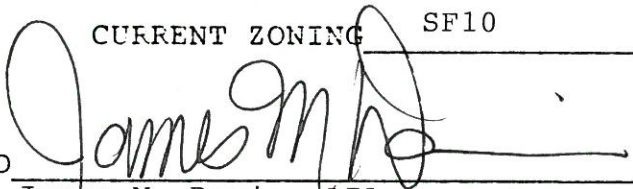


SITE PLAN APPLICATIONDate 23 April 1990NAME OF PROPOSED DEVELOPMENT First Baptist Church

NAME OF PROPERTY OWNER/DEVELOPER _____

ADDRESS 610 S. GoliadPHONE 722-8371NAME OF LAND PLANNER/ENGINEER James M. Davis * Architects, Inc.ADDRESS 9601 White Rock Trail, Suite 105PHONE 214/340-5581TOTAL ACREAGE 7.7877CURRENT ZONING SF10NUMBER OF LOTS/UNITS 1

SIGNED


 James M. Davis, AIA

Following is a checklist of items that may be required as a part of the site plan. In addition, other information may be required if it is necessary for an adequate review of a specific development proposal. All information should be provided on a scaled drawing generally not exceeding 18" x 24".

<u>Provided or Shown</u>	<u>Not</u>
<u>On Site Plan</u>	<u>Applicable</u>

X

1. Total lot or site area - if the site is part of a larger tract include a key map showing entire tract and location of site being planned

X

2. Location, dimensions, and size of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 ft.

X

3. Location and type of landscaping, lighting, fencing and/or screening of yards and setback areas

X

4. Calculation of landscaped area provided

X

5. Location and dimensions of ingress and egress

X

14. The following additional information:

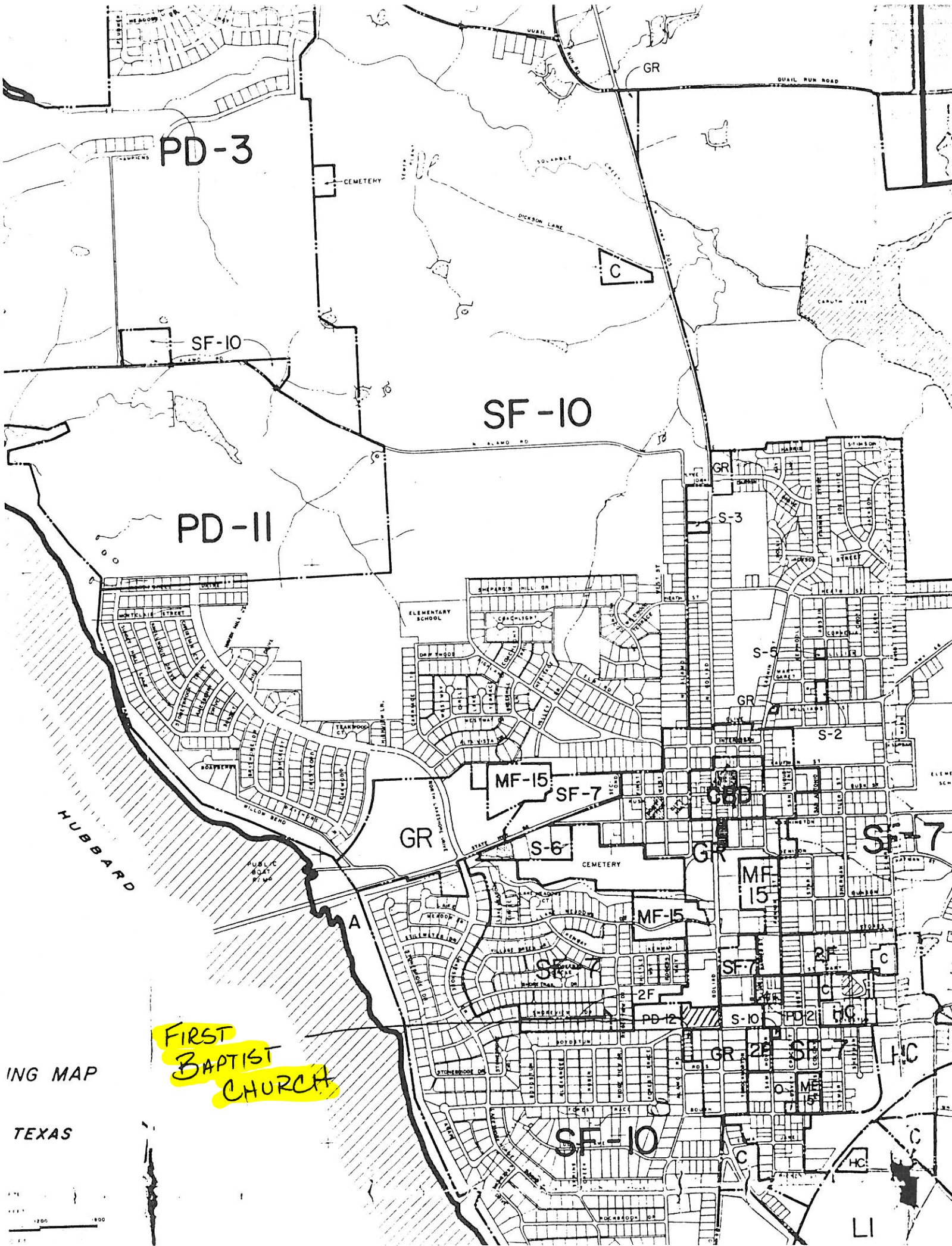
If the site plan is required as a preliminary or development plan under a Planned Development Zoning Classification, the attached applicable items specified for preliminary plans or development plans must be included.

Taken by _____

File No. _____

Date _____

Fee _____



CONDITIONAL
USE PERMIT
SUBMITTAL

JMD*A

JAMES
M. DAVIS
ARCHITECTS
INCORPORATED
800 WHITE ROCK TRL
SUITE 105
DALLAS, TEXAS 75208
PH 214/340-5548
FAX 214/340-2840
DALLAS, TEXAS 75208

MASTER SITE PLAN '90

FIRST BAPTIST CHURCH
ROCKWALL, TEXAS

JOB NUMBER
8924.02

SHEET NUMBER
SP1
26 APRIL 1990

S. GOLIAAD (S.H. 205)

BOYDSTUN ST.

LANDSCAPE REQUIREMENTS

10-12% LANDSCAPED AREA

PROVIDED:

30% GREEN AREA WITH MANY LARGE
EXISTING TREES TO REMAIN AND ADDITIONAL
LANDSCAPING IN CRITICAL AREAS.

LEGEND / NOTES

MASTER SITE PLAN
SCALE 1" = 60'-0"

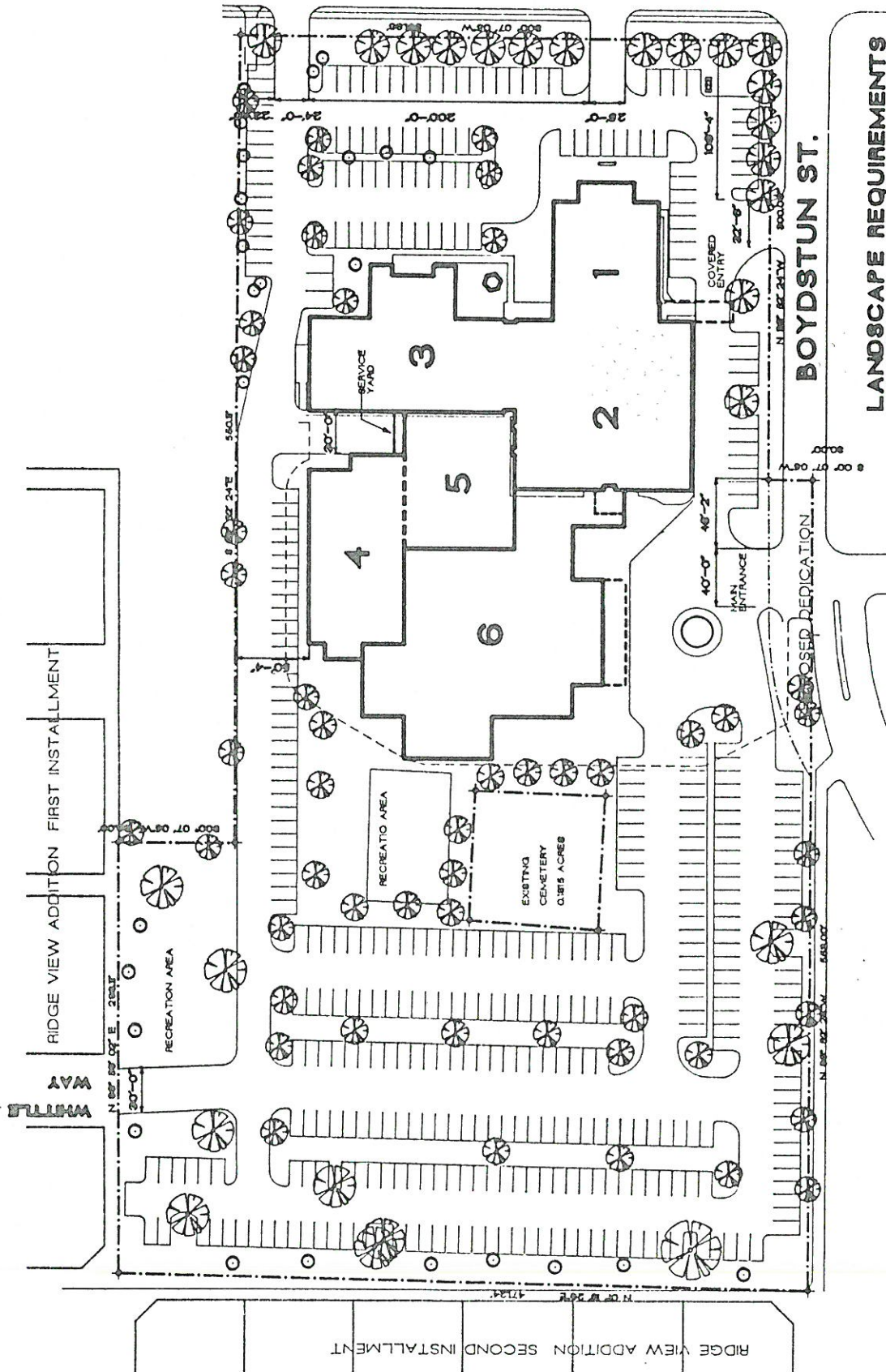


SITE DATA

SITE AREA 7.7877 ACRES
PARKING REQUIRED
EXISTING AUDITORIUM
486 SEATS @ 1/3 SEATS
NEW SANCTUARY
1200 SEATS @ 1/3 SEATS=
PARKING PROVIDED
EXISTING + EAST EXPANSION
TOTAL DEVELOPMENT

339,232 SQ. FT.
162 SPACES
400 SPACES
180 SPACES
415 SPACES

1. EXISTING SANCTUARY
7,293 SQ. FT. (50' HT)
SEATING 486 @ 1/15 SQ. FT.
2. EXISTING EDUCATION SPACE
13,163 SQ. FT. (20' HT)
3. EXISTING EDUCATION SPACE
10,673 SQ. FT. (30' HT)
4. PROPOSED EDUCATION SPACE (60' MAX HT)
PHASE 1 20,000 SQ. FT. (2 STORY, 40' MAX HT)
PHASE 2 10,000 SQ. FT. (3rd STORY, 20' MAX HT)
5. PROPOSED DINING / MEETING FACILITY
1 STORY (30' MAX HT) 8,000 SQ. FT.
6. PROPOSED SANCTUARY (90' MAX HT)
20,000 SQ. FT.
SEATING 1200



(6/87)

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 90-11- CUP

Date Submitted April 23, 1990

Filing Fee \$ 180.00

Applicant First Baptist Church of Rockwall

Address 610 S. Goliad
Rockwall, TX 75087

Phone No. 771-8459

Owner X Tenant¹ Prospective Purchaser¹

Legal description of property for which Conditional Use Permit is requested (if additional space is needed, the description may be typed legibly on a separate sheet and attached hereto:)²

(See attached plat.)

I hereby request that a Conditional Use Permit be issued for the above described property for:

A church facility in residential zoning :

line The current zoning on this property is SF 10.
^{space} There are/are not space deed restrictions pertaining to the intended use of this property.

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

Stephen K. Swofford

Stephen K. Swofford, Pastor

¹If the applicant is someone other than the owner, written acknowledgement by the owner of the request must also be submitted.

Church Trustees:

William Briggs Lofland
William Briggs Lofland

W. T. (Bill) Collins
W. T. (Bill) Collins

John Harless Dudley
John Harless Dudley

²The legal description is used to publish the notice of the required hearing and in the preparation of the final ordinance granting the Conditional Use Permit. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.



CITY OF ROCKWALL
"THE NEW HORIZON"
Rockwall, Texas 75087-3628

(214) 771-1111

Cash Receipt

Name FIRST NAME Last Name Date 7-8-0

Mailing Address _____

Job Address _____ Permit No. _____

Check ☒ Cash ☐ Other ☐

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
Building Permit	01-3601		Water Tap	02-3311	
Fence Permit	01-3602		10% Fee	02-3311	
Electrical Permit	01-3604		Sewer Tap	02-3314	
Plumbing Permit	01-3607		Water Availability	33-3835	
Mechanical Permit	01-3610		Sewer Availability	34-3836	
Zoning, Planning, Board of Adj.	01-3411	155 00	Meter Deposit	02-2201	
Subdivision Plats	01-3412		Portable Meter Deposit	02-2202	
Sign Permits	01-3628		Misc. Income	02-3819	
Health Permits	01-3631		NSF Check	02-1128	
Misc. Permits	01-3625		Meter Rent	02-3406	
Misc. Income	01-3819		Penalties	20-3117	
Sale of Supplies	01-3807		Hanger Rent	20-3406	
Municipal Pool	01-3402		Tie Down Fees	20-3407	
Cemetery Receipts	10-3830		Land Lease	20-3804	
Hotel/Motel Tax	15-3206		Sale of Supplies	20-3807	
Marina Lease	08-3810		Exxon Payment	20-1132	
Street	25-3828		Fuel Sales	20-3809	
TOTAL OF COLUMN			TOTAL OF COLUMN		

TOTAL DUE

Received by

(214) 771-1111

Cash Receipt

Name Yashdeep Chaudhary Date 4-03-20

Mailing Address _____

Job Address _____ Permit No. _____

Check ☒ Cash ☐ Other ☐

[illegible]

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE

WHEREAS, The First Baptist Church of Rockwall is the owner of a tract of land situated in the B.J.T. Lewis Survey, Abstract 225, and being that tract of land described in Release of Lien to The First Baptist Church of Rockwall executed August 3, 1976, by Baptist Church Loan Corporation, recorded in Volume 122, Page 928, Deed Records, Rockwall County, Texas, and being that tract of land conveyed to The First Baptist Church, Rockwall, Texas, from Nancy Lee Bourn by deed recorded in Volume 100, Page 205, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set at the intersection of the West line of State Highway 205 (Goliad Street) with the North line of Boydston Avenue (60' R.O.W.);
THENCE: North 89° 52' 24" West a distance of 300.00 feet with said North line to a cross cut in concrete for a corner;
THENCE: South 0° 07' 05" West a distance of 30.00 feet to a cross cut in concrete for a corner;
THENCE: North 89° 52' 24" West a distance of 553.00 feet generally along the remains of an old fence line to a cross cut in concrete for a corner at the Southwest corner of said Church tract and the Southeast corner of Ridgeview Addition, Second Installment, recorded in Slide A, Page 30, Plat Records, Rockwall County, Texas;
THENCE: North 1° 18' 26" East a distance of 471.24 feet with the East line of said Addition and an old fence line to a 1/2" iron rod set for a corner at the Southwest corner of Ridgeview Addition, Installment 1, recorded in Slide A, Page 25, Plat Records, Rockwall County, Texas;
THENCE: North 89° 58' 02" East a distance of 293.11 feet with the South line of said Addition and generally with an old fence line to a 1/2" iron rod found for a corner;
THENCE: South 0° 07' 05" West a distance of 80.00 feet to a 1/2" iron rod set for a corner;
THENCE: South 89° 52' 24" East a distance of 550.11 feet to a 1/2" iron rod set on the West line of State Highway 205 (Goliad Street) and at the Northeast corner of said Bourn conveyance;
THENCE: South 0° 07' 05" West a distance of 361.96 feet with said West line to the Point of Beginning and containing 7.9692 acres of land, save and except the following described cemetery tract;
COMMENCING at the Southwest corner of the above described 7.9692 acre tract of land;
THENCE: North 59° 44' 58" East a distance of 284.32 feet to the Point of Beginning;
THENCE: North 4° 05' 58" East a distance of 88.00 feet to a fence corner;
THENCE: South 87° 28' 57" East a distance of 87.98 feet to a fence corner;
THENCE: South 2° 08' 15" West a distance of 88.73 feet to a fence corner;
THENCE: North 87° 00' 18" West a distance of 91.00 feet to the Point of Beginning and containing 0.1815 acres of land, leaving 7.7877 acres of land, net.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT the First Baptist Church of Rockwall, being owner, does hereby adopt this plat designating the hereinabove described tract as First Baptist Church Addition, City of Rockwall, Rockwall County, Texas, and does hereby dedicate for public use forever the street shown thereon, and does hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities using or desiring to use the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall have the right of ingress to, from, and upon said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and either adding to or removing all or part of their respective system without the necessity at any time of procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of driveways in the subdivision.

No house, dwelling unit, or other structure shall be constructed in this addition by the owner or any other person until such time as the developer has complied with all requirements of the Platting Ordinance of the City of Rockwall regarding improvements with respect to the entire block on which the property abuts, including water and sanitary sewer facilities in accordance with the specifications of the City of Rockwall.

It shall be the policy of the City of Rockwall to withhold building permits until the water and sewer systems have been accepted by the City. The approval of the plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized, or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability of water for personal use and fire protection within such plat, as required under Ordinance 83.54.

WITNESS MY HAND at _____, Texas, this _____ day of _____, 1990.

FIRST BAPTIST CHURCH OF ROCKWALL

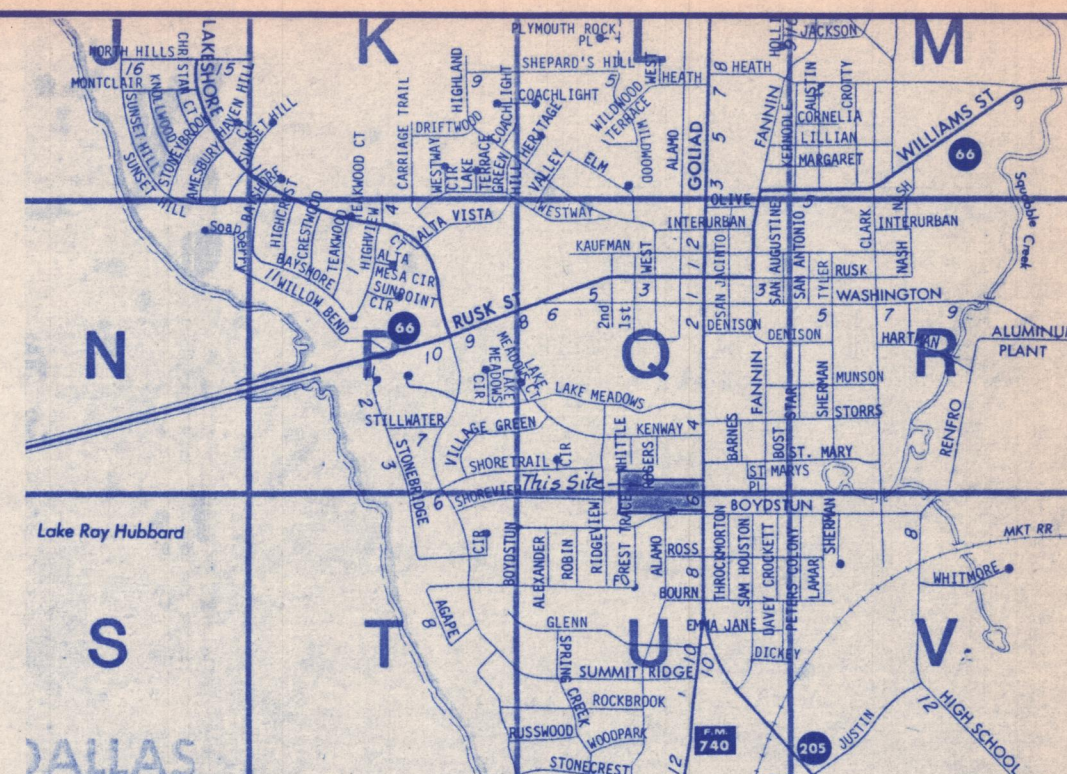
By: _____

STATE OF TEXAS
COUNTY OF _____

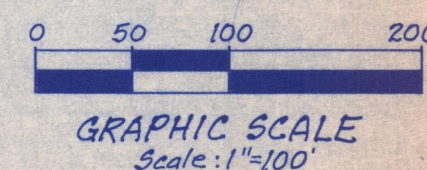
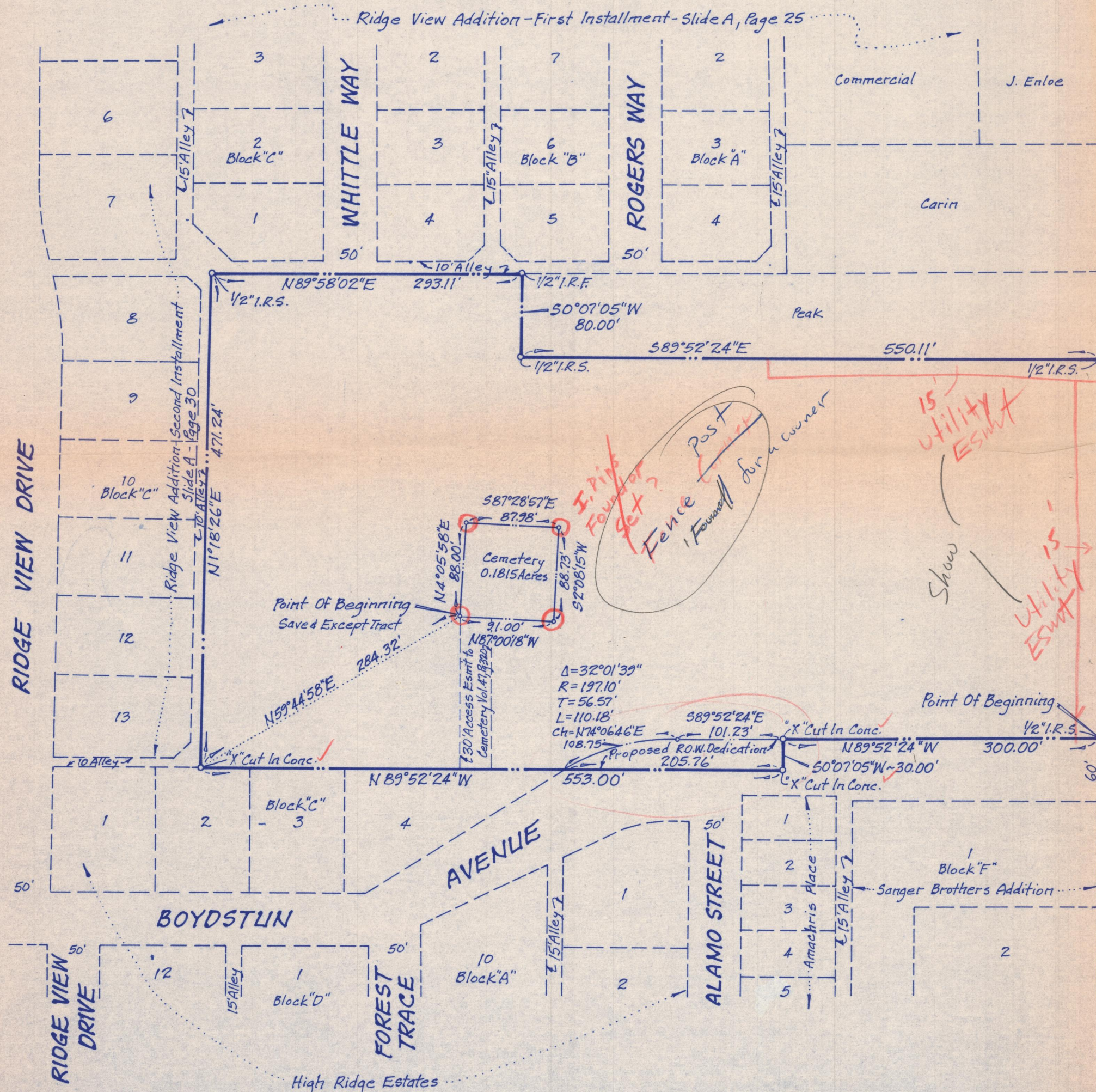
This instrument was acknowledged before me on the _____ day of _____, 1990.

Notary Public
My Commission Expires _____

1
2

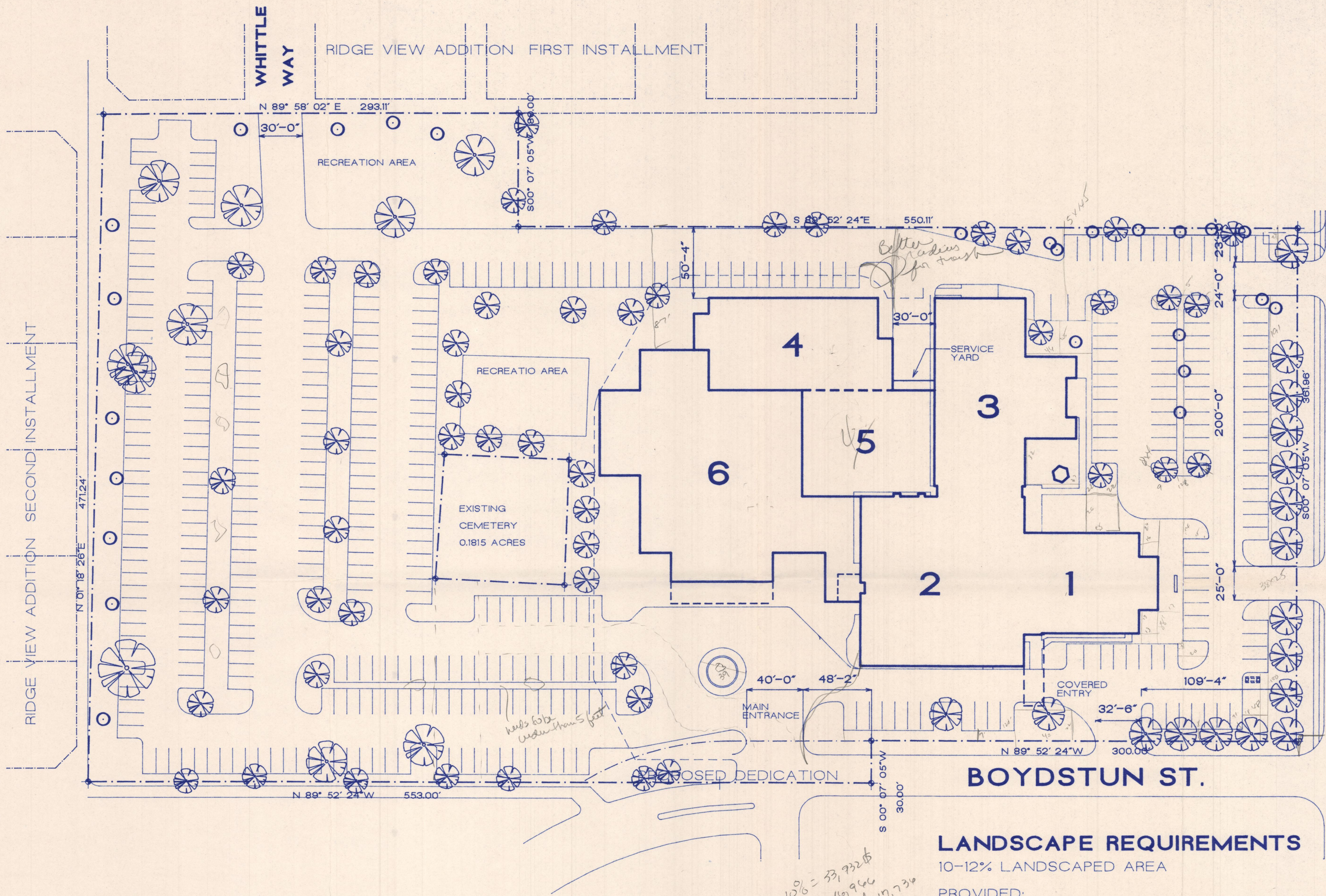


LOCATION MAP Scale: 1"=2,000'



HAROLD L. EVANS CONSULTING ENGINEER		
2331 GUS THOMASSON RD. SUITE 102 DALLAS, TEXAS 75228 PHONE (214) 328-8133		
SCALE	DATE	JOB NO.
1"=100'	3-29-90	9023

FIRST BAPTIST CHURCH ADDITION	
B.J.T. LEWIS SURVEY, ABSTRACT NO. 225	
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS	
FIRST BAPTIST CHURCH OF ROCKWALL ~ OWNER 610 SOUTH GOLIAD STREET - ROCKWALL, TEXAS	



SP1.01 MASTER SITE PLAN SCALE 1" = 50'-0"

SITE DATA

SITE AREA 7.7877 ACRES	339,232 SQ. FT.
PARKING REQUIRED	
EXISTING AUDITORIUM	
486 SEATS @ 1/3 SEATS	162 SPACES
NEW SANCTUARY	
1200 SEATS @ 1/3 SEATS=	400 SPACES
PARKING PROVIDED	
EXISTING +EAST EXPANSION	180 SPACES
TOTAL DEVELOPMENT	415SPACES

LEGEND / NOTES

1. EXISTING SANCTUARY
7,293 SQ. FT. (50' HT)
SEATING 486 @ 1/15 SQ. FT.
2. EXISTING EDUCATION SPACE
13,163 SQ. FT. (20' HT)
3. EXISTING EDUCATION SPACE
10,673 SQ. FT. (30' HT)
4. PROPOSED EDUCATION SPACE (60' MAX HT)
PHASE 1 20,000 SQ. FT. (2 STORY, 40' MAX HT)
PHASE 2 10,000 SQ. FT. (3rd STORY, 20' MAX HT)
5. PROPOSED DINING / MEETING FACILITY
1 STORY (30' MAX HT.) 8,000 SQ. FT.
6. PROPOSED SANCTUARY (90' MAX HT)
20,000 SQ. FT.
SEATING 1200

LANDSCAPE REQUIREMENTS

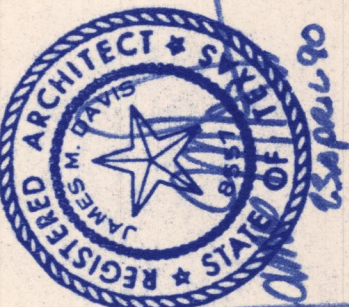
10-12% LANDSCAPED AREA

PROVIDED:

30% GREEN AREA WITH MANY LARGE EXISTING TREES TO REMAIN AND ADDITIONAL LANDSCAPING IN CRITICAL AREAS.

S. GOLIAD (S.H. 205)

CONDITIONAL
USE PERMIT
SUBMITTAL



JMD * A

JAMES
M.
DAVIS
* ARCHITECTS
INCORPORATED
9801 WHITE ROCK TRAIL
SUITE 105 LB 31
DALLAS, TEXAS 75238
PH. 214/340-5581
FAX# 214/343-2848
DALLAS, TX LONG BEACH, CA

FIRST BAPTIST CHURCH
ROCKWALL, TEXAS

MASTER SITE PLAN '90

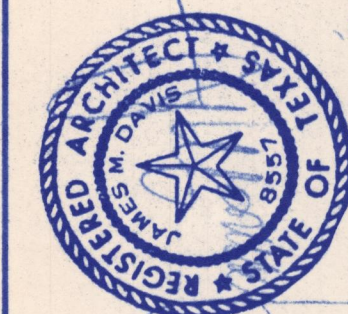
JOB NUMBER
8924.02

SHEET NUMBER

SP1

23 APRIL 1990
DATE OF ORIGINAL ISSUE

CONDITIONAL
USE PERMIT
SUBMITTAL



JMD*A

JAMES
M.
DAVIS
* ARCHITECTS
INCORPORATED
9601 WHITE ROCK TRAIL
SUITE 105 LB 31
DALLAS, TEXAS 75238
PH. 214/340-5581
FAX# 214/343-2848
DALLAS, TX LONG BEACH, CA.

FIRST BAPTIST CHURCH
ROCKWALL, TEXAS

MASTER SITE PLAN '90

JOB NUMBER
8924.02

SHEET NUMBER

SP1

23 APRIL 1990
DATE OF ORIGINAL ISSUE

S. GOLIAD (S.H. 205)

LANDSCAPE REQUIREMENTS

10% LANDSCAPED AREA = 33,923 SQ. FT.
LANDSCAPING PROVIDED
PHASE 1 18,000 SQ. FT.
PHASE 2 22,000 SQ. FT.
TOTAL PROVIDED 40,000 SQ. FT.

ADDITIONAL LANDSCAPING PROVIDED:
SCREENING HEDGE ADJACENT TO RESIDENTIAL
INTERIOR LARGE TREES @ 1 PER 10 PARKING SPACES
15' MIN WIDTH LANDSCAPING BUFFER @ RESIDENTIAL

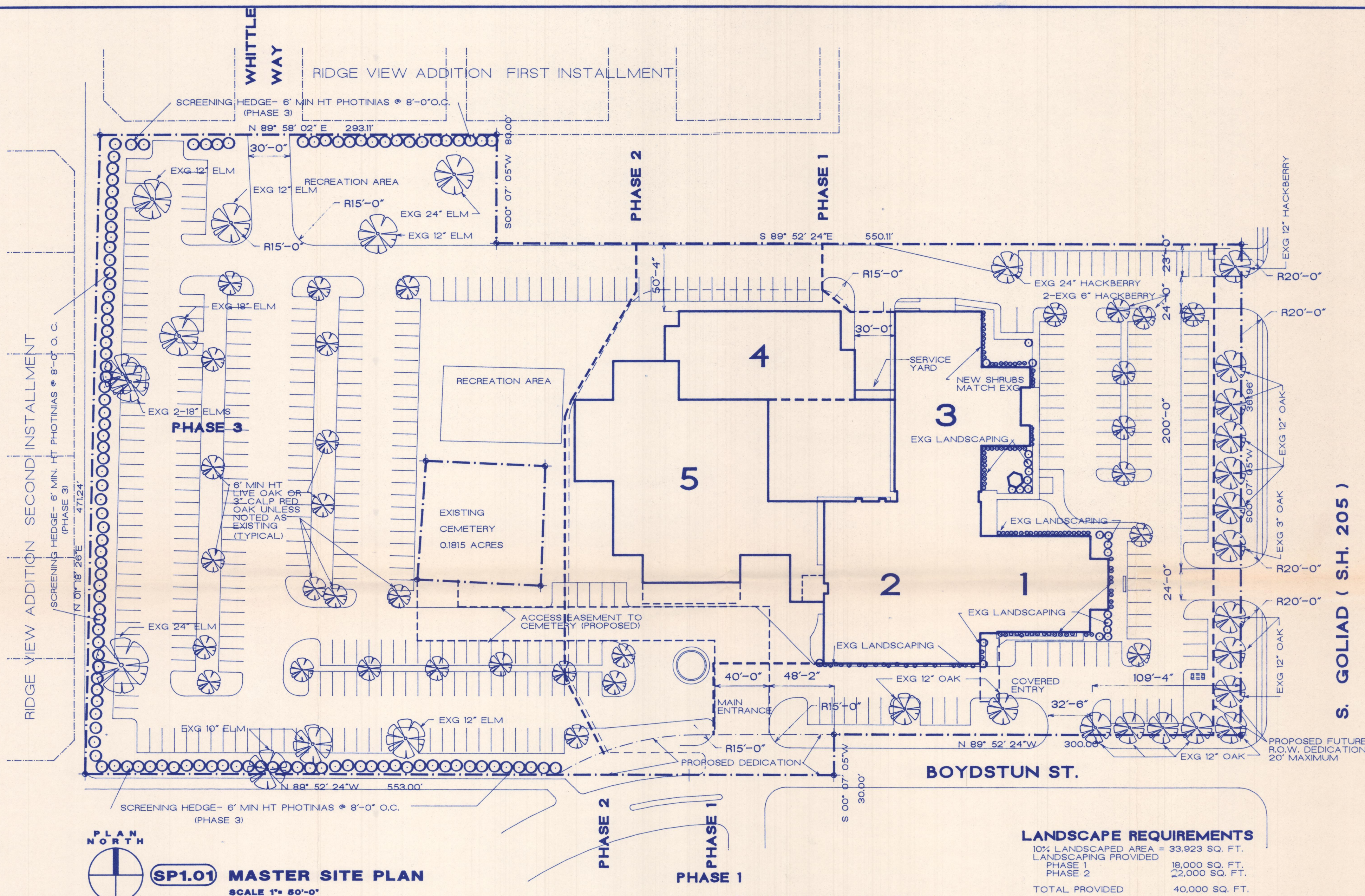
ADD 100 PARKING SPACES AT
EAST SIDE OF EXISTING BLDGS
PROVIDE ADDITIONAL LANDSCAPING
TOTALING 18,000 SQ. FT. EAST SIDE
ONLY.

PHASE 2 (FUTURE 6 MO. - 1 YR)

4. PROPOSED EDUCATION SPACE (50' MAX HT)
PHASE 2 28,000 SQ. FT. (2 STORY, 35' MAX HT)
PHASE 3 10,000 SQ. FT. (3rd STORY, 15' MAX HT)

PHASE 3 (FUTURE 3-5 YRS)

5. PROPOSED SANCTUARY (50' MAX HT)
20,000 SQ. FT. SEATING 1200
ADDITIONAL PARKING TO TOTAL 405 SPACES
ADDITIONAL LANDSCAPING TO TOTAL 40,000 SQ. FT.



SP1.01 MASTER SITE PLAN
SCALE 1" = 50'-0"

SITE DATA

SITE AREA 7.7877 ACRES	339,232 SQ. FT.
PARKING REQUIRED	
EXISTING AUDITORIUM	
486 SEATS @ 1/3 SEATS	162 SPACES
NEW SANCTUARY	
1200 SEATS @ 1/3 SEATS=	400 SPACES
PARKING PROVIDED	
EXISTING +EAST EXPANSION	180 SPACES
TOTAL DEVELOPMENT	405 SPACES

EXISTING

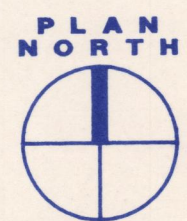
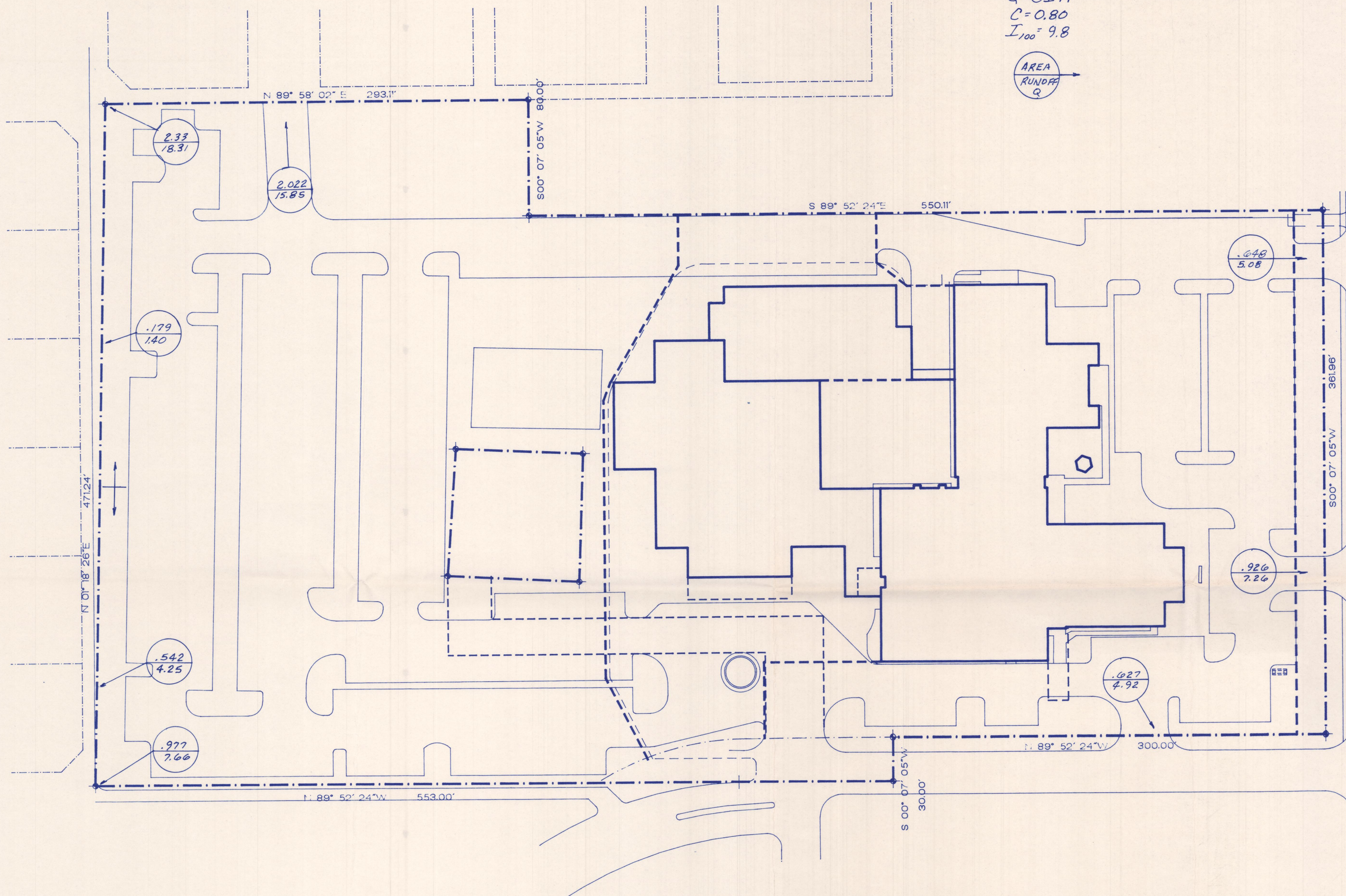
1. EXISTING SANCTUARY
7,293 SQ. FT. (40' HT)
SEATING 486 @ 1/15 SQ. FT.
 2. EXISTING EDUCATION SPACE
13,163 SQ. FT. (12' HT)
 3. EXISTING EDUCATION SPACE
10,673 SQ. FT. (25' HT)
- EXISTING PARKING (WEST OF
EXISTING BLDGS)

DRAINAGE CALCULATION

$$Q = CIA$$

$$C = 0.80$$

$$I_{100} = 9.8$$



SP2.01

DRAINAGE PLAN

SCALE 1" = 50'-0"

CONDITIONAL
USE PERMIT
SUBMITTAL



JMD*A

JAMES
M.
DAVIS
* ARCHITECTS
INCORPORATED
9601 WHITE ROCK TRAIL
SUITE 105 LB 31
DALLAS, TEXAS 75238
PH. 214/340-5581
FAX# 214/343-2848
DALLAS, TX LONG BEACH, CA.

FIRST BAPTIST CHURCH
ROCKWALL, TEXAS
MASTER SITE PLAN '90

JOB NUMBER
8924.02

SHEET NUMBER
SP 2

23 APRIL 1990
DATE OF ORIGINAL ISSUE

4 MAY '90 ORIG ISSUE / CITY REG. DRWG.

SITE PLAN REVIEW

- ✓ Date Submitted _____
- ✓ Scheduled for P&Z _____
- ✓ Scheduled for Council _____
- ✓ Applicant/Owner _____
- ✓ Name of Proposed Development 1st Baptist Church
- ✓ Location Coliad (Boydston) Legal Description _____
- ✓ Total Acreage _____ No. Lots/Units _____
- ✓ Current Zoning _____
- Special Restrictions _____
- ✓ Surrounding Zoning _____

Planning

- | | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
|--|------------|-----------|------------|
| 1. Is the site zoned properly? <u>App been made</u> | _____ | <u>✓</u> | _____ |
| 2. Does the use conform to the Land Use Plan? | <u>✓</u> | _____ | _____ |
| 3. Is this project in compliance with the provisions of a Concept Plan? | _____ | <u>✓</u> | _____ |
| ✓ 4. Is the property platted? | _____ | <u>✓</u> | _____ |
| ✓ 5. Is plat filed of record at Courthouse?
File No. _____ | _____ | <u>✓</u> | _____ |
| ✓ 6. If not, is this site plan serving as a preliminary plat? | <u>✓</u> | _____ | _____ |
| 7. Does the plan conform to the Comprehensive Zoning Ordinance or PD Ordinance on the following: | | | |
| a. Are setbacks correct? | | | |
| front | <u>✓</u> | _____ | _____ |
| side | <u>✓</u> | _____ | _____ |
| rear | <u>✓</u> | _____ | _____ |
| b. Are buildings on same lot adequately separated? | _____ | _____ | <u>✓</u> |

- | | | | | |
|----|--|-------|-------|-------|
| c. | Is the lot the proper size? | ✓ | _____ | _____ |
| d. | Does the lot have proper dimensions? | ✓ | _____ | _____ |
| e. | Are exterior materials correct? <i>brick?</i> | _____ | _____ | _____ |
| f. | Are structural materials correct? | ✓ | _____ | _____ |
| g. | Is coverage correct? | ✓ | _____ | _____ |
| h. | Is adequate area in landscaping shown? <i>at 10%</i> | ✓ | _____ | _____ |
| i. | Is it irrigated? <i>need to check</i> | _____ | _____ | _____ |
| j. | Is landscaping in parking lot required? | ✓ | _____ | _____ |
| k. | Are types of landscaping indicated? <i>need to see</i> | _____ | ✓ | _____ |
| l. | Is floor area ratio correct? | _____ | _____ | ✓ |
| m. | Is building height correct? <i>wooden frame
plan exceeds SF-10</i> | ✓ | _____ | _____ |
| n. | Are correct number of parking spaces provided? | ✓ | _____ | _____ |
| o. | Are driving lanes adequate in width? <i>state drive & parking dimensions</i> | _____ | _____ | _____ |
| p. | Are parking spaces dimensioned properly | ✓ | _____ | _____ |
| q. | Does the parking lot meet City specifications | ✓ | _____ | _____ |
| r. | Is a fire lane provided? <i>need to designate fire lane</i> | _____ | _____ | _____ |
| s. | Is it adequate in width? | _____ | _____ | _____ |
| t. | Are drive entrances properly spaced? | ✓ | _____ | _____ |
| u. | Are drive entrances properly dimensioned? | ✓ | _____ | _____ |
| |Do drive entrances line up with planned median breaks? | _____ | _____ | _____ |
| v. | Is lighting provided and correctly directed? <i>need to know</i> | _____ | _____ | _____ |
| w. | Are sidewalks required? <i>do we need sidewalks on</i> | _____ | _____ | _____ |
| x. | Are sidewalks provided? <i>Boyleston
pedestrian
cross</i> | _____ | _____ | _____ |
| y. | Is a screen or buffer required? | ✓ | _____ | _____ |
| |Is it sized properly? <i>not shown</i> | _____ | _____ | _____ |
| |Is it designed properly? | _____ | _____ | _____ |
| |Is it of correct materials? | _____ | _____ | _____ |

- ✓ 7. Does the site plan contain all required information from the application checklist? _____
8. Is there adequate access and circulation? _____
9. Is trash service located and screened? _____
- ✓ 10. Are street names acceptable? _____
11. Was the plan reviewed by a consultant?
(If so, attach copy of review.) _____
12. Does the plan conform to the Master Park Plan? _____
13. Are there any existing land features to be maintained?
(ie, topography, trees, ponds, etc.) _____

Comments:

*Need some idea about building elevations
on 60' + 90'
how many strips in sandbar*

Building Codes

1. Do buildings meet fire codes? _____
2. Do signs conform to Sign Ordinance? _____

Comments:

Engineering

1. Does plan conform to Thoroughfare Plan? _____
2. Do points of access align with adjacent ROW? _____
3. Are the points of access properly spaced? _____
4. Are street improvements required? _____
5. Will escrowing of funds or construction of substandard roads be required? _____
6. Does plan conform with Flood Plain Regulations? _____
7. Is adequate fire protection present? _____
8. Are all utilities adequate? _____
9. Are adequate drainage facilities present? _____
10. Is there a facilities agreement on this site? _____

11. Are existing roads adequate for additional traffic to be generated? _____
12. Is the site part of a larger tract? Does the plan adversely impact development of remaining land? _____
13. Are access easements necessary? _____
14. Are street and drive radii adequate? _____
15. Have all required conditions been met? _____
16. Is there a pro rata agreement on this site? _____
17. Have all charges been paid? _____

Time Spent on Review

<u>Name</u>	<u>Date</u>	<u>Time Spent (hours)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CITY OF ROCKWALL

FACILITIES AGREEMENT

For the First Baptist Church Addition

THIS AGREEMENT entered into on the ____ day of ____, 19__, by and between the City of Rockwall, Texas, hereinafter known as the "CITY", and The First Baptist Church whose address is _____, hereinafter known as the "Church", witnesseth that:

WHEREAS, the Church has requested the City to permit the platting and/or development of a tract of land known as Lot 1, Block A, First Baptist Church Addition; and,

WHEREAS, the City has approved such platting and/or development as being in compliance with all requirements of the Zoning Ordinance and Subdivision Regulations of the City, except as herein agreed upon; and

WHEREAS, the Church, its grantees, assigns, successors, trustees and all others holding any interest now or in the future, agree and enter into this contract which shall operate as a covenant running with the land and be binding upon the Church and its representatives;

NOW, THEREFORE, the City and Church, in consideration of the mutual covenants and agreements contained herein do mutually agree as follows:

A. ZONING, PLATTING AND SITE PLANNING

All property owned by the Church and located within the limits of the development shall be zoned and platted in accordance with the Zoning Ordinance and Subdivision Regulations of the City before any Building Permit will be issued. The Church shall dedicate, at no cost to the City, all street rights-of-way, alleys, drainage easements, floodways, and other dedications as required by the City at the time of platting, or as otherwise provided herein.

The Church shall comply with all conditions included in the approval of the project.

B. PUBLIC IMPROVEMENTS

All public improvements, including utilities, drainage, sidewalks, and all other required improvements, shall be provided by the Church, at no cost to the City, unless otherwise provided herein, in accordance with the Subdivision Regulations of the City, and as approved by the City Engineer or his agent. Such improvements shall be installed within all applicable time frames in accordance with the Subdivision Regulations of the City unless otherwise approved herein. Engineering studies, plan/profile sheets, and other construction documents shall

be provided by the Church, as required herein, as required by the Subdivision Regulations. Such plans shall be approved by the City Engineer or his agent prior to approval of a Building Permit for the Phase under development. Construction of such improvements shall not be initiated until a preconstruction conference has been held regarding the proposed construction.

Construction of all public improvements shall be subject to routine review by the City Engineer or his agent to evaluate conformance with the construction plans and City standards and specifications. However, such review and evaluation shall not relieve the Church, its engineer or agent of its obligations for the design, construction and maintenance of the improvements as set out in this Agreement and other relevant ordinances of the City. Any modification, review or evaluation by the City Engineer shall substantially conform to accepted engineering practices.

Upon completion of construction of public improvements as required by this Agreement and as required by the Subdivision Regulations, the Church shall deliver to the City a reproducible copy of as-built construction plans of the public improvements constructed or engineered by the Church.

C. THOROUGHFARES

In conjunction with the platting and development of The First Baptist Church Addition, the Church shall complete the following:

- This has new wording*
1. The Church hereby agrees to, in the future, dedicate to the City additional Right Of Way along the SH-205 street frontage not to exceed 20 feet of depth if, in the future it is determined by the City or the State Department of Highways and Public Transportation that such Right of Way is needed for the improvement of SH-205. Such Right of Way shall be dedicated at no cost to the City or the State and shall be completed no later than 60 days after notification by the City or State that such dedication is needed.

D. UTILITIES

1. Drainage -
 - a. A grading and drainage plan for each phase shall be prepared and submitted for each phase of development, as shown on the attached site plan, Exhibit "A", and shall be approved by the City Engineer prior to the issuance of a building permit for that phase.
 - This is a new section →* b. Should offsite downstream drainage improvements be determined to be necessary by the City Engineer in conjunction with the review of onsite improvements by the Church, the Church shall only be obligated to participate in such improvements on a pro rata basis. The pro rata allocation for the Church shall be based upon the

percentage of land developed by the Church to the total land area within the drainage area. If the City is not prepared to construct any such downstream improvements at the time the Church submits its plans for approval an estimate of the cost of any such improvements shall be prepared by the City Engineer and the Church shall pay the City its pro rata share of the estimated costs. The funds shall be placed in escrow by the City to be used for the improvements when constructed.

F. FEES TO BE PAID BY THE CHURCH

1. The Church hereby agrees to pay the City all required fees at the time specified in the applicable City ordinances.

G. MAINTENANCE

1. Prior to final acceptance of any public improvements, the Church shall furnish to the City a good and sufficient maintenance bond in the amount of fifteen per cent (15%) of the contract price of such improvements, or in such amount as approved by the City, to indemnify the City against any repairs which may become necessary to any part of the construction work performed in connection with the subdivision and/or development, arising from defective workmanship or materials used therein, for a period of one (1) year from the date of final acceptance of such improvements.

H. WAIVER

The Church expressly acknowledges that by entering into this contract, the Church, its successors, assigns, vendors, grantees, and/or trustees, shall never construe this contract as waiving any of the requirements of the Zoning Ordinance or Subdivision Regulations or any other ordinance of the City, except as herein agreed upon.

I. HOLD HARMLESS AGREEMENT

The Church, its successors, assigns, grantees, and/or trustees do hereby agree to fully release, indemnify, and hold harmless the City from all claims, suits, judgments, and demands which have accrued or which may accrue because of such development.

J. AMENDMENTS

This Agreement may be changed or modified only with the written consent of the Church and of the governing City Council of the City. Such modification may be requested by either party, but shall not in any event be effective unless and until approved by the City Council of the City.

K. REVOCATION

In the event the Church fails to comply with any of the provisions of this Agreement, the City shall be authorized to cease issuance of any further Certificates of Occupancy or Building Permits on property owned by the Church, and the City shall be further authorized to file this instrument in the Mechanic's Lien records of Rockwall County as Mechanic's Lien against the Church's property; and in the alternative, the City shall be authorized to levy an assessment against the Church's property for public improvements to be held as tax lien against the property by the City.

L. CONTINUITY

This Agreement shall be a covenant running with the land and shall be binding upon the Church, its successors, heirs, assigns, grantees, trustees and/or representatives.

M. SEVERABILITY

The provisions of this Agreement are severable and, in the event any word, phrase, sentence, paragraph, section or other provision of this Agreement, or the application thereof to any person or circumstance, shall ever be determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable for any reason, the remainder of this Agreement shall remain in full force and effect and the application thereof to any other person or circumstance shall not be affected thereby. The invalid, illegal or unenforceable provision shall be rewritten by the parties to this Agreement to accomplish the parties' original intent as nearly as possible.

L. TERMINATION AND RELEASE

Upon the satisfactory completion by the Church and final acceptance by the City of all requirements of this Agreement, this Agreement shall terminate and the City will execute a release of covenant to the Church, its assigns, successors, grantees, trustees and/or representatives and the City shall file said release in the Rockwall County Deed Records.

In Witness whereof, each of the parties hereto has caused this Agreement to be executed by its undersigned duly authorized representative as of the date hereinabove first mentioned.

FIRST BAPTIST CHURCH

CITY OF ROCKWALL

By:_____

By:_____
Bill Eisen
City Manager

Date:_____

Date:_____

THE STATE OF TEXAS)(

COUNTY OF ROCKWALL)(

This instrument was acknowledged before me on _____, 19__, by
_____ of the City of Rockwall, Texas.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires:

(Printed Name)

THE STATE OF TEXAS)(

COUNTY OF ROCKWALL)(

This instrument was acknowledged before me on _____, 19__, by
_____ of the (Church Company name).

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires:

CITY OF ROCKWALL

27 JUNE '90

205 WEST RUSK

RETURN TO:

ROCKWALL, TEXAS 75087

JULIE COUCH.

PHONE NUMBER: 214/771-1111

from.

FAX NUMBER: 214/722-3983

JIM DAVIS.

DATE:

6/27/90

NUMBER OF PAGES (INCLUDING COVER PAGE)

6

TO:

NAME:

Jim Davismy
COMMENTS!

COMPANY:

FAX NUMBER:

FROM:

NAME:

Julie Couch

CITY OF ROCKWALL

MESSAGE (IF ANY):

Jim - I have highlighted the 2 sections that are
changed. Give me a call if you have any questions on
the wording. - Julie

IF YOU DID NOT RECEIVE ALL PAGES, PLEASE CONTACT FAX OPERATOR:

NAME:

Julie

Post-It " brand fax transmittal memo 7671		# of pages >	6
To	JULIE COUCH.		
From	JIM DAVIS		
Co.	CITY OF ROCKWALL		
Co.	JMDA-		
Dept.	Phone # 340.5581		
Fax #	214/722.3983		
Fax #	343.2848		

CITY OF ROCKWALL
FACILITIES AGREEMENT
For the First Baptist Church Addition

THIS AGREEMENT entered into on the _____ day of _____, 19____, by and between the City of Rockwall, Texas, hereinafter known as the "CITY", and The First Baptist Church whose address is _____, hereinafter known as the "Church", witnesseth that:

WHEREAS, the Church has requested the City to permit the platting and/or development of a tract of land known as Lot 1, Block A, First Baptist Church Addition; and,

WHEREAS, the City has approved such platting and/or development as being in compliance with all requirements of the Zoning Ordinance and Subdivision Regulations of the City, except as herein agreed upon; and

WHEREAS, the Church, its grantees, assigns, successors, trustees and all others holding any interest now or in the future, agree and enter into this contract which shall operate as a covenant running with the land and be binding upon the Church and its representatives;

NOW, THEREFORE, the City and Church, in consideration of the mutual covenants and agreements contained herein do mutually agree as follows:

A. ZONING, PLATTING AND SITE PLANNING

All property owned by the Church and located within the limits of the development shall be zoned and platted in accordance with the Zoning Ordinance and Subdivision Regulations of the City before any Building Permit will be issued. The Church shall dedicate, at no cost to the City, all street rights-of-way, alleys, drainage easements, floodways, and other dedications ~~as required by the City at the time of platting, or as otherwise provided herein.~~ **INDICATED ON THE PLATT.**

The Church shall comply with all conditions included in the approval of the project.

B. PUBLIC IMPROVEMENTS

IF REQUIRED
 All public improvements, including utilities, drainage, sidewalks, and all other required improvements, shall be provided by the Church, at no cost to the City, unless otherwise provided herein, in accordance with the Subdivision Regulations of the City, and as approved by the City Engineer or his agent. Such improvements shall be installed within all applicable time frames in accordance with the Subdivision Regulations of the City unless otherwise approved herein. Engineering studies, plan/profile sheets, and other construction documents shall

be provided by the Church, as required herein, as required by the Subdivision Regulations. Such plans shall be approved by the City Engineer or his agent prior to approval of a Building Permit for the Phase under development. Construction of such improvements shall not be initiated until a preconstruction conference has been held regarding the proposed construction.

Construction of all public improvements shall be subject to routine review by the City Engineer or his agent to evaluate conformance with the construction plans and City standards and specifications. However, such review and evaluation shall not relieve the Church, its engineer or agent of its obligations for the design, construction and maintenance of the improvements as set out in this Agreement and other relevant ordinances of the City. Any modification, review or evaluation by the City Engineer shall substantially conform to accepted engineering practices.

Upon completion of construction of public improvements as required by this Agreement and as required by the Subdivision Regulations, the Church shall deliver to the City a reproducible copy of as-built construction plans of the public improvements constructed or engineered by the Church.

C. THOROUGHFARES

In conjunction with the platting and development of The First Baptist Church Addition, the Church shall complete the following:

- This has new wording*
- REQUIRED*
1. The Church hereby agrees to, ~~dedicate~~ ^{AND ONLY IF in the future} dedicate to the City additional Right Of Way along the SH-205 street frontage not to exceed 20 feet of depth ~~if in the future it is needed~~ by the ~~State~~ State Department of Highways and Public Transportation that such Right of Way is needed for the improvement of SH-205. Such Right of Way shall be dedicated at no cost to the City or the State and shall be completed no later than 60 days after notification by the City or State that such dedication is needed. ~~CITY SHALL OWN SAID "FUTURE" DEDICATED RIGHT OF WAY UNTIL SUCH TIME RIGHT OF WAY IS NEEDED FOR CONSTRUCTION.~~
- THE MINIMAL AMOUNT OF ROW NECESSARY,*

D. UTILITIES

1. Drainage -

- a. A grading and drainage plan for each phase shall be prepared and submitted for each phase of development, as shown on the attached site plan, Exhibit "A", and shall be approved by the City Engineer prior to the issuance of a building permit for that phase.

- This is a new section*
- b. Should offsite downstream drainage improvements be determined to be necessary by the City Engineer in conjunction with the review of onsite improvements by the Church, the Church shall only be obligated to participate in such improvements on a pro rata basis. The pro rata allocation for the Church shall be based upon the

7

EVEN IF WE DO THIS - WHY DO WE NEED ALL THE LANGUAGE ABOUT THE CHURCH BONDING & MAINT. IT IS NOT NECESSARY. WE ARE NOT IN THE UTIL BUSINESS.

WHAT HAPPENS
IF THE CITY BUILDS
FIRST?

WHAT FEE?

SINCE CHURCH IS SUCH A SMALL % OF
TOTAL, WHY IS CHURCH HAVING TO DO
MAINT., DRUGS, ETC.

percentage of land developed by the Church to the total land area within the drainage area. If the City is not prepared to construct any such downstream improvements at the time the Church submits its plans for approval an estimate of the cost of any such improvements shall be prepared by the City Engineer and the Church shall pay the City its pro rata share of the estimated costs. The funds shall be placed in escrow by the City to be used for the improvements when constructed. ~~from~~

F. FEES TO BE PAID BY THE CHURCH

1. The Church hereby agrees to pay the City all required fees at the time specified in the applicable City ordinances.

G. MAINTENANCE

1. Prior to final acceptance of any public improvements, the Church shall furnish to the City a good and sufficient maintenance bond in the amount of fifteen per cent (15%) of the contract price of such improvements, or in such amount as approved by the City, to indemnify the City against any repairs which may become necessary to any part of the construction work performed in connection with the subdivision and/or development, arising from defective workmanship or materials used therein, for a period of one (1) year from the date of final acceptance of such improvements.

H. WAIVER

The Church expressly acknowledges that by entering into this contract, the Church, its successors, assigns, vendors, grantees, and/or trustees, shall never construe this contract as waiving any of the requirements of the Zoning Ordinance or Subdivision Regulations or any other ordinance of the City, except as herein agreed upon.

I. HOLD HARMLESS AGREEMENT

The Church, its successors, assigns, grantees, and/or trustees do hereby agree to fully release, indemnify, and hold harmless the City from all claims, suits, judgments, and demands which have accrued or which may accrue because of such development.

J. AMENDMENTS

This Agreement may be changed or modified only with the written consent of the Church and of the governing City Council of the City. Such modification may be requested by either party, but shall not in any event be effective unless and until approved by the City Council of the City.

K. REVOCATION

In the event the Church fails to comply with any of the provisions of this Agreement, the City shall be authorized to cease issuance of any further Certificates of Occupancy or Building Permits ~~on property owned by the Church, and the City shall be further authorized to file this instrument in the Mechanic's Lien records of Rockwall County as Mechanic's Lien against the Church's property; and in the alternative, the City shall be authorized to levy an assessment against the Church's property for public improvements to be held as tax lien against the property by the City.~~

L. CONTINUITY

This Agreement shall be a covenant running with the land and shall be binding upon the Church, its successors, heirs, assigns, grantees, trustees and/or representatives.

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The provisions of this Agreement are severable and, in the event any word, phrase, sentence, paragraph, section or other provision of this Agreement, or the application thereof to any person or circumstance, shall ever be determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable for any reason, the remainder of this Agreement shall remain in full force and effect and the application thereof to any other person or circumstance shall not be affected thereby. The invalid, illegal or unenforceable provision shall be rewritten by the parties to this Agreement to accomplish the parties' original intent as nearly as possible.

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In Witness whereof, each of the parties hereto has caused this Agreement to be executed by its undersigned duly authorized representative as of the date hereinabove first mentioned.

FIRST BAPTIST CHURCH

CITY OF ROCKWALL

By: _____

By: _____
Bill Bisen
City Manager

Date: _____

Date: _____

THE STATE OF TEXAS)(
COUNTY OF ROCKWALL)(

This instrument was acknowledged before me on _____, 19__, by
_____ of the City of Rockwall, Texas.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires:

(Printed Name)

THE STATE OF TEXAS)(
COUNTY OF ROCKWALL)(

This instrument was acknowledged before me on _____, 19__ by
_____ of the (Church Company name).

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires:

Access:

1. Whittle Way
2. Access on Goliad - 1, 2, none, John Pegin reading
3. Developers agreement on ROW on Goliad
4. No escrow is required
5. access easement - what to do

Building:

2 Story 

1. Sanctuary - 90' - ^{subject to elevations} how much is building and how much is steeper ^{need to state on site plan}
2. What is phasing - identify on site plan. what order, not when

Landscaping:

1. Need to identify existing - what is and what type
2. Need to identify types and size of new landscaping including grass
3. irrigated area - shade
4. What are trees on plan
5. trees in front + side 3' evergreen
6. need 42 trees in parking lot
7. Need calculation of parking area + landscaping within parking area

Site Plan:

1. Need dimensions on radii from streets
2. Need to increase radius out of service area
3. retaining wall at rear of property
4. Screening at rear and side of property - 6' masonry screen built at time parking lot is built
5. Parking lot layout - will need to be directed away from residential areas
6. Pedestrian access at corner
7. What is in center of main entrance
8. Brick exterior - to match

Drainage -

1. Dab will call w/ info on drainage

- ✓ need to look at whether way
- ✓ one drive - need to seriously look at - danger

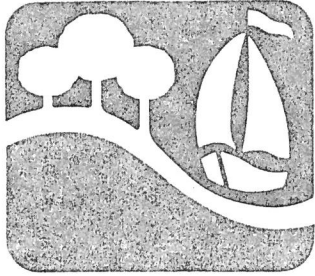
need calculation of parking lot area &
calculation of internal landscaping
Storm drainage

- ✓ what will be built when?
- ✓ radius for truck turn
- ✓ need dimension on drive radius
- ✓ need to look at a developer's agreement on ROW dedication in future.
- ✓ type of landscaping
- ✓ supposed to have a masonry wall along road side or
berm & wall
- ✓ need to identify all landscaped area included in calculation - also need to show what will be ~~to mitigate~~ - identify existing trees actual
- ✓ what are round thing - lights? plants - need
- ✓ a row of shrubs along ROW - also need

- 10% /
1. screen parking lot - need 3' shrubs along street
 - ✓ 2. landscape parking lot - need 1 tree / 10 spaces

- ✓ parking lot light - at residential
- ✓ screening of parking lot from residential
- ✓ pedestrian area at corner

~~must be~~ screening along the bottom & impact to residential



CITY OF ROCKWALL

"THE NEW HORIZON"

April 26, 1990

First Baptist Church
610 S. Goliad
Rockwall, Tx 75087

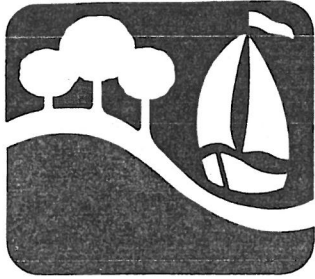
Gentlemen:

Your application for a Conditional Use Permit for a church in residential zoning, site plan and final plat has been received and is scheduled for consideration by the Planning and Zoning Commission at a public hearing on Thursday, May 10, 1990, at 7:30 P.M. in City Hall, 205 W. Rusk. The Rockwall City Council will hold a public hearing and consider the request on Monday, May 21, 1990, at 7:00 P.M. in City Hall.

You or your representative should be at both of these hearings. Failure to appear could delay consideration of your request. Please call me if you have any questions.

Sincerely,

Mary Nichols
Administrative Assistant



CITY OF ROCKWALL

"THE NEW HORIZON"

May 16, 1990

First Baptist Church
610 South Goliad
Rockwall, TX 75087

Gentlemen:

On May 10, 1990, the Rockwall Planning and Zoning Commission recommended approval of your request for a site plan and final plat and Conditional Use Permit for the First Baptist Church located on South Goliad. The Rockwall City Council will consider approval of your request at a public hearing on Monday, May 21, 1990, in the Rockwall City Hall at 7:00 P.M. As the applicant, it is very important that your interests be represented at this meeting. Lack of representation could delay the approval process.

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

Sincerely,

Mary Nichols
Administrative Assistant

MEMORANDUM

May 18, 1990

TO: Mayor and Members of the City Council

FROM: Julie Couch, Assistant City Manager

RE: Facilities Agreements for Baptist Church and Grady Addition

Attached is a draft agreement for the expansion of the Baptist Church that includes the provision that drainage and grading plans shall be submitted and approved prior to issuance of a building permit. We are still in the process of developing the agreement for the Grady Addition and will place that item on the next agenda , if the Council approves the use of the City property.

TO: CITY OF ROCKWALL

ON YOUR CASE # P&Z 90-11CUP/FP/SP, THIS DOES NOT STATE WHAT IT IS THAT THE FIRST BAPTIST CHURCH IS WANTING TO DO, HOWEVER THE WORD AROUND TOWN IS TO BUILD A NEW BUILDING AND TO MAKE WHITTLE WAY STREET A THRU STREET TO THE NEW BUILDING.

IF THIS IS CORRECT, I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS.

1. THE STREET IS TOO NARROW FOR THAT MUCH TRAFFIC.
2. IF WHITTLE WAY WAS TO BE WIDEN, THERE ARE TWO DRIVE WAYS NOW THAT WOULD BE PUT OUT OF ACTION DUE TO THE HILL THE HOUSES SIT ON. THE INCLINE AT PRESENT IS ABOUT ALL THAT A CAR CAN HANDLE.
3. THE AREA BETWEEN OUR HOUSE (507 WHITTLE WAY) AND THE BAPTIST CHURCH IS A RUN OFF FOR THE RAINS AND I DO NOT KNOW HOW THIS WOULD EFFECT IT.
4. AT PRESENT THERE IS NINE KIDS LIVING ON THIS STREET, I CANNOT SPEAK FOR THE REST, HOWEVER ON OF THE MAIN REASONS WE BOUGHT HERE, APPROXIMATELY SIXTEEN YEARS AGO, WAS TO HAVE A SAFE PLACE TO RAISE CHILDREN.

THESE ARE MY REASONS AND I DO PLAN TO ATTEND THE MEETING IF YOU HAVE ANY MORE QUESTIONS.



A W SCHMIESING
507 WHITTLE WAY
ROCKWALL, TEXAS
75087

PHONE 722-6087

CITY OF ROCKWALL
Planning and Zoning Agenda

Agenda Date: May 10, 1990

Agenda No: III. B..

Agenda Item: P&Z 90-11-CUP/FP/SP - Hold Public Hearing and Consider Approval of a Conditional Use Permit for a Church in a Residential Zoning Category and Consider Approval of a Site Plan and Final Plat for the First Baptist Church Located on Goliad and Boydston

Item Generated By: Applicant, First Baptist Church

Action Needed: Hold public hearing and consider approval of the request.

Background Information:

The First BAPTIST Church has completed their plans for the future expansion of the church and has filed a request to bring the zoning into compliance with the use and has also filed for site plan and final plat approval. Our comments are as follows:

CUP-

1. The site is zoned SF-10 and all churches are required to have a CUP in residentially zoned areas. They are required to request the CUP in conjunction with their desire to expand the church.

SITE PLAN -

1. Landscaping - The site plan as submitted meets all of the minimum requirements for landscaping with the exception of the construction of a 6 ft. masonry screening wall along the rear and a portion of the north side of the property adjacent to the residential development. The church is requesting approval of a waiver to this provision and with the installation of a screening hedge as a replacment for the wall.
2. Building height - The future buildings include a 3 story classroom structure and a sanctuary that will be a maximum of 50 ft in height, exclusive of the steeple. The zoning ordinance allows churches to exceed the maximum height within a zoning classification when approved. The church intends to match the existing building style with the new additions.
3. Drive entrances - The current site plan proposes two new curb cuts onto Goliad and a future access onto Whittle Way, which is a residential street. While the two curb cuts on Goliad meet our minimum separation requirements we have some concern about the sight distance and the access into and out of the site with two entrances. We have had John Reglin review the plan andr it is his opinion that one entrance would be sufficient. We have had some concern expressed as well from some of the residential property owners regarding access onto Whittle Way. This would place a significant load on this residential street on Sundays.
4. Phasing - The church is planning to phase the development as shown on the site plan.
5. Parking lot lighting - We are recommending that any lighting that is installed be directional lighting that will not glare onto the residential areas.

PLAT -

1. Drainage - We are requiring the church to provide a detailed drainage plan on the front prior to construction of the parking lot and additional information on the rear of the site prior to construction of the sanctuary. We would recommend that approval be subject to submission and approval of the grading and drainage plan.
2. ROW - We are recommending that the church enter into a facilities agreement with the City to dedicate up to 20 feet of additional ROW on Goliad if it is deemed necessary in the future. The church has agreed to this. As you can see from the site plan the parking lot is set back to accomodate the possible future dedication.

Attachments:

1. Site Plan
2. Plat

Agenda Item: First Baptist Church

Item No: III. B.

**CITY OF ROCKWALL
City Council Agenda**

Agenda Date: May 21, 1990

Agenda No: VI. D.

Agenda Item: P&Z 90-11-CUP/FP/SP - Hold Public Hearing and Consider Approval of an Ordinance Granting a Conditional Use Permit for a Church in a Residential Zoning Category and Consider Approval of a Site Plan and Final Plat for the First Baptist Church Located on Goliad and Boydston (1st Reading)

Item Generated By: Applicant, First Baptist Church

Action Needed: Hold public hearing and consider approval of the request.

Background Information:

The First Baptist Church has completed their plans for the future expansion of the church and has filed a request to bring the zoning into compliance with the use and has also filed for site plan and final plat approval. Our comments are as follows:

CUP-

1. The site is zoned SF-10 and all churches are required to have a CUP in residentially zoned areas. They are required to request the CUP in conjunction with their desire to expand the church.

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PLAT -

1. Drainage - We are requiring the church to provide a detailed drainage plan on the front prior to construction of the parking lot and additional information on the rear of the site prior to construction of the sanctuary. We would recommend that approval be subject to submission and approval of the grading and drainage plan.

SEE ATTACHED NOTES

Attachments:

1. Site Plan
2. Plat
3. Ordinance

Agenda Item: First Baptist Church

Item No: VI. D.

NOTES ON BAPTIST CHURCH CONT'D

2. ROW - We are recommending that the church enter into a facilities agreement with the City to dedicate up to 20 feet of additional ROW on Goliad if it is deemed necessary in the future. The church has agreed to this. As you can see from the site plan the parking lot is set back to accommodate the possible future dedication.

The Planning and Zoning Commission has recommended approval of the CUP.

They recommended approval of the site plan only for Phase 1 and 2 with the stipulation that only one entrance be permitted on Goliad, that directional lighting be used in the parking lot to ensure that no glare affects adjacent properties, and that the building heights as proposed be approved. They recommended denial of Phase 3 and recommended that the Church consider increasing the buffer from the residential area to the north and west, that they plan to utilize directional lighting in the parking lot, and that if a waiver is granted to the screening wall along the residential area that the plants be on at least 6 ft. centers.

They recommended that the plat be approved subject to the submission and approval of a grading and drainage plan for each phase by the City Engineer, prior to development, and that the City enter into a facilities agreement to provide for the future dedication of up to 20 feet of ROW on Goliad, if it is deemed necessary.

MINUTES OF THE ROCKWALL CITY COUNCIL
May 21, 1990

CALL TO ORDER

Mayor Frank Miller called the meeting to order at 7:40 P.M. with the following Councilmembers present: Nell Welborn, Alma Williams, Gary Martin, Norm Seligman, and Pat Luby. David Elkins was absent. Martin gave the invocation and led the pledge of allegiance.

SWEARING IN OF NEWLY ELECTED OFFICERS

Mayor Miller swore in Councilmembers Gary Martin, Norm Seligman, and Alma Williams who were each re-elected at the May 5 Municipal Election and whose re-elections were confirmed by the canvass of votes at the May 7th Council meeting.

CONSENT AGENDA

- a) Minutes of April 10, April 23, April 30, and May 7, 1990
- b) Ordinance No. 90-10 amending the Comprehensive Zoning Ordinance to create a Highway Commercial District on second reading

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO 83-23 OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED BY AMENDING ARTICLE II BY ADDITION A SECTION 2.19, AMENDING ARTICLE IV BY ADDING A SECTION 4.1.G.10; PROVIDING FOR A HIGHWAY COMMERCIAL DISTRICT; PROVIDING FOR ALLOWED USES; PROVIDING FOR AREA REQUIREMENTS; PROVIDING FOR CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

- c) Ordinance No. 90-11 amending the Sign Ordinance, Ordinance No. 84-61, regarding off-site directional signage on second reading

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE 84-61, THE SIGN ORDINANCE OF THE CITY OF ROCKWALL BY AMENDING THE FOLLOWING SECTIONS: II.F., AND III.B.6.; PROVIDING FOR REGULATIONS REGARDING DIRECTIONAL SIGNS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO

50 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING
FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE
DATE.

55 Assistant City Manager Julie Couch read the ordinance captions. Martin pulled the
minutes of May 7th from the Consent Agenda for individual action. Welborn made a
motion to approve the remainder of the consent agenda. Williams seconded the motion.
The motion was voted on and passed unanimously. Seligman noted a correction in the
60 minutes and then made a motion to approve the minutes with the correction. Welborn
seconded the motion. The motion was voted on and passed with all in favor except Martin
who abstained due to absence from the May 7th meeting.

**PUBLIC HEARING REGARDING RATE INCREASE REQUEST FROM TU ELECTRIC
AND ORDINANCE NO. 90-12**

65 Mayor Miller opened the public hearing and noted that the purpose of the hearing
was to determine action on a rate filing package submitted on January 16, 1990 by TU
Electric requesting a rate increase of 10.2 percent.

70 Gary Johnson, Manager of TU Electric, reminded Council that his presentation
supporting his request had been made on January 16th.

75 Bill Eisen, City Manager, explained that the City of Rockwall had participated with
a coalition of cities that hired Diversified Utility Consultants, Inc to review the financial
aspects of the application and Technical Analysis Corporation to review the prudence of
the expenditures made on the Comanche Peak project. He noted that these companies
had generated testimony that would be presented to the Public Utilities Commission. He
made specific reference to testimony that would be submitted by Daniel Lawton, Jacob
Pous, and Ellen Bloomenthal. He noted that Diversified Utility Consultants, Inc. had
80 recommended a 2.4 percent increase as opposed to the 10.2 percent requested and that
Technical Analysis Corporation had stated that based on their preliminary findings, a
substantial portion of the Comanche Peak expenditures were unnecessary and the amount
would offset the 2.4 percent increase recommended by Diversified. He explained that the
consultants and steering committee of the coalition had, therefore, recommended that the
85 rate increase be denied in its entirety.

Martin questioned the options of Texas Utilities if the rate increase was denied by
the City. Eisen explained that TU Electric could appeal to the Public Utility Commission
who would consider the appeals along with the rural rate case already filed TU. He stated
90 that in the past TU had sought to apply a uniform rate throughout the state. Seligman
questioned the options of TU Electric if the Council recommended a 2.4 percent increase.
Eisen stated that TU Electric could appeal for any increase other than 10.2 percent. He
noted that Council had original jurisdiction although TU could appeal to the PUC. He
also explained that the decision of the PUC could be appealed to state district court.

95 As there were no further questions of Council, the Mayor opened the floor to public

comment. As there was no one present wishing to address this issue the public hearing was closed. Council discussed at length the Council's jurisdiction in utility rate increase requests. Welborn made a motion to approve an ordinance denying the rate increase requested by Texas Utilities. Couch read the ordinance caption. Williams seconded the motion. The motion was voted on and passed unanimously.

AN ORDINANCE APPROVING RATE SCHEDULES TO BE CHARGED
BY TEXAS UTILITIES ELECTRIC COMPANY IN THE CITY OF
ROCKWALL, TEXAS, PROVIDING FOR SCHEDULES, CONDITIONS,
SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES.

PLANNING AND ZONING COMMISSION CHAIRMAN'S REPORT

Tom Quinn, Chairman of the Planning and Zoning Commission, then briefed the Council regarding the Commissions recommendations on 1) a request from Robert Ryan for a Conditional Use Permit for a Commercial Amusement 2) a request from First Baptist Church for a CUP for a church in residential zoning, a site plan and final plat 3) a request from Rockwall Missionary Church for a change in zoning 4) a final plat for the Grady Addition 5) a replat of two lots within Heritage Heights and 6) a recommendation to initiate public hearings to consider certain amendments to the Comprehensive Zoning Ordinance. He answered questions of Council regarding recommended conditions for approval of these items.

P&Z 90-10-CUP PUBLIC HEARING ON CONDITIONAL USE PERMIT REQUESTED BY ROBERT RYAN TO BE LOCATED IN RIDGE ROAD SHOPPING CENTER AND ORDINANCE ON FIRST READING

Robert Ryan, the applicant, addressed the Council and outlined his proposal for a commercial amusement to include billiard tables and coin operated machines. He agreed to comply with the conditions recommended by the commission. He stated that he would begin his business with vending machines but if business permitted, a snack bar might be added in the future. Seligman confirmed that the business would contain pool tables, not billiard tables and verified that the target audience was not just teenagers. Luby questioned the other coin operated games that will be installed. Ryan explained that the games were leased from Brunswick Corporation and that the newest game machines would be kept in the facility as they were leased. The Mayor questioned supervision of children and stated concern regarding children being exposed to excessive smoke. Ryan told the Council that the facility would be supervised by adults at all times and explained that he was investigating the installation of a smoke eradicator.

John Benedetto, owner of Electric Circus, confirmed that the recommendation of the Commission included the same conditions placed on his CUP for a Commercial Amusement. He stated opposition to the request based on the lack of crosswalks for pedestrian access and the location being adjacent to the family-oriented TCBY restaurant. He stated that a billiard hall would attract disruptive teenagers, loiterers, and gangs. He noted problems that he incurred when Electric Circus opened and how he solved them. As there was no one else wishing to address this issue, the public hearing was closed.

45 Luby stated that a billiard hall was contrary to his vision of Rockwall and would be
detrimental to the citizens and the neighborhood. There was much Council discussion
regarding periodic reviews, smoke eradicators, and minimum age requirements. Welborn
made a motion to approve the ordinance upon reading of the caption subject to the
150 following revisions: that Section 2.2 read "any change in the ownership or management
or addition of food service must be approved by the Planning and Zoning Commission",
that Section 2.4 read "the permit shall be reviewed by the Planning and Zoning Commission
for compliance with all requirements at a public hearing to be held in December, 1990 and
every December thereafter, that Section 2.8 be added to read that no smoking be allowed
155 in the video game room and that an efficient smoke eradicator system be installed and that
the efficacy of the system will be part of the annual Planning and Zoning Commission
review. Martin seconded the motion. Couch read the ordinance caption. The motion was
voted on and passed four (4) to two (2) with Luby and Seligman voting against the motion.

160 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING
THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF
ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A
CONDITIONAL USE PERMIT FOR A COMMERCIAL AMUSEMENT
ON A PORTION OF LOT 1, BLOCK 1, EASTRIDGE CENTER,
165 FURTHER DESCRIBED HEREIN, PROVIDING FOR A PENALTY OF
FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS
(\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY
CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR
AN EFFECTIVE DATE.

170 **P&Z 90-11-CUP/FP/SP PUBLIC HEARING ON CUP APPLICATION, SITE PLAN, AND
FINAL PLAT FOR FIRST BAPTIST CHURCH, ORDINANCE ON FIRST READING,
FACILITIES AGREEMENT**

175 Assistant City Manager Julie Couch discussed the recommendations from the
Planning and Zoning Commission on the three phases of the site plan and the final plat.
Jim Davis, architect for the church, discussed the application and agreed to the conditions
recommended by the Commission including the removal of access to Whittle Road. He
did, however, take exception to the recommendation to reduce the number of access drives
180 on Goliad from two drives to one drive. The mayor confirmed that the trees located within
future State right of way were being counted as large trees with regard to the minimum
landscape requirements and might be removed depending on how much right of way the
State required.

185 **Jerry Wimpee**, First Baptist Church, urged Council to allow most of the traffic to
empty onto Goliad to prevent it from backing up into neighborhoods. **Harry Bell**, resident
on Whittle Way, stated opposition to the proposed access onto Whittle Way due to the
steep incline of the street, the number of vehicles park on the street, the lack of sidewalks
for pedestrians, and the poor visibility for traffic exiting Whittle Way onto Kenway. As
there was no one else wishing to address this issue, the public hearing was closed.

90 Welborn made a motion to approve the Conditional Use Permit. Luby seconded the

motion. Couch read the ordinance caption. The motion was voted on and passed unanimously.

195 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING
THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF
ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A
CONDITIONAL USE PERMIT FOR A CHURCH WITHIN AN "SF-10"
200 SINGLE FAMILY ZONING CATEGORY ON THE PROPERTY
DESCRIBED AS LOT 1, BLOCK A, FIRST BAPTIST CHURCH
ADDITION AND FURTHER DESCRIBED HEREIN; PROVIDING FOR
A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO
THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING
FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
205 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

210 Welborn then made a motion to approve the site plan on phases one and two subject to the following conditions: 1) only one entrance be permitted on Goliad 2) that directional lighting be used in the parking lot to insure that no glare affect adjacent properties 3) that building heights as proposed be approved 4) that phase three be denied with recommendations that it be resubmitted with no access to Whittle Way and recommending closer centers on the photinia landscaping. Seligman seconded the motion. The motion was voted on and passed unanimously.

15 Welborn then made a motion to approve the plat subject to the submission to and approval of a grading and drainage plan to the City Engineer for each phase prior to development and subject to execution of a facilities agreement for future dedication of up to twenty feet of right of way on Goliad if necessary. Seligman seconded the motion. The motion was voted on and passed unanimously.

220 **P&Z 90-12-Z/PP/SP PUBLIC HEARING ON REQUEST FOR ZONING CHANGE
FROM AGRICULTURAL TO COMMERCIAL FOR ROCKWALL MISSIONARY
CHURCH AND ORDINANCE ON FIRST READING**

225 **John Zachary**, deacon of Rockwall Missionary Baptist, addressed the Council on behalf of the church and stated that the Church accepted the recommendations of the Planning and Zoning Commission. As there was no one else wishing to address this issue, the public hearing was closed. Seligman made a motion to approve the ordinance changing the zoning from Agricultural to Commercial on the site for the Rockwall Missionary Church located on I-30 east of Industrial Boulevard. Williams seconded the motion.
230 Couch read the ordinance caption.

235 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING
THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF
ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE
ZONING ON A TRACT OF LAND WHICH IS MORE FULLY
DESCRIBED HEREIN FROM AGRICULTURAL CLASSIFICATION TO
COMMERCIAL CLASSIFICATION; CORRECTING THE OFFICIAL

40 ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO
EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR
EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;
PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN
EFFECTIVE DATE.

245 The motion was voted on and passed unanimously. Seligman then made a motion to
approve the site plan and preliminary plat with the conditions recommended by the
Planning and Zoning Commission:

- 250 1. That a landscaping waiver be granted for a period of five years or upon
additional expansion of the church, whichever occurs first, with the stipulation
that irrigation be installed on the property in front of the building and that
the required large trees be planted along the I-30 frontage.
- 255 2. That the preliminary plat be approved subject to a determination of flood
plain status and the need for additional water facilities.

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

WORKER'S COMPENSATION SELF-INSURANCE

260 Council discussed with City Manager Bill Eisen and Director of Finance Michael
Phemister the City's option to self insure worker's compensation. Phemister explained
that as worker's compensation premiums continue to rise, cities and municipalities have
been considering self insurance. He estimated that if the City began a self insurance
265 program, the City could expect three years before debt service costs would be less than
projected premium expenses. He stated that thereafter the City would benefit financially
from self-insurance. Art Perry, the Wyatt Company, explained that a feasibility study
indicated that the City would require 1.9 million dollars to fund the program for a ten year
period. After lengthy discussion, Welborn made a motion to direct the City to prepare the
ordinances necessary to institute the self-insurance program for the City. Williams
270 seconded the motion. The motion was voted on and passed unanimously.

P&Z 90-13-FP FINAL PLAT AND SITE PLAN FOR GRADY ADDITION LOCATED ON I-30 EAST OF SH-205 AND FACILITIES AGREEMENT

275 Couch explained that in addition to site plan and plat approval Mr. Grady was
requesting to pave a portion of a section of City property used for a lift station to provide
access to his loading dock. She stated that if Council agreed to allow this use of City
property, a facilities agreement would be included on the next agenda. Council discussed
the proposed elevations, drainage, and signage with the applicant, Pat Grady. Seligman
280 made a motion to approve the site plan and final plat subject to the conditions
recommended by the Planning and Zoning Commission: 1) that an access easement be
provided by the adjacent property owners 2) that a facilities agreement be entered into with
the City. Williams seconded the motion. The motion was voted on and passed
unanimously.

~85
P&Z 90-14-FP REPLAT OF LOTS 15 AND 16, BLOCK A, HERITAGE HEIGHTS ADDITION

290 Couch explained that a house on one lot was built too close to the side lot line and both lot owners were replatting the lots to meet existing setback requirements. Martin made a motion to approve the replat as requested. Luby seconded the motion. The motion was voted on and passed unanimously.

295 **INITIATION OF PUBLIC HEARINGS REGARDING AMENDMENTS TO COMPREHENSIVE ZONING ORDINANCE**

300 Couch explained that the Planning and Zoning Commission had recommended initiation of hearings to consider certain amendments to the Zoning Ordinance that would "clean up" inconsistencies in the ordinance with other ordinances. Welborn made a motion to initiate hearings. Seligman seconded the motion. The motion was voted on and passed unanimously.

305 **RESOLUTION NO. 90-34 APPROVING CONTRACT AND TRANSFER OF ASSIGNMENT OF LEASE AT THE SHORES**

~10 City Manager Bill Eisen explained that the prospective new owners of the Shores Country Club, a Texas subsidiary of Pexim, Inc. were requesting approval of the contract and transfer of the lease agreement. He noted that the course would be managed by Jeffrey Barnes of Dal-Mac Barnes Company and the Park Board had recommended approval of the assignment and the terms of the new lease agreement subject to sale of the County Club. Joe Holt, representing the Shores-205 Joint Venture discussed the terms of the new agreement with Council. Seligman made a motion to approve the resolution. Williams seconded the motion. The motion was voted on and passed unanimously.

315 **AWARD OF BIDS**

320 **Asphalt and Cement Treated Base** - Welborn made a motion to award the bid to Glenn Thurman of Mesquite in the amount of \$126,000 and CTB to Texas Industries of Garland in the amount of \$47,250. Williams seconded the motion. The motion was voted on and passed unanimously.

325 **White Rock** - Seligman made a motion to award the bid to Jayroe Sand and Gravel in the amount of \$18,125. Luby seconded the motion. The motion was voted on and passed unanimously.

EXECUTIVE SESSION

30 Council adjourned into Executive Session at 12:00 Midnight under Article 6252-17 V.A.C.S. to discuss Personnel regarding appointments to boards and committees and eligibility of board and commission members to continue serving and Litigation regarding Rogers vs. City of Rockwall.

ACTION RESULTING FROM EXECUTIVE SESSION

Council reconvened into open session and upon motions made and duly seconded the following person were appointed to the following boards and committees:

CONFERENCE CENTER TASK FORCE

Joyce Martin, Chairman	Chamber of Commerce
Nell Welborn	City Councilmember
Mack Sorrells, Vice Chair	Citizen
Rick Dirske	Citizen
Bill Eisen	City Manager
Marty Cohen	Banking and Finance
Pat Luby	Hotel/Lodging

SOLID WASTE ADVISORY COMMITTEE

David Elkins	City Councilmember
Kathy Jennario	Citizen
Susan Allen	Citizen
Dianne Maulsby	Citizen
Ron Helmedag	Whitmore Manufacturing
Rick Burgy, Chairman	Builder
Betsy Burkes	Citizen

CULTURAL AND RECREATIONAL CENTER TASK FORCE

Alma Williams	City Councilmember
Dellene Burgamy	RISD
Doug Armstrong	Citizen
Rosalind Williams	Citizen
Jan Self, Chairman	Park Board
Larry Parks	Chamber of Commerce
Chuck Hodges	Citizen
D.J.Smith, Vice Chair	Cultural Enrichment Task Force
Paulette Cavaleri	Cultural Enrichment Task Force
Lindy Barton	Citizen

ADJOURNMENT

80

As there was no further business to come before Council for consideration, the meeting adjourned at 1:00 A.M.

385

John Miller
APPROVED

390

Mary Nichols
ATTEST

ORDINANCE NO. 90-15

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

WHEREAS, a change in the classification of a zoning district has been requested by Rockwall Missionary Baptist Church for the property more specifically described in Exhibit "A" attached hereto; and

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

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give Commercial District classification to the tract of land described in Exhibit "A".

SECTION 2. That the property described in Exhibit "A" shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 5. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed to the extent of that conflict.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such case provides.

DULY PASSED AND APPROVED this 4th day of June 1990.

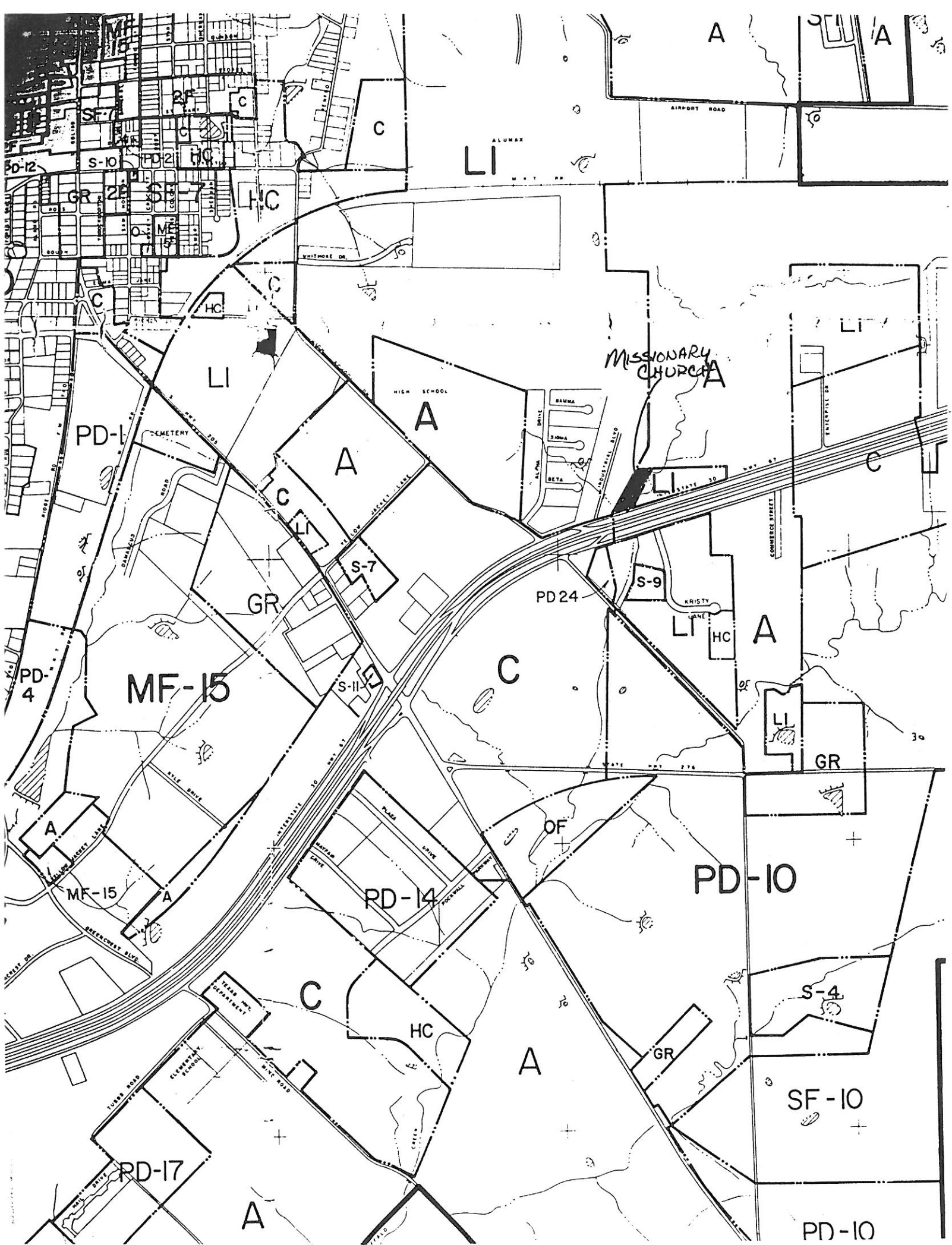
APPROVED:


Mayor

ATTEST:

BY Mary Nichols

1st reading 5/21/90
2nd reading 6/4/90



PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, May 10, 1990, at 7:30 P.M. in City Hall, 205 W. Rusk, to consider recommending approval of the following:

1. a request from Robert Ryan for a Conditional Use Permit for a Commercial Amusement including billiard tables and coin operated machines to be located within Ridge Road Shopping Center on FM-740.
2. a request from Rockwall Missionary Baptist Church for a change in zoning from "A" Agricultural to "C" Commercial on a tract of land located on I-30 east of SH-205.
3. a request from First Baptist Church for a Conditional Use Permit for a church in a residential zoning category located on SH-205 at Boydston.

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at _____

7:30 o'clock P.M. on the 10th day of May 1990

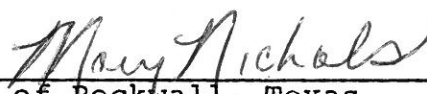
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the request of the First Baptist Church

for a Conditional USE Permit for a Church to Be Located in a REsidential
Zoning Category

on the following described property:

The First Baptist Church located at Boydstun and Goliad more particulary described on the reverse of this page

As an interested property owner, it is important that you attend this hearing or notify the Commission of your feeling in regard to the matter by returning the form below. The decision of the Planning and Zoning Commission will be a recommendation for approval or denial which will be forwarded to the City Council for a final decision. In replying please refer to Case No. P&Z 90-11-CUP/FP/SP



City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to the City Planning and Zoning Commission, 205 West Rusk Street, Rockwall, Texas 75087.

Case No. P&Z 90-11-CUP/FP/SP

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

I am opposed to the request for the reasons listed below. _____

1.

2.

3.

Signature _____

Address _____

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at _____
7:30 o'clock P.M. on the 10th day of May 1990
 in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
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 for a Conditional USe Permit for a Church to Be Located in a REsidential
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 refer to Case No. P&Z 90-11-CUP/FP/SP

Mary Nichols
 City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to
 the City Planning and Zoning Commission, 205 West Rusk Street, Rockwall,
 Texas 75087.

Case No. P&Z 90-11-CUP/FP/SP

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

I am opposed to the request for the reasons listed below.

1. We are against Zoning we have been here for
2. 40 years & raised our family. I am tired of
3. Car's Traffic.

Signature The Brookies
 Address 607 S. Goliad

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE

WHEREAS, The First Baptist Church of Rockwall is the owner of a tract of land situated in the B.J.T. Lewis Survey, Abstract 225, and being that tract of land described in Release of Lien to The First Baptist Church of Rockwall executed August 3, 1976, by Baptist Church Loan Corporation, recorded in Volume 122, Page 928, Deed Records, Rockwall County, Texas, and being that tract of land conveyed to The First Baptist Church, Rockwall, Texas, from Nancy Lee Bourn by deed recorded in Volume 100, Page 205, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set at the intersection of the West line of State Highway 205 (Goliad Street) with the North line of Boydston Avenue;

THENCE: North 89° 52' 24" West a distance of 300.00 feet with said North line to a cross cut in concrete for a corner;

THENCE: South 0° 07' 05" West a distance of 30.00 feet to a cross cut in concrete for a corner;

THENCE: North 89° 52' 24" West a distance of 553.00 feet generally along the remains of an old fence line to a cross cut in concrete for a corner at the Southwest corner of said Church tract and the Southeast corner of Ridgeview Addition, Second Installment, recorded in Slide A, Page 30, Plat Records, Rockwall County, Texas;

THENCE: North 1° 18' 26" East a distance of 471.24 feet with the East line of said Addition and an old fence line to a 1/2" iron rod set for a corner at the Southwest corner of Ridgeview Addition, Installment 1, recorded in Slide A, Page 25, Plat Records, Rockwall County, Texas;

THENCE: North 89° 58' 02" East a distance of 293.11 feet with the South line of said Addition and generally with an old fence line to a 1/2" iron rod found for a corner;

THENCE: South 0° 07' 05" West a distance of 80.00 feet to a 1/2" iron rod set for a corner;

THENCE: South 89° 52' 24" East a distance of 550.11 feet to a 1/2" iron rod set on the West line of State Highway 205 (Goliad Street) and at the Northeast corner of said Bourn conveyance;

THENCE: South 0° 07' 05" West a distance of 361.96 feet with said West line to the Point of Beginning and containing 7.9692 acres of land, save and except the following described cemetery tract;

COMMENCING at the Southwest corner of the above described 7.9692 acre tract of land;

THENCE: North 59° 44' 58" East a distance of 284.32 feet to the Point of Beginning;

THENCE: North 4° 05' 58" East a distance of 88.00 feet to a fence corner;

THENCE: South 87° 28' 57" East a distance of 87.98 feet to a fence corner;

THENCE: South 2° 08' 15" West a distance of 88.73 feet to a fence corner;

THENCE: North 87° 00' 18" West a distance of 91.00 feet to the Point of Beginning and containing 0.1815 acres of land, leaving 7.7877 acres of land, net.

O.W.

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at _____
7:30 o'clock P.M. on the 10th day of May 1990
 in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
 request of the First Baptist Church
 for a Conditional USe Permit for a Church to Be Located in a REsidential
Zoning Category

on the following described property:

The First Baptist Church located at Boydstun and Goliad more particularly
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As an interested property owner, it is important that you attend this
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 Commission will be a recommendation for approval or denial which will be
 forwarded to the City Council for a final decision. In replying please
 refer to Case No. P&Z 90-11-CUP/FP/SP

Mary Nichols
 City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to
 the City Planning and Zoning Commission, 205 West Rusk Street, Rockwall,
 Texas 75087.

Case No. P&Z 90-11-CUP/FP/SP

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

I am opposed to the request for the reasons listed below. _____

1. They need additional Parking
2. They need more access to present parking
3. Facilities are well maintain'd used to benefit our community

Signature George Lyons
 Address 602 South Goliad

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE

WHEREAS, The First Baptist Church of Rockwall is the owner of a tract of land situated in the B.J.T. Lewis Survey, Abstract 225, and being that tract of land described in Release of Lien to The First Baptist Church of Rockwall executed August 3, 1976, by Baptist Church Loan Corporation, recorded in Volume 122, Page 928, Deed Records, Rockwall County, Texas, and being that tract of land conveyed to The First Baptist Church, Rockwall, Texas, from Nancy Lee Bourn by deed recorded in Volume 100, Page 205, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set at the intersection of the West line of State Highway 205 (Goliad Street) with the North line of Boydston Avenue;

THENCE: North 89° 52' 24" West a distance of 300.00 feet with said North line to a cross cut in concrete for a corner;

THENCE: South 0° 07' 05" West a distance of 30.00 feet to a cross cut in concrete for a corner;

THENCE: North 89° 52' 24" West a distance of 553.00 feet generally along the remains of an old fence line to a cross cut in concrete for a corner at the Southwest corner of said Church tract and the Southeast corner of Ridgeview Addition, Second Installment, recorded in Slide A, Page 30, Plat Records, Rockwall County, Texas;

THENCE: North 1° 18' 26" East a distance of 471.24 feet with the East line of said Addition and an old fence line to a 1/2" iron rod set for a corner at the Southwest corner of Ridgeview Addition, Installment 1, recorded in Slide A, Page 25, Plat Records, Rockwall County, Texas;

THENCE: North 89° 58' 02" East a distance of 293.11 feet with the South line of said Addition and generally with an old fence line to a 1/2" iron rod found for a corner;

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THENCE: South 89° 52' 24" East a distance of 550.11 feet to a 1/2" iron rod set on the West line of State Highway 205 (Goliad Street) and at the Northeast corner of said Bourn conveyance;

THENCE: South 0° 07' 05" West a distance of 361.96 feet with said West line to the Point of Beginning and containing 7.9692 acres of land, save and except the following described cemetery tract;

COMMENCING at the Southwest corner of the above described 7.9692 acre tract of land;

THENCE: North 59° 44' 58" East a distance of 284.32 feet to the Point of Beginning;

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THENCE: North 87° 00' 18" West a distance of 91.00 feet to the Point of Beginning and containing 0.1815 acres of land, leaving 7.7877 acres of land, net.

O.W.

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at _____
7:30 o'clock P.M. on the 10th day of May 1990

in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
 request of the First Baptist Church

for a Conditional USE Permit for a Church to Be Located in a REsidential
Zoning Category

on the following described property:

The First Baptist Church located at Boydstun and Goliad more particularly
 described on the reverse of this page

As an interested property owner, it is important that you attend this
 hearing or notify the Commission of your feeling in regard to the matter
 by returning the form below. The decision of the Planning and Zoning
 Commission will be a recommendation for approval or denial which will be
 forwarded to the City Council for a final decision. In replying please
 refer to Case No. P&Z 90-11-CUP/FP/SP

Mary Nichols
 City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to
 the City Planning and Zoning Commission, 205 West Rusk Street, Rockwall,
 Texas 75087.

Case No. P&Z 90-11-CUP/FP/SP

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

I am opposed to the request for the reasons listed below. _____

1.

2.

3.

Signature

Address

Mardell Rathmell
701 S. Glanno

STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE

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 City of Rockwall, Texas

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 Texas 75087.

Case No. P&Z 90-11-CUP/FP/SP

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

I am opposed to the request for the reasons listed below.

1. Splendid idea for First Baptist to have a
COP!
2. They need additional parking as they grow.
- 3.

Property 702 So Goliad Signature Steve Bullum
105 W Boydstun Address 722 So Goliad (Business)

STATE OF TEXAS
COUNTY OF ROCKWALL

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Mary Nichols
City of Rockwall, Texas

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Case No. P&Z 90-11-CUP/FP/SP

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

I am opposed to the request for the reasons listed below. _____

1. *I have no objections and feel that what*
2. *they do well only enhance our community*
3. _____

Signature Lee Smith

Address Rt 4 Box 73
Rockwall, TX

STATE OF TEXAS
COUNTY OF ROCKWALL

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for a Conditional Use Permit for a Church to Be Located in a Residential
Zoning Category

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Case No. P&Z 90-11-CUP/FP/SP

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

I am opposed to the request for the reasons listed below. X

- ① DRAINAGE problem HAS ALWAYS existed WITH
WATER RUN OFF FROM Hillside.
- ② The work completed ON ADDITIONAL PARKING
A couple of years ago HAS INCREASED WATER
RUN OFF by Double the AMOUNT AS TO PREVIOUS
- ③ DRAINAGE. ENGINEERS do NOT seem TO UNDERSTAND DRAINAGE.
↓
Level OF NOISE IN RESIDENTIAL AREA.

Signature John C. Genrick

Address 507 Ridgeway DR.

STATE OF TEXAS
COUNTY OF ROCKWALL

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CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall City Council will hold a public hearing at 7:00 P.M. on Monday, May 21, 1990, in Rockwall City Hall, 205 W. Rusk Street, Rockwall, Texas, to consider approval of a request from the First Baptist Church for a conditional Use Permit for the existing church and proposed improvements in a residential zoning category on the property located at Boydston and Goliad. As an interested property owner, it is important that you attend this hearing or notify the Council in writing of you feeling in regard to this matter by returning the form below.

Mary Nichols
City of Rockwall

Case No. P&Z 90-11-CUP/SP/FP

I am in favor of the request for the reason listed below. _____

I am opposed to the request for the reasons listed below. _____

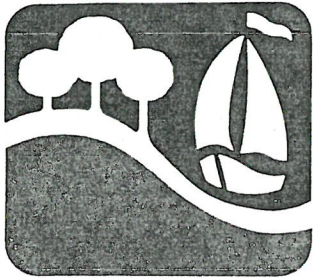
1.

2.

3.

Signature _____

Address _____



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City of Rockwall

Case No. P&Z 90-11-CUP/SP/FP

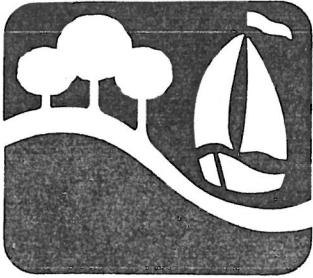
I am in favor of the request for the reason listed below. ✓

I am opposed to the request for the reasons listed below. _____

1. Growing church which needs parking space
2. _____
3. _____

Signature Elaine Culham

Address 105 West Boydston
702 South Goliad
709 South Alamo



CITY OF ROCKWALL

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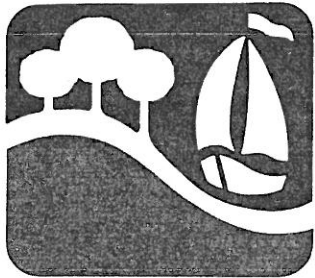
I am in favor of the request for the reason listed below. ✓

I am opposed to the request for the reasons listed below. _____

1. The church is growing & needs additional parking & better access.
2. They are community orientated & offer their facilities to any organization or group as well as a voting place.
3. They are excellent neighbors, good citizens & have beautiful facilities that complement our city.

Signature George Lyons

Address 602 S. Goliad
Rockwall, Texas
75087-4098



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City of Rockwall

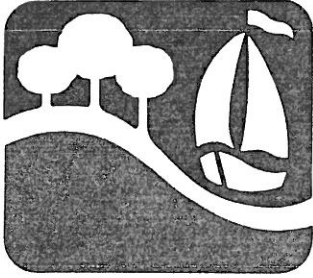
Case No. P&Z 90-11-CUP/SP/FP

I am in favor of the request for the reason listed below. ✓

I am opposed to the request for the reasons listed below. _____

1. If the Church needs more space, it is fine with me.
2. _____
3. _____

Signature Doris McKee
Address 108 St. Marys



CITY OF ROCKWALL

"THE NEW HORIZON"

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Mary Nichols
City of Rockwall

Case No. P&Z 90-11-CUP/SP/FP

I am in favor of the request for the reason listed below. _____

I am opposed to the request for the reasons listed below. ✓

1. See Attach.

2.

3.

Signature Ar. [Signature]

Address 507 Whittle Way

TO: CITY OF ROCKWALL

ON YOUR CASE # P&Z 90-11CUP/FP/SP, I AM OPPOSED TO THE PART ABOUT MAKING WHITTLE WAY A THRU STREET. THE FOLLOWING ARE THE REASONS:

1. THE STREET IS TOO NARROW FOR THAT MUCH TRAFFIC.
2. IF WHITTLE WAY WAS TO BE WIDEN, THERE ARE TWO DRIVE WAYS NOW THAT WOULD BE PUT OUT OF ACTION DUE TO THE HILL THE HOUSES SIT ON. THE INCLINE AT PRESENT IS ABOUT ALL THAT A CAR CAN HANDLE.
3. THE AREA BETWEEN OUR HOUSE (507 WHITTLE WAY) AND THE BAPTIST CHURCH IS A RUN OFF FOR THE RAINS AND I DO NOT KNOW HOW THIS WOULD EFFECT IT.
4. AT PRESENT THERE IS NINE KIDS LIVING ON THIS STREET, I CANNOT SPEAK FOR THE REST, HOWEVER ON OF THE MAIN REASONS WE BOUGHT HERE, APPROXIMATELY SIXTEEN YEARS AGO, WAS TO HAVE A SAFE PLACE TO RAISE CHILDREN.

THESE ARE MY REASONS AND I DO PLAN TO ATTEND THE MEETING IF YOU HAVE ANY MORE QUESTIONS.


A W SCHMIESING
507 WHITTLE WAY
ROCKWALL, TEXAS
75087

PHONE 722-6087

First Baptist Church
Baydstun / Caliad

Ridge View Addition 1st

3A	Avis Odell Chawkins 505 Rogers Way	Myra Loups Porter 6 Indian Trail	6C
4A	Billy M. Farrell 507 Rogers Way	Jeff W Shellito 505 Ridgerview	7C
2B	Harry Bell 503 Whittle Way	John Charles Genich 507 Ridgerview	8C
3B	Gary + Kary Bellotte 505 Whittle Way	Harold Crawford 509 Ridgerview	9C
4B	Albert William Schmiesing 507 Whittle Way	Mary Jane Burnett 511 Ridgerview	10C
5B	Percy Steele 508 Rogers Way	Neva Mae Hogue 513 Ridgerview	11C
6B	Hazel Wilson Dedmon 506 Rogers Way	J Neil Morris Michelle Kizer 515 Ridgerview	12C
7B	Mary Jones 504 Rogers Way		

Amachius 1	Mardell A Rathmell 701 Alamo	Moser Dev & Lecon Ent. P.O. Box 1076	1A
2	Mrs. T.A. Jordan 703 S Alamo	Charles D. Mills 706 Alamo	2A
3	Eloise Cullum 709 S Alamo	Randall L. Freedman 703 Forest Lane	10A
4	Florence McGinnis 707 Alamo	James L & Ruth L Ward 211 Lakehill	1D
5 Sanger BkF	Eloise Cullum 709 S Alamo	C.W. Talley 703 Ridgview	12D
High Ridge Estates		U.S. Government Post Office 609 S Coliad	
1C	Billy W Ridley 517 Ridgview	Patricia Smith 104 Boydston	Sanger 1E
2C	Tallison Const. Co. Inc. 703 Ridgview	Margaret Sheldon 40 E Melny 3021 Lakeside	2ptE
3C	John Chambers Jr 204 Boydston Ave	Richard M Ellis 104 S San Jacinto	pHE
4C	Mike Barringer P.O. Box 91		

Lewis Tr 17 Mrs. Sidney S. Peak (in) First Baptist Church
15 604 S Coaliad 608 S Coaliad

TR 27 Mrs Sidney S Peak
134 604 S Coaliad

129 Robert Lambreth — George C Lyons Jr
Boydston Rt 4 Box 72 602 S Coaliad Carl Brooks
607 S Coaliad

80 First Caroland Savings
P.O. 469005 Carl 75846-9005

Doris McKee
P.O. Box 81

117 Joe B &
Mrs. Nan Smart
603 S Coaliad

Harry Kenneth Smith
503 Westway