requirements, and imposing certain screening requirements.

Council then reviewed Alternative III as submitted by Staff and discussed the following proposed criteria for issuance of Conditional Use Permits:

1. That the site be located at the intersection of two major arterials as defined in the City's Thoroughfare Plan. Council indicated that a major arterial needed to be defined in this item as a four-lane or six-lane divided roadway, as shown on the Thoroughfare Plan.
2. That the service bays for such a facility would not be visible from any public street. Council discussed changing the wording in this item to reflect that the service bay doors would not face any public street.
3. Automobile servicing areas would be screened from view by a masonry fence, landscape berm, or combination thereof, a minimum of six feet in height. Council discussion resulted in including auto storage and waiting areas as well as automobile servicing areas requiring an eight foot masonry fence, removing the provision for landscaped berm, and requiring landscaping along the exterior length of the wall.
4. Service bays be set back from any street frontage a minimum of fifty feet.
5. Prohibiting the outside storage of any merchandise, inventory or equipment. Council amended this to include outside storage or displays of merchandise, inventory or equipment.
6. Limiting the number of service bays. Council amended this item to read that bays may have the capacity of retaining a total of six vehicles at one time in addition to a car wash.
7. That Council set a minimum lot size. Council set a minimum of one acre.

Council added one other item which would require any business where sale of gasoline or automobile servicing was done to provide a twenty foot buffer of landscaping along each street that it fronted.

Jones then asked Staff to draft an ordinance regulating Christmas Tree sales that would provide for

removal of trees from sale lots within a specified time period. Miller suggested the ordinance prescribe a deposit refundable only upon removal of the trees.

Council then discussed the regulation of signs within the Overlay District. Holt reminded Council that many signs within the District would be existing and therefore grandfathered. Welborn asked if there were not some incentive for urging nonconforming signs to conform. Eisen pointed out that while business owners may wish to conform, existing signs were expensive to manufacture and to install. Council discussed whether to control the color of signs, an adequate size for signs, and types of signs to be allowed within the Overlay District. Miller made a motion to instruct Staff to amend the Sign Ordinance to reflect that only monument signs no larger than sixty square feet and wall signs as currently required would be allowed within the Overlay District unless otherwise approved by the City Council upon submission of a sign plan. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered setting September 8th as the date for the first regular City Council meeting in September. Fox made a motion to set the date for September 8th. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then adjourned into Executive Session under Article 6252-17 V.A.C.S. to discuss personnel pertaining to the Airport Advisory Board and the evaluation of the City Manager. At approximately 10:30 P.M. Jones left the Executive Session. Upon reconvening into regular session, Holt made a motion to increase the City Manager's salary by \$1,500 per year and to increase his car allowance to \$350 per month. Bullock seconded the motion. The motion was voted on and passed unanimously.

As there was no further business to come before Council for consideration, the meeting was adjourned at 11:10 P.M.

APPROVED:

Mayor

ATTEST:

By _____

CITY OF ROCKWALL
Council Agenda

AGENDA DATE September 8, 1987

AGENDA NO. IV.E

AGENDA ITEM P&Z 87-42-Z - Continue Public Hearing and Consider Approval of an Amendment to the Comprehensive Zoning Ordinance to Add a Scenic Overlay District to the List of Zoning Categories to Apply Along FM-740 from SH-205 to the South City Limits for a Depth of 500 Feet on Each Side and Including All of Planned Development Nos. 1 and 4 (1st reading)

ITEM GENERATED BY Council

ACTION NEEDED Continue the public hearing and consider approval on first reading the ordinance establishing the Overlay District, with any changes included.

BACKGROUND INFORMATION

We have revised the draft of the Overlay District to include the changes made by the Council regarding gasoline stations. A revised copy of the ordinance is attached. The actual provisions for gasoline stations will be included in the Conditional Use Section of the Zoning Ordinance.

ATTACHMENTS

1. Ordinance Adopting the Overlay District
2. Copy of Summary of District
3. Map of Overlay District

MINUTES OF THE ROCKWALL CITY COUNCIL
September 8, 1987

Mayor Frank Miller called the meeting to order at 7:15 P.M. with the following members present: Nell Welborn, Ken Jones, Jean Holt, John Fullock, Bill Fox, and Pat Luby.

The Council first considered approval of the Consent Agenda which consisted of: (a) the minutes of August 17 and 24, 1987 (b) an ordinance establishing a fee associated with driving records on second reading (c) an ordinance amending the maximum penalty for violators of City ordinances on second readings (d) an ordinance authorizing a Conditional Use Permit for Private Clubs within the Rockwall Village Shopping Center on second reading (e) an ordinance adopting an amended fine schedule on second reading (f) an ordinance regulating the temporary sale of Christmas trees within the City on first reading (g) an ordinance amending Ordinance 8651 pertaining to conformance with screening requirements of satellite dishes on first reading. Assistant City Manager Julie Couch read the ordinance captions. Mayor Miller asked item E to be pulled from the Consent Agenda. Welborn made a motion to approve the Consent Agenda with the exception of Item E, Fox seconded the motion, motion was voted on and passed unanimously. Miller confirmed that the maximum fine of \$500.00 approved in Item C would be applicable to Item E also. Welborn then made a motion to approve Item E indicating a \$500.00 maximum fine instead of \$200.00. Fox seconded the motion, the motion was voted on and passed unanimously.

Don Smith, Chairman of the Planning and Zoning Commission addressed the Council and offered to delay his Chairman's Report until the next three items had been heard, due to the large number of persons present for these items.

Council then held a public hearing and considered approval of a request from Ernie Hughes for a permit to operate a business, The Texas Queen, between the shoreline and takeline of Lake Ray Hubbard in an area leased by the City of Rockwall. Miller outlined the process by which the hearing would be conducted. Chris Fredrickson addressed the Council on behalf of the Texas Queen Corporation and the applicant, Ernie Hughes. Fredrickson explained that the Texas Queen was a dinner boat which catered to both the general public and private parties. He stated that the ordinance requiring a permit to operate between the shoreline and takeline, restricted him from not just Chandlers Landing Marina, but loading and unloading anywhere along the shoreline in Rockwall. He stated that The Texas Queen Corporation was cognizant of the noise and

traffic problems and had attempted in the last two years to resolve some of the problems. Fredrickson stated that it was only necessary to load and unload at Chandlers Landing Marina when winds were in excess of 25 miles per hour. This amounted to twelve to fifteen times a year. He agreed to make any necessary concessions as the permit were granted. He then stated a willingness to look at any other suitable location. The Council discussed with Fredrickson the number of complaints received for disturbances on the Texas Queen as well as at the Chandlers Landing Yacht Club. The Council discussed a more suitable location, parking required for the Texas Queen, maximum capacity of the dinner boat, revenues received by the City of Dallas and the Texas Queen's policy with regard to alcohol. Miller then opened a public hearing. Don Smith, President of the Chandlers Landing Homeowners Association addressed the Council and explained that homeowners had shown their opposition to the request by the number of notices that had been returned by the 220 names submitted on a petition, and by appearing at this hearing. Holt asked if the homeowners would be opposed to the boat going up and down the shoreline if it were docking elsewhere. Smith stated that it was his understanding that another location for the boat to dock was under discussion, but that a permanent location would require a significant amount of capital investments. Gary Carlyle of the Rockwall Review, stated that the Texas Queen was synonymous with Rockwall and until a better location was found the Chandlers Marina was the only place for the boat to dock in high wind situations. He stated that denying the permit would be doing the community a disservice and that it would take time to find a location that could accommodate the boat. Peter Oetking addressed the Council and voiced his opposition. Diane Luby told the Council that the feelings of the residents in Chandlers Landing had not changed in the last two years, and that the number of signatures on the submitted petition must have a bearing on the Council's decision. Mrs. Oetking stated that the number of times the boat docked had no bearing on its undesirability. She asked Council to deny the request with prejudice so that it could not be requested every year. Ron Mastronardi stated that the applicants would not respect Council's opinion and that the Texas Queen's policy of emptying containers prior to leaving the boat was not a solution as it urged consumption. Maxey Grace Martin stated that in climate weather not only required the boat to dock, but required the residents to stay inside and listen to the music and noise coming from the boat. Virginia McConnell, stated that she had lived in Rockwall for ten years and was opposed to loading and unloading at the marina even once. Fredrickson concluded his statements by saying that denial would adversely affect Rockwall as well as his business. There was no one else wishing to address the Council, the public hearing was closed. Holt made a motion to deny the permit application. Fox seconded

the motion. He then asked staff how soon the applicant could re-apply. Eisen explained that no specific time period for re-application was adopted by ordinance. Fox then offered an amendment to the motion to include a period of not less than three years prior to re-application. Luby seconded the motion. Welborn pointed out that since Councilmembers were elected for two year terms, a three time limit would be binding on a subsequent Council. After further discussion, the amendment was voted on and passed five to two with Welborn and Jones voting against the motion. The motion as amended was voted on and passed unanimously.

After a brief recess, Don Smith gave the P&Z Chairman's Report in which he addressed the proposed amendment to the Comprehensive Zoning Ordinance pertaining to accessory structures in residential areas. He briefly explained how the Commission had arrived at its recommendations regarding size, quantity of building and materials.

Council then considered a request from Jean Speights for a temporary waiver to the off street parking requirements of the Zoning Ordinance at 303 E. Rusk. Couch explained that Mrs. Speights had leased out the lower portion of what used to be the Annex Building of the First United Methodist Church. Couch explained that there was no existing off street parking and that the applicant was proposing to utilize some of the vacant area north of the Annex building that had access off Kaufman for their required parking. Couch explained that they didn't wish to pave it until they were sure the leasers would remain. She stated that the applicants were asking for a waiver of the requirements for a period of one year to allow them seven months to see if the tenants would remain an additional five months to construct parking. Mrs. Speights addressed the Council and explained that there would be monogramming, packaging of cakes, shipping and a small retail business located within the building. She explained that there would be minimal loading and unloading and that the nature of the businesses at present did not require a large amount of parking area. Fox confirmed that in seven months when the construction was begun, it would meet City standards. Couch pointed out that Mrs. Speights had been advised that at any pointed time if there were any warehousing done, she must relocate. After further discussion, Welborn made a motion to approve the request for a period not to exceed twelve months. Jones seconded the motion, the motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a request from Sharon Arundel for a variance from the front setback requirements of the sign ordinance

to allow a sign on the front property line at Maggie's, 703 South Goliad. Couch explained that in order to meet the front and side setback requirements, Mrs. Arundel's sign would be very close to the building and she was therefore asking for a variance. Fox made a motion to approve the variance. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council continued a public hearing and considered approval of an amendment to the Comprehensive Zoning Ordinance to add a scenic overlay district to the list of zoning categories to apply along FM-740 from SH-205 to the south City limits for depth of five hundred feet on each side and including all of plain development numbers one and four. Haywood Eason addressed the Council and explained that he believed that a depth along I-30 should be excluded from the scenic overlay district. He pointed out also that the proposed amendments to the Sign Ordinance would not allow future businesses within the district along I-30, to be competitive with businesses who had existing signs. Council discussed at great lengths whether to include the section of I-30 within the overlay district and if it were excluded, what depth on the Interstate should be excluded. Wayne Backus addressed the Council and stated concerns regarding the one acre requirement for a service station and the cutback for the number of bays. Miller pointed out that the ordinance as drafted stated that the bays in addition to a car wash would be capable of servicing not more than six vehicles at one time. There was no one else wishing to address the Council, the public hearing was closed. Welborn made a motion to continue discussion regarding the overlay district at the scheduled work session on September 14th. Jones seconded the motion. The motion was voted on and passed unanimously.

Eisen explained that prior to scheduling a request from Sanders Thompson for changing zoning on the work session, Council had continued the public hearing to the September 8th meeting. He explained that if Council still wished to discuss the zone change request with Mr. Thompson at the work session on the 14th, the public hearing would need to be continued until September 21st. Jones made a motion to continue the public hearing. Bullock seconded the motion. The motion was voted on and passed unanimously.

Couch then outlined recommendations of the Planning and Zoning Commission with regard to amending the Zoning Ordinance, as it pertained to its accessory structures in residential areas. She outlined both the current requirements and the recommended changes which would allow one detached garage not exceeding fifteen feet in height or nine hundred square feet and containing the same materials in generally the same proportion as found on the main

structure. The recommended change would allow not more than two accessory buildings not exceeding fifteen feet in height or two hundred twenty-five square feet provided the exterior covering contained only materials found on the main structure and excluding greenhouses from the materials requirement. Buildings exceeding these requirements would have to apply for a Conditional Use Permit and the current requirements regarding accessory structures only covering thirty per cent of the calculated thirty-five percent total building coverage would remain. Don Smith pointed out that the recommended changes would limit the size of any one building by providing maximum square footage requirements as well as maintaining the thirty percent rule. Council discussed the number of allowed buildings under the recommended change, the Conditional Use Permit process for a guest house and whether to remove portable buildings as an allowed accessory structure. Couch read the ordinance caption, Fox made a motion to approve the ordinance as submitted, Welborn seconded the motion. Jones offered an amendment to the motion to remove portable buildings as an allowed use and to add hundred and twenty-five feet that would have been allowed for a portable building divided among the other two allowed accessory structures. He seconded the motion after further discussion with regard to increasing the allowed building size, Jones withdrew his motion. After further discussion, the motion was voted on and passed unanimously.

Miller opened a public hearing on the proposed operating and revenue sharing budgets. Eisen explained some changes that had been made in the Operating Budget at Council's request and addressed a memo that had been given to him by the Finance Director pertaining to an average water rate based on Winter consumption. He stated that the rates would be yearly, would be recalculated every March and reinstituted each April. There was no one else wishing to address the Council, the public hearing was closed.

Eisen then outlined some cost analysis for street improvements, water system improvements, sanitary sewer system, and a drainage system for Heritage Heights. Eisen stated that the City could be proceed with improvements to Phase 1 only of Heritage Heights, including repair of streets in the amount of \$40,000 water system improvements on site in the amount of \$72,950, in sanitary sewer system in the amount of \$74,250. He stated that water and sewer improvements could be recovered on a per lot basis and that street work was of a maintenance nature and had not in the past been accessed back to adjoining property owners. He explained that at a interest rate of 7.5 percent, for a period of six years average monthly payment per lot would be \$110.65. Mike Nabors, a resident of Heritage Heights, stated that a \$110 a month was high, but that he would distribute whatever information necessary to help the

MINUTES OF THE ROCKWALL CITY COUNCIL
Worksession
September 14, 1987

Mayor Frank Miller called the meeting to order at 9:00 P.M., with the following members present: John Bullock, Ken Jones, Jean Holt, Nell Welborn, Pat Luby and Bill Fox.

Discussion was held regarding a request from Sanders Thompson for a change in zoning from "SF-10" single family to "PD" planned development with "SF-7" area requirements and a 1500 square foot minimum dwelling size located on approximately 97 acres south of Quail Run Road, west of SH-205 and north of Alamo. Harold Evans presented a site plan and explained some disadvantages that the property contained which he had attempted to overcome. Council discussed buffering adjacent "SF-10" property by putting 10,000 square foot lots on the east and west borders of the tract. Thompson explained that the property would not be developed for some time. Council offered suggestions for improving the plan including reducing the number of 7,000 square foot lots, increasing the amount of 10,000 square foot lots and bordering the tract with larger lots.

Council then discussed the Scenic Overlay District on FM-740 as it pertained to I-30. Assistant City Manager, Julie Couch, outlined some options addressing the FM-740/I-30 intersection and concerns stated at the last meeting. One problem was the signage requirements within the district along the freeway and the other concern was whether properties along the freeway should be included in the district. After considerable discussion, it was agreed that a depth of 200 feet on each side of I-30 would be removed from the district, which would also remove the more restrictive signage requirements.

Council then discussed a proposed Homestead Tax Exemption. City Manager Bill Eisen, explained that the Council must adopt the exemption prior to May 1st in the year in which it becomes effective. Council discussed beginning procedures after adoption of the budget for having a Homestead Exemption in place for the 1988-89 year.

Council adjourned into Executive Session at 11:00 P.M., to discuss land acquisition regarding the East Side Pump Station. As there was no action necessary resulting from the Executive Session, the meeting was adjourned at 12:15 A.M.

APPROVED:

Mayor

ATTEST:

By _____

MINUTES OF THE ROCKWALL CITY COUNCIL
September 21, 1987

Mayor Frank Miller called the meeting to order at 7:00 P.M. with the following members present: Nell Wellborn, Ken Jones, Jean Holt, John Bullock, Bill Fox and Pat Luby.

The Council first considered approval of the Consent Agenda which consisted of: (a) the minutes of the regular meeting and Special Session September 8, 1987 (b) an ordinance regulating the temporary sale of Christmas Trees on second reading (c) an ordinance amending Ordinance 86-51 pertaining to conformance with screening requirements on second reading (d) an ordinance amending the Comprehensive Zoning Ordinance as it pertains to accessory structures in residential areas on second reading (e) an ordinance amending the Code of Ordinances to regulate parades within the City on second reading (f) an ordinance regulating wrecker operations within the City on second reading (g) an ordinance regulating mass gatherings on second reading (h) a resolution commending Fran Bagley for community involvement, and (i) a resolution commending Barbara Hill for community involvement. Assistant City Manager Julie Couch read the ordinance captions. Welborn pulled the minutes of September 8. Holt pulled items H and I. Bullock made a motion to approve the Consent Agenda minus these items. Jones seconded the motion. The same was voted on and carried unanimously.

Welborn pointed out a verbal correction in the minutes. She made a motion to approve the minutes with the correction. Bullock seconded the motion. The motion was voted on and passed unanimously. Holt requested items H and I be read in their entirety. Couch read both resolutions aloud. Jones made a motion to approve both resolutions. Holt seconded the motion. The motion was voted on and passed unanimously. Miller presented framed resolutions to Ms. Bagley and Ms. Hill and thanked them for their contributions toward a better community.

Don Smith gave the Planning & Zoning Chairman's report in which he discussed items on the agenda which had been considered by the Commission and he outlined the Commission's recommendation on each.

Randy Taggart at 403 E. Boydston addressed the Council to request a 30 day extension regarding enforcement of special restrictions in the revised animal control ordinance pertaining to Pit Bull dogs. He asked Council to consider amending the ordinance to enforce the same requirements for pit bulls on other potentially dangerous dog breeds. Council discussed the insurance requirement, the severity of injuries inflicted by

pit bulls as opposed to other breeds, and the number of identified pit bulls within the City limits. Police Chief Bruce Beaty told Council that within the last six months, the last five dog bite fatalities had been inflicted by pit bulls. He added that 8% of all dog related fatalities were by pit bulls, a breed that represents only 2% of the dog population in the U.S. Frank Faus told Council that pit bulls had gained notoriety through irresponsible owners. He asked Council to regulate vicious dogs as done in Farmers Branch without singling out one breed. Welborn made a motion to postpone implementation of specific requirements for pit bulls until November 1 pending further study of the ordinance regarding the inclusion of other vicious breeds. Jones seconded the motion. Bullock offered an amendment to the motion to include in the study, a review of the Farmers Branch ordinance. Miller seconded the motion. The amendment was voted on and passed unanimously. The motion as amended passed 6 to 1 with Luby voting against the motion.

Virginia Peddie of 106 Joe White told Council that the ordinance was discriminatory. She complained of ill treatment upon receipt of a notice of violation to the ordinance. Welborn stated that Chief Beaty had probably reviewed the circumstances and that conduct of personnel should be discussed in Executive Session. John Peddie expressed displeasure regarding the incident and stated that he didn't think the number of dogs a person owned should be governed by ordinance.

Ray Helm addressed Council to discuss procedures for determining appraisal values, particularly agricultural properties. He outlined guidelines of the State for determining agricultural exemptions, provided a survey of other cities' total appraised values compared to amounts of agricultural exemptions, and discussed the appeal process for persons denied an agricultural exemption. Council discussed with Helm the amount of exemptions in Rockwall, percentages of increased value assigned by the State, and a State requirement that tied an agricultural exemption to the use of the land and not the percentages of income received from the land. Hal Davenport, a member of the Appraisal District Board of Directors, stated that the same concerns expressed by the Council were problems that existed all over the State.

Bob Dransfield then addressed Council to discuss self-insurance. He explained some advantages of self-insurance, discussed re-insurance and pointed out the need for actuarial studies due to a lack of accumulated research on history of claims.

Council then considered approval of an agreement with the Wyatt Company for actuarial services. Welborn made a motion to approve the agreement. Bullock seconded the motion. Council briefly discussed insurance bids that would be advertised in January. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of an ordinance authorizing a change in zoning from "SF-10" Single Family to "GR" General Retail on a portion of a lot located at 106 Ross Avenue. Eloise Cullum told Council that the existing building was being renovated in an attempt to upgrade the area. She stated that she did intend to curb and gutter. Jones made a motion to approve the request and the ordinance on first reading. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of an ordinance authorizing a conditional use permit for a church site located at SH-205 and Damascus Rd. Couch explained that the church existed when the Zoning Ordinance was adopted requiring a CUP for church facilities in residential areas. The First Methodist Church was now required to obtain a CUP prior to expansion. Richard Slaughter told Council that the church proposed to add a music room, classrooms and a fellowship hall. Couch read the ordinance caption, Bullock made a motion to approve the ordinance. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a temporary change in zoning from "C" Commercial to "PD" Planned Development with auto repair, retail and office uses. Couch explained that the applicant had leased the property thinking auto repair was an allowed use. The only other appropriate zoning category would be heavy commercial. Couch pointed out that the Land Use Plan recommended heavy commercial to be located away from the interstate, and the applicant had therefore requested PD zoning for 2 years, allowing time to relocate. She explained the recommendations of the Planning and Zoning Commission, outlined the site plan and discussed proposed improvements. Diane Payne explained that the location was temporary as she preferred another location and the owner intended to use the property for auto sales in the future. Council discussed prohibiting outside storage, paint and body, and construction of additional buildings. After additional discussion, Fox made a motion to approve the site plan and an ordinance authorizing a change in zoning subject to (1) no outside storage (2) no paint and body (3) no additional construction (4) review of zoning by the Commission in six months for compliance with parking, landscaping, and outside storage requirements, and (5) all the recommendations of the Commission which were to change

the zoning back to Commercial in 2 years or when the company changes in name, ownership or organization if said changes take place prior to two years, requiring all improvements to be completed within 60 days of issuance of a certificate of occupancy, waiving irrigation requirements and allowing a gravel drive. Bullock seconded the motion. The motion was voted on and passed unanimously. Fox then made a motion to approve a final plat for Newman Center No. 1. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a final plat for the Barz Acre, a .917 acre tract of land located at 222 Quail Run Road. Couch outlined circumstances surrounding the issuance of a building permit to build a house on an unplatted lot, explained that the applicant would need to dedicate 25 feet of right-of-way and that the Commission had recommended a waiver of escrow requirements estimated at \$4600. Fox confirmed that when sewer became available the applicant would be required to tie on. Welborn made a motion to approve the final plat requiring dedication of 25 feet of right-of-way and waiving street escrow requirements. Bullock seconded the motion. The motion was voted on and passed unanimously.

James Flinchum, 609 Sunset Hill, addressed Council to discuss a proposed ordinance requiring notification when certain construction takes place in residential areas. Flinchum told Council of an incident where construction in an easement left a deep ditch less than two feet from his residence. He urged Council to require two weeks notice, a contact, a temporary fence and a clear definition of who assumed liability. City Attorney Pete Eckert stated that City requirements regarding direction of screening would result in the City assuming liability. The Council discussed requiring the contractors to return the property to its original condition as opposed to "good maintainable" condition as stated in the proposed ordinance. Director of Public Works Ed Heath pointed out that residents sometimes planted shrubbery, built fences or poured concrete over an easement. Eisen suggested staff review the ordinance and develop another recommendation addressing these items. Holt made a motion to table the ordinance. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then continued a public hearing and considered approval of a change in zoning from "SF-10" Single Family to "PD" Planned Development on 97 acres located North of Alamo. Harold Evans presented a site plan and outlined changes made in the plan based on Council direction indicated at the Worksession. Sanders Thompson asked Council to allow a minimum of 262 lots and a maximum of 275. Council discussed the number of lots

under 8000 square feet, the location of 10,000 square feet and the proposed park land. Eckert reminded Council that by ordinance PD's were reviewed every two years. Couch outlined recommendations of the Commission including (1) a minimum 7000 square foot lot size and 2F-7 area requirements (2) a minimum 1500 square foot dwelling (3) dedication of park land prior to platting (4) completion of a traffic analysis prior to platting (5) determination of the final alignment of North Lakeshore Drive prior to platting and (6) providing a phasing plan prior to development if development is planned in stages. Holt made a motion to approve the zone change including all the previously listed condition, allowing a minimum of 262 lots with percentages of lot sizes generally as submitted, and providing that 50% of all lots in excess of 262 will be over 8000 square feet. Jones seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an ordinance amending the Comprehensive Zoning Ordinance to add a Scenic Overlay District to the list of zoning categories. Couch outlined changes in the ordinance made resulting from direction received in the Worksession. 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 amendment to the Sign Ordinance to provide special restrictions for signs within the Scenic Overlay District. Couch outlined the requirements in the ordinance and read the ordinance caption. Jones made a motion to approve the ordinance. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of (1) an ordinance setting the 1987 tax rate at .3400 per \$100.00 valuation, levying taxes and continuing the over 65 homestead exemption (2) an ordinance adopting the 1987-1988 operating budget (3) a resolution approving the 1987-88 revenue sharing budget (4) an ordinance approving the amended 1986-87 operating budget and (5) a resolution approving water and sewer rates for 1987-88 fiscal year. Welborn made a motion to approve all five items. Fox seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of an agreement with the City of Heath for Animal Control. Eisen explained that Rockwall would provide emergency animal control service to Heath as outlined in the agreement. Council discussed the charges for service and impound fees. Jones made a motion to approve the agreement. Luby seconded the motion. The motion was voted on and passed unanimously.

Council then considered appointing auditors to conduct the 1986-87 annual audit. Eisen addressed some concerns Council had regarding contracting Arthur Andersen for another year. Director of Finance Michael Phemister stated that a specific time table would be adhered to and the books would be closed making the audit easier to conduct than in previous years. Fox made a motion to appoint Arthur Andersen to conduct the audit. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then considered approval of a resolution appointing Michael Phemister to the Rockwall Property Finance Authority Board of Directors. Fox made a motion to approve the resolution. Holt seconded the motion. The motion was voted on and passed unanimously.

Council then adjourned into Executive Session to discuss personnel regarding appointments to the Airport Planning Committee. Upon reconvening into regular session, the following people were appointed: John Bullock, Ken Jones, Lyn Broyles, James Flinchum, Keith Barrett and Bobby Holt. Broyles, Flinchum, and Barrett were appointed pending acceptance of the positions and Holt was appointed pending acceptance and confirmation that the Charter allowed the appointment.

As there were no further items to come before the Council for consideration, the meeting was adjourned at 12:45 A.M.

APPROVED:

Mayor

ATTEST:

By _____

PLANNING AND ZONING ACTION SHEET

Applicant City Initiated Case No. P42 87-42-2
 Property Description Ridge Rd. Corridor to south city limits
 Case Subject Matter 500' deep overlay zoning district

CASE ACTION

	<u>Approved</u>	<u>Disapproved</u>	<u>Tabled</u>
Date to P&Z <u>June 25</u>	<input checked="" type="checkbox"/>		
Conditions <u>recommending citizens workshop</u>			
<u>Council July 6 - scheduled workshop for 7/27</u>			
<u>Council Aug 3 - scheduled workshop for 8/24</u>			
<u>Council 9/8 - scheduled workshop for 9/14/87</u>			
Date to City Council <u>9/21 - approved on 1st reading</u>			
Conditions _____			

Ordinance no. _____ Date _____

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
- 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

CITY OF ROCKWALL
PUBLIC HEARING NOTICE

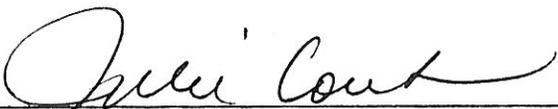
Notice is hereby given that the Planning and Zoning Commission will hold a public hearing on the 25th day of June, 1987, at 7:30 P.M., and the City Council will hold a public hearing on the 6th day of July, 1987 at 7:00 P.M., at Rockwall City Hall, 205 West Rusk, Rockwall, Texas, to consider an amendment to the Comprehensive Zoning Ordinance by the addition of a Scenic Overlay District to the enumerated list of zoning district categories, said district to apply to the following described area or territory within the City Limits of the City of Rockwall, to wit:

A tract of land located on either side of FM-740 from the intersection of SH-205 extending to the southern City Limits generally extending 500 feet from the right-of-way line of either side of FM-740 and including all of the property located in Planned Development No. 1 and Planned Development No. 4, more specifically described on Exhibit "A".

Said district to contain purposes thereof; permitted uses; conditional uses; area requirements; setback requirements; minimum requirements for construction materials; landscaping requirements; screening requirements; and site plan approval procedures; all of which are contained in the proposed text of the District which is on file in the Office of the City Secretary; City Hall, 205 West Rusk, Rockwall, Texas 75087, 722-1111.

The district as proposed or as may be finally adopted may limit or alter the uses allowed on your property and may increase or alter the requirements necessary to develop and build on your property. The district, as proposed, contains provisions for increased setbacks, increased landscaping requirements, architectural review, and increased screening requirements for certain uses within the district. You are encouraged to attend these meetings. Attached is a map generally showing the boundary of the proposed district. If you have questions concerning the proposed district call City Hall, 722-1111.

Given under my hand this 12th day of June, 1987



City Secretary

Public Notice

Notice is hereby given that the City Council will hold a public hearing on the 6th day of July, 1987, at 7:00 P.M., at Rockwall City Hall, 205 West Rusk, Rockwall, Texas, to consider an amendment to the Comprehensive Zoning Ordinance by the addition of a Scenic Overlay District to the enumerated list of zoning district categories, said district to apply to the following described area or territory within the City Limits of the City of Rockwall, to wit:

A tract of land located on either side of FM-740 from the intersection of SH-205 extending to the southern City Limits generally extending 500 feet from the right-of-way line of either side of FM-740 and including all of the property located in Planned Development No. 1 and Planned Development No. 4, more specifically described as follows:

Being a tract of land located in the B.J. T. Lewis Survey, Abstract No. 255, the D. Atkins Survey, Abstract No. 1, the E.P.G. Chisum Survey, Abstract No. 64, the J. Smith Survey, Abstract No. 200 and the E. Teal Survey, Abstract No. 207, and being more particularly described as follows:

Beginning, at a point in the south right-of-way line of Glenn Avenue, said point being 500 feet from the west right-of-way line of FM-740.

Thence in a easterly direction, along the south right-of-way line of Glenn Avenue, a distance of approximately 555 feet to a point in the southwest right-of-way line of SH-205,

Thence, in a southeasterly direction along the southwest right-of-way line of SH-205, a distance of approximately 1190 feet to a point on the northwest right-of-way line of the M.K.T. Railroad,

Thence, in a southwesterly direction along the northwest right-of-way line of the M.K.T. Railroad, a distance of approximately 3980 feet to a point 500 feet from the east right-of-way line of FM-740.,

Thence, in a southerly direction along a line parallel to and 500 feet from the east right-of-way line of FM-740, a distance of approximately 9900 feet to a point on the north right-of-way line of Shadydale Lane,

Thence, in a westerly direction along, said line being the City Limits, the north right-of-way line of Shadydale Lane, a distance of 500 feet to a point on the east right-of-way line of FM-740,

Thence, in a southerly direction said line being the City Limits, along

the east right-of-way line of FM-740, a distance of 50 feet to a point on the south right-of-way line of Shadydale Lane,

Thence, in an easterly direction, along the south right-of-way line of Shadydale Lane, said line being the City Limits, a distance of 363.50 feet to a point being the northwest corner of Lot 1, Block A, Highland Acres Addition, recorded in Volume 80, Page 276, Rockwall Deed Records,

Thence, in a southerly direction, along the west line of Lot 1, Block A, Highland Acres Addition, said line being the City Limits, a distance of 140.55 feet to a point for corner,

Thence, N. 84 degrees, 24 minutes, 50 seconds west, a distance of 366.02 feet, said line being the City Limits, to a point on the east right-of-way line of FM-740.

Thence, in a southerly direction, along the east right-of-way line of FM-740, said line being the City Limits, a distance of 1150 feet to a station 205+ 00,

Thence, in a westerly direction, across the right-of-way of FM-740, said line being the City Limits, a distance of 80 feet to a point on the west right-of-way line of FM-740.

Thence, in a southerly direction, along the west right-of-way line of FM-740, said line being the City Limits, a distance of approximately 1450 feet to a point being the northeast corner of Lot 1, Block A, Windward Slopes Addition recorded on Slide A-368, Rockwall County Deed Records,

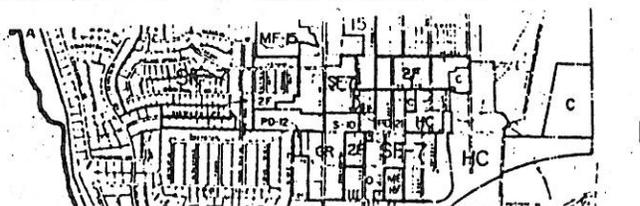
Thence, in a westerly direction, along the north line of Lot 1, 2, 3, and Lot 4, Block A, Windward Slopes, said line being the City Limits, a distance of 500 feet to a point for corner.

Thence, in a northerly direction, along a line parallel to and 500 feet from the west right-of-way line of FM-740, a distance of approximately 16,690 feet to a point of beginning.

Said district to contain purposes thereof; permitted uses; conditional uses; area requirements; setback requirements; minimum requirements for construction materials; landscaping requirements; screening requirements; and site plan approval procedures; all of which are contained in the proposed text of the District which is on file in the Office of the City Secretary; City Hall, 205 West Rusk, Rockwall, Texas 75087, 722-1111.

Given Under my hand this 2nd day of June, 1987.

s/Julie Couch
City Secretary
(1tc-CR)



CITY OF ROCKWALL
PUBLIC HEARING NOTICE

Notice is hereby given that the Rockwall City Council will hold a public hearing on August 17, 1987, at 7:00 P.M. at Rockwall City Hall, 205 West Rusk, Rockwall, Texas, to consider an amendment to the Comprehensive Zoning Ordinance by the addition of a Scenic Overlay District to the enumerated list of zoning district categories, said district to apply to the following described area or territory within the City Limits of the City of Rockwall, to wit:

A tract of land located on either side of FM-740 from the intersection of SH-205 extending to the southern City Limits generally extending 500 feet from the right-of-way line of either side of FM-740 and including all of the property located in Planned Development No. 1 and Planned Development No. 4, more fully described below:

EXHIBIT "A"

Being a tract of land located in the B.J.T. Lewis Survey, Abstract No. 255, the D. Atkins Survey, Abstract No. 1, the E.P.G. Chisum Survey, Abstract No. 64, the J. Smith Survey, Abstract No. 200 and the E. Teal Survey, Abstract No. 207, and being more particularly described as follows:

Beginning, at a point in the south right-of-way line of Glenn Avenue, said point being 500 feet from the west right-of-way line of FM-740,

Thence in a easterly direction, along the south right-of-way line of Glenn Avenue, a distance of approximately 555 feet to a point in the southwest right-of-way line of SH-205,

Thence, in a southeasterly direction along the southwest right-of-way line of SH-205, a distance of approximately 1190 feet to a point on the northwest right-of-way line of the M.K.T. Railroad,

Thence, in a southwesterly direction along the northwest right-of-way line of the M.K.T. Railroad, a distance of approximately 3980 feet to a point 500 feet from the east right-of-way line of FM-740,

Thence, in a southerly direction along a line parallel to and 500 feet from the east right-of-way line of FM-740, a distance of approximately 9900 feet to a point on the north right-of-way line of Shadydale Lane,

Thence, in a westerly direction along, said line being the City Limits, the north right-of-way line of Shadydale Lane, a distance of 500 feet to a point on the east right-of-way line of FM-740,

Thence, in a southerly direction, said line being the City Limits, along the east right-of-way line of FM-740, a distance of 50 feet to a point on the south right-of-way line of Shadydale Lane,

Thence, in an easterly direction, along the south right-of-way line of Shadydale Lane, said line being the City Limits, a distance of 363.50 feet to a point being the northwest corner of Lot 1, Block A, Highland Acres Addition, recorded in Volume 80, Page 276, Rockwall Deed Records,

Thence, in a southerly direction, along the west line of Lot 1, Block A, Highland Acres Addition, said line being the City Limits, a distance of 140.55 feet to a point for corner,

Thence, N. 84 degrees, 24 minutes, 50 seconds west, a distance of 366.02 feet, said line being the City Limits, to a point on the east right-of-way line of FM-740,

Thence, in a southerly direction, along the east right-of-way line of FM-740, said line being the City Limits, a distance of 1150 feet to station 205 + 00,

Thence, in a westerly direction, across the right-of-way of FM-740, said line being the City Limits, a distance of 80 feet to a point on the west right-of-way line of FM-740,

Thence, in a southerly direction, along the west right-of-way line of FM-740, said line being the City Limits, a distance of approximately 1450 feet to a point being the northeast corner of Lot 1, Block A, Windward Slopes Addition recorded on Slide A-368, Rockwall County Deed Records,

Thence, in a westerly direction, along the north line of Lot 1, 2, 3 and Lot 4, Block A, Windward Slopes, said line being the City Limits, a distance of 500 feet to a point for corner,

Thence, in a northerly direction, along a line parallel to and 500 feet from the west right-of-way line of FM-740, a distance of approximately 16,690 feet to point of beginning.

Said district to contain purposes thereof; permitted uses; conditional uses; area requirements; setback requirements; minimum requirements for construction materials; landscaping requirements; screening requirements; and site plan approval procedures; all of which are contained in the proposed text of the District which is on file in the Office of the City Secretary; City Hall, 205 West Rusk, Rockwall, Texas 75087, 722-1111.

Given under my hand this 28th day of July, 1987.


Julie Couch
City Secretary

CITY OF ROCKWALL

PUBLIC HEARING NOTICE

Notice is hereby given that the Rockwall City Council will hold a public hearing on the 17th day of August, 1987, at 7:00 P.M., at Rockwall City Hall, 205 West Rusk, Rockwall, Texas, to consider an amendment to the Comprehensive Zoning Ordinance by the addition of a Scenic Overlay District to the enumerated list of zoning district categories, said district to apply to the following described area or territory within the City Limits of the City of Rockwall, to wit:

A tract of land located on either side of FM-740 from the intersection of SH-205 extending to the southern City Limits generally extending 500 feet from the right-of-way line of either side of FM-740 and including all of the property located in Planned Development No. 1 and Planned Development No. 4, more specifically described on Exhibit "A", attached hereto.

The District, as proposed, or as finally adopted may limit or alter the uses allowed on your property and may increase or alter the requirements necessary to develop and build on your property. A summary of the proposed provisions of the District is as follows:

OVERLAY DISTRICT

Permitted uses include the following: Single family uses, retail businesses, planned shopping centers, offices, restaurants, hotels, theaters. Single family uses would be required to meet only the requirements set forth in the applicable single family zoning classification.

Conditional uses include the following: gasoline stations excluding automobile servicing or repair, tunnel type car wash as an accessory to a gasoline station, nursery, private club as an accessory to a restaurant, structures exceeding 36 feet in height.

Area requirements include the following: Minimum platted area - 10,000 square feet, 1 acre along I-30; minimum platted frontage - 60 feet, 200 feet along I-30; minimum platted depth - 100 feet, 200 feet along I-30; minimum front setback - 25 feet; minimum side setbacks: interior lot - 20 feet, abutting residential property - 30 feet, abutting I-30 - 25 feet, abutting all other streets - 15 feet; rear setbacks: with a fire retardant wall and alley - 0 feet, without a fire retardant wall and alley or abutting residential - 20 feet; maximum building coverage - 60%; minimum amount of landscaping - 10%, including a 10 foot landscaping buffer along all arterial streets and one tree of 3" caliper or greater for each 30 feet of frontage; maximum floor area ratio - 4:1; maximum height of structures - 120 feet, any structure exceeding 36 feet shall require

a CUP; utility service - all utility service lines shall be underground.

All non-residential developments within the District would be subject to site plan and architectural review procedures prior to development.

The above is a summary of the requirements of the proposed District. A copy of the complete proposed text of the District is on file with the Office of the City Secretary, City Hall, 205 West Rusk, Rockwall, Texas 75087 (214) 722-1111.

EXHIBIT "A"

Being a tract of land located in the B.J.T. Lewis Survey, Abstract No. 255, the D. Atkins Survey, Abstract No. 1, the E.P.G. Chisum Survey, Abstract No. 64, the J. Smith Survey, Abstract No. 200 and the E. Teal Survey, Abstract No. 207, and being more particularly described as follows:

Beginning, at a point in the south right-of-way line of Glenn Avenue, said point being 500 feet from the west right-of-way line of FM-740,

Thence in a easterly direction, along the south right-of-way line of Glenn Avenue, a distance of approximately 555 feet to a point in the southwest right-of-way line of SH-205,

Thence, in a southeasterly direction along the southwest right-of-way line of SH-205, a distance of approximately 1190 feet to a point on the northwest right-of-way line of the M.K.T. Railroad,

Thence, in a southwesterly direction along the northwest right-of-way line of the M.K.T. Railroad, a distance of approximately 3980 feet to a point 500 feet from the east right-of-way line of FM-740,

Thence, in a southerly direction along a line parallel to and 500 feet from the east right-of-way line of FM-740, a distance of approximately 9900 feet to a point on the north right-of-way line of Shadydale Lane,

Thence, in a westerly direction along, said line being the City Limits, the north right-of-way line of Shadydale Lane, a distance of 500 feet to a point on the east right-of-way line of FM-740,

Thence, in a southerly direction, said line being the City Limits, along the east right-of-way line of FM-740, a distance of 50 feet to a point on the south right-of-way line of Shadydale Lane,

Thence, in an easterly direction, along the south right-of-way line of Shadydale Lane, said line being the City Limits, a distance of 363.50 feet to a point being the northwest corner of Lot 1, Block A, Highland Acres Addition, recorded in Volume 80, Page 276, Rockwall Deed Records,

Thence, in a southerly direction, along the west line of Lot 1, Block A, Highland Acres Addition, said line being the City Limits, a distance of 140.55 feet to a point for corner,

Thence, N. 84 degrees, 24 minutes, 50 seconds west, a distance of 366.02 feet, said line being the City Limits, to a point on the east right-of-way line of FM-740,

Thence, in a southerly direction, along the east right-of-way line of FM-740, said line being the City Limits, a distance of 1150 feet to station 205 + 00,

Thence, in a westerly direction, across the right-of-way of FM-740, said line being the City Limits, a distance of 80 feet to a point on the west right-of-way line of FM-740,

Thence, in a southerly direction, along the west right-of-way line of FM-740, said line being the City Limits, a distance of approximately 1450 feet to a point being the northeast corner of Lot 1, Block A, Windward Slopes Addition recorded on Slide A-368, Rockwall County Deed Records,

Thence, in a westerly direction, along the north line of Lot 1, 2, 3 and Lot 4, Block A, Windward Slopes, said line being the City Limits, a distance of 500 feet to a point for corner,

Thence, in a northerly direction, along a line parallel to and 500 feet from the west right-of-way line of FM-740, a distance of approximately 16,690 feet to point of beginning.