

APPLICATION AND
FINAL PLAT CHECKLIST

DATE: 6-10-91Name of Proposed Development Braum's AdditionName of Developer Braum's Ice Cream Stores Dean CooperAddress P.O. Box 25429 Dallas Phone 405-478-1656Owner of Record " OK to City, OK to 73125Address " Phone Name of Land Planner/Surveyor/Engineer HAROLD G. Evans P.E.Address P.O. Box 28358 Dallas Phone 214-328-8133Total Acreage 2.468 Ac. Current Zoning Number of Lots/Units 2 Signed [Signature]

The Final Plat shall generally conform to the Preliminary Plat, as approved by the City Council and shall be drawn to legibly show all data on a satisfactory scale, usually not smaller than one inch equals 100 feet. The final plat shall be submitted on a drawing which is 18 inches by 24 inches.

The following Final Plat Checklist is a summary of the requirements listed under Section VIII of the Rockwall Subdivision Ordinance. Section VIII should be reviewed and followed when preparing a Final Plat. The following checklist is intended only as a reminder and a guide for those requirements.

INFORMATION

<u>Provided or Shown on Plat</u>	<u>Not Applicable</u>	
<u></u>	<u></u>	1. Title or name of development written and graphic scale, north point, date of plat and key map
<u></u>	<u></u>	2. Location of the development by City, County and State
<u></u>	<u></u>	3. Location of development tied to a USGS monument, Texas highway monument or other approved benchmark
<u></u>	<u></u>	4. Accurate boundary survey and property description with tract boundary lines indicated by heavy lines

<u>Provided or Shown on Plat</u>	<u>Not Applicable</u>
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5. Accurate plat dimensions with all engineering information necessary to reproduce plat on the ground
6. Approved name and right-of-way width of each street, both within and adjacent to the development
7. Locations, dimensions and purposes of any easements or other rights-of-way
8. Identification of each lot or site and block by letter and building lines or residential lots
9. Record owners of contiguous parcels of unsubdivided land, names and lot pattern of contiguous subdivisions, approved Concept Plans referred by recorded subdivision plats or adjoining platted land by record name and by deed record volume and page
10. Boundary lines, dimensions and description of open spaces to be dedicated for public use of the inhabitants of the development
11. Certificate of dedication of all streets, alleys, parks and other public uses signed by the owner or owners
12. Designation of the entity responsible for the operation and maintenance of any commonly held property and a waiver releasing the City of such responsibility or a waiver releasing the City for damages in establishment or alteration of grade
13. Instrument of dedication or adoption signed by the owner or owners
14. Space for signatures attesting approval of the plat
15. Seal and signature of the surveyor or engineer responsible for surveying the development and/or the preparation of the plat

<u>Provided or Shown on Plat</u>	<u>Not Applicable</u>
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_____	_____
_____	_____
_____	_____

16. Compliance with all special requirements developed in preliminary plat review
17. Waiver of drainage liability by the City due to development's design
18. Statements indicating that no building permits will be issued until all public improvements are accepted by the City.

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 91-20- CUP

Date Submitted 6-11-91

Filing Fee \$

Applicant Broune Ice Cream Stores

Address P.O. Box

Phone No.

Oklahoma City, OK

Owner X Tenant¹

Prospective Purchaser ¹

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 Pbt -

I hereby request that a Conditional Use Permit be issued for the above described property for: Less than 90% Masonry -

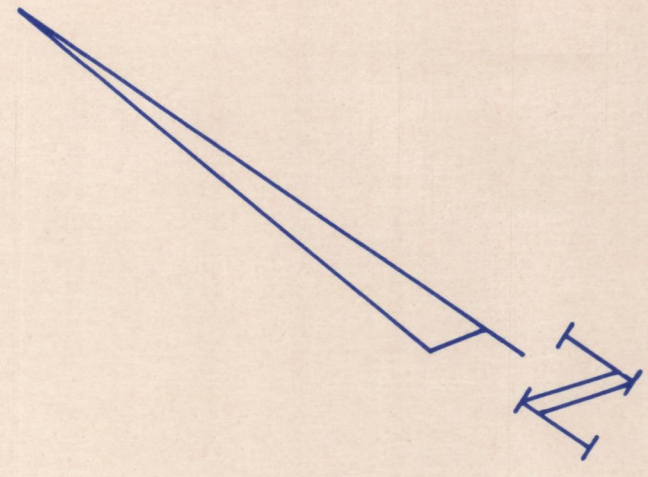
line The current zoning on this property is Commercial - Retail.
^{space} There ~~are~~ are ~~not~~ deed restrictions pertaining to the intended use of this property.

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.

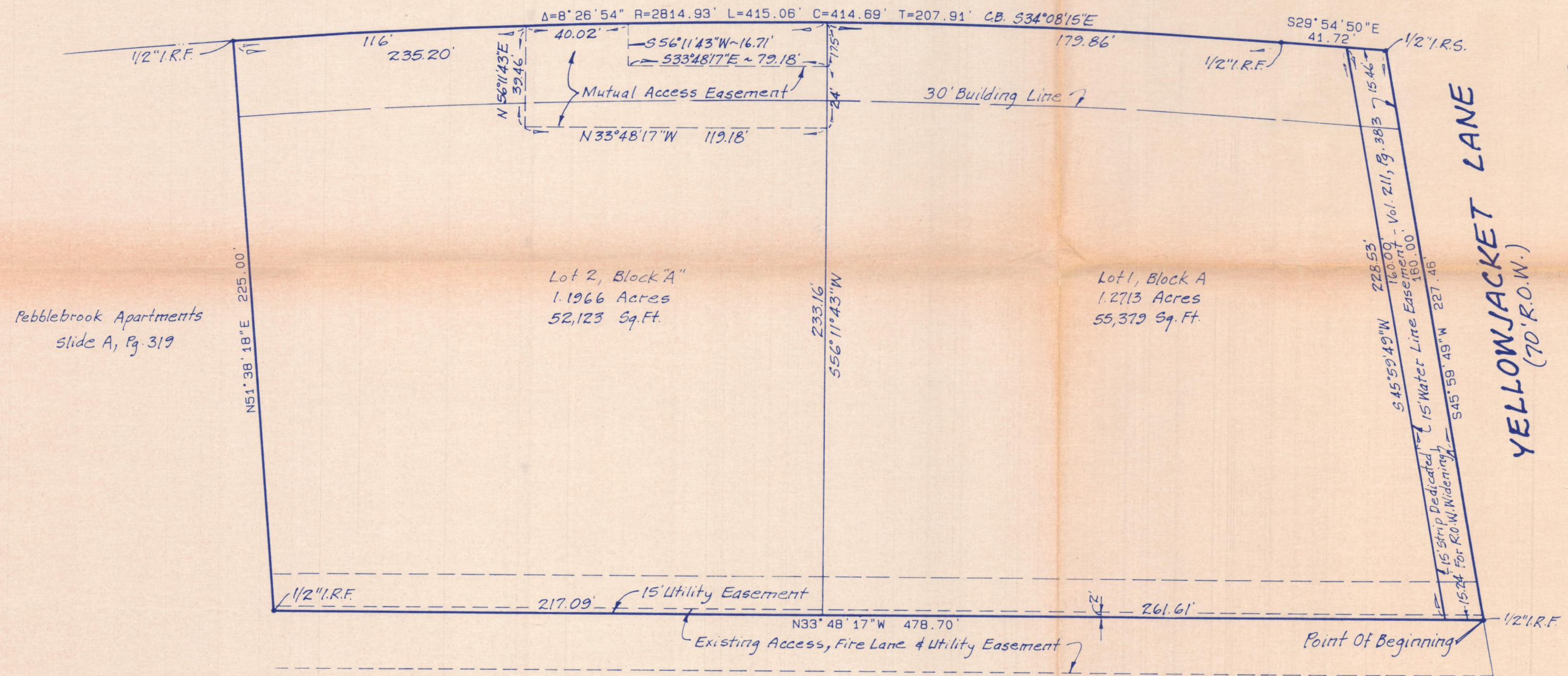


¹If the applicant is someone other than the owner, written acknowledgement by the owner of the request must also be submitted.

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.



STATE HIGHWAY NO. 205
(100' R.O.W.)



Pebblebrook Apartments
Slide A, Pg. 319

Lot 2, Block A
1.1966 Acres
52,123 Sq. Ft.

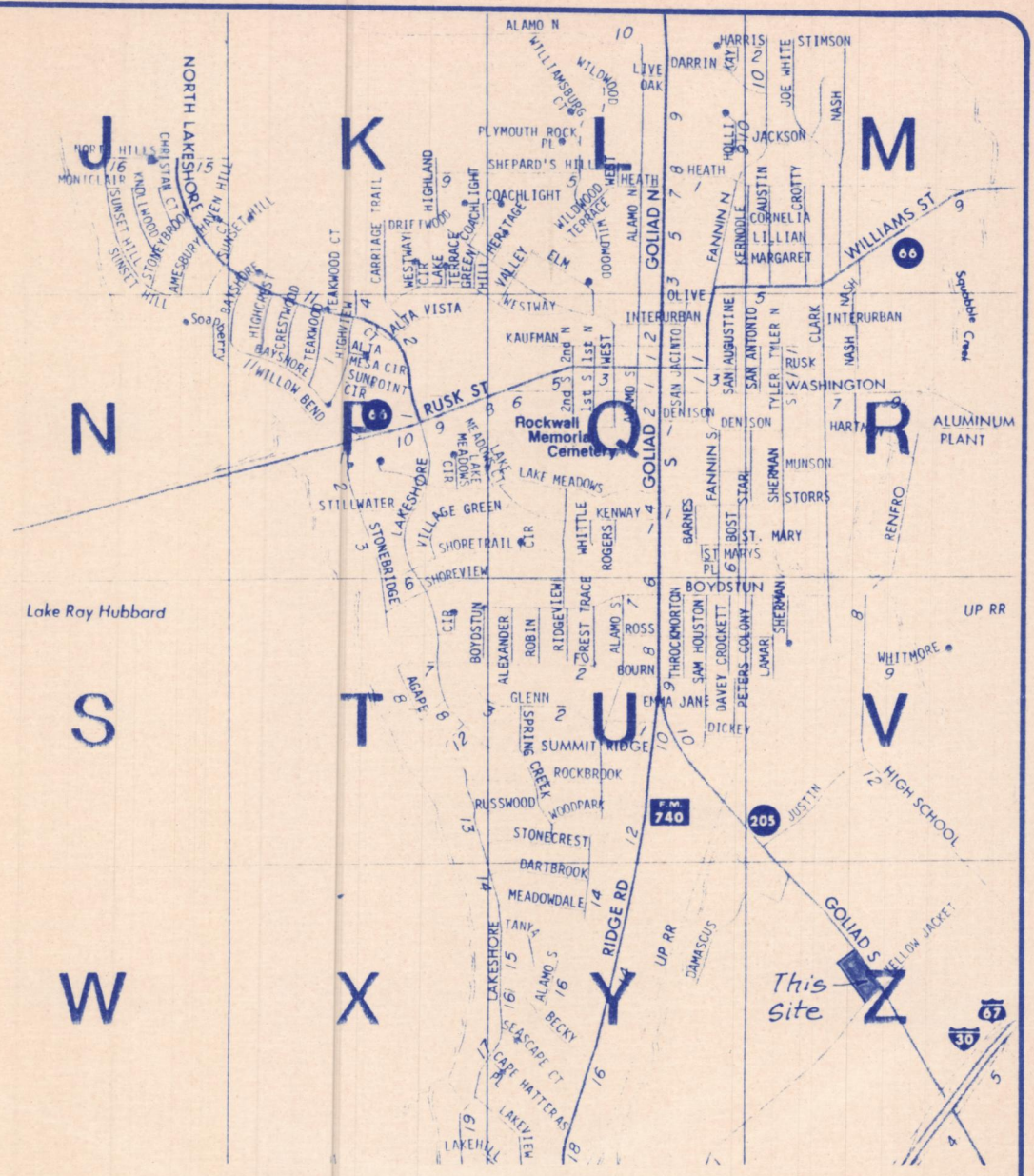
Lot 1, Block A
1.2713 Acres
55,379 Sq. Ft.

Pebblebrook Apartments
Slide A, Pg. 319

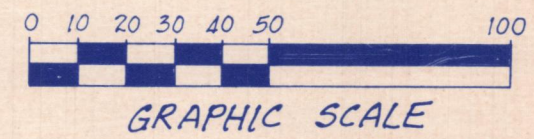
Lot 2
E-Z Mart

Lot 3

Peoples Addition
Slide A, Page 277



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"=40'	5-14-91	9109

BRAUM'S ADDITION

B.J.T. LEWIS SURVEY, ABSTRACT NO. 225

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Braums Ice Cream Company ~ Owner
P.O. Box 25429, 3000 N.E. 63rd, Oklahoma City, Oklahoma, 73125 TEL: 405-478-1656

1st
Submission

Braums
STATE OF TEXAS
COUNTY OF ROCKWALL

OWNER'S CERTIFICATE

WHEREAS, Braum's Ice Cream Company is the owner of a tract of land situated in the B. J. T. Lewis Survey, Abstract No. 225, Rockwall County, Texas, and being a part of a tract of land conveyed to Clair Ables Grainger, wife of Bruner Allen Grainger, by Deed from H. L. Williams, his wife, Mary J., and J. C. Milford, recorded in Volume 49, Page 286, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for a corner at the intersection of the Northwest line of Yellowjacket Lane, a 70 foot right-of-way, with the most Southerly Northeast line of Pebblebrook Apartments, according to the plat recorded in Slide A, Page 319, Plat Records, Rockwall County, Texas;
THENCE: North 33° 48' 17" West a distance of 478.70 feet along said Northeast line of Pebblebrook Apartments to a 1/2" iron rod found for a corner;
THENCE: North 51° 38' 18" East a distance of 225.00 feet along the most Northerly Southeast line of said Addition to a 1/2" iron rod found for a corner on the Southwest line of State Highway No. 205, a 100 foot right-of-way, said iron rod being on curve to the right having a central angle of 8° 26' 54", a radius of 2814.93 feet, and a chord that bears South 34° 08' 15" East a distance of 414.69 feet;
THENCE: Along said curve and with said Southwest line an arc distance of 415.06 feet to a 1/2" iron rod found for a corner;
THENCE: South 29° 54' 50" East a distance of 41.72 feet continuing with said Southwest line to a 1/2" iron rod set for a corner at the intersection of said Southwest line of State Highway No. 205 and the Northwest line of said Yellowjacket Lane;
THENCE: South 45° 59' 49" West a distance of 227.46 feet along said Yellowjacket Lane to the Point of Beginning and containing 107,502 square feet or 2.4679 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

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

It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does 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 _____, this _____ day of _____, 1991.
(City) (State)

BRAUM'S ICE CREAM COMPANY

By: _____

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 1991, by _____ as _____ of Braum's Ice Cream Company.

Notary Public

SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

Harold L. Evans, P.E., Registered Professional Land Surveyor No. 2146

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on the _____ day of _____, 1991, by Harold L. Evans.

Notary Public

APPROVED

Chairman, Planning and Zoning Commission

Date

I hereby certify that the above and foregoing plat of Braum's Addition, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 1991.

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

Said addition shall be subject to all the requirements of the Platting Ordinance of the City of Rockwall.

WITNESS OUR HANDS this _____ day of _____, 1991.

Mayor, City of Rockwall

City Secretary, City of Rockwall

2
2

HAROLD L. EVANS
CONSULTING ENGINEER

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

SCALE DATE JOB NO.

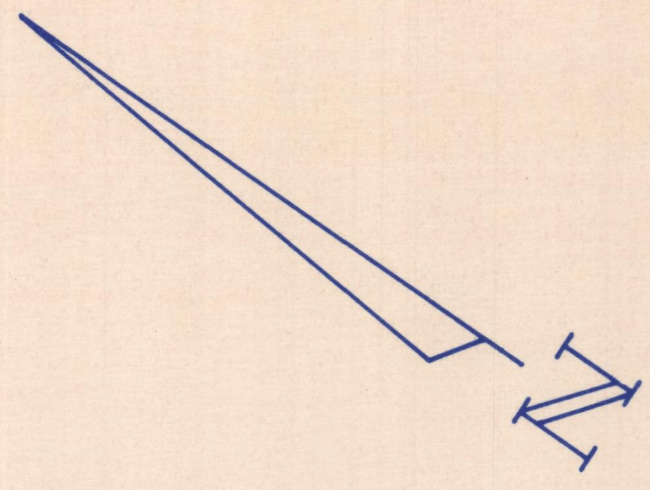
5-14-91 9109

BRAUM'S ADDITION

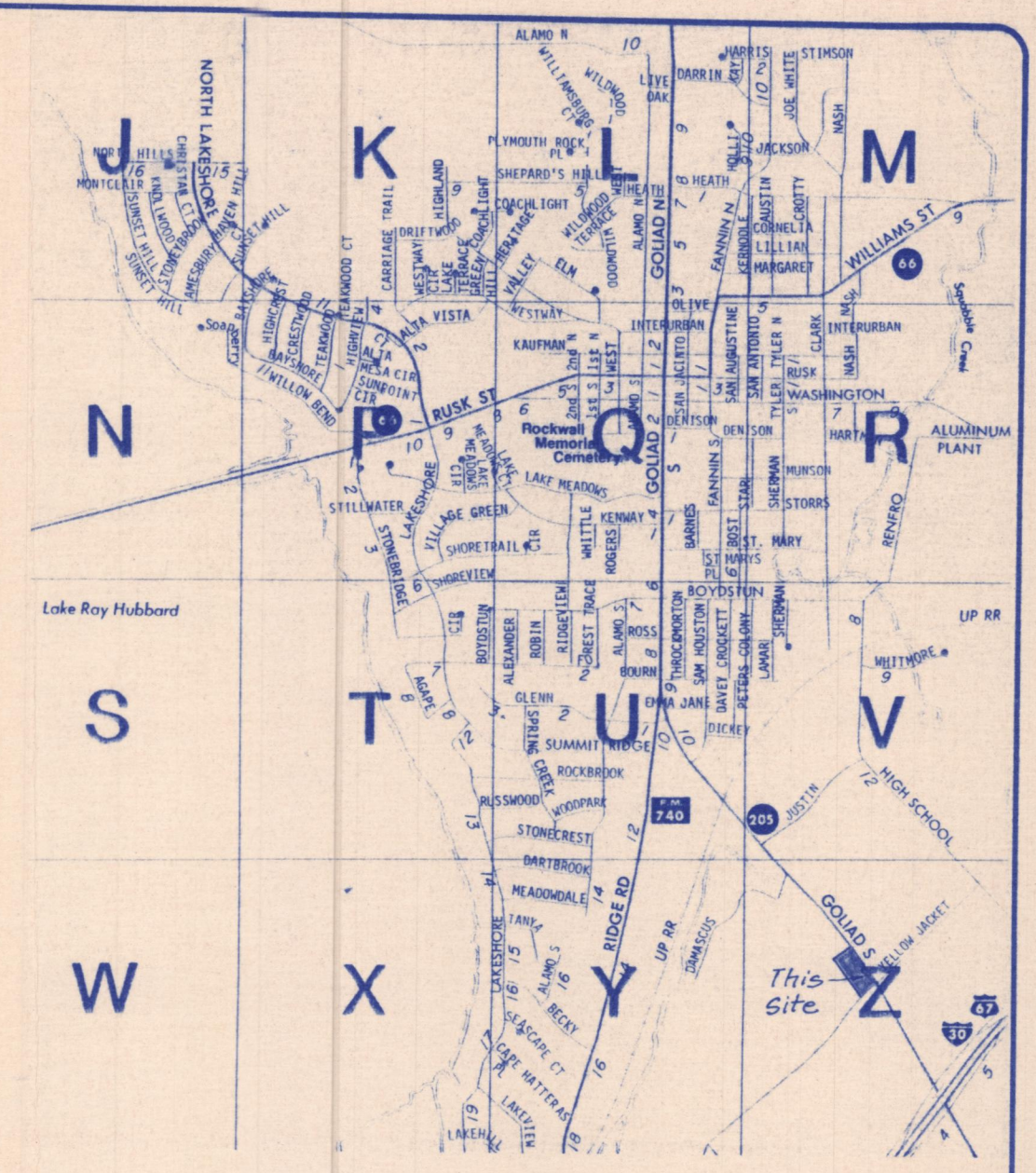
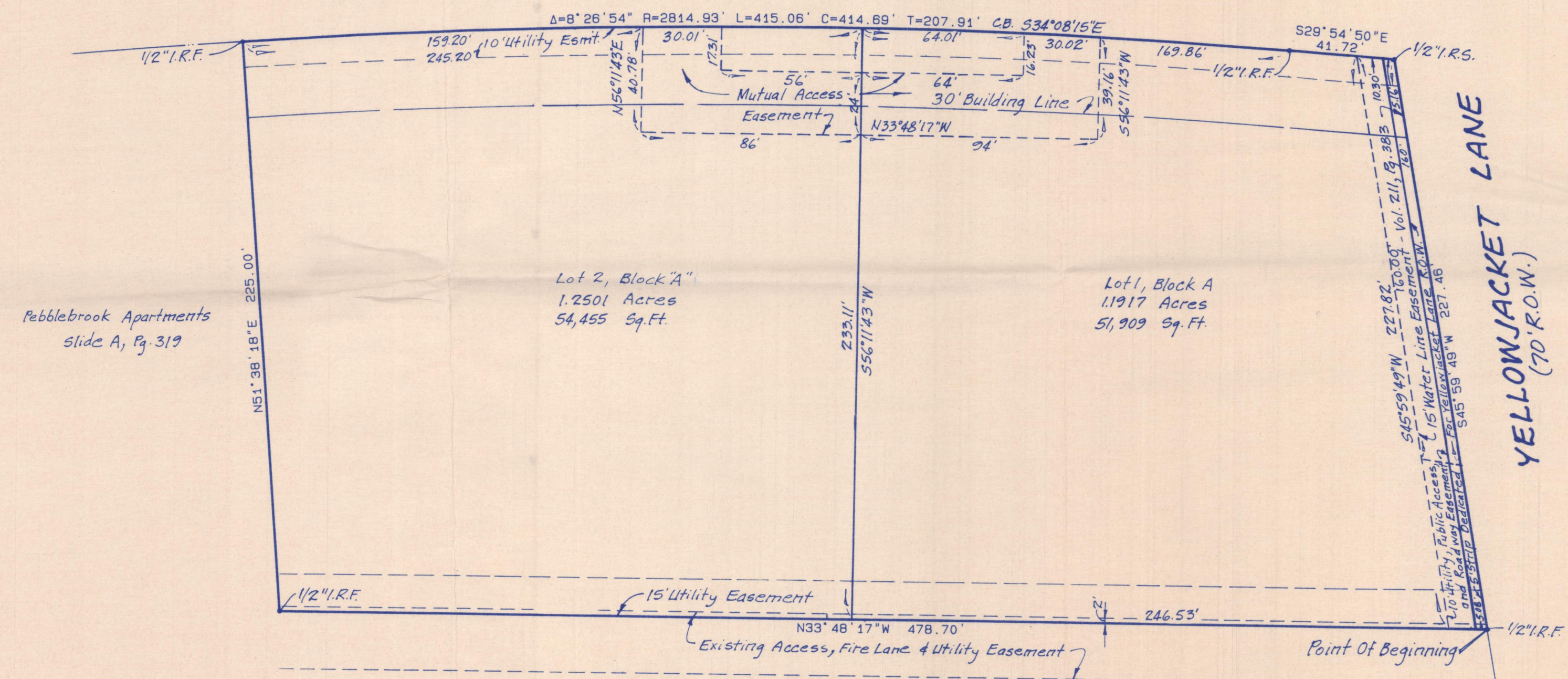
B.J.T. LEWIS SURVEY, ABSTRACT NO. 225

CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Braum's Ice Cream Company ~ Owner
P.O. Box 25429, 3000 N.E. 63rd, Oklahoma City, Oklahoma, 73125 Tel. 405-478-1654



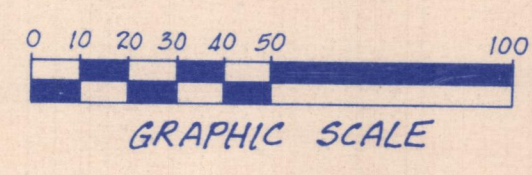
STATE HIGHWAY NO. 205
(100' R.O.W.)



LOCATION MAP
Scale: 1"=2,000'

Peoples Addition
Slide A, Page 277

2nd
Submission



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

SCALE	DATE	JOB NO.
1"=40'	5-14-91	9109

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Braums Ice Cream Company ~ Owner
P.O. Box 25429, 3000 N.E. 63rd, Oklahoma City, Oklahoma, 73125 TEL. 405-478-1656

Rev. 5-20-91
Rev. 6-11-91

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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WITNESS MY HAND at _____, this _____ day of _____, 1991.
(City) (State)

BRAUM'S ICE CREAM COMPANY

By: _____

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 1991, by _____
as _____ of Braum's Ice Cream Company.

Notary Public _____

SURVEYOR'S CERTIFICATE

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COUNTY OF DALLAS

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APPROVED

Chairman, Planning and Zoning Commission _____

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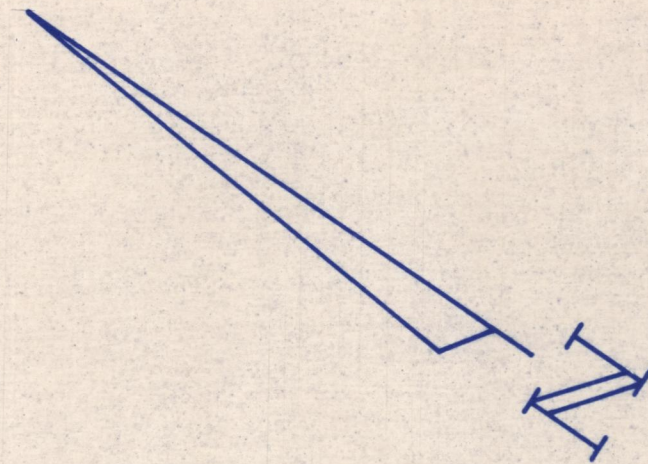
WITNESS OUR HANDS this _____ day of _____, 1991.

Mayor, City of Rockwall _____

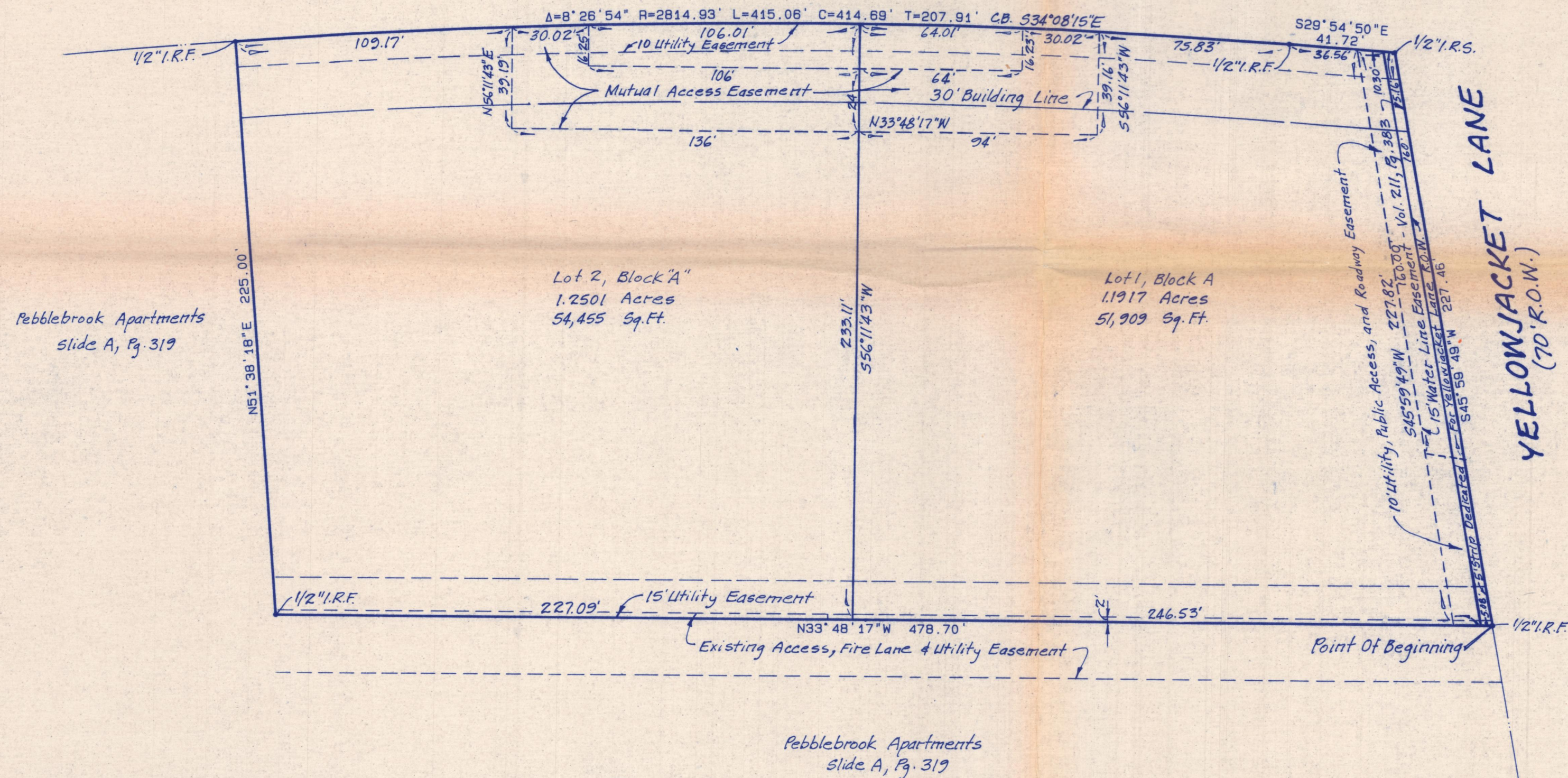
City Secretary, City of Rockwall _____

2
2

HAROLD L. EVANS CONSULTING ENGINEER 2331 GUS THOMASSON RD. SUITE 102 DALLAS, TEXAS 75228 PHONE (214) 328-8133			BRAUM'S ADDITION B.J.T. LEWIS SURVEY, ABSTRACT NO. 225 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS Braums Ice Cream Company ~ Owner P.O. Box 25429, 3000 N.E. 63rd, Oklahoma City, Oklahoma, 73125 Tel. 405-478-1656	
SCALE	DATE	JOB NO.		
	5-14-91	9109		



STATE HIGHWAY NO. 205
(100' R.O.W.)



Pebblebrook Apartments
Slide A, Pg. 319

Lot 2, Block A
1.2501 Acres
54,455 Sq. Ft.

Lot 1, Block A
1.1917 Acres
51,909 Sq. Ft.

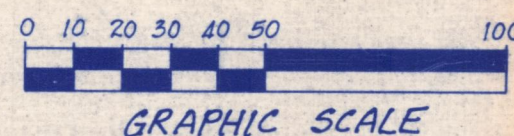
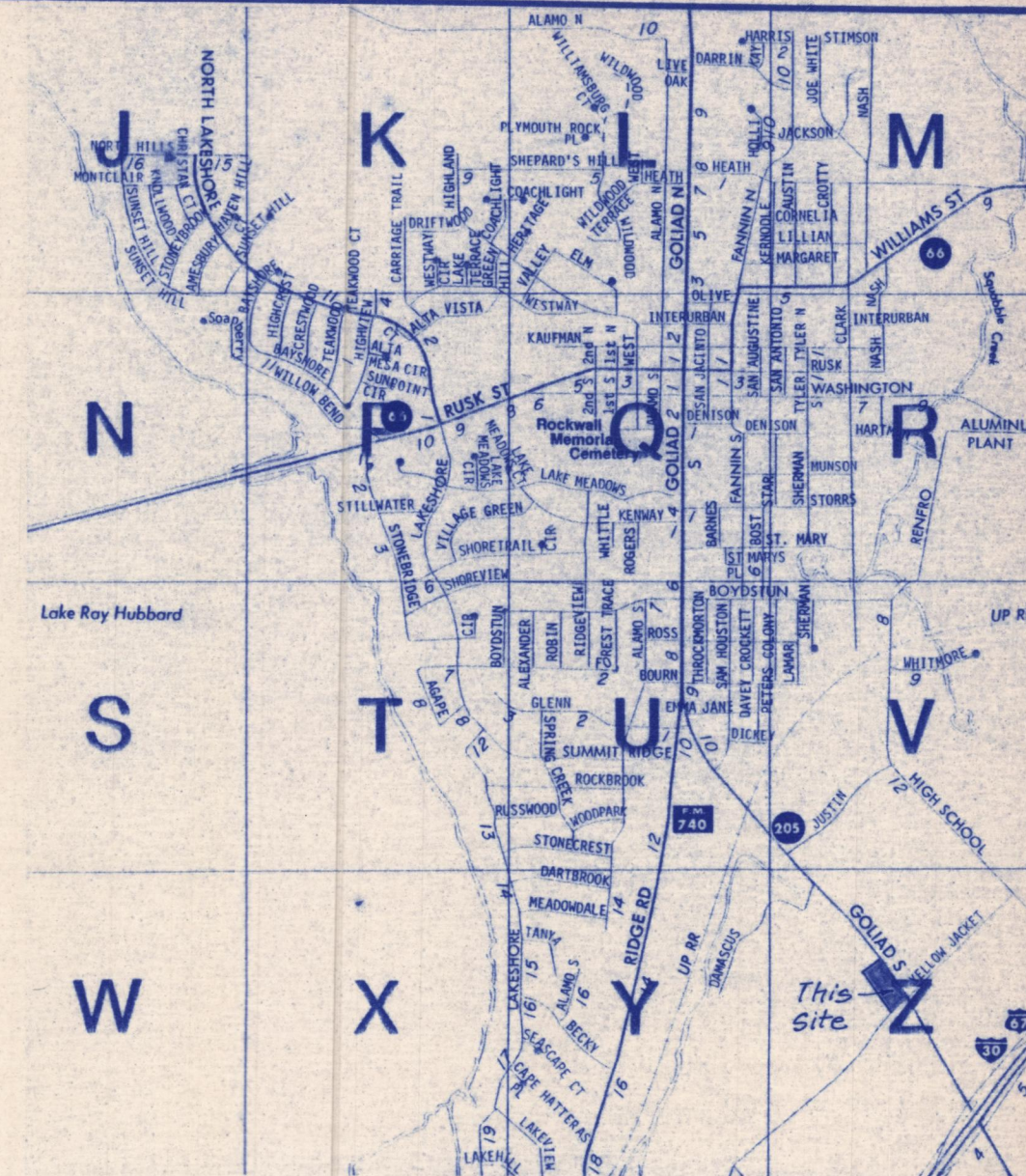
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Lot 2
E-Z Mart

Lot 3

Peoples Addition
Slide A, Page 277

LOCATION MAP
Scale: 1"=2,000'



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SCALE	DATE	JOB NO.
1"=40'	5-14-91	9109

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B.J.T. LEWIS SURVEY, ABSTRACT NO. 225	
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS	
Braums Ice Cream Company P.O. Box 25429, 3000 N.E. 63rd, Oklahoma City, Oklahoma, 73125 Tel. 405-478-1656	Owner

Rev. 5-20-91 Rev. 6-13-91
Rev. 6-11-91

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WITNESS MY HAND at _____, this _____ day of _____, 1991.

BRAUM'S ICE CREAM COMPANY

By: _____

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 1991, by _____ as _____ of Braum's Ice Cream Company.

Notary Public _____

SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
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Harold L. Evans, P.E., Registered Professional Land Surveyor No. 2146

STATE OF TEXAS
COUNTY OF DALLAS

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Notary Public _____

APPROVED

Chairman, Planning and Zoning Commission _____ Date _____

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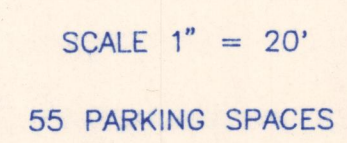
Mayor, City of Rockwall _____ City Secretary, City of Rockwall _____

2
2

HAROLD L. EVANS CONSULTING ENGINEER		
2331 GUS THOMASSON RD. SUITE 102 DALLAS, TEXAS 75228 PHONE (214) 328-8133		
SCALE	DATE	JOB NO.
	5-14-91	9109

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B.J.T. LEWIS SURVEY, ABSTRACT NO. 225	
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Braum's Ice Cream Company P.O. Box 25429, 3000 N.E. 63rd, Oklahoma City, Oklahoma, 73125 Tel. 405-478-1454	Owner

STATE HIGHWAY NO. 205

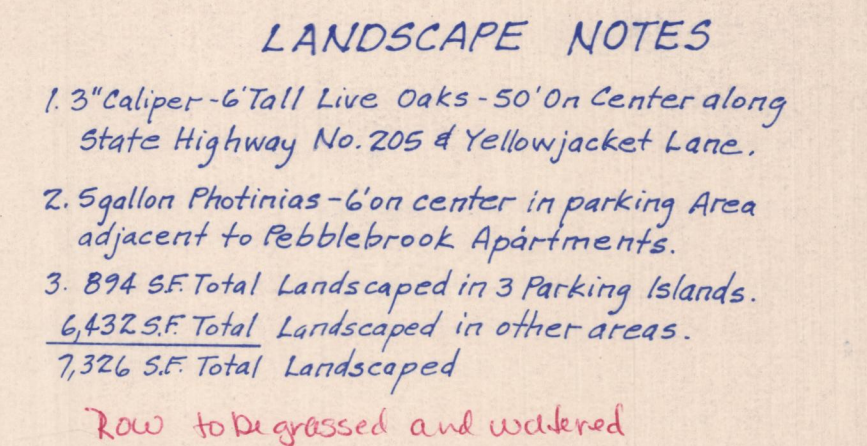
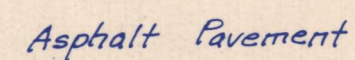


Site plan

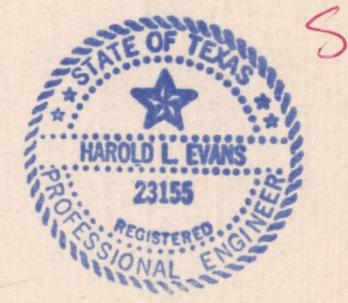
1st
Submission

[illegible]

BRAUM'S
ICE CREAM COMPANY
P.O. Box 25429, 3000 N.E. 63rd, Oklahoma City, Oklahoma 73125 405-478-1656
PRODUCERS, PROCESSORS & RETAILERS OF FINE DAIRY PRODUCTS



2nd Submission



B.J.T. LEWIS SURVEY, ABSTRACT NO. 225
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

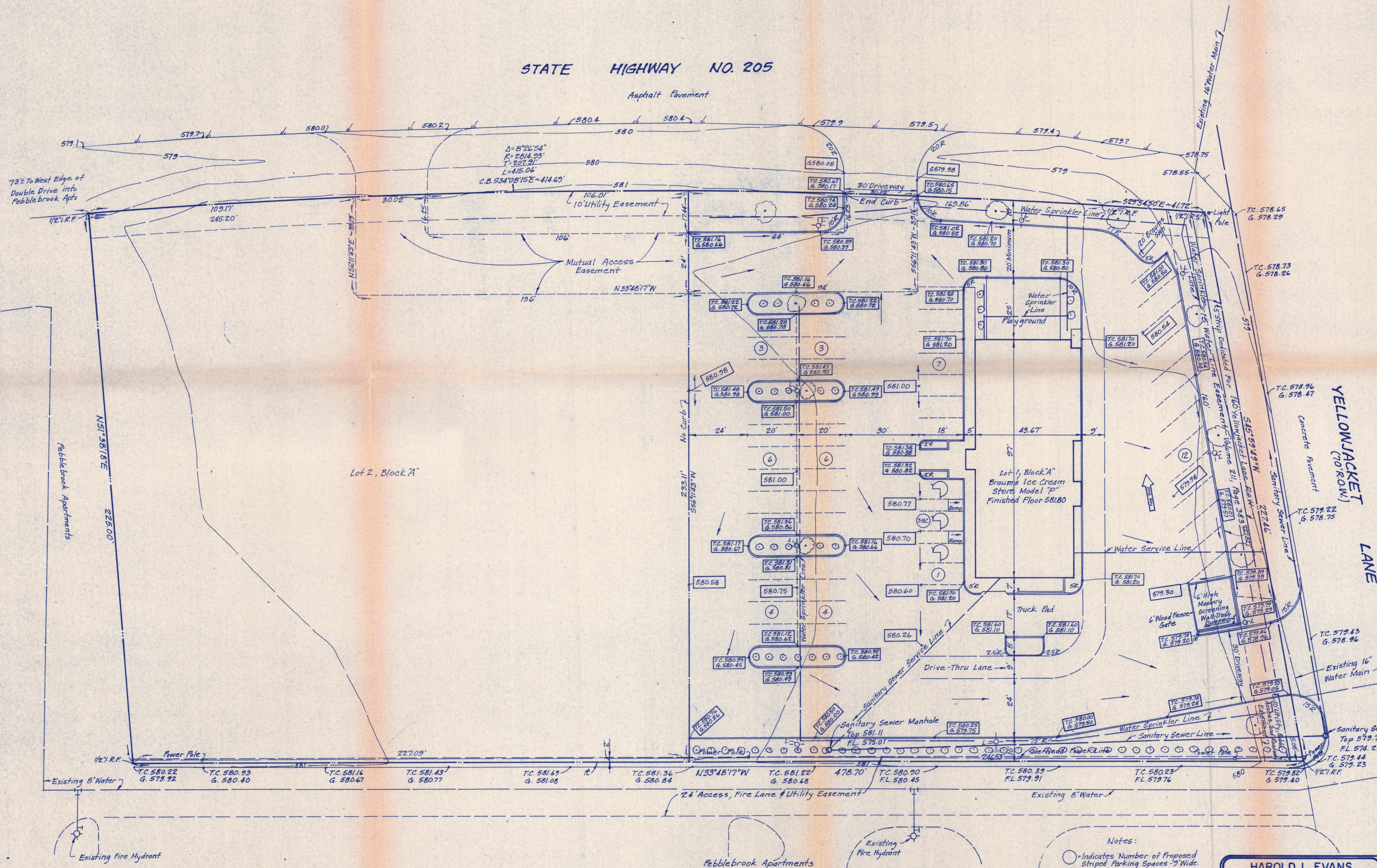
1"=20'	5-20-91	9109
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Notes:

- - Indicates Number of Proposed Striped Parking Spaces - 9' Wide.
- - Indicates Number of Proposed Handicap Parking Spaces - 8' Wide W/5' Wide Ramps - 6' Long.
- - Indicates Proposed Paving grades.
- L-○- - Indicates Proposed Lighting Poles.

STATE HIGHWAY NO. 205

Asphalt Pavement



LANDSCAPE NOTES

1. 3" Caliper - 6" Tall Live Oaks - 50' On Center along State Highway No. 205 & Yellowjacket Lane & 3 in Parking Islands.
2. 5 gallon Photinias - 6' on center in parking area adjacent to Pebblebrook Apartments, adjacent to playground & in 4 Parking Islands.
3. R.O.W. adjacent to property will be landscaped with grass & sprinkler system sized to water total area.
4. 1,192 S.F. Total Landscaped in 4 Parking Islands.
303 S.F. Total Landscaped in areas adjacent to playground
6,432 S.F. Total Landscaped in other areas.
7,927 S.F. Total Landscaped Area Provided.

- Notes:
- Indicates Number of Proposed Striped Parking Spaces - 9' Wide.
 - Indicates Number of Proposed Handicap Parking Spaces - 8' Wide w/5' Wide Ramps - 6' Long.
 - Indicates Proposed Paving Grades.
 - L-○ Indicates Proposed Lighting Poles.

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

SITE & GRADING PLAN
B.J.T. LEWIS SURVEY, ABSTRACT NO. 225
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

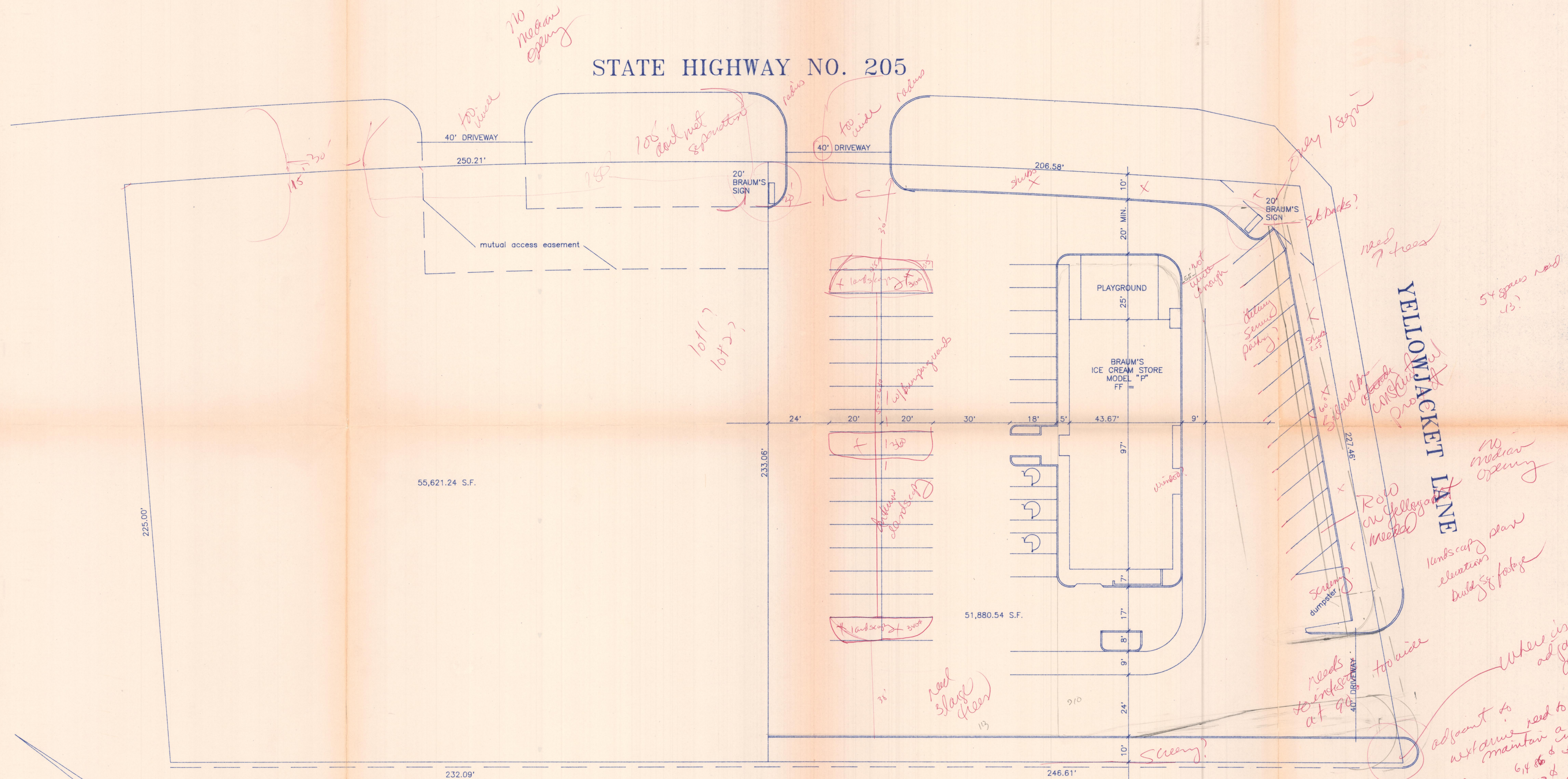


3rd Submission

6-11-91

SITE PLAN TO SERVE BRAUM'S ICE CREAM STORE ROCKWALL, TEXAS

STATE HIGHWAY NO. 205



SCALE 1" = 20'

55 PARKING SPACES

100

BRAUM'S
ICE CREAM COMPANY
25429, 3000 N.E. 63rd, Oklahoma City, Oklahoma 73125 405-471-
PRODUCERS, PROCESSORS & RETAILERS OF FINE DAIRY PRODUCTS

P.O. BOX 23429, 3000 N.E. 68th, Oklahoma City, Oklahoma 73123 405-470-1800

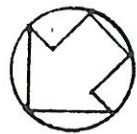
BRAUM'S SITE PLAN
ADDITIONAL INFORMATION

The following items are those changes that still need to be made to the site plan and plat for the proposed Braum's location:

1. An additional 275 sq. ft. of landscaping is needed in the parking lot.
2. A total of 3 trees need to be added to the parking area. The final location of the trees on Yellowjacket need to be decided prior to planting.
3. An additional 460 sq. ft. of landscaping is needed on the site.
4. The drives located on SH-205 need to be at least 170 feet apart.

The changes needed to the plat include:

1. The extension of the utility, roadway, and access easement along the full length of Yellowjacket.
2. The extension of the mutual access easement on SH-205.



Scale: 1" = 40'

The Title & Mortgage Corp.
0.354 AC.
Lot 3-BLK 'A'
Billy Peoples Addn. No. 1

P.I. 56+01.0
2° 58' Lt

Equation
55+01.2 BK
P.I. 54+97.4 AH
90° 12' Rt.

Easy Mart
0.314 AC.
Lot 2-BLK-A
Billy Peoples Addn. No. 1

Exist. 12" PVC
To Remain

25' Temp.
Const. Easem't.

55+38.9 2' 4"
Water Valve Box

55+56.5
Edge Asm't.

Approx. Limit Of
Construction Easem't

Rockwall Bank, National Asso
2.00 Ac.

Manual Air Release Valve
@ Sta. 56+80

P.I. 57+25.9
3° 56' Lt.

25' Temporary
Const. Easem't.

8" Outlet
To Exist.
@ 58+64

Remove & Salvage Exist. 12" PVC
Water Line

8" Outlet For Connection
To Exist. 8" Waterline
@ 55+38.9

Pebble Brook Apts.
Phase I
11.59 AC.

Folsom Investment, Inc.
2.5 AC. ±

Equation
P.I. 52+53.15 BA
P.I. 52+46.47 AH
18° 25' 24"

Cathodic Protection Test Sta.
2' Lt. @ Sta. 52+45

100' R.O.W.

HWY 205

W - Exist. 8" Water

52+57.5 P.H. 8' Lt.

SS

Back Curt 54+97.5
See Detail, Sht. 15

Back Curt 54+52.5
San. Sewer 54+49.6

Buried Cable

25' Temp. Const. Easem't.

P.I. 54+41.50
86° 04' Lt.

Punt. 52+06.5

52+29.5 4' 15" x 15"
Conc. Tele. Duct

52+146.5
7' 2" x 16"

7' 2" x 16"

14" 35' 14"
16" Gate Valve
Sta. 51+30.0

51+40 4' Rt. S.S. MH.

Edge Punt. 51+44.2
Punt. 51+64.7

Removed

Brauns

grass in ROW + sprinkler system out in this area

Parkly lot \$3,391 + 58 = 1,169 \$
have
~~700~~
need add island & curbs for walkway
need 275

total site = 31,909 \$ 15% = 7786
total landscaped = 7324
need 460

need 3 trees in parking lot

Screening wall needs to be of same material as building - would be better w/ metal doors on screening wall

do not enter at front of building mine

Grading plan needs to be approved by C.E.

drives need to be further apart - 170' apart inside
to inside

Extend roadway + access + utility along Yellowjacket

Changes to Site plan

1. Note grass in row + sprinkled
 2. Need 275 add to in party area
 3. need 3 trees in islands
 4. Need 460 add to inside

298	- island
90	- trash
175	- playground
563	
60	- entrance
623	
 5. Need to separate the drives on St. 205 170' apart
inside to inside
 6. Check w/ Dets on tying into 16" rather than 8"
- ### Changes to plat

1. Extend utility, access, roadway easent on Yellowgate
2. Extend mutual access easement

Dean Looper
Braum's Ice Cream Stores
P.O. Box 25429
Okla. City, Ok 73125
April 11, 1991

Ms. Julie Couch
Assistant City Manager
City of Rockwall
205 W. Rusk
Rockwall, Texas 75087

Dear Julie:

Enclosed 3 copies of concept plan for our proposed new store in Rockwall. Please return one copy if you could possibly see where any revisions need to be made. Ha.

Harold Evans will be doing the platting for us on this site. His phone is 214-328-8133.

Thanks for your assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dean Looper", with a stylized flourish at the end.

Dean Looper

Encl.



CITY OF ROCKWALL

"THE NEW HORIZON"

May 22, 1991

Harold Evans
2331 Gus Thomasson Road
Dallas, Texas 75228

Dear Mr. Evans:

I have had an opportunity to review the draft site plan for the Braum's location at Yellowjacket and SH-205 and there are some areas that need to be addressed. My comments are as follows:

Landscaping - There is no landscaping information provided and you will need to provide that on your submitted site plan. You are required to provide landscaping internal to the parking lot totalling 5% of the parking lot area. On the enclosed marked up copy of the site plan I have shown an example of what could be done. If you need another copy of the landscaping ordinance let me know and I will get one to you.

✓ Signage - You are limited to one free standing sign not exceeding 20' in height or 60 sq. ft. in area. The sign must also be 10 feet from the street right of way line. Your plan shows two free standing signs.

Building Location - The building and the angle parking along the south property line are too close together for two way traffic. This drive would need to be signed as one way.

Entrances -

1. The two entrances onto SH-205 are located approximately 100 feet apart. Our current standards require that drives be located at least 200 feet apart unless a waiver is granted. The entrances are also unusually wide for the type of traffic that will be generated with your development. I would recommend that you consider a configuration of two 30' driveways approximately 150' apart and with the drive closest to Yellowjacket located approximately 150' from the intersection. Please indicate the radius dimensions on the drives. I would recommend that they be at least 20'. As we have previously discussed, when SH-205 is widened there is no median opening planned for this site.
2. I would also recommend that the entrance off of Yellowjacket be reduced from 40 feet. As shown the outside radius of this entrance will conflict with the radius of the adjacent driveway into the apartment. I would recommend that you curve the drive to form a 90 degree intersection with the road and move it off of the property line 27 feet at the

intersection. This will allow a full 15 foot radius for each drive. Again, there is no median opening planned for this area when the road is widened to a 4 lane divided section.

3. Also, please indicate the closest drives adjacent to this site on Yellowjacket and SH-205 as well as the location of any drives across the street.

Dumpster - The dumpster needs to be screened with a wall made of the same material as the main structure with a solid screen gate.

Right of Way and Roadway Improvements - We have discussed the need for additional right of way for the future widening of Yellowjacket as a 4 lane divided road. The last time we talked we discussed the possibility of 15 feet of additional right of way. After discussing this with Mr. Looper, who expressed some concerns about the amount of right of way we reviewed this area and offer an alternative design. A five foot dedication would allow us to maintain all of the future roadway in right of way. In addition a 10 foot utility, public access, and roadway easement would allow us to maintain utility lines and a sidewalk outside of the roadway and also the roadway and would allow you to include your landscaping in that 10 foot easement.

Building Materials - As you know the block used on the first Braums' building required a Conditional Use Permit. Dean Looper indicated that they did wish to use the same material on this building. We have gone ahead and advertised for the CUP. We will need the appropriate filing fee and application for this request.

Sidewalks - You will have to include a sidewalk along the Yellowjacket frontage adjacent to the curb constructed in accordance with City standards.

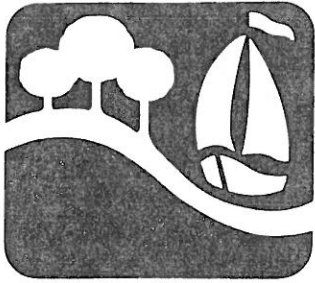
Fees - In addition to the normal construction permit fees this site will be subject to street escrow fees for one half the cost of a turn lane and to impact fees. The City Engineer will calculate the escrow fees and I will provide you with that information. The impact fees will total \$1,539.00 per acre. With a total site size of 1.28 acres that equals a fee of \$1,970.00.

We will also need all of the appropriate application forms, correct number of plan copies and filing fees prior to this case being considered by the Commission. If you have any questions regarding this matter give me a call.

Sincerely,

Julie Couch
Assistant City Manager

cc: Dean Looper
Braum's Food Stores



CITY OF ROCKWALL

"THE NEW HORIZON"

May 31, 1991

Dean Looper
Braum's Ice Cream Stores
P.O. Box 25429
Oklahoma City, OK 73125

Dear Mr. Looper:

Your application for a Conditional Use Permit for a structure with less than 90 percent exterior masonry facade is scheduled for consideration by the Planning and Zoning Commission at a public hearing on Thursday, June 13, 1991, at 7:30 P.M. in City Hall, 205 W. Rusk. The Planning and Zoning Commission is a recommending body and will forward a recommendation to the City Council for consideration at a public hearing on Monday June 17th at 7:00 P.M.

As the applicant, it is important that you are present at each of these meetings. Lack of applicant representation could delay the approval process.

If the Council approves the request, the Conditional Use Permit must be adopted by ordinance at two separate meetings of the Council. The first reading will be scheduled for June 17th and the second reading will be scheduled for July 1st.

You may apply for a Certificate of Occupancy and/or building permit at the conclusion of the approval process. Please feel free to call me if you have any questions.

Sincerely,

Mary Nichols
City Secretary

Dean Looper
Braum's Ice Cream Stores
P.O. Box 25429
Oklahoma City, OK 73125
June 11, 1991

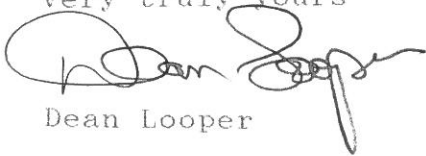
Ms. Julie Couch
Assistant City Manager
City of Rockwall
205 West Rusk
Rockwall, Texas 75087

Dear Julie:

Please find enclosed our check No. 226138 in the amount of
\$ 1,970.00 which is the impact fee for our proposed new
store in Rockwall.

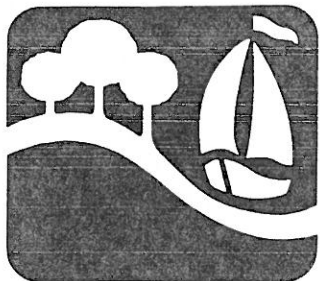
Please let me know if anything else additional is required.

Very truly yours

A handwritten signature in black ink, appearing to read "Dean Looper", with a large, stylized loop at the end.

Dean Looper

Encl.



CITY OF ROCKWALL

"THE NEW HORIZON"

June 21, 1991

Mr. Dean Looper
Braum's Ice Cream Stores
P. O. Box 25429
Oklahoma City, OK 73125

Dear Dean:

On June 17, the Rockwall City Council approved the Conditional Use Permit Site Plan and Final Plat for the Braum's proposed at Yellowjacket and SH-205. The Council approved the site plan with 35' drives, as requested, rather than the 30' drives shown on the last submitted site plan. Please correct the site plan to reflect the drive width and return three copies to me.

The final plat will need to be executed by you and your surveyor and returned to Mary Nichols for our execution and filing within 100 days of its approval. If the plat is not returned to us within this time frame we cannot guarantee that we can execute and file it prior to the expiration date which is 120 days from approval. If the plat expires it must be reapproved just as a new plat. We will need two executed mylars and 16 blue line copies of the executed mylar.

The application and platting fees associated with this project are as follows:

A.	Conditional Use Permit and Site Plan Fee	\$130.00
B.	Final Plat Fee	35.00
C.	Impact Fees (\$1,539.00/acre x 2.4679 acres)	3,798.10
D.	Turn Lane Escrow for Yellowjacket Lane	<u>3,665.00</u>
	Total:	7,628.10
	Less Previously Paid:	1,970.00
	Balance Due:	<u>\$5,658.10</u>

These fees will be due prior to the submission of a building permit and they are in addition to any required building permit or tap fees necessary for construction of the project.

Mr. Dean Looper
Braum's Ice Cream Stores
Page Two

If you have any questions don't hesitate to contact me. We are excited about having Braum's back in Rockwall.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie Couch".

Julie Couch
Assistant City Manager

hcc

cc: Harold Evans

CITY OF ROCKWALL
Planning and Zoning Agenda

Agenda Date: June 13, 1991

Agenda No: III. A.

Agenda Item: P&Z 91-20/SP/FP/CUP - Hold Public Hearing and Consider Recommending Approval of a Request from Braum's for a Conditional Use Permit for a Structure with Less than 90% Exterior Masonry Facade, a Site Plan and Final Plat on a Tract of land Located on Yellowjacket and SH-205

Item Generated By: Applicant, Braum's, Inc.

Action Needed: Hold public hearing and take any necessary action.

Background Information:

Braum's has acquired the northwest corner at Yellowjacket and SH-205 and has submitted for site plan and plat approval. The site is large enough for two users. They plan to construct their store on the corner itself and sell or lease the remaining land to another user. Our comments about the proposal is as follows:

Conditional Use Permit

They are applying for a CUP for a structure that does not meet the masonry requirements because they want to use the same material as found on their building on I-30. The building is constructed of textured concrete block. Under our ordinance concrete block is not considered masonry and does require a CUP. The building will look just like the I-30 building in finish. Our only recommendation would be that the building be approved for that material only and that any change must be approved by the Planning and Zoning Commission.

Final Plat

The property has never been platted and they intend to plat the entire area. Yellowjacket is currently considered substandard from the standpoint that our thoroughfare plan specifies a 4 lane divided road and there is a 4 lane undivided road present. In order to provide for the future widening of Yellowjacket we have requested the developer to provide an additional 5 feet of ROW and a 10 foot easement for utility, sidewalk and road purposes. They will also be required to provide escrow for one half of a future turn lane and median curb and gutter. The plat also provides for a cross access easement to tie the two proposed drives together. Based upon discussions with the state there will be no need for additional ROW along SH-205. We would however recommend that a 10 foot utility easement be granted along 205 for future utility locations.

Site Plan

The site plan provides for a new Braum's retail store with a drive through facility. They had submitted a proposed site plan that did not provide landscaping information and needed certain corrections. A copy of that site plan is attached. They are in the process of correcting these items and I will have a corrected copy available at the meeting. Our comments about the original site plan are as follows on the next page:

SEE NEXT PAGE FOR CONTINUATION OF NOTES

Attachments:

1. Location Map
2. Site Plan
3. Plat

Agenda Item: Braum's Site Plan and Plat

Item No: III. A.

NOTES FOR BRAUM'S CONT'D.

Signage - they are limited to one free standing sign not exceeding 20' in height and 60 sq. ft. in area. The plan shows two free standing signs.

Building Location - The building and the angle parking along the south property line are too close together for two way traffic. This drive would need to be signed as one way.

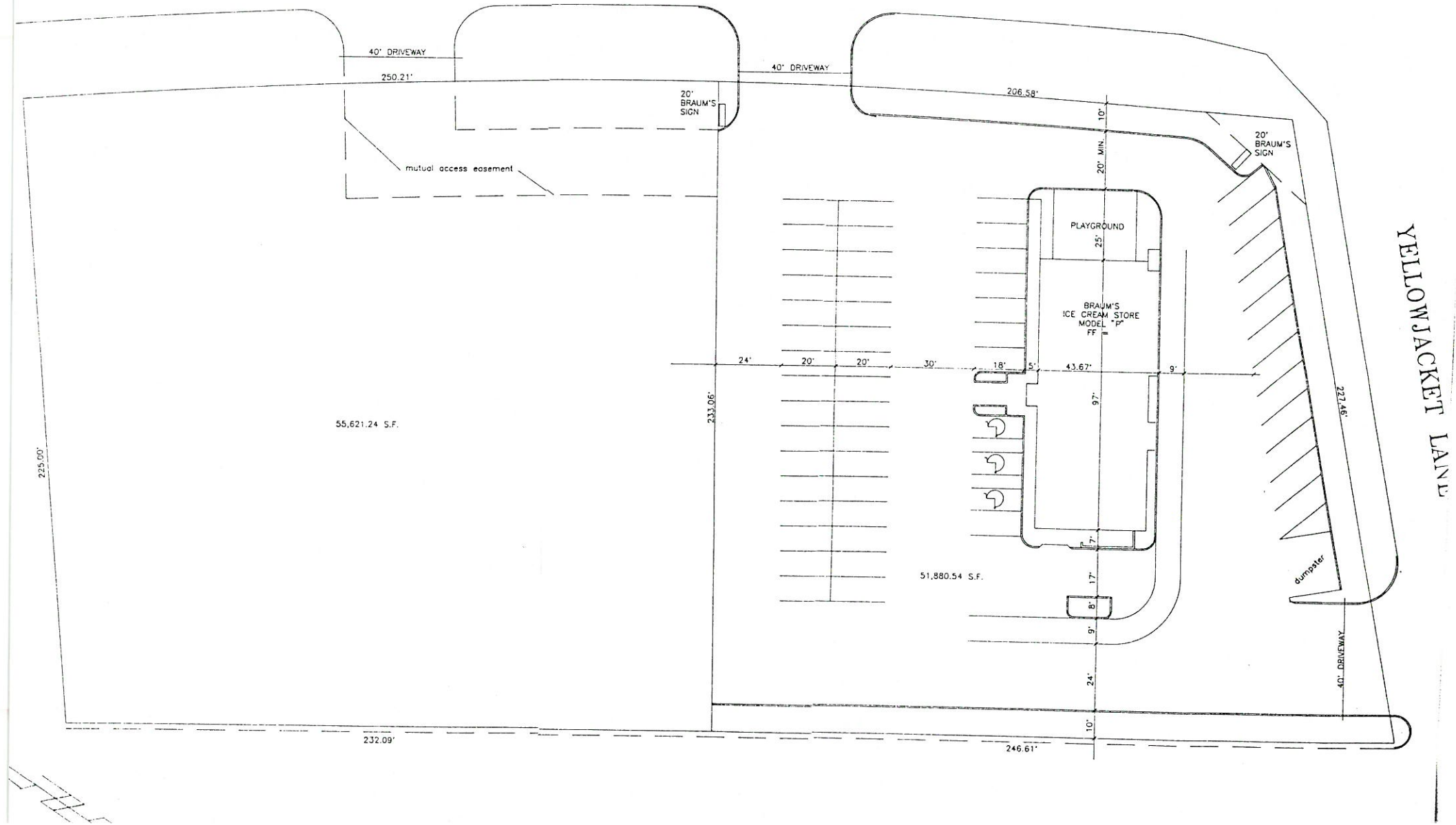
Entrances -

1. The two entrances onto SH-205 are located approximately 100 feet apart. Our current standards require that drives be located at least 200 feet apart unless a waiver is granted. The entrances are also unusually wide for the type of traffic that will be generated with the development. It was recommended to them that they consider a configuration of two 30' driveways approximately 150' apart and with the drive closest to Yellowjacket located approximately 150' from the intersection. The radius dimensions on the drives were also requested. It was also recommended that they be at least 20'. It was pointed out that when SH-205 is widened there is no median opening planned for this site.
2. It was recommended that the entrance off of Yellowjacket be reduced from 40 feet. As shown the outside radius of this entrance will conflict with the radius of the adjacent driveway into the apartments. Again, there is no median opening planned for this area when the road is widened to a 4 lane divided section.

Dumpster - The dumpster needs to be screened with a wall made of the same material as the main structure with a solid screen gate.

Sidewalks - A sidewalk along the Yellowjacket frontage adjacent to the curb will be required.

STATE HIGHWAY NO. 205



CITY OF ROCKWALL
City Council Agenda

Agenda Date: June 17, 1991

Agenda No: V. C.

Agenda Item: P&Z 91-20/SP/FP/CUP - Hold Public Hearing and Consider Approval of a Request from Braum's for a Conditional Use Permit and an Ordinance Authorizing a Structure with Less than 90% Exterior Masonry Facade, a Site Plan and Final Plat on a Tract of land Located on Yellowjacket and SH-205

Item Generated By: Applicant, Braum's, Inc.

Action Needed: Hold public hearing and take any necessary action.

Background Information:

The Planning and Zoning Commission has reviewed the application and has recommended the following:

1. That the CUP be approved as requested only for the material as presented. If the applicant wishes to change the material such change must first be approved by the Commission.
2. That the site plan as presented on Thursday be approved as submitted. The applicant revised the plan and it now conforms to all of the City's requirements with the exception that the two proposed drives are 170 feet apart rather than 200 feet apart. The 170 foot separation permits the most northerly drive to be centered on the undeveloped site. The applicant had requested they be able to have 35 foot wide drives on SH-205 rather than the 30 foot drives shown. The Commission did not recommend that the drives be reduced in width.
3. The plat as presented thursday night was recommended for approval. It has also been revised and conforms to our requirements.

A copy of the draft ordinance and revised site plan and plat is attached.

Attachments:

1. Ordinance
2. Site Plan
3. Plat

Agenda Item: Braum's Site Plan and Plat

Item No: V. C.

**CITY OF ROCKWALL
City Council Agenda**

Agenda Date: June 17, 1991

Agenda No: V. C.

Agenda Item: P&Z 91-20/SP/FP/CUP - Hold Public Hearing and Consider Approval of a Request from Braum's for a Conditional Use Permit and an Ordinance Authorizing a Structure with Less than 90% Exterior Masonry Facade, a Site Plan and Final Plat on a Tract of land Located on Yellowjacket and SH-205

Item Generated By: Applicant, Braum's, Inc.

Action Needed: Hold public hearing and take any necessary action.

Background Information:

Braum's has acquired the northwest corner at Yellowjacket and SH-205 and has submitted for site plan and plat approval. The site is large enough for two users. They plan to construct their store on the corner itself and sell or lease the remaining land to another user. Our comments about the proposal is as follows:

Conditional Use Permit

They are applying for a CUP for a structure that does not meet the masonry requirements because they want to use the same material as found on their building on I-30. The building is constructed of textured concrete block. Under our ordinance concrete block is not considered masonry and does require a CUP. The building will look just like the I-30 building in finish. Our only recommendation would be that the building be approved for that material only and that any change must be approved by the Planning and Zoning Commission.

Final Plat

The property has never been platted and they intend to plat the entire area. Yellowjacket is currently considered substandard from the standpoint that our thoroughfare plan specifies a 4 lane divided road and there is a 4 lane undivided road present. In order to provide for the future widening of Yellowjacket we have requested the developer to provide an additional 5 feet of ROW and a 10 foot easement for utility, sidewalk and road purposes. They will also be required to provide escrow for one half of a future turn lane and median curb and gutter. The plat also provides for a cross access easement to tie the two proposed drives together. Based upon discussions with the state there will be no need for additional ROW along SH-205. We would however recommend that a 10 foot utility easement be granted along 205 for future utility locations.

Site Plan

The site plan provides for a new Braum's retail store with a drive through facility. They had submitted a proposed site plan that did not provide landscaping information and needed certain corrections. They have revised that plan and the revised copy is attached. Our comments about the site plan are as follows on the next page:

SEE NEXT PAGE FOR CONTINUATION OF NOTES

Attachments:

1. Location Map
2. Site Plan
3. Plat

Agenda Item: Braum's Site Plan and Plat

Item No: V. C.

NOTES FOR BRAUM'S CONT'D.

Building Location - The building and the angle parking along the south property line are too close together for two way traffic. This drive would need to be signed as one way.

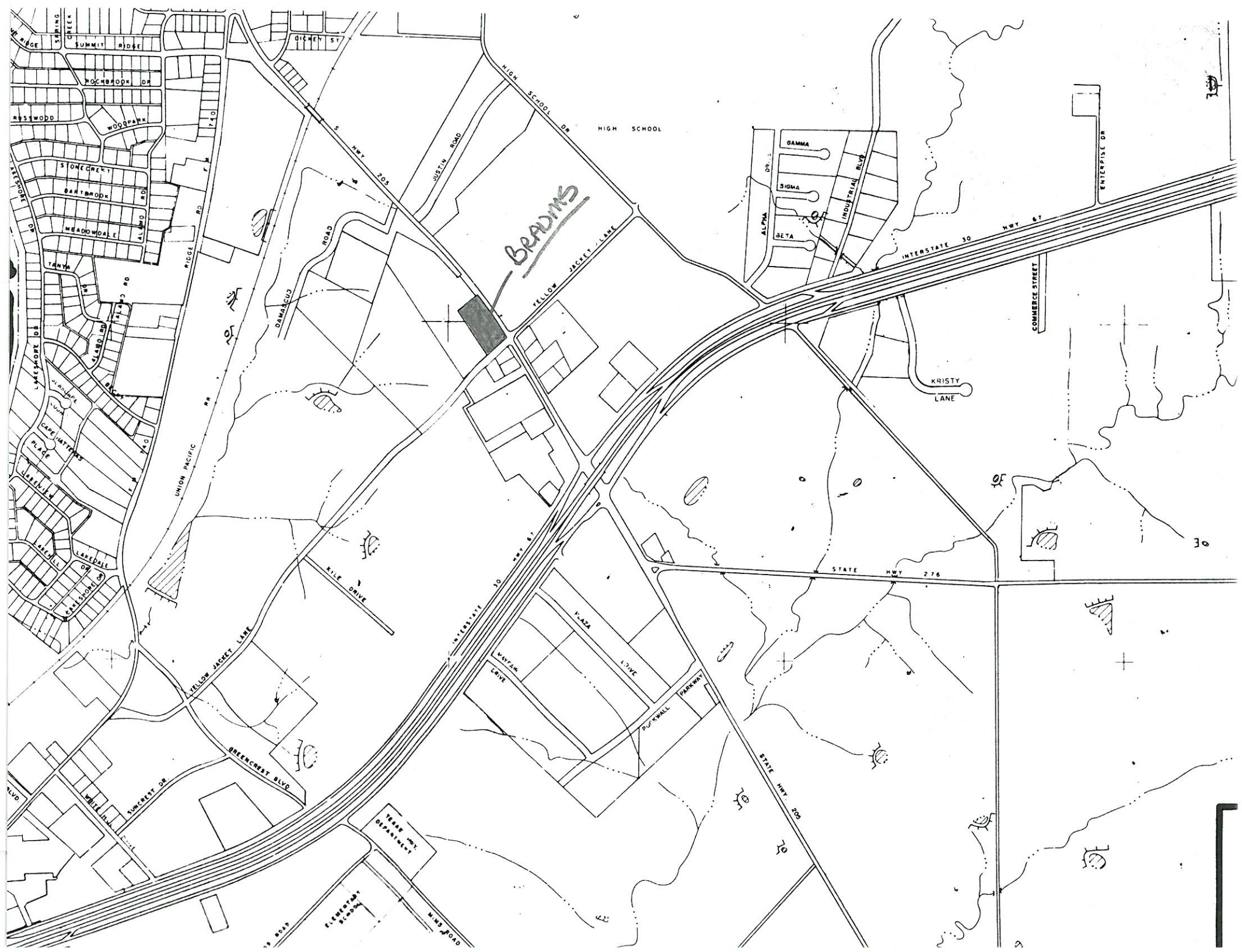
Entrances -

1. The two entrances onto SH-205 are located approximately 150 feet apart. Our current standards require that drives be located at least 200 feet apart unless a waiver is granted. It was pointed out that when SH-205 is widened there is no median opening planned for this site.
2. It was recommended that the entrance off of Yellowjacket be reduced from 40 feet. As shown the outside radius of this entrance will conflict with the radius of the adjacent driveway into the apartments. Again, there is no median opening planned for this area when the road is widened to a 4 lane divided section.

Dumpster - The dumpster needs to be screened with a wall made of the same material as the main structure with a solid screen gate.

Sidewalks - A sidewalk along the Yellowjacket frontage adjacent to the curb will be required.

The Planning and Zoning Commission will consider this item at their meeting on Thursday. We will forward any additional information and an ordinance to you on Friday.





CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

June 3, 1991

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, June 13, 1991, at 7:30 P.M. in City Hall, 205 W. Rusk, and the Rockwall City Council will hold a public hearing on Monday, June 17, 1991, at 7:00 P.M. in City Hall, to consider approval of a request from Braums for a Conditional Use Permit for a Structure with Less than 90 Percent Exterior Masonry Facade to be located on Yellowjacket and SH-205 further described on the reverse of this page.

As an interested property owner, you are encouraged to attend this hearing or notify the Commission and Council in writing of your feeling in regard to the matter by returning the form below to: City Secretary, 205 W. Rusk, Rockwall, TX 75087.

P&Z 91-20-SP/FP/CUP Conditional Use Permit request from Braum's for Less than 90% Exterior Masonry Facade

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.

Name _____

Address _____

BEGINNING at a 1/2" iron rod found for a corner at the intersection of the Northwest line of Yellowjacket Lane, a 70 foot right-of-way, with the most Southerly Northeast line of Pebblebrook Apartments, according to the plat recorded in Slide A, Page 319, Plat Records, Rockwall County, Texas;
THENCE: North 33° 48' 17" West a distance of 478.70 feet along said Northeast line of Pebblebrook Apartments to a 1/2" iron rod found for a corner;
THENCE: North 51° 38' 18" East a distance of 225.00 feet along the most Northerly Southeast line of said Addition to a 1/2" iron rod found for a corner on the Southwest line of State Highway No. 205, a 100 foot right-of-way, said iron rod being on curve to the right having a central angle of 8° 26' 54", a radius of 2814.93 feet, and a chord that bears South 34° 08' 15" East a distance of 414.69 feet;
THENCE: Along said curve and with said Southwest line an arc distance of 415.06 feet to a 1/2" iron rod found for a corner;
THENCE: South 29° 54' 50" East a distance of 41.72 feet continuing with said Southwest line to a 1/2" iron rod set for a corner at the intersection of said Southwest line of State Highway No. 205 and the Northwest line of said Yellowjacket Lane;
THENCE: South 45° 59' 49" West a distance of 227.46 feet along said Yellowjacket Lane to the Point of Beginning and containing 107,502 square feet or 2.4679 acres of land.