

8/29

94-23-FP

Page 1 of 4

City of Rockwall (3/87)

APPLICATION AND FINAL PLAT CHECKLISTDate 9/16/94Name of Proposed Development Lot 1, Block 1, Steger Retail AdditionName of Developer The American National Bank - Mike CroninAddress P.O. Box 40 Terrell, Tx 75160 Phone 563-2611Owner of Record (Same As Above)

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Land Planner/Surveyor/Engineer Mike Hennessey Engineering, IncAddress 1409 Third Ave, Carrollton Tx 75006 Phone (214) 245-9478Total Acreage 2.500 Current Zoning Commercial DistrictNumber of Lots/Units 1Signed John Hennessey

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" x 24".

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.

InformationProvided of  
Shown on PlatNot  
Applicable

1. Title or name of development, written and graphic scale, north point, date of plat and key map

✓  
\_\_\_\_\_  
Page 2 of 4

2. Location of the development by City, County and State.

3. Location of development tied to a USGS monument, Texas highway monument or other approved benchmark

4. Accurate boundary survey and property description with tract boundary lined indicated by heavy lines

5. If no engineering is provided show contours of 5 ft. intervals

6. Accurate plat dimensions with all engineering information necessary to reproduce plat on the ground

7. Approved name and right-of-way width of each street, both within an adjacent to the development

8. Locations, dimensions and purposes of any easements or other rights-of-way

9. Identification of each lot or site and block by letter and number and building lines

10. Record owners of contiguous parcels of unsubdivided land, names and lot patterns of contiguous subdivisions, approved Concept Plans, reference recorded subdivision plats or adjoining platted land by record name and by deed record volume and page

11. Boundary lines, dimensions and descriptions of open spaces to be dedicated for public use of the inhabitants of the development

12. Certificate of dedication of all streets, alleys, parks and other public uses signed by the owner or owners (see wording)

94-23-FP

_____	_____✓
_____✓	_____
_____✓	_____
_____✓	_____
_____✓	_____
_____	_____✓
_____✓	_____
_____✓	_____
_____	_____✓

13. Designation of the entity responsible for the operation and maintenance of any commonly held property and a waiver releasing the City of such responsibility, a waiver releasing the City for damages in establishment or alteration of graded (see wording)

14. Statement of developer responsibility for storm drainage improvements (see wording)

15. Instrument of dedication or adoption signed by the owner or owners (see wording)

16. Space for signatures attesting approval of the plat (see wording)

17. Seal and signature of the surveyor and/or engineer responsible for surveying the development and/or the preparation of the plat (see wording)

18. Compliance with all special requirements developed in preliminary plat review

19. Statements indicating that no building permits will be issued until all public improvements are accepted by the City (see wording)

20. Submit along with plat a calculation sheet indicating the area of each lot

21. Attach copy of any proposed deed restrictions for proposed subdivision

94-23-FP

Taken by: \_\_\_\_\_

File No.: 94-23-FP

Date: 9/16/94

Fee: \$ ~~212~~ 212.50

Receipt No.: 032550

94-23-FP



11/92 5000

**OVERLAY DISTRICT  
SITE PLAN APPLICATION**

Date 9/23/94NAME OF PROPOSED DEVELOPMENT American National BankLOCATION OF PROPOSED DEVELOPMENT Northeast corner of F.M. 740 & F.M. 3097NAME OF PROPERTY OWNER/DEVELOPER American National Bank

ADDRESS 102 W. Moore  
Terrell, Texas, 75160 PHONE (214) 563-2611

NAME OF LAND PLANNER/ENGINEER Moran & Murphy Architects, Inc.

ADDRESS 4524 McKinney Ave., Suite 107 PHONE (214) 559-2900  
Dallas, Texas 75205

TOTAL ACREAGE 2.5 acres CURRENT ZONING \_\_\_\_\_NUMBER OF LOTS/UNITS 1

SIGNED \_\_\_\_\_

PROPOSED USE FOR DEVELOPMENT Banking Facility

Following is a checklist of items that are required as a part of the site plan consideration. 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 18" x 24" sheet. Refer to the Design Guidelines for the Scenic Overlay District for additional information.

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

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

1. Key Map showing general location of proposed development.

2. 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.

**TRANSMITTAL  
LETTER**

4524 MCKINNEY AVE. SUITE 107 DALLAS TX 75205  
(214) 559-2900 FAX (214) 520-7394

PROJECT: AMERICAN NATIONAL BANK  
ROCKWELL, TEXAS

ARCHITECT'S  
PROJECT NO: 298-93

DATE: 9/23/94

TO: CITY OF ROCKWELL  
205 W. RUSK  
ROCKWELL, TEXAS 75087

ATTN: BRUCE H

**WE TRANSMIT:**

☒ herewith ( ) under separate cover via HAND DELIVER  
( ) in accordance with your request

**FOR YOUR:**

( ) approval ( ☒ ) distribution to parties  
( ☒ ) review & comment ( ) record  
( ) use ( )

**THE FOLLOWING:**

( ☒ ) Drawings ( ) Shop Drawing Prints  
( ) Specifications ( ) Shop Drawing Reproducibles  
( ) Change Order ( )

COPIES	DATE	REV. NO.	DESCRIPTION
24			SITE PLANS
12			EXTENSION ELEVATIONS
1			CHECK
1			APPLICATION

**REMARKS**

COPIES TO:

(with enclosures)

☐  
☐  
☐  
☐  
☐

BY:

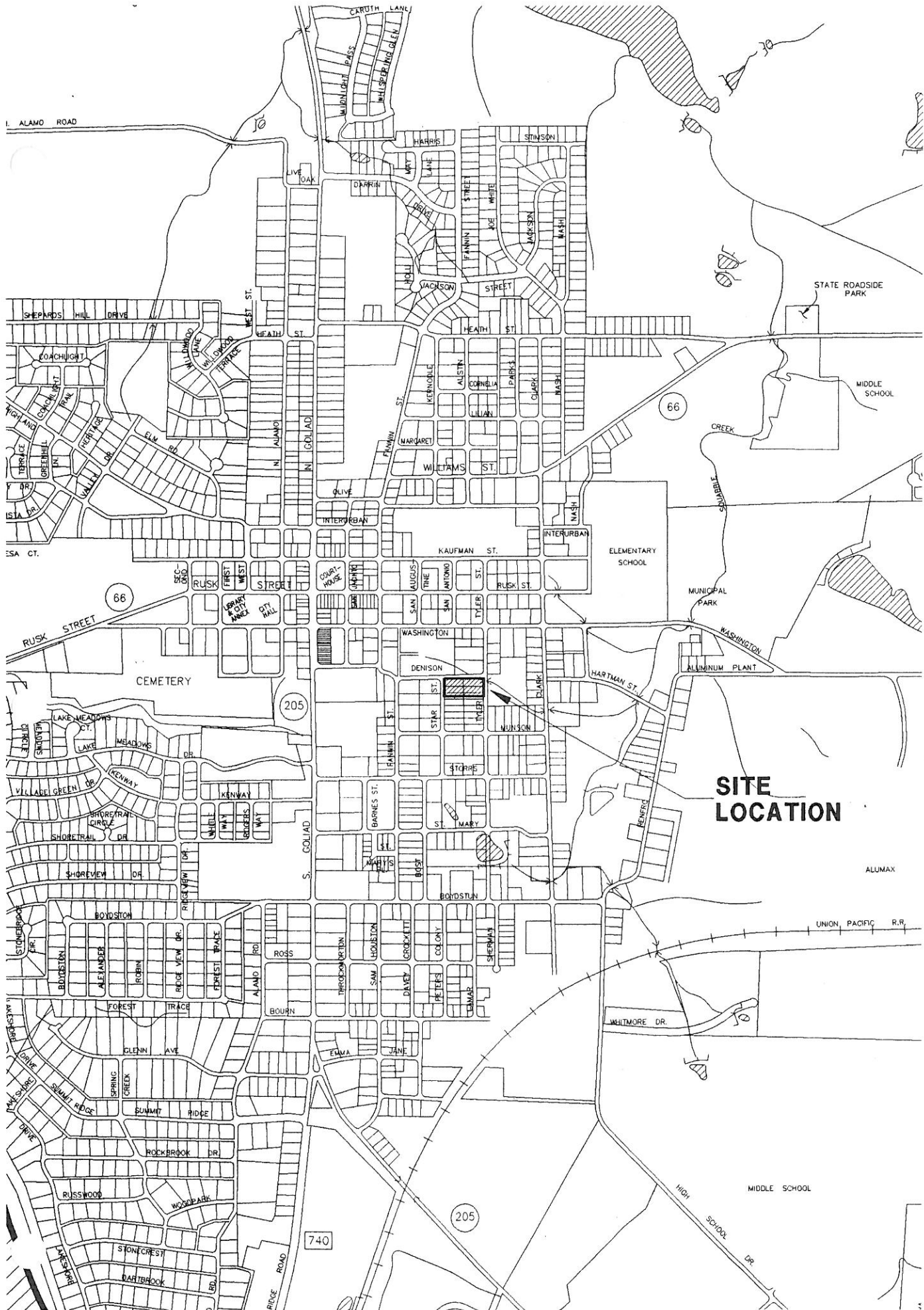
KEVIN MORAN

94-26-SP

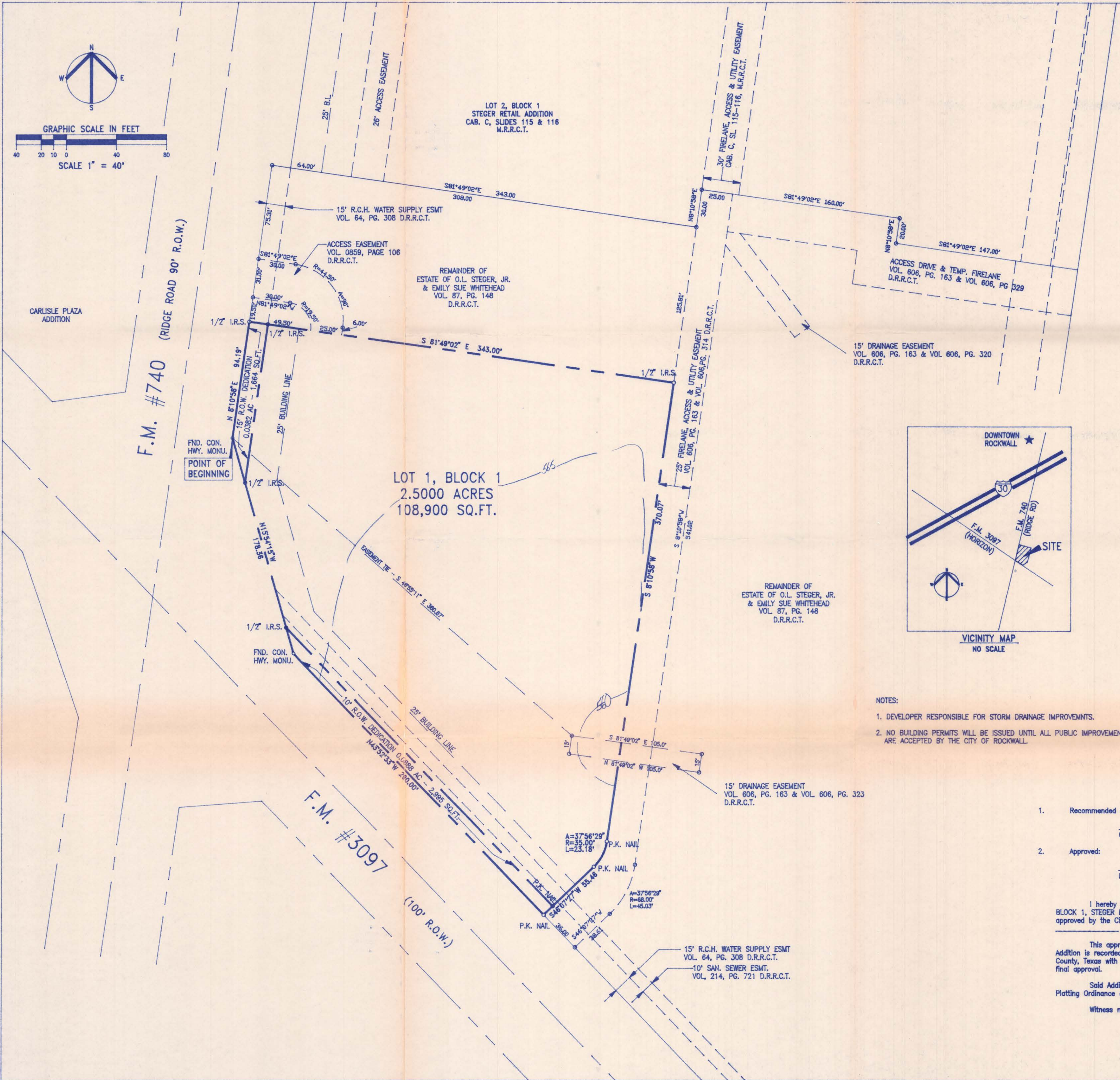












OWNERS CERTIFICATE  
STATE OF TEXAS )  
COUNTY OF ROCKWALL )

WHEREAS, The American National Bank, a National Banking Corporation; being the Owner of a tract of land situated in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 2.5000 acre tract of land situated in the James Smith Survey, Abstract No. 200, City of Rockwall, Rockwall County, Texas, and being all of that 2.5000 acre tract described in deed to The American National Bank of Terrell, from 740/3097 Limited Partnership, a Texas Limited Partnership, recorded in Volume 0859, Page 094, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a concrete R.O.W. monument found at the intersection of the Easterly line of F.M. 740 (Ridge Road 90' R.O.W.) and the corner clip from the Easterly line of F.M. 3097 (100' R.O.W.) ;

THENCE North 08°10'58" East, with the easterly line of said F.M. 740 a distance of 94.19 feet to a 1/2" Iron rod set for a corner;

THENCE South 81°49'02" East, a distance of 343.00 feet to a 1/2" Iron rod set for corner, said point being in the Westerly line of a 25' Firelane, Access, & Utility Easement as recorded in Volume 606, Page 163, and Volume 606, Page 314 of the Deed Records of Rockwall County, Texas and as shown on the plat of the Steger Retail Addition recorded in Cabinet C, Slide 115-116, Map Records of Rockwall County, Texas;

THENCE South 08°10'58" West, along said Westerly line of easement, a distance of 370.07 feet to a P.K. nail set in concrete curb for a corner and being the point of curvature of a curve to the right, said curve having a central angle of 37°56'29" and a radius of 35.00 feet;

THENCE along said Westerly line of easement and with said curve an arc distance of 23.18 feet to a P.K. nail set in concrete driveway for a corner;

THENCE South 48°07'27" West, along said Westerly line of easement, a distance of 55.46 feet to a P. Nail set in concrete driveway for a corner in the said Easterly line of F.M. 3097;

THENCE North 43°52'33" West, along said Easterly line, a distance of 290.00 feet to a concrete monument found for corner;

THENCE North 15°54'15" West, along said Easterly line, a distance of 178.36 feet to the POINT OF BEGINNING and containing 2.5000 acres or 108,900 square feet of land.  
\\WDATA\J9332PLT D38

SURVEYORS CERTIFICATION  
NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT I, Peter Hennessey, 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.

Peter Hennessey, R.P.L.S. No. 3740

BEFORE ME, the undersigned authority, on this day personally appeared Peter Hennessey, Registered Professional Land Surveyor, in the State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, the capacity therein stated and as the act and deed of said corporation

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_\_ day of \_\_\_\_\_, 1994.

Notary Public, State of Texas  
My Commission Expires \_\_\_\_\_

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT American National Bank of Terrell, a National Banking Corporation; being the Owner, does hereby adopt this plat designating the herein above described property as Lot 1, Block 1, STEGER RETAIL 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 as desired to use or using same. No building shall be constructed or placed upon, over, or across the utility easements as described herein. 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 at all times have the right of ingress or egress to, from or upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision. The developer and subdivision engineer shall bear total responsibility for storm drainage improvements. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

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 Subdivision Regulations 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, water and sewer, drainage structures, storm sewer s, 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 for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

This plat approved subject to all plotting ordinances, rules, regulations of the City of Rockwall, Texas.

WITNESS OUR HANDS at Terrell, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 1994.

The American National Bank of Terrell  
By: Mike Cronin, Executive Vice President Attest:

BEFORE ME, the undersigned authority, on this day personally appeared Mike Cronin, Executive Vice President, of The American National Bank, a National Banking Corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, the capacity therein stated and as the act and deed of said corporation

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_\_ day of \_\_\_\_\_, 1994.

Notary Public, State of Texas  
My Commission Expires \_\_\_\_\_

- Recommended for final Approval:  
Chairman, Planning & Zoning Commission Date \_\_\_\_\_
- Approved:  
Mayor, City of Rockwall, Texas Date \_\_\_\_\_

I hereby certify that the above and foregoing Plat of LOT 1, BLOCK 1, STEGER RETAIL Addition to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the \_\_\_\_\_ day of \_\_\_\_\_, 1994.

This approval shall be invalid unless approval Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas with in 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 my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

City Secretary, City of Rockwall, Texas

*File Copy*

FINAL PLAT  
OF  
LOT 1, BLOCK 1

OF THE  
STEGER RETAIL ADDITION  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS  
JAMES SMITH SURVEY, ABSTRACT NO. 200

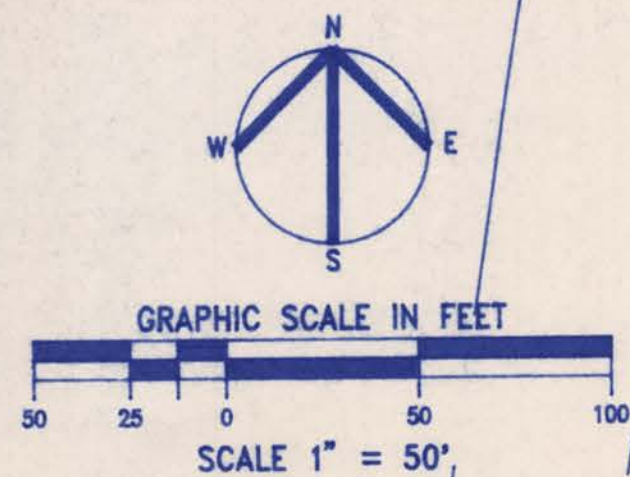
OWNER:  
AMERICAN NATIONAL BANK  
102 W. MOORE AVE  
P.O. BOX 40  
TERRELL, TEXAS 75160  
PH.(214)563-2811

PREPARED BY:  
HENNESSEY ENGINEERING, INC.  
1409 THIRD AVE  
CARROLLTON, TEXAS 75006  
PH.(214)245-9478

JOB NO. 9332 SCALE 1"=40'  
DATE: SEPTEMBER 9, 1994

*94-23-PP*





CARUSLE PLAZA ADDITION

F.M. #740  
(RIDGE ROAD 90' R.O.W.)

POINT OF BEGINNING

1/2" I.R.S.

FND. CON. HWY. MONU.

FND. CON. HWY. MONU.

1/2" I.R.S.

1/2" I.R.S.

1/2" I.R.S.

1/2" I.R.S.

1/2" I.R.S.

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1/2" I.R.S.

1/2" I.R.S.

1/2" I.R.S.

1/2" I.R.S.

LOT 1, BLOCK 1  
2.5000 ACRES  
108,900 SQ.FT.

LOT 2, BLOCK 1  
STEGER RETAIL ADDITION  
CAB. C, SLIDES 115 & 116  
M.R.R.C.T.

25' B.L.  
26' ACCESS EASEMENT

ACCESS EASEMENT  
VOL. 0859, PAGE 106  
D.R.R.C.T.

REMAINDER OF  
ESTATE OF O.L. STEGER, JR.  
& EMILY SUE WHITEHEAD  
VOL. 87, PG. 148  
D.R.R.C.T.

15' DRAINAGE EASEMENT  
VOL. 606, PG. 163 & VOL. 606, PG. 320  
D.R.R.C.T.

REMAINDER OF  
ESTATE OF O.L. STEGER, JR.  
& EMILY SUE WHITEHEAD  
VOL. 87, PG. 148  
D.R.R.C.T.

15' DRAINAGE EASEMENT  
VOL. 606, PG. 163 & VOL. 606, PG. 323  
D.R.R.C.T.

15' R.C.H. WATER SUPPLY ESMT  
VOL. 64, PG. 308 D.R.R.C.T.  
10' SAN. SEWER ESMT  
VOL. 214, PG. 721 D.R.R.C.T.

DRAWINGS J9332PP D442  
**HENNESSEY ENGINEERING, INC.**  
1409 THIRD STREET, CARROLLTON, TX. 75006  
PH. (214) 245-9478, FAX. (214) 245-7087

STATE OF TEXAS )  
COUNTY OF ROCKWALL )

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\\WDATA\J9332PLT D38

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Peter Hennessey, R.P.L.S. No. 3740

BEFORE ME, the undersigned authority, on this day personally appeared Peter Hennessey, Registered Professional Land Surveyor, in the State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, the capacity therein stated and as the act and deed of said corporation

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

Notary Public, State of Texas

My Commission Expires \_\_\_\_\_

1. Recommended for final Approval: \_\_\_\_\_  
Chairman, Planning & Zoning Commission Date \_\_\_\_\_  
2. Approved: \_\_\_\_\_  
Mayor, City of Rockwall, Texas Date \_\_\_\_\_

I hereby certify that the above and foregoing Plat of LOT 1, BLOCK 1, STEGER RETAIL ADDITION to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the \_\_\_\_\_ day of \_\_\_\_\_, 1994.

This approval shall be invalid unless approval Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas with in 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 my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

City Secretary, City of Rockwall, Texas

94-23-FP

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT American National Bank of Terrell, a National Banking Corporation; being the Owner, does hereby adopt this plat designating the herein above described property as Lot 1, Block 1, STEGER RETAIL 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 utility as dealing to use or using same. No building shall be constructed or placed upon, over, or across the utility easements as described herein. 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 at all times have the right of ingress or egress to, from or upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision. The developer and subdivision engineer shall bear total responsibility for storm drainage improvements. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

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 Subdivision Regulations 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, water and sewer, drainage structures, storm sewer s, and alleys, all according to the specifications of the City of Rockwall.

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This plat approved subject to all platting ordinances, rules, regulations of the City of Rockwall, Texas.

WITNESS OUR HANDS at Terrell, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 1994.

The American National Bank of Terrell

By: \_\_\_\_\_  
Mike Cronin, Executive Vice President

Attest: \_\_\_\_\_

BEFORE ME, the undersigned authority, on this day personally appeared Mike Cronin, Executive Vice President, of The American National Bank, a National Banking Corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, the capacity therein stated and as the act and deed of said corporation

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

Notary Public, State of Texas

My Commission Expires \_\_\_\_\_

FINAL PLAT

OF

LOT 1, BLOCK 1

OF THE

STEGER RETAIL ADDITION  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

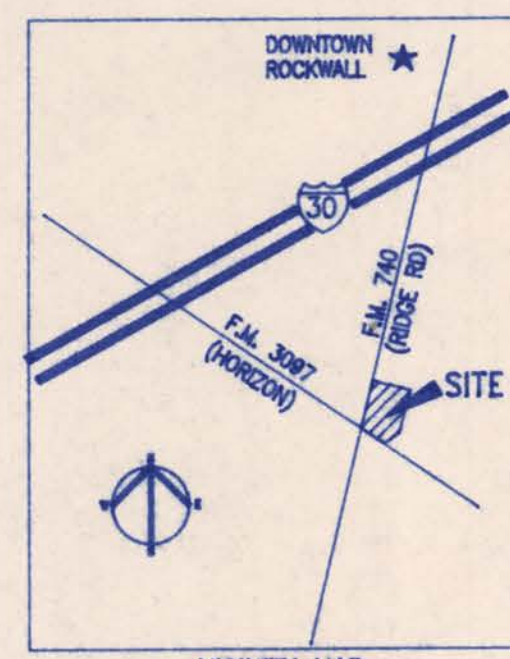
JAMES SMITH SURVEY, ABSTRACT NO. 200

OWNER:  
AMERICAN NATIONAL BANK  
102 W. MOORE AVE  
P.O. BOX 40  
TERRELL, TEXAS 75160  
PH.(214)563-2611

PREPARED BY:  
HENNESSEY ENGINEERING, INC.  
1409 THIRD AVE.  
CARROLLTON, TEXAS 75006  
PH.(214)245-9478

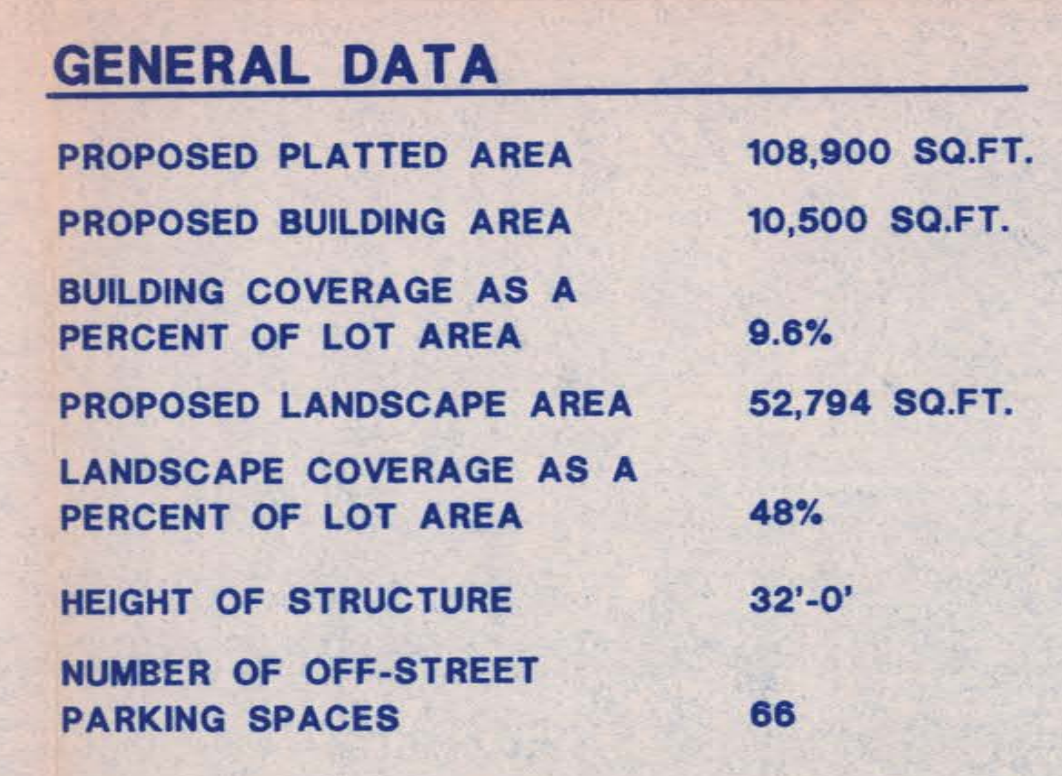
JOB NO. 9332 SCALE 1"=50'

DATE: SEPTEMBER 23, 1994



VICINITY MAP  
NO SCALE





**moran & murray architects, inc.**

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ARCHITECTURE / INTERIORS / PLANNING

4524 MCKINNEY AVE. SUITE 107  
(214) 551-2800

DALLAS TX 75205  
FAX (214) 520-7394



**AMERICAN NATIONAL BANK**  
**ROCKWALL, TEXAS**

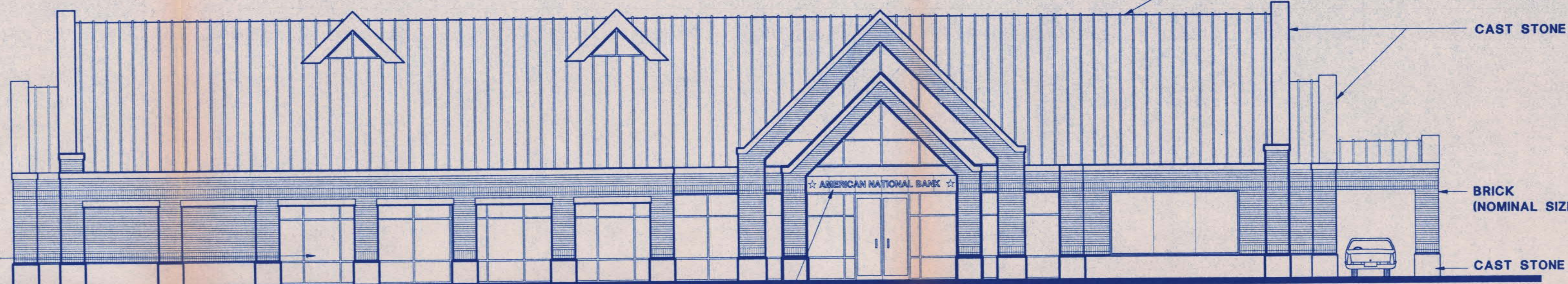
<b>REVISIONS</b>	
DATE	09/19/94
SHEET	NO.

**A-1**

OF SHEETS



STOREFRONT  
(GREY OR BRONZE TINTED INSULATED  
GLASS AND BLACK, BRONZE OR  
LEAR FINISH ANODIZED ALUMINUM  
STOREFRONT)



STANDING SEAM MTL. ROOF  
(COLOR: DARK GREEN OR GREY)

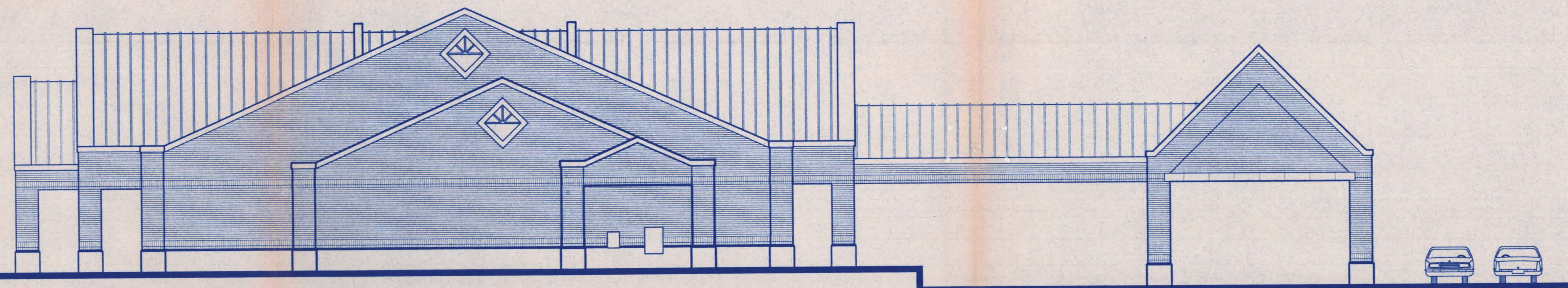
CAST STONE

BRICK  
(NOMINAL SIZE, COLOR: REDDISH BROWN)

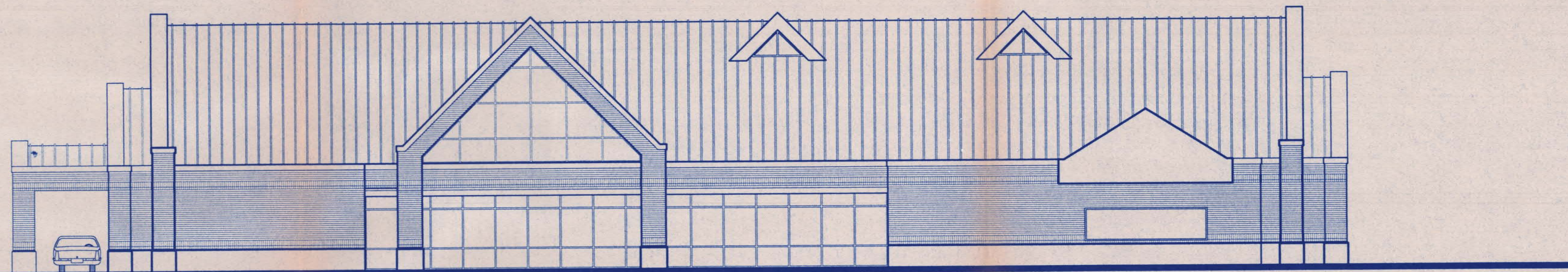
CAST STONE

**WEST ELEVATION**  
SCALE: 1/8" = 1'-0"

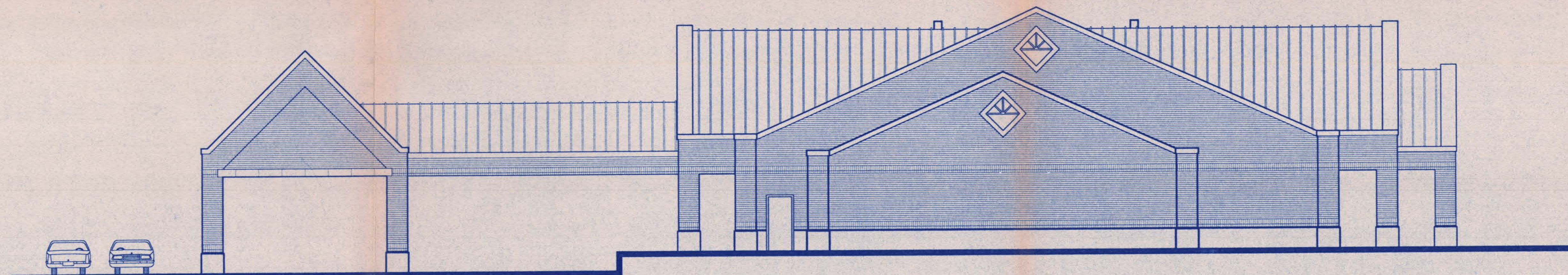
SIGNAGE: "AMERICAN NATIONAL BANK" ETCHED  
INTO CAST STONE HORIZONTAL BAND



**SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"

**moran & murphy architects, inc.**

ARCHITECTURE / INTERIORS / PLANNING

4524 MCKINNEY AVE. SUITE 107  
DALLAS TX 75205  
(214) 559-2800 FAX (214) 520-7394

**AMERICAN NATIONAL BANK**

**TEXAS**

**ROCKWALL,**



**REVISIONS**

DATE 09/19/94

SHEET NO.

**A-2**

OF SHEETS



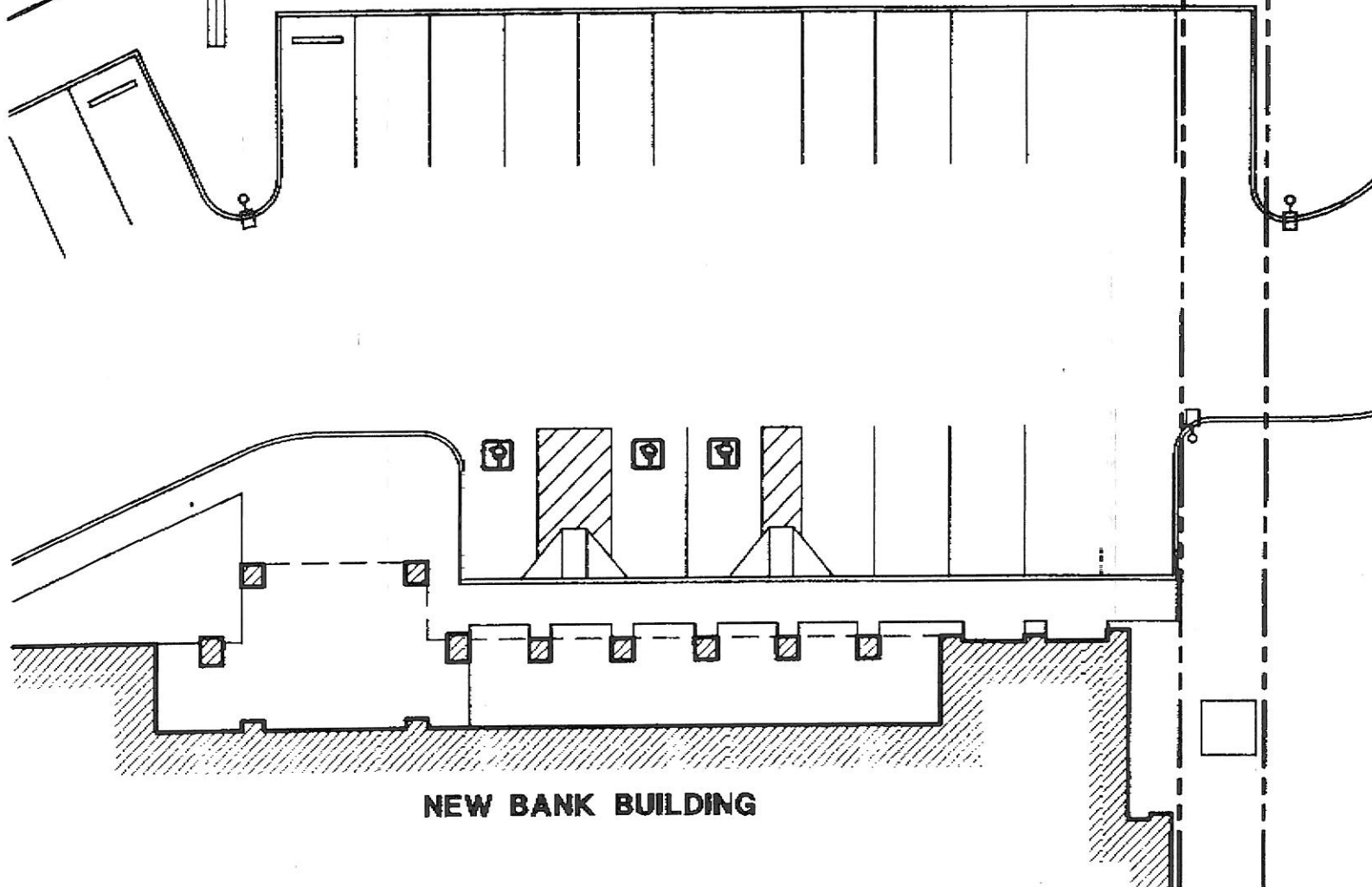
00/01/1000 10.40 214020/004 MURPHY & MURPHY ARCH. 1 JUL 94

PROPOSED LOCATION  
OF BANK SIGNAGE.

N8 10'58"E 94.19'

15' R.O.W. DEDICATION

2'-0"



NEW BANK BUILDING

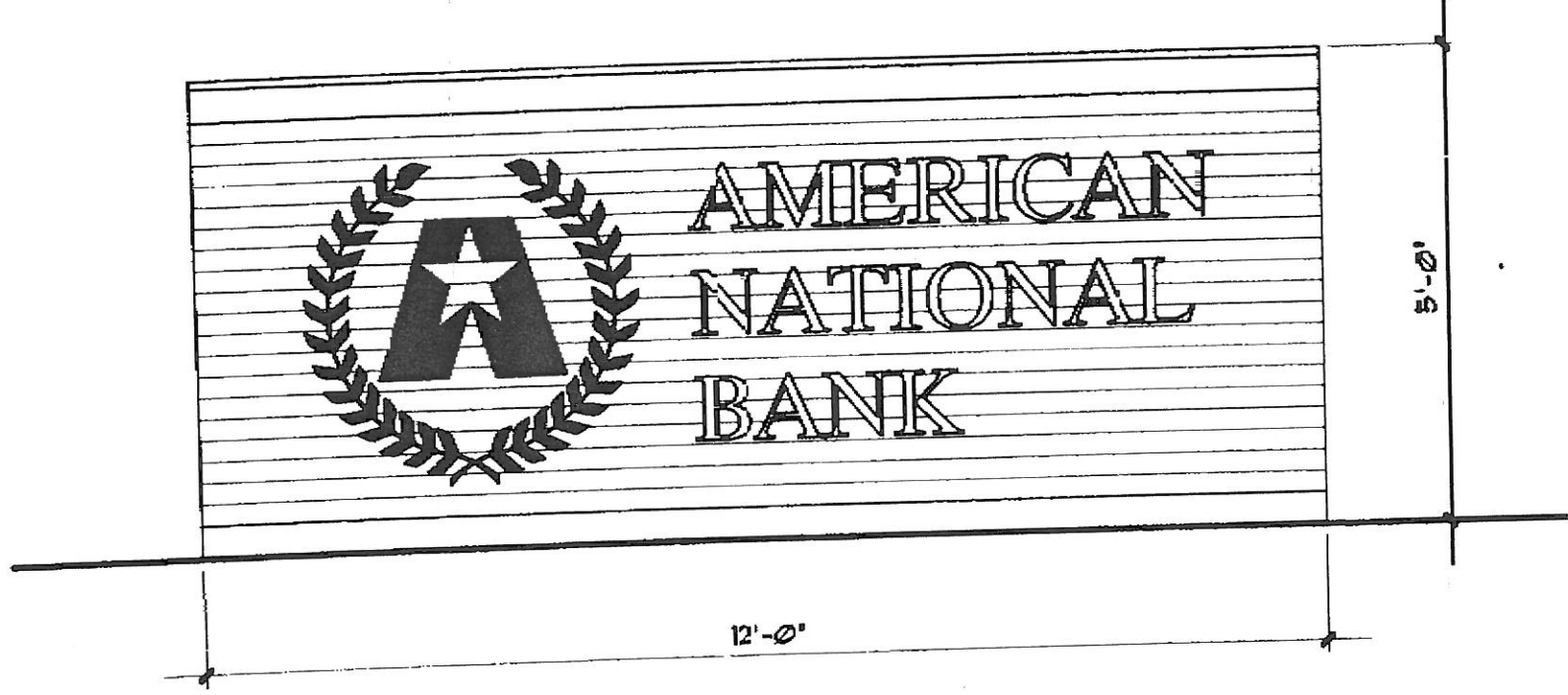
**moran & murphy architects, inc.**

ARCHITECTURE / INTERIORS / PLANNING  
4504 WOODWAY AVE. SUITE 107  
DALLAS, TX 75205  
(214) 520-7700

**AMERICAN NATIONAL BANK**  
**ROCKWALL, TEXAS**

DATE  
**08-31-95**

SHEET NO.  
**SK-1**



DATE

08-31

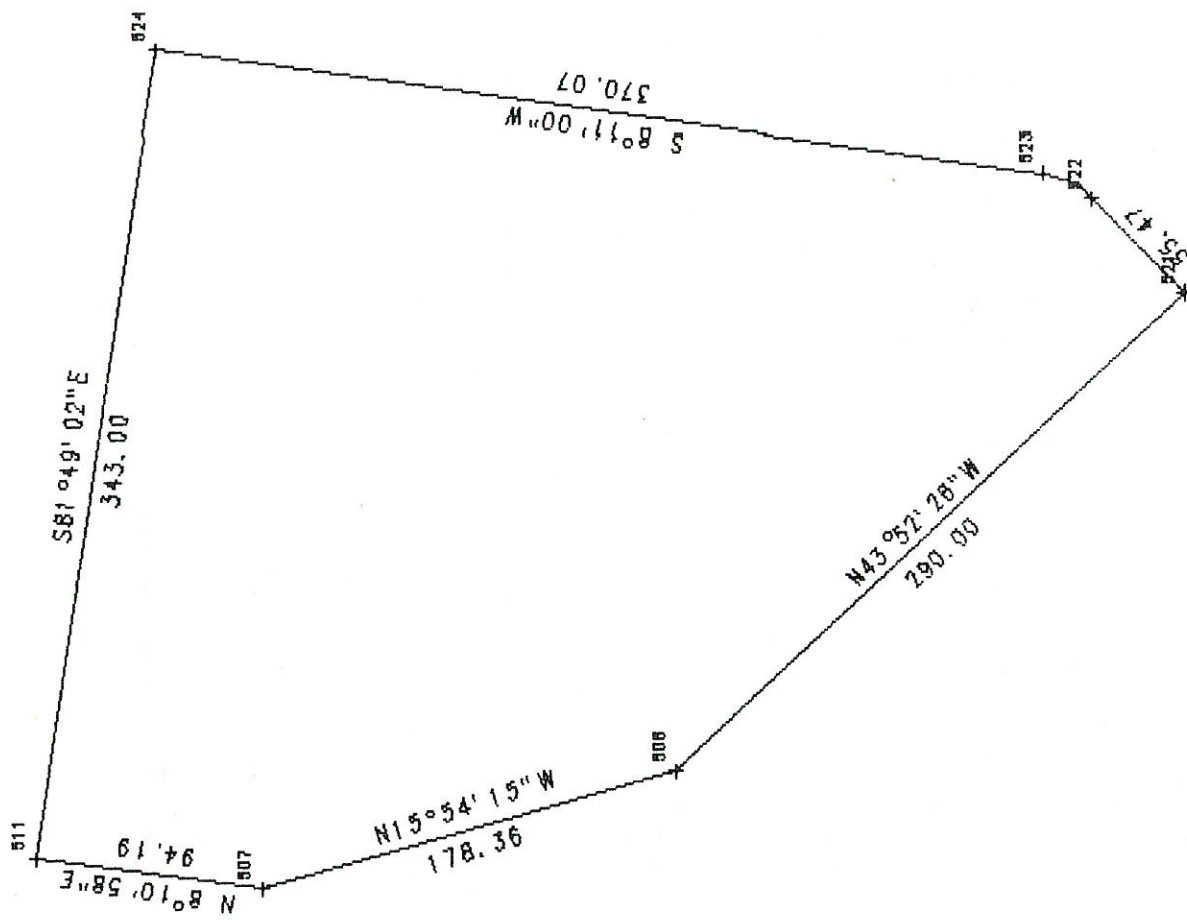
SHEET

SK

AMERICAN NATIONAL BANK  
ROCKWALL, TEXAS

moran & murphy architects, inc.

ARCHITECTURE / INTERIORS / PLANNING  
4504 MCJANNET AVE. SUITE 107  
DALLAS TX 75244



SCALE: 80 ft/in

19332 2.5 ACRE CUT OUT (11/4/93)

94-23-FP



Survey: J9332 A.N.B. ROCKWALL 2.5 ACRES DB1

Traverse: J9332 2.5 ACRE CUT OUT (11/4/9)

DF=1.000000000

1154

	Pt	Bearing	HorizDi	Northing	Easting
	507			6562.6497	2123.7082
	511	N 8x10'58"E	94.19	6655.8796	2137.1143
	524	S81x49'02"E	343.00	6607.0605	2476.6185
	523	S 8x10'58"W	370.07	6240.7603	2423.9462
PC	522	S27x09'13"W	22.76	6220.5123	2413.5609
PT	521	S46x07'27"W	55.46	6182.0725	2373.5823
	506	N43x52'33"W	290.00	6391.1170	2172.5841
	507	N15x54'15"W	178.36	6562.6497	2123.7082

TRAVERSE PC Date: 11-4-1993 Time: 12:25

Traverse J9332 2.5 ACRE CUT OUT (11/4/9)

ERROR SUMMARY:

Relative 1 : 0  
Angular  
Linear 0.00 ft  
\*Northing 0.00 ft  
\*Easting 0.00 ft  
\*Elevation 0.00 ft  
\*Bearing N 0x00'00"E

\* from correct pt  
to closing pt

TRAVERSE SUMMARY:

Closed Loop  
Length: 1354.25 ft  
Points: 8  
Area: 108899.4878 sqft  
2.5000 acres

TRAVERSE ADJUSTMENTS:

None

CLOSING POINTS:

		Northing	Easting	Elevation
Initial Pt	507	6562.6497	2123.7082	0.0000
Closing Pt	507	6562.6497	2123.7082	0.0000
Correct Pt	507	6562.6497	2123.7082	0.0000

94-33-FP

# HENNESSEY ENGINEERING, INC.

1409 THIRD STREET • CARROLLTON, TEXAS 75006 • (214) 245-9478  
FAX 245-7087

☒ TRANSMITTAL ☐ TELEPHONE ☐ MEETING ☐ OBSERVATION

JOB NAME: American National Bank, Rockwall

INHOUSE  
DISTRIBUTION:

DATE: 9/8/94 JOB NO. 9332

FROM: Mike Baird

TO: Doug Doughrate, City Engineer

City of Rockwall

205 W. Rusk

Rockwall, Tx 75087

771-7700

Enclosed are:

1) 10 prints of the Final Plat of Lot 1,  
Block 1, Steger Retail Addition for  
your review.

2) Plat Application

3) Platting Fee - Please mail us a receipt

c.c. Mike Cronin 1 print  
Larry Parks 1 print  
Kevin Moran 2 prints

94-23-FP

ENVIRONMENTAL

STRUCTURAL

CIVIL

PLANNING

SURVEYING



Resolution No. 91.35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ROCKWALL, TEXAS, REVISING FEES FOR SUBMISSION OF  
ZONING, PLATTING AND SITE PLAN APPLICATIONS

WHEREAS, the City Council of the City of Rockwall, Texas, wants to insure that all costs incurred by the City for review and processing of all zoning, plat and site plan applications are reimbursed,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rockwall, Texas, that

Section 1. The following list of fees shall be required with the submission of all plats, zoning requests and site plans:

Zoning Fees (including CUP and PD requests):

- 1.a. Tracts five acres or less
- b. Tracts greater than five acres

\$125.00 + \$10.00 per additional acre  
\$150.00 + \$10.00 per additional acre

Platting Fees

- 1. Preliminary Plat
  - a. Single Family Residential
  - b. Multi Family Residential
  - c. Non Residential
- 2. Final Plat
  - a. Single Family Residential
  - b. Multi Family Residential
  - c. Non Residential
- 3. Replat or Short Form Plat
  - a. Single Family Residential
  - b. Multi Family Residential
  - c. Non Residential

\$75.00 + \$5.00 per lot  
\$75.00 + \$5.00 per unit  
\$75.00 + \$5.00 per acre

\$125.00 + \$ 6.50 per lot  
\$125.00 + \$ 5.00 per unit  
\$125.00 + \$35.00 per acre

$$125 + \frac{2.58 \times 87.50}{1} = 212.50$$

\$50.00 + \$5.00 per lot  
\$50.00 + \$5.00 per unit  
\$50.00 + \$5.00 per acre

\$100.00 + \$15.00 per acre

Site Plans/Development Plans

Board of Adjustment/Sign Board of Review

\$50.00

94-23-FP



# **CITY OF ROCKWALL**

**"THE NEW HORIZON"**

## **MEMORANDUM**

**DATE:** September 30, 1994

**FROM:** Dub Douphrate, City Engineer

**TO:** Architectural Review Board

**RE:** Meeting on Thursday, October 6, 1994 at 7:00 p.m. Rockwall City Hall

This meeting is being scheduled in order to review an application made by American National Bank to build a new facility on property located at the northeast corner of FM-740 & FM-3097.



**moran & murphy architects, inc.**

**ARCHITECTURE / INTERIORS / PLANNING**

**FAX COVER SHEET**

NO. OF PAGES INCLUDING COVER SHEET 2

DATE: 8/3/95

TO: FAX NO. 771-7728

COMPANY NAME CITY OF ROCKHALL

ADDRESS

ATTENTION BILL CROLLEY

TELEPHONE NO.

FROM NAME MICHAEL R. MURPHY

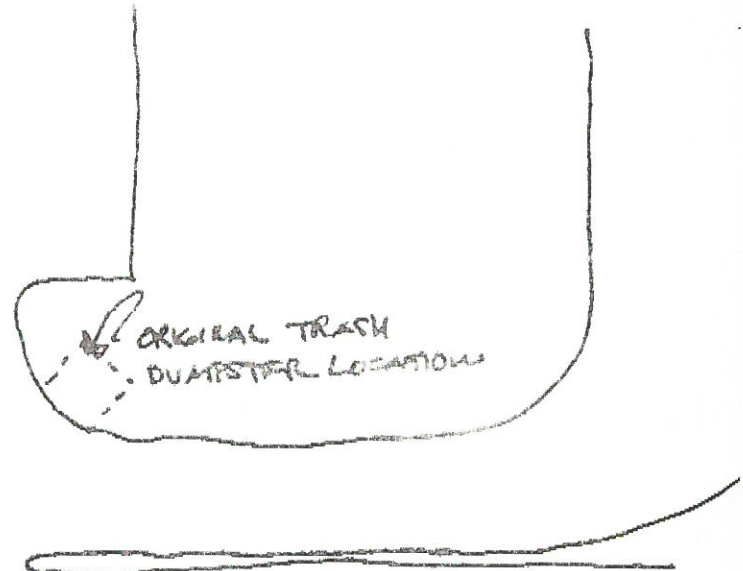
FAX NO. (214) 520-7394

PROJECT NAME A. N. B. ROCKHALL PROJ. NO. 278-73

REMARKS

COPIES TO DUB DOUKATE

PROPOSED S.W. BELL  
TRANSFORMER

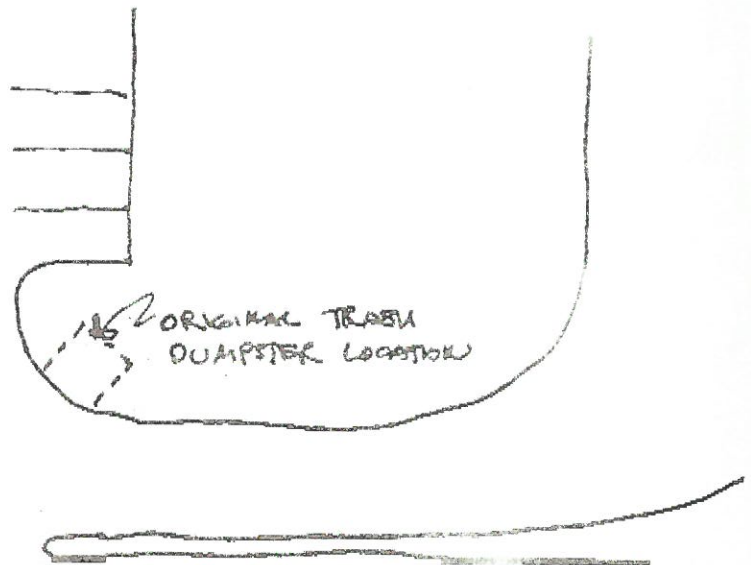


BOTH TO BE  
FENCED & LANDSCAPED

PROPOSED DUMPSTER  
LOCATION

OPTION I

PROPOSED S.W. BELL  
TRANSFORMER



BOTH TO BE  
FENCED & LANDSCAPED

PROPOSED DUMPSTER  
LOCATION

OPTION II

SHEET #  
DATE  
8/24/75

AMERICAN NATIONAL BANK  
ROCKWALL

**moran & murphy architects, inc.**

ARCHITECTURE / INTERIORS / PLANNING

4524 MCKINNEY AVE. SUITE 107

DALLAS TX 75205

**AGENDA**  
Planning And Zoning Work Session  
September 29, 1994  
7:00 P.M.

**I.**            **CALL TO ORDER**

**II.**            **PUBLIC HEARING**

- 94-22-Z            Hold Public Hearing and Consider Recommending Approval of a request from Oona Gaston for an amendment to the Conditional Use Permit to allow for a recreational vehicle sales, service and storage on a 5 acre tract of land located at 1530 east I-30.

**III.**           **WORK SESSION**

- 94-21-PP/Z           A request from Neal Jones for an amendment to PD-8 Single Family to PD-8 Townhouse and Replat/Final Plat for the Sanctuary At Chandlers Landing.
- 94-23-FP/SP           A request from American National Bank for a Final Plat for property located at Lot 1, Block 1 of the Steger Retail Addition.
- 94-24-PP/CUP           A request from Brinker International for a Site Plan, Preliminary Plat, and Conditional Use Permit for a 1.433 acre.
- 94-25-RP            A request from Robert Stark for a Replat of 6 lots located at Tyler and Denison Street.
- 94-27-PP            A request from Rob Whittle for a Preliminary Plat for Fox Chase Phase IV.
- 94-18-PP            A request from Whittle Development for a preliminary Plat and an amendment to PD-5 for Quail Run Valley

**IV.**            **OTHER BUSINESS**

Discuss and consider Area Requirements for Residential Uses and Districts

**V.**            **ADJOURNMENT**

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (214) 771-7700 or FAX (214) 771-7727 for further information.

Posted this 26th day of September, 1994 at 3:00 p.m by Denise LaRue

Planning and Zoning Meeting Minutes  
October 13, 1994

**I. CALL TO ORDER**

The meeting was called to order by Pat Friend at 7:00 p.m with the following members present; Terry Raulston, Ross Ramsay, Art Ruff, David Hairston, and Van Ewing. Ginger Baugh was absent.

**II. APPROVAL OF MINUTES FROM THE SEPTEMBER 8th AND 29th MEETINGS**

Mr.Ewing made a motion to approve the minutes from the September 8th meeting with one correction. Mr.Raulston seconded the motion. The motion was voted on and passed 5 to 0. Mr.Friend abstained.

Mr. Ruff made a motion to approve the minutes from the September 29, 1994 meeting. Mr.Raulston seconded the motion. The motion was voted on and passed unanimously.

**III. PUBLIC HEARING**

**94-22-CUP Hold Public Hearing and Consider Recommending Approval of a request from Oona Gaston for an amendment to the Conditional Use Permit to allow outside display, sales and service of recreational vehicles on a 5 acre tract of land located at 1530 I-30.**

Mr.Douphrate outlined the request and recommended approval with several conditions.

Mr.Friend opened the public hearing.

Oona Gaston, applicant asked that the commission approve the request.

Mr.Friend closed the public hearing.

After much discussion, Mr.Ruff made a motion to approve the request with the following conditions;

The uses in the current CUP ordinance be replaced with the new use which will be the outdoors display, sales, service and storage of recreational vehicles.



The CUP will expire at the same date as the paving variance stipulation that the applicant may petition the Planning and Zoning at the conclusion of the time period for an extension.

The stored recreational vehicles for paid storage are to be located at the rear of the property and placed behind a line parallel to the rear building wall.

All other stipulations of the original CUP shall apply.

Mr.Ewing seconded the motion. The motion was voted on and passed unanimously.

94-21-PP/Z Hold Public Hearing and Consider Recommending Approval of a Request from Neal Jones for an amendment to PD-8 Single Family to PD-8 Townhouse and Replat/Final Plat for the Sanctuary At Chandlers Landing.

Mr.Friend opened the public hearing.

Neal Jones, applicant addressed the Commission requesting approval of the amendment.

Cynthia Sea, 5516 Canada Court addressed the Commission stating she was opposed to the request.

Mr.Friend closed the public hearing.

Mr.Douphrate outlined the request recommending approval of the request.

After much discussion Mr.Ewing made a motion to approve the request with the following conditions;

The applicant is to show the 100 year flood plain delineation on the plat. The finished floor elevation of the triplex is to be a minimum of 2 feet above the 100 year base flood elevation.

Label the common area as Lot 4

Lot 4 is to be dedicated to Chandlers Landing and the Homeowners Association.

Mr. Ramsay seconded the motion. The motion was voted on and passed 5 to 1.

94-24-PP/CUP Hold Public Hearing and Consider Recommending Approval of a request from Brinker International for a Site Plan, Preliminary Plat, and Conditional Use Permit for a 1.433 acre located at east I-30 service road and east of FM-740.

Mr. Ewing removed himself from the public hearing stating conflict of interest.

Mr.Douphrate outlined the request recommending approval.

Mr.Friend opened the public hearing.

Gerg Clemco, applicant addressed the Commission asking for approval of the request.

Mr.Friend closed the public hearing.

After much discussion Mr.Ruff made a motion to approve the request from Brinker International for a Site Plan, Preliminary Plat, and Conditional Use Permit for a 1.433 acre located at east I-30 service road and east of FM-740.

Mr.Raulston seconded the motion. The motion was voted on and passed unanimously.

94-25-RP      Hold Public Hearing and Consider Recommending Approval of a request from Robert Stark for a Replat of 6 lots located at Tyler and Denison Street.

Mr. Douphrate outlined the request recommending approval of the request.

Mr.Friend opened the public hearing.

Robert Stark, applicant addressed the Commission asking for approval of the request.

Mr.Friend closed the public hearing.

After much discussion Mr.Ramsay made a motion to approve the request from Robert Stark for a Replat of 6 lots located at Tyler and Denison Street with the following conditions;

The applicant is to provide a 20' building setback along Star and Tyler street.

The applicant is to show the boundary of the existing 1.18 acre replat adjacent to the proposed .901 acre tract of land.

Mr.Hairston seconded the motion. The motion was voted on and passed unanimously.

#### IV.      SITE PLANS/PLATS

PZ-94-23-FP/SP   Discuss and consider recommending approval of a request from American National Bank for a site plan and final plat of lot 1, block 1 of the Steger Retail addition.

Mr.Douphrate outlined the request recommending approval with several conditions.

Mr.Chris Cronin, applicant addressed the Commission asking for approval of the request.

Mr.Ewing made a motion to approve the request from American National Bank for a site plan and final plat of lot 1, block 1 of the Steger Retail addition with the following conditions;

The misspellings in the legal description are to corrected.

The applicant is to screen the transformer, air conditioning units, and the trash dumpster.

The trash dumpster is to be relocated to the rear of the property.

The applicant is to submit a landscaping plan for review and approval.

Approval of the final plat is contingent upon final engineering review and approval.

Placement of a sidewalk along FM-3097 and FM-740.

Mr.Hairston seconded the motion. The motion was voted on and passed unanimously.

93-27-PP Discuss and Consider recommendations for approval of a request from Whittle Development for a preliminary Plat for Fox Chase Phase IV located east of FM-740 and north of Shadydale Lane.

Mr.Douphrate outlined the request and recommended approval of the

Mr.Whittle addressed the Commission asking for approval of the request.

Mr.Raulston made a motion to approve the request from Whittle Development for a preliminary Plat for Fox Chase Phase IV located east of FM-740 and north of Shadydale Lane with the following conditions;

The applicant is to submit a phasing plan for the entirety of the Fox Chase Development.

The applicant's engineer is to revise the utility layout indicating the segment of the existing sanitary sewer main to be abandoned.

The applicant is to provide a 1 acre temporary park recreation area to be used by the City until the permanent park site is dedicated to the City. The site location will be determined by the Park Board and applicant.

The applicant will be required to provide a left turn lane on FM-740 into the Fox Chase Development.



Mr.Ruff seconded the motion. The motion was voted on and passed unanimously.

**V. ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:15 p.m.

ATTEST:

APPROVED:

\_\_\_\_\_  
Community Development Coordinator

\_\_\_\_\_  
Planning & Zoning Commission Chairman

# AGENDA

ROCKWALL PLANNING & ZONING COMMISSION  
REGULAR MEETING  
Rockwall City Hall  
205 W.Rusk  
Thursday, April 13,1995  
7:00 P.M.

5

10

**- DRAFT -**

**I. CALL TO ORDER**

15

The meeting was called to order at 7:00 p.m. by Chairman Pat Friend with the following members present; Art Ruff, Ross Ramsay, Van Ewing, David Hairston, Ginger Baugh and Terry Raulston.

**II. APPROVAL OF MINUTES FROM THE MARCH 9,1995 MEETING**

20

Mr.Ewing made a motion to approve the minutes from the March 9,1995 meeting. Mr.Ruff seconded the motion. The motion was voted on and passed unanimously.

**III. PUBLIC HEARING**

25

**95-11-CUP** Hold public hearing and consider recommending approval of a request from Glen Smith for approval of a Conditional Use Permit to allow a detached garage exceeding the maximum size requirement and a guest quarters area on property located at 602 Williams.

30

Mr.Crolley outlined the application recommending approval.

Mr.Friend opened the public hearing.

35

Mr.Glen Smith, applicant addressed the Commission requesting approval of his requesting.

Mr.Gary Burch, 306 N. Clark addressed the Commission as proxy for Mr.James Harris, 601 Williams in favor of the request.

40

Mr.Friend closed public hearing.

Mrs. Baugh made a motion to approve a request from Glen Smith for approval of a Conditional Use Permit to allow a detached garage exceeding the maximum size requirement and a guest quarters area on property located at 602 Williams with the condition that the guest quarters are not to be used for a permanent residence.

45

Mr.Raulston seconded the motion. The motion was voted on and passed unanimously.

50

**95-12-FP/CUP** Hold public hearing and consider recommending approval of a request from Jimmy Wray for approval of a Conditional Use Permit to allow a nursery garden center 905 High School Drive.

Mr.Crolley outlined the application recommending approval with the following conditions;

A standard fence material such as wood be used for 8' fence.

If High School Drive is widened the parking and one-way drive configuration will be established as shown on the site plan.

Mr.Friend opened the public hearing.

Mr.Jimmy Wray, applicant addressed the Commission requesting approval of the request.

Mr.Mark Leggett, Relative of the applicant, 326 Columbia addressed the Commission in favor of the request.

Mr. Friend closed the public hearing.

After much discussion Mr.Friend made a motion to approve the request from Jimmy Wray for approval of a Conditional Use Permit to allow a nursery garden center 905 High School Drive with the following conditions;

A standard fence material such as wood be used for the 8' fence.

Add one parking space to the site plan.

Something other than metal be used on the proposed storage area portion of the existing greenhouse.

Mr.Hairston seconded the motion. The motion was voted on and passed unanimously.

**95-14-CUP                      Hold public hearing and consider recommending approval of a request from Szechwan Pavilion for approval of a Conditional Use Permit to allow a private club for property located at 427 I-30.**

Mr.Crolley outlined the request recommending approval.

Mr.Friend opened the public hearing.

Mrs.Wang,applicant addressed the Commission requesting approval of the request.

Mr.Friend closed the public hearing.

After much discussion, Mr.Ruff made a motion to approve the request from Szechwan Pavilion for approval of a Conditional Use Permit to allow a private club for property located at 427 I-30.

Mr.Ewing seconded the motion. The motion was voted on and passed unanimously.

**95-15-Z/PP                      Hold public hearing and consider recommending approval of a request from Gary Johnson for a change in zoning from Agricultural to Light Industrial for 57.4 acres located at Hwy 276 for approval of a Preliminary**



Plat and generally located on the north side of Hwy 276 approximately 2600' west of FM-549.

Mr.Crolley outlined the request recommending approval.

Mr.Friend opened the public hearing.

Gary Johnson, proxy for Mr.C.F Burly addressed the Commission requesting approval of the request.

Mr.Friend closed the public hearing.

After much discussion, Mr.Ewing made a motion to approve the request.

Mr.Hairston seconded the motion. The motion was voted on and passed unanimously.

**95-16-CUP**                      **Hold public hearing and consider recommending approval of a request from R.I.S.D for a Conditional Use Permit to allow accessory buildings exceeding the maximum size required and not meeting the exterior materials requirements for property located at 700 Interurban.**

Mr.Crolley outlined the request recommending approval.

Mr.Friend opened the public hearing.

Mr.James Crow, proxy for R.I.S.D addressed the Commission requesting approval.

Mr.Friend closed the public hearing.

Mr.Ewing made a motion to approve the request from R.I.S.D for a Conditional Use Permit to allow accessory buildings exceeding the maximum size required and not meeting the exterior materials requirements for property located at 700 Interurban.

Mr.Raulston seconded the motion. The motion was voted on and passed 6 to 1. Mr.Ramsay voted against.

**95-17-PP/CUP**                      **Hold public hearing and consider recommending approval of a request from Alan Anderson for a Conditional Use Permit to allow a car wash in General Retail zoning district of PD-9 and approval of a preliminary plat for property located at on the west side of FM-3097 approximately 340' north of Rockwall Parkway.**

Mr.Crolley outline the request recommending approval.

Mr.Friend opened the public hearing.

Alan Anderson, applicant addressed the Commission requesting approval of the request.

Mr.Friend closed the public hearing.

After much discussion Mr.Ewing made a motion to approve the request from Alan Anderson for a Conditional Use Permit to allow a car wash in General Retail zoning district of PD-9 and approval of a preliminary plat for property located at on the west side of FM-3097 approximately 340' north of Rockwall Parkway.

Mrs.Baugh seconded the motion. The motion was voted and passed 5 to 1. Mr.Ruff voted against and Mr.Raulston abstained.

**PZ-95-8-Z/SP/RP      Hold public hearing and consider recommending approval of a request from Lance Holland and Judy Clark for an amendment to the construction materials requirements for PD-9 and approval of a site plan and replat of 1 lot into 2 lots and for property currently platted as Block A, Lot 1 of the Buffalo Creek Shopping Village No.2.**

Mr.Crolley outlined the request recommending approval with the following conditions;

Submittal and approval of engineering plans for water,sewer, and drainage before building permits can be issued.

Mr.Friend opened the public hearing.

Lance Holland and Judy Clark, applicants addressed the Commission requesting approval of the request.

Mrs.Porter, 2715 Cedar Court spoke in opposition to the request and requested the screening fence be erected along the full length of the south property line.

Mr.Jim Ashley, 2707 Cedar Court spoke in opposition to the request and requested the screening fence be erected along the full length of the south property line.

Mr.Robert Boswell, 2705 Cedar Court spoke in opposition to the request and requested the screening fence be erected along the full length of the south property line.

Mrs. Alred, 2952 Oak spoke in opposition to the request and requested the screening fence be erected along the full length of the south property line.

Mr.Friend closed the public hearing.

Mr.Ruff made a motion to approve the request from Lance Holland and Judy Clark for an amendment to the construction materials requirements for PD-9 and approval of a site plan and replat of 1 lot into 2 lots and for property currently platted as Block A, Lot 1 of the Buffalo Creek Shopping Village No.2 with the following conditions;

That a facilities agreement be negotiated for cross access for the property to the north.

Engineering plans for water,sewer and drainage be submitted.

That a masonry fence run the entire length of the property.

Reduction of setback from 20' to 15'.

04/13/95

Mr.Hairston seconded the motion. The motion was voted on with a tie vote, Mr.Ruff, Mr.Friend, & Mr.Hairston voted in favor. Mr.Raulston, Mrs.Baugh, and Mr.Ramsay voted against. Mr.Ewing abstained.

5 After a brief discussion, Mr.Hairston made a motion to vote on the replat of 1 lot into 2 lots and for property currently platted as Block A, Lot 1 of the Buffalo Creek Shopping Village No.2.

10 Mr.Ruff seconded the motion. The motion was voted on resulting in a tie vote. Mr.Ruff, Mr.Friend, & Mr.Hairston voted in favor. Mr.Raulston, Mrs.Baugh, and Mr.Ramsay voted against. Mr.Ewing abstained.

After much discussion with the staff regarding the need to vote on the replat since it met the technical requirements of the ordinance, the Commission moved to the next case.

15 **95-3-SP/Z**                      **Hold a public hearing and consider recommending approval of a request from Lindy and Eddie Barton for a change in zoning from Heavy Commercial to Planned Development for artist studios/retreats and art gallery and a site plan for property known as the Massey and ELB Additions generally located on the north side of Boydston Drive approximately 1200' east of Goliad Drive.**

20

Mr.Crolley outlined the request recommending approval.

25 Mr.Friend opened the public hearing.

Mr.John Lindsey, proxy for Mr.& Mrs.Barton addressed the Commission requesting approval of the request.

30 Mr.Friend closed the public hearing.

After much discussion, Mr.Ramsay made a motion to approve the request from Lindy and Eddie Barton for a change in zoning from Heavy Commercial to Planned Development for artist studios/retreats and art gallery and a site plan for property known as the Massey and ELB Additions generally located on the north side of Boydston Drive approximately 1200' east of Goliad Drive with the following conditions;

35

A fire hydrant is to be installed before any building permit is issued for Lot 1.

40 A 2 year limit be set for the temporary residence in the studio any extension of the 2 year time limit will require review by the Commission.

Mr.Ruff seconded the motion. The motion was voted on and passed unanimously.

45 **95-7-Z**                      **Amending certain sections of the Comprehensive Zoning Ordinance to allow Pawn Shops in certain zoning districts.**

Mr.Crolley outlined the request recommending that Pawnshops as defined in the proposed definition below, be permitted by right by right in the Heavy Commercial zoning district.

50 Mr.Friend opened the public hearing.

John Young, Pawnshop owner addressed the Commission asking that they consider other districts such as light industrial for pawnshops.

Mr.Friend closed the public hearing.

Mr.Raulston made a motion to approve the amendment of certain sections of the Comprehensive Zoning Ordinance to allow Pawn Shops in certain zoning districts.

Mr.Ruff seconded the motion. The motion was voted on and passed unanimously.

#### IV. SITE PLANS/PLATS

**95-13-PP/CP** A request from Robert Netherton for approval of a preliminary plat for Creekside Estates on a tract of land generally located on the west side of SH-205 approximately 150' south of Caruth Lane.

Mr.Ewing recused himself from the meeting due to conflict of interest.

Mr.Crolley outlined the request recommending approval of the request with the following conditions;

Water and drainage easements and restrictions to be determined prior to the revised preliminary plat for 79 acres.

In the event that the zero lot line property is developed as it is currently platted, and when Alamo Drive connects to SH-205, staff recommends the connection of Creekside Dr. and SH-205 be eliminated by using a cul-de-sac on Creekside Dr. to eliminate the connection.

Mr.Ramsay made a motion to approve the request from Robert Netherton for approval of a preliminary plat and concept plan for Creekside Estates on a tract of land generally located on the west side of SH-205 approximately 150' south of Caruth Lane with the following conditions;

Water and drainage easements and restrictions to be determined prior to the revised preliminary plat for 79 acres.

In the event that the zero lot line is developed as it is currently platted, and when Alamo Drive connects to SH-205, staff recommends the connection of Creekside Dr. and SH-205 be eliminated by using a cul-de-sac on Creekside Dr. to eliminate the connection.

Mr.Ruff seconded the motion. The motion was voted on and passed unanimously.

**94-23-FP** A request from American National Bank for a Final Plat being Lot 1, Block 1 of the Steger Retail Addition located on the northeast corner of FM-3097 and FM-740.

Mr.Crolley outlined the request recommending approval.

Mrs.Baugh made a motion to approve a request from American National Bank for a Final Plat



being Lot 1, Block 1 of the Steger Retail Addition located on the northeast corner of FM-3097 and FM-740.

Mr.Hairston seconded the motion. The motion was voted on and passed unanimously.

**V. OTHER BUSINESS**

Review and approve route study for North Lakeshore Drive / Quail Run Road Realignment

Mr.Crolley outlined the route study.

Mr.Hank Crumbly addressed the Commission speaking in favor of No.3 alignment  
After much discussion Mr.Hairston made amotion to table the action of the route study be tabled  
until the next worksession to allow staff to meet with Mr.Crumbly.

Mr.Raulston seconded the motion. The motion was voted on and passed unanimously.

**VI. ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:50 p.m.

## MEMORANDUM

**TO:** Development Review Committee  
Members:  
Julie Couch  
Rick Crowley  
Bill Crolley  
Dub Douphrate  
Denise LaRue  
Jack Yates  
Rick Herzberger

**FROM:** Bill Crolley, City Planner

**RE:** Development Review Process/Development Review Committee (DRC)

**DATE:** April 25, 1995

In an effort to open the lines of communication between the departments impacted by development, a formal committee has been established. The DRC will review all zoning cases, site plans, plats and replats. The purpose of this group will be to review submittals and make comments to ensure development occurs in an orderly manner, complies with existing ordinances and has adequate utilities for the proposed use.

Unless unforeseen scheduling conflicts arise, the DRC meeting will be held on the last Tuesday of every month at 2:00 p.m. in the City Council chambers. Please mark the dates below on your calendar as our standard meeting time. I will notify the members when there are any changes to the regular schedule.

### **1995 DRC Meeting Dates**

April	25
May	23
June	27
July	25
August	29
September	26
October	24
November	28
December	26

**CITY OF ROCKWALL**  
**City Council Agenda**

**Agenda Date:** October 17, 1994

**Agenda No.** V.F.

**Agenda Item:** **PZ 94-23-FP/SP** Discuss and Consider Approval of a Request from American National Bank for a Site Plan/Final Plat being Lot 1, Block 1 of the Steger Retail Addition located on the Northeast Corner of FM-3097 and FM-740 and Take Any Necessary Action

**Item Generated By:** Applicant, American National Bank

**Action Needed:**

**Background Information:**

**Attachments:**

1. Copy of P&Z Agenda Information
2. Copy of Final Plat

**Agenda Item:** P&Z 94-23-FP/SP: American National Bank

**Item No.** V.F.

## Planning and Zoning Agenda

**Agenda Date:**

October 13, 1994

**Agenda Item:**

PZ-94-23-FP/SP Discuss and consider recommending approval of a request from American National Bank for a site plan and final plat of lot 1, block 1 of the Steger Retail addition.

**Applicant:**

American National Bank

**Action Needed:**

Discuss and consider recommending approval of a site plan and final plat.

**Background Information:**

The applicant is proposing to plat and develop 2.5 acres at the intersection of FM-740 and FM-3097. The American National Bank is proposing to construct a new facility at the location with ample parking and a drive-through customer service. The applicant has provided the necessary right-of-way dedication along both FM-3097 and FM-740. This site is located within the scenic overlay district. The Architectural review board met last Thursday, October 6, 1994 to review the application. Their recommendations are listed below. The applicant has not provided a landscaping plan to date but has been informed to do so. The applicant is also requesting to reduce the side setback from 20 feet to 10 feet.

**Recommendations:**

Staff recommends approval of a final plat and site plan provided the following conditions are met;

1. The misspellings in the legal description are to be corrected.
2. The applicant is to screen the transformer, air conditioning units, and the trash dumpster.
3. The trash dumpster is to be relocated to the rear of the property.
4. The applicant is to submit a landscaping plan for review and approval.
5. Approval of the final plat is contingent upon final engineering review and approval.



## MEMORANDUM

TO: Dub Douphrate, P.E.  
FROM: Dan C. Boutwell, AICP  
SUBJECT: P&Z 93-23-FP/SP (American National Bank)  
DATE: October 5, 1994

The applicant is requesting approval of a final plat of a 2.5 acre parcel of land. In addition, the applicant requests approval of a Site Plan for a structure to be used as a bank. Adjacent land uses will not be adversely impacted by this subdivision.

Site Plan

1. The site plan has indicated appropriate set-backs, height limitations, and parking spaces. In addition, this site plan has utilized shared access to the site, which has effectively reduced conflict with traffic located in Ridge Road (FM 740).
2. The applicant must show the type of landscaping proposed for the site and indicate the method of irrigation.

Platting

1. The degree symbol in the legal description is incorrectly shown, it must be corrected.

If you have any comments or questions please do not hesitate to contact me.

OVERLAY DISTRICT  
SITE PLAN APPLICATION

Date 9/23/94

NAME OF PROPOSED DEVELOPMENT American National Bank

LOCATION OF PROPOSED DEVELOPMENT Northeast corner of F.M. 740 & F.M. 3097

NAME OF PROPERTY OWNER/DEVELOPER American National Bank

ADDRESS 102 W. Moore  
Terrell, Texas, 75160 PHONE (214) 563-2611

NAME OF LAND PLANNER/ENGINEER Moran & Murphy Architects, Inc.

ADDRESS 4524 McKinney Ave., Suite 107 PHONE (214) 559-2900  
Dallas, Texas 75205

TOTAL ACREAGE 2.5 acres CURRENT ZONING \_\_\_\_\_

NUMBER OF LOTS/UNITS 1

SIGNED \_\_\_\_\_

PROPOSED USE FOR DEVELOPMENT Banking Facility

Following is a checklist of items that are required as a part of the site plan consideration. 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 18" x 24" sheet. Refer to the Design Guidelines for the Scenic Overlay District for additional information.

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

<u>✓</u>	_____
<u>✓</u>	_____

1. Key Map showing general location of proposed development.

2. 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.

8/29  
94-23-FP

Page 1 of 4

City of Rockwall (3/87)

APPLICATION AND FINAL PLAT CHECKLIST

Date \_\_\_\_\_

Name of Proposed Development Lot 1, Block 1, Steger Retail Addition

Name of Developer The American National Bank - Mike Cronin

Address P.O. Box 40 Terrell, Tx 75160 Phone 563-2611

Owner of Record (Same As Above)

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Land Planner/Surveyor/Engineer Hennessey Engineering, Inc

Address 1409 Third Ave, Carrollton, Tx 75006 Phone (214) 245-9478  
Fax 245-7087

Total Acreage 2.500 Current Zoning Commercial District

Number of Lots/Units 1

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" x 24".

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.

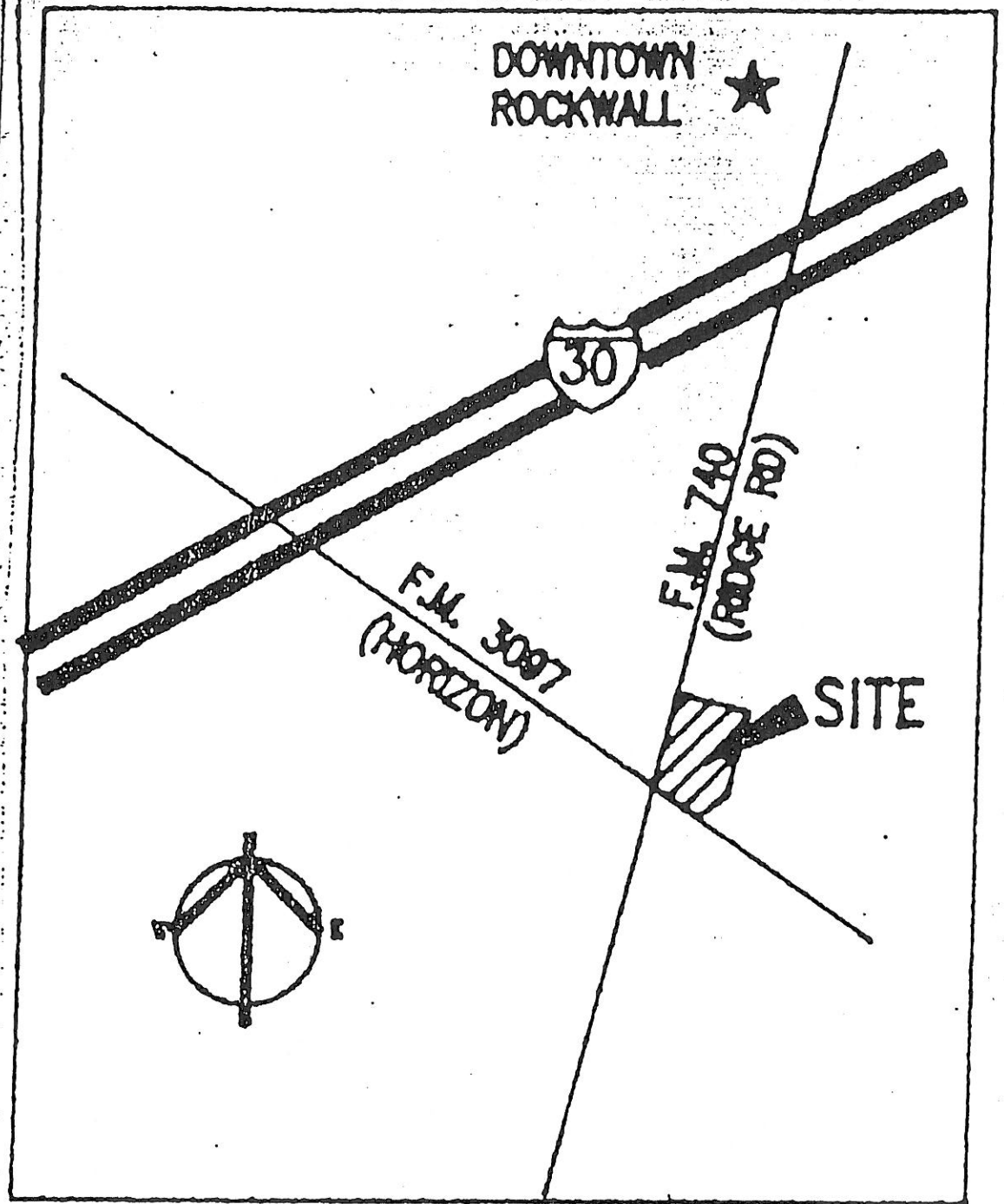
Information

<u>Provided of</u>	<u>Not</u>
<u>Shown on Plat</u>	<u>Applicable</u>

✓

\_\_\_\_\_

1. Title or name of development, written and graphic scale, north point, date of plat and key map



VICINITY MAP

NO SCALE



OWNERS CERTIFICATE

STATE OF TEXAS )(

COUNTY OF ROCKWALL )(

WHEREAS, The American National Bank, a National Banking Corporation; being the Owner of a tract of land situated in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a 2.5000 acre tract of land situated in the James Smith Survey, Abstract No. 200, City of Rockwall, Rockwall County, Texas, and being all of that 2.5000 acre tract described in deed to The American National Bank of Terrell, from 740/3097 Limited Partnership, a Texas Limited Partnership, recorded in Volume 0859, Page 094, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a concrete R.O.W. monument found at the intersection of the Easterly line of F.M. 740 (Ridge Road 90' R.O.W.) and the corner clip from the Easterly line of F.M. 3097 (100' R.O.W.) ;

THENCE North 08°10'58" East, with the easterly line of said F.M. 740 a distance of 94.19 feet to a 1/2" Iron rod set for a corner;

THENCE South 81°49'02" East, a distance of 343.00 feet to a 1/2" iron rod set for corner, said point being in the Westerly line of a 25' Firelane, Access, & Utility Easement as recorded in Volume 606, Page 163, and Volume 606, Page 314 of the Deed Records of Rockwall County, Texas and as shown on the plat of the Steger Retail Addition recorded in Cabinet C, Slide 115-116, Map Records of Rockwall County, Texas;

THENCE South 08°10'58" West, along said Westerly line of easement, a distance of 370.07 feet to a P.K. nail set in concrete curb for a corner and being the point of curvature of a curve to the right, said curve having a central angle of 37°56'29" and a radius of 35.00 feet;

THENCE along said Westerly line of easement and with said curve an arc distance of 23.18 feet to a P.K. nail set in concrete driveway for a corner;

THENCE South 46°07'27" West, along said Westerly line of easement, a distance of 55.46 feet to a P.. Nail set in concrete driveway for a corner in the said Easterly line of F.M. 3097;

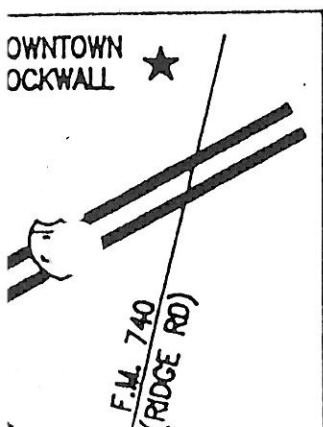
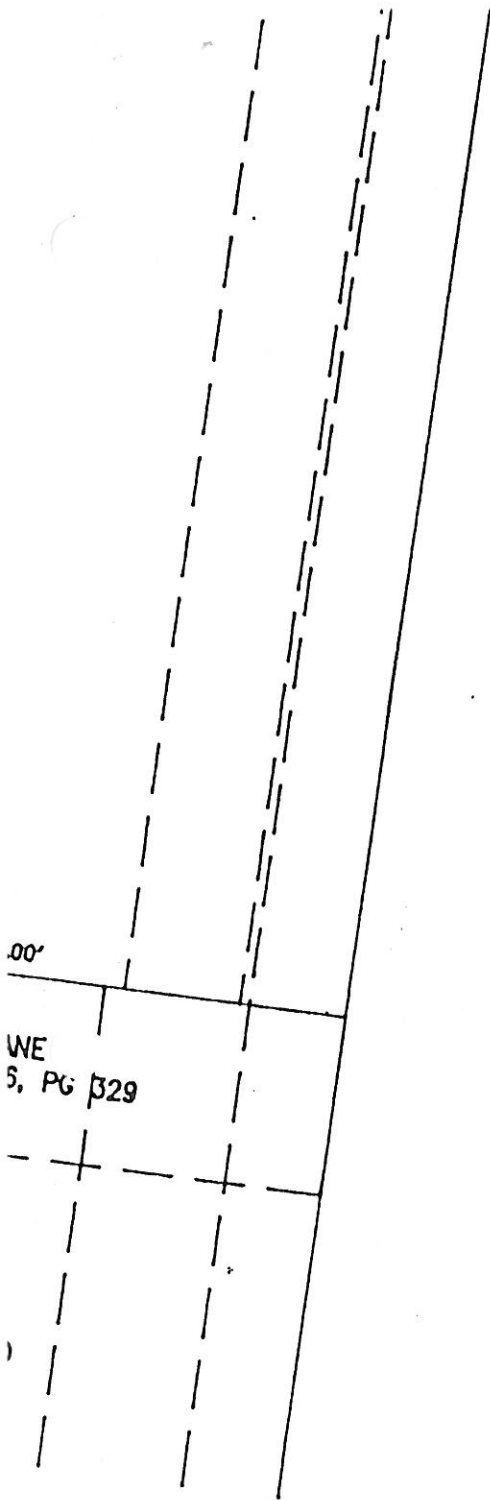
THENCE North 43°52'33" West, along said Easterly line, a distance of 290.00 feet to a concrete monument found for corner;

THENCE North 15°54'15" West, along said Easterly line, a distance of 178.36 feet to the POINT OF BEGINNING and containing 2.5000 acres or 108,900 square feet of land.

\\WDATA\J9332PLT D38

SURVEYORS CERTIFICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:



# MINUTES OF THE ROCKWALL CITY COUNCIL

## OCTOBER 17, 1994

### Call to Order

Mayor Alma Williams called the meeting to order at 7:03 p.m. with the following Council Members present: Dale Morgan, Pat Luby, Todd White, Bob Wilson, and Nell Welborn. George Hatfield was absent. Invocation and Pledge of Allegiance was lead by Nell Welborn.

### Consent Agenda

- a) Approval of Minutes of October 3, 1994
- b) PZ-94-16-PP/Z Consider Approval of Ordinance Granting a Request for Homeplace for an Amendment to "PD-3" changing the Land Use from "MF" and "C" to "SF-10" and SF-7.8" and a Zoning Change from "A" to "PD-3" SF10/SF7.8 for Random Oaks at the Shore (2nd reading)

#### ORDINANCE NO. 94-35

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ORDINANCES NO. 80-33 AND 89-4 OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN LAND USE DESIGNATION FROM AGRICULTURAL, MULTIFAMILY AND GENERAL RETAIL TO SINGLE FAMILY DETACHED LAND USE DESIGNATION AND AMEND THE PRELIMINARY PLAN FOR A PORTION OF PD-3, MORE FULLY DESCRIBED HEREINAFTER; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR AREA REQUIREMENTS, PROVIDING FOR A DEVELOPMENT PLAN; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

White motioned for approval of the consent agenda with corrections to the minutes. Pat Luby seconded. Caption was read by Julie Couch. The motion passed unanimously.

### Appointments/Plats/Plan/Public Hearing

Appointment with Planning and Zoning Commission Chairman

Pat Friend, Chairman of the Planning and Zoning Commission came forward and stated that he was available for questions as needed.

**PZ 94-22-CUP Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Oona Gaston for an Amendment to the Conditional Use Permit to allow Outside Display, Sales and Service of Recreational Vehicles on a 5 acre tract of land located at 1530 I-30 and Take Any Necessary Action (1st reading)**

Couch reviewed the request by Oona Gaston and outlined the history of the zoning on the property. Couch stated that Ms. Gaston now has another potential user of the property who would like to place a recreational vehicle sales, service and storage facility on the property. The Planning and Zoning Commission has recommended approval of the request with a several conditions. Included in the previously approved CUP was a temporary waiver to the parking lot standards to continue the gravel parking, which exists on the site today, for a period of three years. The Commission recommended that the change be approved with the stipulation that the two remaining years on that waiver be continued and that the two existing uses that were granted previously, which included a mobile home sales facility and an auction facility, be deleted from the conditional use permit.

Williams opened the public hearing. Oona Gaston, 703 Robin Road, applicant came forward and presented tenants, Russell and Pat Frederick and Will, Ray and Greg Boots. She requested the Council to consider reinstating the two existing uses to allow more flexibility for the use of the property. Also, she requested to continue the three year extension since the use of the property has not yet been activated. Williams closed the public hearing.

Pat Friend commented on the Planning and Zoning Commissions recommendations. White requested clarification on the existing uses and whether or not it was the Planning and Zoning's recommendations to replace the conditional uses rather than to add additional uses. Mr. Friend commented that the Commission was concerned about continuing to roll over the three year extension. Ms. Gaston stated that she would like to continue the previous uses in addition to the new use. White requested information of Ms. Gaston's tenants regarding their intentions for the use of the property. White moved for approval of the request for the CUP with the following conditions: 1) that the uses outlined in the current conditional use ordinance are to be replaced with a new use which will be the outdoors display, sales, and storage of Recreational Vehicles, 2) that the conditional use permit including the waiver to the lot standards is to be limited to 3 years with the stipulation that the applicant may petition the Planning and Zoning Commission at the conclusion of the time period for an extension and 3) that the stored recreational vehicles are to be located at the rear of the property and placed behind a line parallel to the rear building wall. Seconded by Bob Wilson. Williams called for further discussion. Couch read caption. The motion passed unanimously.

**PZ 94-21-PP/Z Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Neal Jones for an Amendment from PD-8 Single Family to PD-8 Townhouse and Replat/Final Plat for the Sanctuary at Chandlers Landing and Take Any Necessary**

Action (1st reading)

Luby excused himself from the council chamber due to a potential conflict of interest on the next item of action. Couch reviewed the request from Mr. Jones was for a lot located in Phase XVII of Chandlers Landing. Currently, the lot is designated for single family use for zero lot line. Couch stated that the property owner submitted an application to replat it into three townhouse lots. The lots themselves would be located towards the end of the lot along the lake front with the balance of the lot to be dedicated as greenbelt to Chandlers. The property owner proposes to construct a twenty foot fire lane which would provide access from the existing street to those lots. She stated that three property owners within 200 feet of the property had expressed opposition. Couch also indicated that a total of 54 property owners within the PD had registered their opposition, and twenty-six property owners registered in favor of the application.

Williams opened the public hearing. Applicant, Neal Jones, 5574 Canada Court, owner and developer came forward. Mr. Jones outlined his request and commented on a error in the public notice which referred to the property as the "Sanitary" instead of the "Sanctuary". Mr. Jones also commented on the graphical depiction of the area included with the notice and stated that the area circled appeared to be a much larger area than what was really involved. He stated that he believed people might have gathered that the development was going to be a large development of townhomes instead of just three. Ann and Hays Hettinger, 5576 Canada Court, came forward and stated their support. Bob Wilson requested that the notices be mailed again to the residents of the planned development to allow for the correction of the public documents. Pat Friend commented that only one person was present at the Planning and Zoning Commission meeting. Also, Mr. Friend commented that the Chandlers Landing homeowner's association had responded with their approval. There was considerable discussion among Councilmembers regarding the responses received and the level of understanding of the notice by the respondents. Williams closed the public hearing. Welborn requested clarifications regarding the greenbelt and tree line area separating the development from Signal Ridge. Pat Friend provided clarification. Morgan moved that the request be denied. White seconded the motion. Welborn requested information regarding the other homes on Canada Drive and whether or not they are all single family. Welborn stated that the area is not predominately single family. Williams commented that if there is some question the City can re-issue a very clear statement explaining what the request is and ask the areas residents to respond again. After concerns were raised regarding the understanding of the project by area residents and the responses received, Morgan withdrew his motion. Welborn made a motion that the request from Neal Jones be tabled and requested staff to send corrected notices with specific information and to schedule a public hearing for the second council meeting in November. White seconded the motion. The motion passed unanimously.

**PZ 94-24-PP/Z Hold Public Hearing and Consider Approval of a Request from Brinker International for a Conditional Use Permit and Approval of Site Plan and Preliminary Plat for a 1.433 acre located at east I-30 service road and east of FM-740 and Take Any Necessary Action (1st reading)**



135 Mr. Luby returned to the meeting. Couch commented that a preliminary plat and site plan had  
been submitted and these items had been reviewed by the Planning and Zoning Commission.  
Also, Couch stated that a public hearing is required to approve a conditional use permit for a  
structure that does not meet the structural requirements as forth in the zoning ordinance and also  
a conditional use permit for the operation of a private club. She stated that the Planning and  
140 Zoning Commission had recommended approval of the requests. Clarification was requested on  
signage and sprinkler requirements. Couch commented that they are not required to sprinkle the  
building under the building code. Couch stated that Brinker International does not propose to  
sprinkle the structure but does plan to construct an area separation wall to divide the structure.  
Williams opened the public hearing. Greg Clemco, representative of Brinker International, 6820  
LBJ Freeway came forward. Mr. Clemco indicated that he was available to answer any  
145 questions. Williams requested information regarding Brinker International's timeframe. Mr.  
Clemco stated that construction is planned to begin in January 1995 and that the facility should  
be completed by the summer. Welborn requested information regarding the type of lighting to  
be used for the parking lot. Mr. Clemco indicated that it would be a light standard that provides  
downlit lighting and would be shielded from the other properties as indicated on the siting and  
150 location plan. Williams closed the public hearing. Morgan moved that the request of the  
applicant be approved with the conditions as set forth by the Planning and Zoning Commission  
recommendations. Pat Luby seconded the motion. Couch read caption. The motion passed  
unanimously.

155 **PZ 94-25-RP Hold Public Hearing and Consider Approval of a Request from Robert Stark  
for a Replat of 6 lots located at Tyler and Denison Street and Take Any Necessary Action  
(1st reading)**

160 Couch commented that Mr. Stark was requesting a replat from six lots into four lots. Couch  
indicated that these lots were located in the older section of town and that the lots met all of the  
City's requirements. The Planning and Zoning Commission recommended that the applicant  
provide a 20 foot building setback along Star and Tyler street and that the applicant show the  
boundary of the existing 1.18 acre replat adjacent to the proposed .901 acre tract of land.  
Williams opened the public hearing. George Brockman and Patsy Brockman of 309 Star,  
165 owners of the land adjacent to the property, came forward. The Brockmans requested  
information pertaining to the size of the lots and the size of the dwellings. The applicant,  
Robert Stark, 205 Darkbrook came forward. Mr. Stark indicated that the size of the houses  
would be comparable to new housing and new type brick construction measuring between 1,300  
and 1,400 square feet. Mr. Stark stated housing of this size was more than equivalent for the  
170 neighborhood with the exception of the house located on the corner. Stark commented that the  
property had been surveyed and is correct. Welborn requested clarification regarding the size  
of the lots. Couch commented that the lots are zoned SF-7 and that the minimum required house  
size is 1,100 square feet. Luby requested information regarding the lot sizes of the surrounding  
area. Couch indicated that these lots are larger than what was originally platted. Williams  
175 closed the public hearing. White moved that the request be approved subject to the conditions  
recommended by the Planning and Zoning Commission. Morgan seconded. The motion passed  
unanimously.

**PZ 94-23-FP/SP Discuss and Consider a Request from American National Bank for a Site Plan/Final Plat being Lot 1, Block 1 of the Steger Retail Addition located on the northeast corner of FM-3097 and FM-740 and Take Any Necessary Action**

Couch commented that the property is located at the intersection FM-3097 and FM-740. Couch stated that the site plan was reviewed by Architectural Review Commission as well as the Planning and Zoning Commission. Couch stated that the entire area was preliminary platted a number of years ago when Food Lion was constructed and the final plat complies with the preliminary plat as it was originally approved. The Planning and Zoning Commission has recommended approval of the final plat and the site plan. Welborn requested clarification regarding the recommendations of the Planning and Zoning Commission. Chris Cronin, 2255 Ridge Road, representative of American National Bank came forward to answer questions. Welborn requested additional information regarding the reduction in the setback from 20 feet to 10 feet. Couch stated that the setback was included in the site plan and that the wall must be a fire wall. Pat Friend commented on a additional recommendation, which was to construct a sidewalk to accommodate through traffic from the residential neighborhood over to the movie theater and the shopping center. Welborn made a motion that the Council approval the site plan and final plat subject to the following conditions that 1) the misspellings in the legal description are corrected, 2) the applicant is to screen the transformer, air conditioning units, and the trash dumpster, 3) the trash dumpster is to be relocated to the rear of the property, 4) the applicant is to submit a landscaping plan for review and approval, 5) the approval of the plat is contingent upon final engineering review and approval, 6) construction of sidewalks be completed along FM-3097 and FM-740, and 7) the side setback on the north side be reduced to ten feet. Seconded by Bob Wilson. The motion passed unanimously.

**PZ 94-27-PP Discuss and Consider Request from Rob Whittle for a Preliminary Plat for Fox Chase Phase IV located in the Fox Chase Addition and Take Any Necessary Action**

Couch stated that the development was a continuation of Fox Chase and that two additional phase had been approved over the course of the last several months. She indicated that the proposed phase is consistent with the original approved concept plan by the developer. The Planning and Zoning Commission recommended that a phasing plan for the entirety of the Fox Chase development be submitted in conjunction with the final plat, the applicant's engineer revise the utility layout indicating the segment of the existing sanitary sewer main to be abandoned, and the applicant is to provide one acre for a temporary park recreation area to be used by the City until the permanent park site is dedicated to the City. Additionally it was recommended that a left turn lane be constructed on FM-740 into the Fox Chase development in conjunction with this application. The applicant was not present. Welborn moved that action be tabled to the next meeting. White seconded. Action was tabled by unanimous vote.

**City Manager's Report**

Couch provided the Council with an update on the citizens survey and stated that over 500 responses have been received and entered into the computer. Couch indicated that the resulting report on the survey should be available at the second meeting in November. Couch reported that a number of applications had been received by citizens expressing their desire to serve on the committee responsible for the next phase of the project, which includes the goals and strategies portion of the development plan.

Couch briefed the Council on the status of the grant application for the trail program. She commented that information had been received from the council of governments which indicated that the project had not been ranked very highly. Since that time, the City has heard that the highway commission made not view it that way. Couch commented that the City still has hopes that the project will prove to be successful. Couch mentioned that several monthly reports were included in the packet as well as a memorandum from Rick Crowley outlining the orientation and goal setting process that the Parks and Recreation Board was currently going through.

Couch commented on the economic development process and stated that the information received through the focus groups had been very good. She indicated that the facilitators had been pleased with the response they had received. Couch stated that the next phase would be to compile the information and forward it to the Economic Development Planning Commission for their review and action. The results of the process will include the completion of a vision statement, assembled as a result of the dialogue that has been received through the focus groups and the summit meeting itself. After completion of a vision statement by the Economic Development Planning Commission, the statement will be brought to the Council for consideration.

Couch commented on the status of the Lake Ray Hubbard take line study and the joint efforts of the cities adjacent to the lake. Couch stated that the first meeting would be Thursday evening, October 20, 1994.

## **Action/Discussion Items**

### **Hear Report on Status of Rockwall Housing Finance Corporation and the Financing of the Meadows Project and Take Any Necessary Action**

Couch commented that the FDIC would be conducting foreclosure on November 8. She stated that notice had been received that the FDIC would like to have final closure by November 15. Couch indicated that the financing documents and the regulatory agreement had all been dispersed to all relevant parties for review. She indicated that responses from the banks as well as the corporation that will own the property had been submitted to the City's representatives and they were in the process of finalizing those documents. Couch indicated that the public hearing has been scheduled for November 1, and at that time it is anticipated that they will act on issuance of the notes. She stated that once the corporation has taken action, the item would be placed on the Council agenda on November 7. Margo Nielson, 1655 Shores Blvd, came forward with a report. She indicated that HUD had approved the administrative plan for the



2 Section 8 certificates which the public housing authority submitted three months ago, and that  
the regulatory agreement had been approved by HUD's lawyer. Nielson stated that work was  
completed on the budget and the fair housing plan. She stated that approval from HUD for  
rehab cost is pending and that the rental rates should be completed by the end of the week.  
270 Nielson indicated that part of the delay occurred because FDIC did not meet their foreclosure  
date in October. Nielson indicated that the banks have met with the City's bond counsel, and  
she stated she expected to close by November 15.

**Discuss and Consider a Resolution Providing for the Use of an Interlocal Purchasing  
Agreement to Purchase Police Pursuit Vehicles and Take Any Necessary Action**

275 Couch indicated that for the past several years an interlocal agreement has been used to purchase  
police vehicles to improve the costs of those vehicles and she recommended approval of the  
resolution. White moved for approval a resolution providing for the use of an interlocal  
purchasing agreement to purchase police vehicles. Luby seconded. Passed unanimously.

**Discuss and Consider Review of Options for SH 205 and Take Any Necessary Action**

280 Couch updated the Council. She stated that at the Council's last meeting it had been indicated  
that the State had requested some additional information in regards to the 5-4-5 alternative; they  
285 had asked for some more analysis to be done for a section of the downtown area. Couch stated  
that the City had provided for some additional turning movement data to the council of  
governments. She indicated that the council of governments had run the models with the  
information. Additionally, COG was requested to run another model of the inner loop concept  
with some turning movement restrictions and that COG has run that alternative as well. Couch  
290 commented that all of the information for the modeling had been submitted to TxDOT, and they  
were now in the process of reviewing it. Couch indicated that she would be meeting with Mr.  
Blain on Friday, October 22. She stated that at that time, TxDOT would have had an  
opportunity to review the information and would be able to give the City their findings on these  
preliminary alternatives. Couch stated that in regards to the inner loop concept that the numbers  
295 did not increase the usage of the inner loop alternative. Couch stated that it removed some  
traffic from Goliad itself until you reached to Boydston but it increased the side street traffic.  
There was discussion among the Council regarding holding a public hearing on the alternatives  
being considered for SH-205. Couch commented that the state would be reviewing this  
alternative in conjunction with the previous alternative which did not have any turning movement  
300 restrictions. White moved that the Council call a public hearing on Monday, October 24, 1994  
at 8:00 p.m. regarding SH 205 issues. Morgan seconded the motion. The motion passed  
unanimously.

**Discuss and Consider an Ordinance Calling a Bond Election to be Held within the City,  
305 Making Provisions for the Conduct of the Election and Other Provisions Relating thereto  
and Take Any Necessary Action**

Couch commented on the ordinance calling a bond election for December 3, 1994. She stated



310 that the ordinance was very similar to the previous ordinance which was prepared for this item with the exception that amounts for Proposition 1, FM-740, had been amended. The original amount for Proposition 1 was \$4,100,000. Based on the fact that the State has provided an additional \$1,000,000 for construction of FM 740, Couch stated that the amount of Proposition 1 was decreased to \$3,100,000. Couch indicated that there was one addition to the ordinance.

315 She indicated that Martha Sue Keegan was appointed as the alternate election judge and that her name would need to be included in the ordinance. Welborn moved approval of the ordinance calling the bond election. Morgan seconded. Couch read caption. The motion passed unanimously.

320 **Discuss and Consider Addendum to Paving Assessment Transfer of Lien Releasing Collin Equities from Liability and Take Any Necessary Action**

325 Couch indicated that several months ago the Council had approved a transfer of assessment lien on Yellow Jacket Lane from Collin Equities to Pulte Homes, Inc. She stated that after additional consideration, Collin Equities had requested an addendum to the transfer that clarifies the fact that with the transfer of the lien Collin Equities is no longer responsible for the lien. White moved approval the Addendum to the Lien with Collin Equities. Welborn seconded. Motion passed unanimously.

330 **Discuss and Consider Fees for Turtle Cove Recreation Center and Take Any Necessary Action**

335 Rick Crowley commented on the request and stated that Mike Neighbors, a representative of Young Life, had requested that the fees for Turtle Cove be waived. Crowley stated that the Park Board met on one occasion with Mr. Neighbors and other representatives of Young Life. The Park Board requested some additional information, and then met a second time regarding the request. Crowley indicated that at the conclusion of Park Board's meeting, they recommended that the rate for non-profit rentals of Turtle Cove be lowered from \$15 per hour to \$10 per hour. White requested clarification regarding how a non-profit organization is defined by the City. Crowley commented that in the past if a group identifies itself as non-profit, the City has accepted their word unless there is an apparent reason not to accept it. Crowley indicated that in these cases the City requests a certificate of incorporation. White moved approval of the recommendation of the Park and Recreation Board to lower the hourly charge for non-profit groups from \$15 per hour to \$10 per hour for the use of Turtle Cove Recreation Center. Morgan seconded. The motion passed unanimously.

345 **Discuss and Consider Options for Painting the Water Tower and Take Any Necessary Action**

350 Couch commented that the Council needed to decide whether or not to paint the pedestal of the water tower and determine the color of the undercoat of the tank. Frank Razor with Chaing Patel and Chris Lamong with Landmark Structures were present to answer questions. Mr. Razor requested the Council to make a decision regarding the options for the pedestal of the tower.

5 After discussion, the Council indicated their preference would be to sandblast the column and  
the tower during the holiday season. The Council discussed options for lighting  
lights that would give the appearance of a Christmas tree. Welborn made a motion that the City  
not apply a paint coating to the base of the tower but rather have it sandblasted and that the color  
aerial white be chosen for the bowl of the water tower and that the \$1000 lighting allotment be  
used for a telescoping pole and green strands of lights to be anchored in a Christmas tree shape.  
360 White seconded. The motion passed unanimously.

**Hold Executive Session Under Section 551.071 and 551.074 of the Texas Government Code**

365 The Council convened into executive session at 9:15 p.m. to discuss litigation regarding  
employee termination.

The Council reconvened into regular session at 9:45 p.m. Mayor Williams announced that no  
action would be taken on as a result of executive session.

370 **Adjournment**

The meeting adjourned at 9:50 p.m.

375 APPROVED:

380   
Mayor

ATTEST:

385   
City Secretary

94-23

CITY OF ROCKWALL  
City Council Agenda

**Agenda Date:** March 6, 1995

**Agenda No.** V.B.

**Agenda Item:** Approval of an Ordinance for a Conditional Use Permit to Allow Combustible Structural Construction Materials for the Roof Area of the Building to be Built on Property Located at Lot 1, Block 1 of the Stegar Retail Addition (2nd reading)

**Item Generated By:**

**Action Needed:**

**Background Information:**

**Attachments:**

- 1. Copy of ordinance

**Agenda Item:** Consent Agenda: CUP for Amer. Nat. Bank

**Item No.** V.B.

ORDINANCE NO. \_\_\_\_\_

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 TO USE A STRUCTURAL WOOD TRUSS SYSTEM ON A STEEL FRAME WITH PLYWOOD DECK CLAD WITH STANDING SEAM METAL ROOF SYSTEM IN A COMMERCIAL ZONING CLASSIFICATION ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; 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.

WHEREAS, a Conditional Use Permit to use non-combustible construction materials for a building on the property described on the attached Exhibit "A" has been requested by American National Bank; 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 so as to grant a Conditional Use Permit to use a structural wood truss system on a steel frame with plywood deck clad with standing seam metal roof system on the property described on Exhibit "A" attached hereto and made a part hereof.

Section 2. That the above described tract of land 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 Conditional Use Permit and as may be amended in the future.

Section 3. 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 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by



a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No.83-23 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 for this ordinance are declared to be severable.

Section 6. 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 cases provides.

DULY PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

\_\_\_\_\_  
ATTEST

\_\_\_\_\_  
APPROVED

1st Reading \_\_\_\_\_

2nd Reading \_\_\_\_\_

LEGAL DESCRIPTION

BEING a 2.5000 acre tract of land situated in the James Smith Survey, Abstract No. 200, City of Rockwall, Rockwall County, Texas, and being part of a 73.9 acre tract described in deed to Emily Sue Whitehead and O.L. Steger, Jr., recorded in Volume 87, Page 148, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a concrete R.O.W. monument found at the intersection of the Easterly line of F.M. 740 (Ridge Road 90' R.O.W.) and the corner clip from the Easterly line of F.M. 3097 (100' R.O.W.) ;

THENCE North 08°10'58" East, with the easterly line of said F.M. 740 a distance of 94.19 feet to a 1/2" iron rod set for a corner;

THENCE South 81°49'02" East, a distance of 343.00 feet to a 1/2" iron rod set for corner, said point being in the Westerly line of a 25' Firelane, Access, & Utility Easement as recorded in Volume 606, Page 163, and Volume 606, Page 314 of the Deed Records of Rockwall County, Texas and as shown on the plat of the Steger Retail Addition recorded in Cabinet C, Slide 115-116, Map Records of Rockwall County, Texas;

THENCE South 08°10'58" West, along said Westerly line of easement, a distance of 370.07 feet to a P.K. nail set in concrete curb for a corner and being the point of curvature of a curve to the right, said curve having a central angle of 37°56'29" and a radius of 35.00 feet;

THENCE along said Westerly line of easement and with said curve an arc distance of 23.18 feet to a P.K. nail set in concrete driveway for a corner;

THENCE South 46°07'27" West, along said Westerly line of easement, a distance of 55.46 feet to a P.. Nail set in concrete driveway for a corner in the said Easterly line of F.M. 3097;

THENCE North 43°52'33" West, along said Easterly line, a distance of 290.00 feet to a concrete monument found for corner;

THENCE North 15°54'15" West, along said Easterly line, a distance of 178.36 feet to the POINT OF BEGINNING and containing 2.5000 acres or 108,900 square feet of land.

\\WDATA\J9332LD D38

## MINUTES OF THE ROCKWALL CITY COUNCIL MARCH 6, 1995

### Call to Order

Mayor Williams called the meeting to order at 7:00 p.m. with the following Councilmembers present: George Hatfield, Pat Luby, Dale Morgan, Nell Welborn, and Todd White. Bob Wilson was absent. Invocation and Pledge of Allegiance were lead by Pat Luby.

### Open Forum

Williams opened the public forum. No one came forward to address the Council, and Williams closed the public forum.

### Consent Agenda

- a) Approval of Minutes of the February 20, 1995 Meeting
- b) Approval of an Ordinance for a Conditional Use Permit to Allow Combustible Structural Construction Materials for the Roof Area of the Building to be Built on Property Located at Lot 1, Block 1 of the Stegar Retail Addition (2nd reading)
- c) Approval of an Ordinance Calling a General Election to be Held May 6, 1995, for the Purpose of Electing Three (3) Councilmembers, One (1) Each for Places 1,3, and 5 and a Mayor for Two (2) Year Terms Each for Said City; Designating a Polling Place within Said City; Providing for the Appointment of a Presiding Election Judge and an Alternate Election Judge; Establishing Other Procedures for the Conduct of the Election; Establishing a Date for Canvassing Returns; and Providing an Effective Date (2nd reading)
- d) Approval of an Ordinance Amending the City's Personnel Policies to include a Family and Medical Leave Policy (2nd reading)

Mayor Williams requested that the minutes be pulled from the consent agenda for a separate vote. Welborn moved approval of consent agenda items b,c, and d. The motion was seconded by Dale Morgan, and captions were read by Stacey Robbins, City Secretary.

#### ORDINANCE NO. 95-2

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 TO USE A STRUCTURAL WOOD TRUSS SYSTEM ON A STEEL FRAME WITH PLYWOOD DECK CLAD WITH STANDING SEAM METAL

45 ROOF SYSTEM IN A COMMERCIAL ZONING CLASSIFICATION ON A  
TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR SPECIAL  
CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED  
50 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

ORDINANCE NO. 95-3

55 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, CALLING A  
GENERAL ELECTION TO BE HELD ON MAY 6, 1995, FOR THE PURPOSE  
OF ELECTING THREE (3) COUNCILMEMBERS, ONE (1) EACH FOR  
PLACES 1,3, AND 5, AND A MAYOR FOR TWO (2) YEAR TERMS EACH  
60 FOR SAID CITY; DESIGNATING THE ENTIRE CITY AS ONE ELECTION  
PRECINCT AND DESIGNATING A POLLING PLACE WITHIN SAID CITY;  
PROVIDING FOR THE APPOINTMENT OF A PRESIDING ELECTION JUDGE  
AND AN ALTERNATE PRESIDING ELECTION JUDGE; ESTABLISHING  
OTHER PROCEDURES FOR THE CONDUCT OF THE ELECTION;  
ESTABLISHING A DATE FOR CANVASSING RETURNS; AND PROVIDING  
65 FOR AN EFFECTIVE DATE

ORDINANCE NO. 95-4

70 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING  
ORDINANCE NO. 91-30 AND ADOPTING A FAMILY AND MEDICAL  
LEAVE POLICY AS PART OF THE OFFICIAL PERSONNEL POLICIES OF  
THE CITY AND OTHER MATTERS RELATED THERETO; PROVIDING AN  
EFFECTIVE DATE

75 The motion passed unanimously. Hatfield moved approval of the February 20, 1995 minutes.  
The motion was seconded by White, and it passed with the following vote:

Ayes: Hatfield, Luby, Morgan, Welborn and White  
Abstention: Williams

80 **Appointments/Public Hearings/Plats/Site Plans**

**Appointment with a Representative of the Rockwall County Commissioner's Court to  
Discuss and Consider the Joint Agreement for the Downtown Parking Facilities and Take  
Any Necessary Action**

85 Trey Chaney, a representative of the Rockwall County Commissioners Court, came forward to  
address the Council. He stated that the Commissioners Court had expressed an interest in  
reevaluating the necessity of the parking lot since the closure of the downtown courthouse. He  
stated that the contract was voted on and executed in good faith prior to the decision to move  
90 the courthouse. Chaney stated that the contract began in September 1994, and he stated that it  
would probably be an additional year before any offices are back in the courthouse. Mr. Chaney  
reported that he had been told Mr. Hance, the owner of the land for the parking lot, would allow



both parties out of the contract at the end of the first year. Mr. Chaney commented that he believed that if the County was allowed out of the contract, the Commissioners would vote to bow out of the contract. He indicated that the County wants to maintain a good working relationship between the City and the County.

He stated that some members of the Court believed that with the closure of the courthouse a portion of the time on the contract would be wasted and that additional parking would not be necessary.

White asked Mr. Chaney if he expected action to be taken at this meeting. Chaney stated that the Commissioners' Court was just asking the Council to consider its request. Chaney stated that the only reason for the request was due to the closure of the courthouse.

Hatfield requested clarification regarding the needs of the City to maintain the additional parking. Couch stated that the City's participation in the contract was to provide parking for the downtown square, not specifically for the courthouse. Couch reported that from the City's perspective the need for additional downtown parking still exists. Welborn requested Mr. Chaney to provide information regarding the County's future plans for the courthouse and the amount of traffic that would be generated by these offices. Chaney responded that he was not aware of the plans. He stated that the County had accepted State monies to re-work the exterior of the courthouse, and in so doing, he believed that the County would have to locate some type of offices within the facility. However, he stated that these would not be court facilities. He stated that he was of the opinion that the offices currently located in the courthouse annex would be moved.

Welborn requested clarification regarding the terms of the contract with Mr. Hance. Couch reported that the contract was for three years and that the first year lease on the property had been paid. Welborn stated that she was not interested in the City picking up the entire cost of the contract. Hatfield commented that the City should not try to negotiate its way out of the contract, and he stated that he hoped the Commissioners' Court would honor their agreement. White responded that the County could buy its way out of the contract if they desired, and he stated that there was a need for additional parking downtown. Morgan stated that he felt that it was important to remain committed to the downtown area and that there would be use of the courthouse facility of some type in the future. Williams stated that this was an opportunity to be proactive to the future need of the downtown area. Morgan commented that perhaps the City and County could negotiate an arrangement for a different method of sharing the costs. The Council took no action on this item.

#### **Appointment with Weaver and Tidwell to Discuss and Consider the Findings of the City's Annual Audit and Take Any Necessary Action**

Kerry Cave, a representative of Weaver and Tidwell, came forward to address the Council. He stated that the City's financial statements correctly reflected the financial position of the City of Rockwall for the 1993-1994 fiscal year. He reported on the various fund balances included

140 within the report. He stated that the management letter commented on two items. The first item dealt with maintaining a detailed listing of fixed assets. He stated that his firm recommended that the City develop an inventory system to develop controls that would adequately track the additions and deletions of assets over the years.

145 Cave reported that the other area identified in the management letter related to the City's Drug-Free Workplace Policy. He stated that the City did have a policy but that one element was missing from it which related to the City's participation in federally funded projects. He reported that since the completion of the audit the City's policy had been amended to encompass these federal requirements.

150 Hatfield requested information regarding the number of cities the size of Rockwall that have an asset management plan. Cave reported that most cities have some fashion that generally includes a detailed listing of furniture and equipment. He stated that the City did have a listing of assets obtained by year; however, it did not provide all of the detailed information needed. Cave stated that as Rockwall continues to grow the development of the report would provide additional control over the fixed assets of the City. Phemister, Director of Finance, responded that he planned to begin the process. Couch responded that some of the previous auditors had raised the issue, and she stated that it had been previously discussed. Cave responded that the initial inventory is very time consuming. Welborn stated that she was interested in seeing the City begin the process of inventorying fixed assets.

160 White moved for acceptance of the annual audit finding for the 1993-1994 fiscal year. The motion was seconded by Luby, and it passed unanimously.

**Appointment with Glenn Smith to Discuss and Consider Leasing the City's Landfill to the Rockwall County Sport Flyers and Take Any Necessary Action**

165 Glenn Smith, a representative of the Rockwall County Sport Flyers, came forward to address the Council. Smith stated that the group prepared a packet that explained the details and operating procedures of the organization and how the organization planned to use the landfill. As he passed out these documents to the Council, the club's president, Dean Bourus and Jay Help, the field marshall came forward to review the information with the Council. Bourus stated that the club was requesting use of the City's landfill for the expressed purpose of recreational model aircraft flying. He provided information regarding the background and philosophies of the club, and introduced the officers of the club. He stated that the national organization provided the club with liability insurance, and he reported that flight instructors and safety officers would be present at the field during the operation of any aircraft.

175 Welborn requested information regarding what type of surface preparation would be necessary and where the club presently flew. Bourus stated that the club flew at a location north of MacDonald Road. Welborn asked if the field was near any residential areas and the relationship between the club and the area residents. Bourus responded that the relationships were positive because of the stringent rules. Welborn requested information regarding the radius of the



aircrafts' flight paths. Bourus responded that the aircrafts were controlled by line of sight. Mr. Help responded that the club did not anticipate any additional preparation of the landfill except to construct a barrier for safety purposes at the edge of the runway.

185 White requested clarification regarding the effect the request would have on the status of the landfill with TNRCC. Couch stated that a preliminary determination had been received from TNRCC, and that they had stated that it was probable that the landfill could be used for this purpose. Following further discussion, White moved that City staff be authorized to enter into negotiations with the Rockwall County Sport Flyers for use of the City's landfill. The motion  
190 was seconded by Luby, and it passed unanimously.

### **Action/Discussion Items**

195 **Discuss and Consider Awarding a Semi-Annual Contract for Cement Treated Base and Take Any Necessary Action**

Couch commented that the next several items were all items contracted on a semi-annual basis. She stated that there was a correction regarding the first bid and that it was originally identified as being awarded to Texas Industries but was actually awarded to Beall Industries. Couch  
200 recommended that the bid be awarded to Beall Industries for cement treated based at \$26.00 for 20 T Haul and \$29.42 for 12 T Haul. Morgan moved approval of the semi-annual contract. The motion was seconded by White, and it passed unanimously.

205 **Discuss and Consider Awarding A Semi-Annual Contract for Hot Mix Asphalt and Take Any Necessary Action**

Couch recommended that the contract be awarded to Apac Texas as the low bidder. Hatfield moved approval of the bid to Apac Texas for hot mix asphalt. The motion was seconded by  
210 Morgan, and it passed unanimously.

**Discuss and Consider Awarding a Semi-Annual Contract for Hot Mix-Cold Laid Asphalt and Take Any Necessary Action**

215 Couch recommended that the contract be awarded to Gohmann Asphalt and Construction of Texas as the low bidder. Welborn moved that the contract for hot mix-cold laid asphalt be awarded to Gohmann Asphalt and Contraction. The motion was seconded by White, and it passed unanimously.

220 **Discuss and Consider Awarding a Semi-Annual Bid for White Rock Flex Base and Take Any Necessary Action**

225 Couch recommended that the bid be awarded to McKinney Crushing for material and haul as the low bidder. White moved that the bid for white rock flex base be awarded to McKinney Crushing. The motion was seconded by Morgan, and it passed unanimously.

**Discuss and Consider Awarding an Annual Contract for HVAC Services and Take Any Necessary Action**

230 Hatfield requested information regarding the use of contractors within Rockwall. Crowley reported that a number of companies in the area had been contacted and none had responded. He stated that it appeared that none of the companies wanted to be involved in a contract that involved both labor and materials, nor were they interested in being on call 24 hours a day. Couch recommended that the contract be awarded to Axon Inc. as the low bidder. Hatfield moved that the contract for HVAC services be awarded to Axon Inc. The motion was seconded by White, and it passed unanimously.

**Executive Session**

240 **Hold Executive Session under Section 551.072 and 551.074 of the Texas Government Code**

245 The Council convened into executive session at 8:00 p.m. to discuss a) land acquisition regarding city facilities b) semi-annual evaluation of city manager and city attorney, c) appointment of municipal judge and d) appointment of presiding election judge and an alternate presiding election judge for the May 6 general election.

250 The Council reconvened into regular session at 9:45 p.m. Morgan moved that Travis Rhoads be appointed as Presiding Election Judge and that Norman Seligman be appointed Alternate Election Judge for the May 6, 1995 general election. The motion was seconded by Hatfield, and it passed unanimously.

**Adjournment**

255 The meeting adjourned at 9:50 p.m.

APPROVED:

260 \_\_\_\_\_  
Mayor



ATTEST:

\_\_\_\_\_  
City Secretary

## MINUTES OF THE ROCKWALL CITY COUNCIL APRIL 17, 1995

### 5 Call to Order

Mayor Williams called the meeting to order at 7:00 p.m. Councilmembers present included George Hatfield, Pat Luby, Dale Morgan, Nell Welborn, Todd White and Bob Wilson. Invocation was lead by Bob Wilson, and the Pledge of Allegiance was lead by Girl Scout Troop 1528.

### Proclamation

Mayor Williams introduced the members, Ashley Alford and Shauna Plate, and sponsor, Millie Alford, of Girl Scout Troop 1528. Williams proclaimed the month of April as Youth Leadership Month on their behalf as recognition for the contributions they make to the Keep Texas Beautiful campaign. She encouraged them to continue their good work.

### Consent Agenda

- a. Minutes of April 3, 1995
  - b. Approval of an Ordinance Regulating Street Vendors (2nd reading)
- White moved approval of the consent agenda. The motion was seconded by Luby.

#### ORDINANCE NO. 95-7

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ARTICLE IV - PEDDLERS, SOLICITORS AND ITINERANT VENDORS OF THE CODE OF ORDINANCES BY THE ADDITION OF SECTION 15-81.1 UNLAWFUL ACTION AND SECTION 15-83.2 OUTDOOR RETAIL SALES; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

The consent agenda passed unanimously.

### Appointments/Plats/Plans/Plans/Public Hearing

Appointment with Chamber Representatives to Discuss and Consider Approval of a Contract between the Rockwall Chamber of Commerce and the City of Rockwall for Hotel/Motel Funds and to Consider a Contract for Entry Signage and Take Any Necessary Action



45 Couch indicated to the Council that there were actually two agreements which needed to be considered. She reported that the first contract was for the receipt of hotel/motel funds and the other was an agreement between the City of Rockwall and the Texas Department of Transportation for landscaping and maintenance of the entry sign into the City. Couch reported that the language referencing industry in Section 3 of the contract had been deleted. She also  
50 indicated that the term of the contract was changed from one year to six months which would allow the contract to be considered on annual basis coinciding with the City's fiscal year.

Tom Manskey, a representative of the Chamber of Commerce, came forward to address the Council. He stated that several representatives from the Chamber were present and that they  
55 would be addressing the Council individually. Manskey stated that at a later date, he might request the Council to consider using unexpended funds from the 1994 contract to help pay for the entry signage. Annie Cornelius, the tourism chairman for the Chamber of Commerce, came forward. Ms. Cornelius provided the Council with information regarding the tourism industry within the state and its impact on the Rockwall area. She reported that the Chamber of  
60 Commerce's marketing strategy for 1995 included membership in the Dallas/Ft. Worth Regional Film Commission, inclusion in area tourism publications and brochures, funds for the annual Christmas Parade, construction of entry signage into Rockwall, and membership in the Texas Hotel/Motel Association.

65 White requested Manskey to clarify some of the 1994 expenses and to detail how unspent funds might be carried over to next year. Manskey reported that the FAM tour was scheduled for June 22 and 23, 1995 and that the Chamber was not requesting any additional funding for the project. Manskey indicated that often the Chamber received in-kind contributions which impact the actual amount of funds expended on an event. Manskey commented that if cost overruns  
70 occur on projects these costs are incurred by the Chamber. Morgan asked for the amount of the Chamber's total budget. Manskey responded that it was approximately \$160,000 of which fifty percent was derived from membership dues. He stated that the other fifty percent of funding must come from other sources because the Chamber is a non-profit organization. Following additional discussion regarding the Chamber's budget, Phillip Hale, Eloise Cullum, Judy Harris,  
75 Michael Moscarello, Rick Allen and Frank Miller, all members of the Chamber, came forward to voice their support of Chamber activities and the new signage being constructed by the Chamber. Welborn expressed concern that the Chamber had not expended more of their allotted funds from the City. Following further Council discussion, Luby moved that the agreement with the Chamber be approved and that the agreement with the Texas Department of Transportation  
80 for Landscape/Maintenance also be approved. The motion was seconded by Wilson. Hatfield asked if the funds were available to fulfill the contract. Couch reported that payments were made to the Chamber quarterly. Welborn requested that the contract be worded to include language regarding a formalized reporting system. Welborn moved that the motion to approve the contract for the Chamber of Commerce be amended to specify that a quarterly progress  
85 report would be made at the first meeting following the end of the calendar quarter followed by payment of the quarterly amount to the Chamber. The vote passed unanimously.

#### **Appointment with Planning and Zoning Commission Chairman**

Pat Friend, Chairman of the Planning and Zoning Commission came forward to address the Council. Friend stated that he was available for questions. White requested information regarding the Planning and Zoning Commission's position on metal buildings. Friend responded that it had been discussed; however, he stated that no action had been taken. Friend commented that it comes up regularly in items before the Commission. Friend stated that the Commission would like to receive direction from the Council.

**PZ-95-11-CUP Hold Public Hearing and Consider Approval of a Request from Glen Smith for an Ordinance Granting a Conditional Use Permit to Allow a Detached Garage Exceeding the Maximum Size Requirement and a Guest Quarters Area on Property Located at 602 Williams and Take Any Necessary Action**

Crolley stated that the property was zoned SF-7 and required a conditional use permit for a detached garaged that exceeds 15 feet in height or 900 square feet of floor area. He stated that the garage proposed for the property met all of the setback and material requirements and would be used for the storage of classic cars. Crolley stated that the applicant understood that the guest quarters could never be rented as a separate unit and could only be used occasionally for overnight guests of the property owner. Crolley reported that staff and the Planning and Zoning Commission recommended approval of the conditional use permit. Williams opened the public hearing. Williams opened the public hearing. Glen Smith, the applicant, came forward to answer any questions. Williams closed the public hearing. Hatfield moved approval of the conditional use permit. The motion was seconded by Luby, and caption was read by Robbins.

**ORDINANCE NO. 95-8**

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 GUEST QUARTERS AND A GARAGE STRUCTURE EXCEEDING PERMITTED SQUARE FOOTAGE ALLOWED IN A RESIDENTIAL ZONING DISTRICT ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

The motion passed unanimously.

**PZ-95-12-FP/CUP Hold Public Hearing and Consider Approval of a Request from Jimmy Wray for an Ordinance Granting a conditional Use Permit to Allow a Nursery Garden Center at 905 High School Drive and Take Any Necessary Action**

Crolley reported that the proposed site was comprised of approximately .96 acres and was zoned commercial. He stated that the surrounding properties were zoned light industrial and commercial and that the site had been used as a nursery/garden center previously. Crolley stated



135 that in 1991, a zoning change from "LI" to "C" with a CUP had occurred on the property.  
Crolley commented that the buildings and parking on the site were considered legal non-  
conforming. He stated that the original greenhouse on the site had a glass roof and glass sides  
set on a 3.5' masonry wall that was poured on a conditions footing around the greenhouse  
140 structure. Crolley stated that the applicant intended to use a portion of the green house for  
storage of plants and landscape materials and that he intended to cover the sides and roof with  
metal panels. Crolley indicated that Mr. Wray planned to cover the remainder of the green  
house with clear vinyl. Additionally, the applicant requested that he be allowed to use a 8 foot  
metal fence along the east side of the property to screen the adjacent undeveloped land.

145 Welborn, referring to the draft minutes of the April 13, 1995, Planning and Zoning Meeting,  
requested Crolley to explain the need to add an additional parking space to the site plan. Crolley  
indicated that it would need to be added. Wilson requested clarification regarding the  
information regarding the right-of-way. Crolley commented that as part of the preparation work  
prepared for the case, it was discovered that the existing greenhouse extended into the Whitmore  
150 Court right-of-way. If the Conditional Use Permit was approved, Crolley stated that Mr. Wray  
would request a variance from the Board of Adjustments. Crolley also reported that if High  
School Drive was widened the existing parking in front of the structure could create a problem.

Williams opened the public hearing. Jimmy Wray, the applicant who resides at 2505 Katherine  
155 in Heath, came forward to address the Council. Wray provided the Council with some  
photographs which showed the property under consideration. Wray indicated that he was  
seeking a conditional use permit for the property located at 905 High School Drive for a retail  
nursery/garden center. Wray commented on the site plan and asked that the Council approve  
the use of the metal siding. He stated that the foundation could not support masonry. He stated  
160 that he desired to construct a metal fence to separate it from the undeveloped land. Wilson  
asked the applicant if he would have any objections to the renaming of High School Drive.  
Wray indicated that he did not object. Williams closed the public hearing.

White moved approval of the motion with the conditions that a standard fence material such as  
165 wood be used for the 8 foot fence, that if High School Drive is widened, the parking lot with  
a one-way drive configuration be established as indicated on the site plan, and that one additional  
parking space be added to the site plan. The motion was seconded by Hatfield. During Council  
discussion, Couch stated that the ordinance would need to be modified to delete the reference  
to the 8 foot metal fence. Robbins read the caption.

170

#### ORDINANCE NO. 95-9

175 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 NURSERY/GARDEN CENTER WITH A METAL ROOF  
SYSTEM AND METAL SIDES ON THE STORAGE AREA OF A BUILDING  
IN A COMMERCIAL ZONING CLASSIFICATION ON A TRACT OF LAND  
DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS;  
180 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF

TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE; PROVIDING  
FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;  
PROVIDING FOR AN EFFECTIVE DATE.

185 The motion passed unanimously.

**PZ-95-14-CUP Hold Public Hearing and Consider Approval of a Request from Szechwan Pavilion for an Ordinance Granting a Conditional Use Permit to Allow a Private Club for Property Located at 427 I-30 and Take Any Necessary Action**

190 Crolley stated that the property was zoned commercial and that private clubs were allowed as  
a use as an accessory to a restaurant in this zoning classification. He reported that the restaurant  
was comprised of approximately 5,280 square feet of floor area and that beer and wine would  
only be available with meals served at the dinner table. Crolley stated that staff and the  
195 Planning and Zoning Commission recommended approval of the request.

Williams opened with public hearing. Ms Wang, one of the owners of the restaurant, came  
forward. She stated that her family was requesting the conditional use permit so that customers  
would be able to complement their dinner with a alcoholic beverage if desired. Williams closed  
200 the public hearing. Welborn moved approval of the conditional use permit for Szechwan  
Pavilion, and the motion was seconded by White. Robbins read the caption.

ORDINANCE NO. 95-10

2 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 PRIVATE CLUB AS ACCESSARY TO A RESTAURANT TO  
210 BE LOCATED ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING  
FOR SPECIAL CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE;  
PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE  
DATE

215 The motion passed unanimously.

**PZ-95-15-Z/PP Hold Public Hearing and Consider Approval of a Request from Gary Johnson for an Ordinance Granting a Zoning Change from Agricultural to Light Industrial for 57.4 acres located at Hwy 276 and Approval of a Preliminary Plat for Property Located on the North Side of Hwy 276 approximately 2600' west of FM-549 and Take Any Necessary Action**

225 Crolley reported that the property was comprised of 57 acres and was currently zoned  
agricultural. He stated that the applicant was requesting a zoning change to light industrial.  
Crolley stated that owner intended to plat and develop the tract in phases as an  
industrial/business park. Crolley pointed out that water and sewer would need to be extended



230 to the site prior to development. He also indicated that the thoroughfare plan showed a collector roadway crossing the northern portion of the property and that the exact size and alignment of the road had not been determined. Crolley stated that staff and the Planning and Zoning Commission recommended approval of the request.

235 Williams opened the public hearing. Gary Johnson, 209 Carriage Lane Hill, a representative for the new owner, came forward to address the Council. Johnson stated it was the intention of the owner, Fred Burley, to develop the property as an industrial park. Hatfield requested Johnson's input regarding the use of metal buildings. Johnson responded that the use of metal buildings for this particular piece of land would be helpful. Hatfield stated that he was concerned that increasing land prices would discourage new industry and that he was encouraged that an industrial park was being developed. Johnson stated that he would like it to be easier for businesses to establish themselves in Rockwall. Williams commented that the City wanted to encourage existing and new businesses to thrive in Rockwall. Williams closed the public hearing. Following Council discussion, Welborn moved approval of the request for a zoning change from agricultural to light industrial and approval of the preliminary plat for property located on the north side of Hwy 276 approximately 2600 feet west of FM-549. The motion was seconded by Wilson, and caption was read by Robbins.

245 ORDINANCE NO. 95-11

250 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 "A" AGRICULTURAL CLASSIFICATION TO "LI", LIGHT INDUSTRIAL ZONING CLASSIFICATION; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (42,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

260 **PZ-95-16-CUP Hold Public Hearing and Consider Approval of a Request from R.I.S.D. for an Ordinance Granting a Conditional Use Permit to Allow Accessory Building Exceeding the Maximum Size Required and Not Meeting the Exterior Materials Requirements for Property Located at 700 Interurban and Take Any Necessary Action**

265 Crolley reported that the zoning of the property was SF-7 and that the district required a conditional use permit for accessory buildings over the 15 foot height and having more than 225 square feet in area. In addition, Crolley stated that a conditional use permit was required for the exterior materials requirement. He commented that the buildings would be used for the head start program.

270 Williams opened the public hearing. James Crow, a representative of Rockwall Independent School District, came forward and stated that he was available to answer any questions. Williams closed the public hearing. Hatfield moved approval of the request for a conditional use permit

275 to allow for accessory structures exceeding permitted square footage and not meeting the exterior materials requirement for property located at 700 Interurban. The motion was seconded by Luby, and caption was read by Robbins.

ORDINANCE NO. 95-12

280 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 ACCESSORY STRUCTURES EXCEEDING PERMITTED  
285 SQUARE FOOTAGE AND NOT MEETING THE EXTERIOR MATERIALS  
REQUIREMENTS ON A TRACT OF LAND DESCRIBED HEREIN;  
PROVIDING FOR SPECIAL CONDITIONS; 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

290 The motion passed unanimously.

**PZ-95-17-PP/SP/CUP Hold Public Hearing and Consider Approval of a Request from Alan Anderson for an Ordinance Granting a Conditional Use Permit to Allow a Car Wash in a General Retail Zoning District of PD-9 and Approval of a Preliminary Plat/Site Plan for Property Located on the West side of FM-3097 approximately 340 feet north of Rockwall Parkway and Take Any Necessary Action**

295

300 Crolley stated that the site plan and the preliminary plat met the zoning and landscaping ordinances. He reported that cross access was shown for the property to the south which was owned by the applicant. He stated that it met the requirements of the planned development. Crolley indicated that the cross access for the property to the north would be addressed in a facilities agreement. He stated that staff and the Planning and Zoning Commission recommended approval of the request with the conditions that a facilities agreement be negotiated at the time of final platting and engineering plans for water, sewer and drainage be submitted. Williams opened the public hearing. Alan Anderson, 1208 Lakeshore, came forward to address the Council. He stated that he was available to answer any questions. Williams closed the public hearing. Welborn moved approval of the request for a conditional use permit, approval of the preliminary plat, and approval of the site plan with staff and Planning and Zoning recommendations. The motion was seconded by Luby, and caption was read by Robbins.

305  
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ORDINANCE NO. 95-13

315 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 CAR WASH IN A GENERAL RETAIL ZONING DISTRICT  
ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR SPECIAL  
CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED  
320 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

The motion passed unanimously.

**PZ-95-8-Z/SP/RP Hold Public Hearing and Consider Approval of a Request from Lance Holland and Judy Clark for an Ordinance Amending the Construction Material Requirements for PD-9 and Approval of a Site Plan and Replat of 1 lot into 2 lots and for Property Currently Platted as Block A, Lot 1 of the Buffalo Creek Shopping Village No. 2 and Take Any Necessary Action**

Crolley stated that staff recommended that the public hearing be opened and continued at the May 15, 1995 meeting. White requested Crolley to state the reason for the postponement. Crolley reported that the Planning and Zoning Commission could not reach a decision. White requested clarification regarding the specifics of the law pertaining to the case. Crolley stated that the case included a plat, a site plan, and a zoning request. Crolley commented that normally a zoning case was considered by one motion. In regard to the platting of this property, Crolley reported that state law indicated that if a plat meets the technical requirements of the ordinance it must be approved. The plat was neither approved or denied by the Planning and Zoning Commission. Crolley reported that state law said that if a plat was not acted upon within thirty days that the plat was considered to be approved. Following discussion between staff and legal counsel, Crolley indicated that the case was postponed until May 15, 1995 to allow the thirty days to expire, after which the Council will hear the case and take any necessary action. Crolley reported that the case would not be returned to the Planning and Zoning Commission for any additional action.

Welborn requested counsel to comment as to the legalities which prevented the Council from taking action on the case. John Hill, legal counsel, reported that with respect to the plat the Council must have the approval of the Planning and Zoning Commission; and in this case the Council must wait for approval by operation of law which meant that thirty days must expire. Hill reported that if the Planning and Zoning Commission denied a plat that the case could never come before the Council. Welborn stated that it appeared that there were two different issues regarding the case -- the site plan and the replat. Crolley indicated that the site plan was the main discussion point during the Planning and Zoning Commission's meeting.

Williams opened the public hearing. Lance Holland, 2961 Oak Drive, the applicant came forward and stated the he had been confused by the actions taken by the Planning and Zoning Commission. Holland reported to the Council that he did not believe that the fence was the issue. Holland commented that he thought that the issues could have been split for separate action. Holland stated that he was planning to construct a new real estate office on the property which would be comparable to the homes nearby. He commented that his architect had revised the plans four times to try to meet all of the requirements of the zoning.

Pat Friend, chairman of the Planning and Zoning Commission, came forward. He reported that

365 he believed that it would have simplified matters if the issues had been separated. Friend stated that problems occurred because several residents where concern about the general retail zoning.

Couch commented that no action on the plat could be taken during the meeting. Crolley recommended that the cases be heard together because the site plan would not make sense until the property was replatted. Friend commented that the Planning and Zoning Commission had also expressed concern regarding the setback.

Morgan moved that the public hearing be continued at May 15, 1995 Council Meeting. The motion was seconded by White, and it passed unanimously.

**PZ-95-3-SP/Z Hold Public Hearing and Consider Approval of a Request from Lindy and Edie Barton for an Ordinance Granting a Change in Zoning from Heavy Commercial to Planned Development for Artist Studios/Retreats and Art Gallery and a Site Plan for Property Known as the Massey and ELB Additions Generally Located on the North Side of Boydstun Drive Approximately 1200' East of Goliad Drive and Take Any Necessary Action**

Crolley reported that property was comprised of approximately 1.61 acres and was platted as two separate pieces of land. He indicated that the property was currently zoned heavy commercial on lot 1. He stated that the applicant intended to add a small stone cutter area to the rear of the existing gallery, build four studios and a meditation facility that would be used by visiting artists in association with the gallery or by those interested in art. Crolley stated that on lot 2 the applicant intended to construct a residence and carriage house at a later date. Crolley reported that the applicant was temporarily requesting that they be allowed to reside in one of the studio units.

Crolley stated that the existing parking lot was pea gravel. He indicated that the applicant was requesting that a base gravel compacted with a pea gravel surface for the parking lot be allowed. Crolley reported that the applicant was proposing the studios and meditation structures be wood frame construction with a vinyl siding exterior. Based on the construction material, staff recommended that a more durable all weather parking surface such as asphalt or concrete be installed. Crolley reported that staff recommended approval of the request. Crolley reported that the Fire Marshall had visited the site and had concluded that it would not be necessary to install an additional fire hydrant. Staff recommended that the parking lot be comprised of a more durable surface however it was not a condition for approval of the request.

Williams opened the public hearing. John Lindsey, 1008 Ridge Rd, the architect came forward and stated that he was available to answer any questions. White requested information regarding the proposed usage of the facility. Lindsey reported that the units were individual units and would be utilized much like that of a bed and breakfast operation. White requested additional information regarding the meditation facility. Lindsey reported that no services would be held there. Couch commented that the intent was not to use the facility for organized religious activities which could effect the parking facilities. Following further Council discussion, Eloise



4 Cullum came forward to address the Council. Cullum voiced her support of the project. Williams closed the public hearing. Hatfield moved approval of the request for a change in zoning from heavy commercial to planned development and approval of the site plan as proposed for property with the condition of a two year review on the residence. The motion was seconded by Luby. Caption was read by Robbins.

415 ORDINANCE NO. 95-14

420 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ORDINANCE NO. 84-4 OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A ZONING CHANGE FROM HEAVY COMMERCIAL TO PLANNED DEVELOPMENT AND TO ALLOW FOR AN ARTIST STUDIO/ARTIST RETREAT AND ART GALLERY AND SINGLE FAMILY HOME ON THE PROPERTIES KNOWN AS THE ELB AND MASSEY ADDITIONS; PROVIDING SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR AN EFFECTIVE DATE

430 The motion passed unanimously.

**PZ-95-13-PP/CP Consider Approval of a Request from Robert Netherton of a Preliminary Plat for Creekside Estates on a Tract of Land Generally Located on the West Side of SH-205 Approximately 150' south of Caruth Lane and Take Any Necessary Action**

435 Crolley reported that the property was zoned SF-10 and currently there was a preliminary plat approved for the area shown on the concept plan. The existing preliminary plat services 212 lots with one entrance to SH-205. Crolley stated that the applicants were considering purchasing three acres shown on the preliminary plat to allow a second point of access to the development. Approval of the preliminary plat would allow the applicants to go forward with the purchase of these additional three acres and the incorporation of it into their plat.

440 Crolley reported that the separation between Creekside Drive and Caruth Lane was approximately 138' which was less than desirable. He stated that typically a 150' to 200' centerline to centerline separation was desirable for this type of road intersection. Crolley commented that based upon the turning movements and the traffic patterns in the area staff believed that the connection would be acceptable when the benefit of a second access point to the development was considered.

445 Crolley stated that Creekside Drive would not be quite as important once Alamo Drive was completed through to SH-205. He reported that a route study was performed in conjunction with the Caruth Lake development which established the Alamo and SH-205 connection. Crolley indicated that staff had some concerns regarding the costs associated with the Alamo and SH-205 connection because of the drainage ways to be crossed when making the connection. He commented that staff was working on solutions to the problem and hoped to share the costs of



455 the connection among all of the property owners that would benefit from the access. Crolley  
also reported that if funding could be resolved that there was still no way to determine the timing  
of the connection.

460 Crolley reported that there was also a preliminary plat approved for eight lots with zero lot line  
zoning directly south of the three acre tract that was part of the request. He stated that in the  
event the zero lot line property was developed as currently platted, and when Alamo Dr.  
connects to SH-205, staff recommended the connection of Creekside Drive and SH-205 be  
eliminated by using a cul-de-sac on Creekside Drive. Staff and the Planning and Zoning  
465 Commission recommend approval of the request with the following conditions: 1) that water  
and drainage easements and restriction be determined prior to the preliminary plat for 79 acres,  
and 2) that in the event zero lot line property was developed as currently platted, and when  
Alamo Dr. connects to SH-205, that staff recommended the connection of Creekside Drive and  
SH-205 be eliminated by using a cul-de-sac on Creekside Dr.

470 Welborn requested clarification regarding the results of the water and drainage study. Crolley  
reported that a flood plain was not a part of this development or part of the zero lot  
linedevelopment. The alley might cause a redirection of some water which would necessitate  
some type of structure to carry the water around the alley. Bill Anderson, a representative of  
the owner of the property, came forward to answer any questions. Following Council  
475 discussion, Wilson moved approval of the request for a preliminary plat and concept plan for  
a tract of land generally located on the west side of SH-205 approximately 150' south of Caruth  
Lane with the conditions as recommended by staff. The motion was seconded by Morgan, and  
it passed unanimously.

480 **PZ-95-23-FP Consider Approval of a Request from American National Bank for a Final  
Plat being Lot 1, Block 1 of the Steger Retail Addition Located on the Northeast Corner  
of FM-3097 and FM-740 and Take Any Necessary Action**

485 Crolley pointed out that a TU Electric easement had been added to the plat since originally  
review by Council. The easement was added at the request of the staff. Staff and the Planning  
and Zoning Commission recommend approval of the final plat. Welborn moved approval of a  
request from American National Bank for a Final Plat being Lot 1, Block 1 of the Steger Retail  
Addition. The motion was seconded by Hatfield, and it passed unanimously.

490 **PZ-95-7-Z Hold Public Hearing and Consider Approving an Ordinance Amending Certain  
Sections of the Comprehensive Zoning Ordinance to Allow Pawn Shops in certain Zoning  
Districts and Take Any Necessary Action**

495 Crolley reported that the Planning and Zoning Commission had discussed this issue and that the  
City's current zoning ordinance contained no provisions for this use. Crolley stated that  
pawnshops were licensed to transact business by the Consumer Credit Commission (CCC) under  
the Texas Pawnshop Act. He indicated that the CCC was the same agency that issued licenses  
for banks and other lending institutions. In 1991, the Texas Legislature made changes to the



5 law regarding zoning regulations applicable to the location of pawnshops. Additionally, a 1993 Attorney' General Opinion of the Texas Pawnshop Act, preempts local authority to regulate outdoor signs, displays, or storage at pawnshops. In order to bring the City's Zoning Ordinance into compliance with state law, Crolley indicated that a change was needed.

505 Crolley provided the Council with an overview of the law regulating pawn shops. He stated that typically conditional use permits were required for uses that in certain zoning districts may be appropriate in some instances and not appropriate in others. However, state law prohibits the use of CUP's for pawnshops. The City can consider zoning districts in which they may be allowed. Crolley reviewed the definition of pawnshop. White requested clarification regarding signage. Crolley stated that signage is not regulated by the Pawnshop acts. White requested  
510 that staff investigate the possibilities of regulating the signage of these businesses. Morgan requested information regarding the location of the City's heavy commercial zoning areas. Following additional discussion, Williams opened the public hearing. Williams closed the public hearing. Welborn moved approval of the ordinance to allow pawnshops in heavy commercial zoning districts. The motion was seconded by Hatfield, and the caption was read by Robbins.

515 ORDINANCE NO. 95-15

520 AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ORDINANCE NO. 84-4 OF THE CITY OF ROCKWALL, TEXAS, AS HERETOFORE AMENDED, SO AS TO ALLOW BY RIGHT PAWNSHOPS IN THE HEAVY COMMERCIAL ZONING CHANGE DISTRICTS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A REPEALER CLAUSE; AND  
525 PROVIDING FOR AN EFFECTIVE DATE

The motion passed unanimously.

### 530 City Manager's Report

535 Couch briefed the Council on the status of the water tower. She stated that the water tower had been activated and was currently operating. She also indicated that the lighting around the tank had been completed. Couch reported that the tank would be operated in conjunction with the existing tank for a period of time to ensure no problems occur. She indicated that items remaining to be completed included the drive, the fencing, and the landscaping and that they would be considered separate projects and that local contractors would be utilized to perform the work.

540 Couch reported on the status of the Chandlers Landing deep lift station project. She indicated the project included the diversion of flow from the Chandlers lift station to the Signal Ridge lift station through a new force main and expansion of the Signal Ridge lift station. She stated that the City had been notified that the contractor for the job had gone bankrupt. She reported that the contractor had completed the installation of the force main, but the work on the expansion



of the lift station remained. Couch stated that the pumps had been ordered and would be delivered directly to the City. Couch reported that the City was currently working with the bonding company to expedite the location of a new contractor to complete the job. She indicated to the Council the urgency in completing this project because the City had periodically experienced sewer overflows from the Chandlers lift station. Couch indicated that an emergency meeting might be required to approve a new contractor and to vote on a revised contract.

Couch reported that she and City staff meet with Jean Tanamachi, the Volunteer Services Coordinator, from the City of Mesquite. Couch indicated that Tanamachi would be at the May 1, 1995 meeting to provide the Council with an overview of Mesquite's program.

Couch reported that Pete Eckert, the City Attorney, had provided the Council with a copy of his presentation to TML regarding the possible impact of the Dolan vs. Tigard case decided by the U.S. Supreme Court. Couch commented that the Council had discussed this issue several times with the City Attorney. Couch indicated that John Hill from Cowles and Thompson was available to answer any questions regarding the case and its impact on the City's current subdivision procedures. Couch generally reviewed the case, and she stated that the finding of the case warrant a change in the subdivision ordinance which would allow for the inclusion of additional language on plat documents recognizing that dedications required in conjunction with the subdivision are found to be proportional to the impact of the development. She stated that staff was developing an amendment to the City's ordinance. She also indicated that the City would be adding additional language to developer agreements to address the proportionality of any required dedication or other exactions.

Welborn requested information regarding the approximate date of locating a contractor for the Chandlers Landing lift station. Couch stated that the City hoped to have one by the end of the week. Morgan requested information regarding the regulation of the lighting on the water tower. Couch commented that she believed that they were photocell lights. Morgan requested that staff determine the electrical costs associated with the lights and suggested that they might be placed on a timer. Morgan also requested that screening be developed for the Kroger Lift Station. Morgan requested that the City try to implement a plan to review new legislation affecting the City within ninety days.

### **Action/Discussion Items**

#### **Discuss and Consider Approval of a Route Study for North Lakeshore Drive/Quail Run Road Realignment and Take Any Necessary Action**

Crolley stated that staff recommended that the case be tabled. Crolley reported that the property owner had attended the P & Z meeting and had desired to discuss the issue in greater detail. The Planning and Zoning Commission recommended that the issue be tabled until staff had met with the property owner. White moved that the route study for North Lakeshore Drive/Quail Run be tabled. The motion was seconded by Morgan, and it passed unanimously.



**Discuss and Consider Proposing an Amendment to the City Charter that would Provide for Vacancies of the City Council to be Filled by Special Election and Take Any Necessary Action**

White commented that he believed that vacancies on the Council should be filled by election and not by appointment. Welborn stated that it had been two years since a review of the City Charter by a Commission. Welborn stated that she would like the Council to come up with a list of items to be reviewed and then appoint a Commission to review these items and the Charter. Hatfield requested clarification regarding the amount of notice required to hold an election. Couch responded that a charter election must be held on a uniform election date. Couch indicated that if a Commission was appointed the Council could establish certain guidelines and specific areas to be reviewed. Following Council discussion, Welborn moved that staff draft a resolution to establishing a Charter Commission to review Council and staff recommendations as a portion of their charge. The motion was seconded by Wilson. Following discussion, the motion passed unanimously.

**Discuss and Consider a Resolution Calling for Equity in Distribution of Highway Appropriations and Take Any Necessary Action**

Couch commented that at the last meeting the Council had discussed drafting a resolution to send to the Texas Department of Transportation regarding the distribution of highway appropriations. She stated that staff had prepared a resolution for the Council's consideration and that it was included with the agenda materials. The original resolution would be forwarded to the Austin office of the Texas Department of Transportation with the local office being copied. Welborn moved approval of the resolution. The motion was seconded by White, and it passed unanimously.

**Discuss and Consider Authorizing the City Manger to Submit a Bid for the Purchase of an Aerial Truck for the Fire Department and Take Any Necessary Action**

Couch reported that the City had reviewed a number of options in regards to the purchase of an additional aerial fire truck. These options included either purchasing a used truck or a new one. Couch indicated that the majority of used equipment would not generally be considered; however, the City had located two pieces of equipment which might meet the needs of the City. Couch stated that Rowlett had an aerial device which had a 110' ladder and was being sold by sealed bid. She reported that the Rowlett truck was seven years old and had a minimum of 13 years of service remaining. Since the original drafting of the first memorandum, the City became aware of an additional used fire truck. This truck, a 1992 model, had never been placed in service. The City that commissioned it traded it in on an upgraded model without ever putting it in service. She stated that the asking price for this truck was \$365,000. In reviewing the various options regarding a new truck, there would be an opportunity to purchase a new truck in the range of \$460,000 up to \$580,000 depending on the options added.

Couch commented that the differences between a used truck and a new one would be that most



635 used trucks have 110' ladders and do not have some of the newer safety equipment. A new  
truck would be shorter in length and would be more maneuverable, however, the ladder would  
not be as long. In reviewing the options, the City believed the most effective action for the City  
would be for the Council to authorize the City to enter into negotiations with E-1, the company  
offering the 1992 truck. Mark Poindexter, Fire Chief, came forward to address the Council.  
He briefly reviewed the options of both trucks and answered Council questions. Welborn  
requested clarification regarding the effect an aerial truck would have on the city's key rating.  
640 Poindexter stated that it would not have much effect on these rates. Following Council  
discussion, White moved that the City be authorized to travel to Florida to inspect the 1992  
truck offered by E-1 and that the City not submit a bid for the truck in Rowlett. The motion  
was seconded by Morgan, and it passed unanimously.

#### 645 **Discuss and Consider Approving a Tree Ordinance and Take Any Necessary Action**

Couch reported that the Planning and Zoning Commission had worked steadily on this issue and  
the ordinance had undergone a number of revisions and refinements since originally drafted.  
She stated that the Planning and Zoning Commission had recommended approval of this  
650 ordinance. Couch pointed out that there had been a clarification in the definition section to  
reflect a change in the size of a protected tree. The Commission recommended that protected  
trees be those that are nine inches or above in diameter. Hatfield moved approval of the tree  
preservation ordinance as submitted by staff. The motion was seconded by Hatfield. White  
requested clarification regarding the exemption of the utility companies. Crolley stated that  
originally the ordinance was complicated by the exemption section and that it had been simplified  
to alleviate some confusion. White requested that language be included which would subject  
utility companies to the same standards of developers when building office space within  
Rockwall. Caption was read by Robbins.

#### 660 **ORDINANCE NO. 95-16**

665 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS AMENDING THE ROCKWALL CODE OF ORDINANCES SO AS TO  
ADD CHAPTER 20 ARTICLE IV., SECTIONS 100 THROUGH 111,  
REGULATING THE PRESERVATION AND PROTECTION OF CERTAIN  
TREES WITHIN THE CITY; PROVIDING FOR DEFINITIONS; PROVIDING  
FOR SUBMISSION OF A TREESCAPE PLAN; PROVIDING FOR TREE  
REPLACEMENT REQUIREMENTS; PROVIDING FOR TREE PROTECTION;  
PROVIDING FOR TREE PRUNING; PROVIDING FOR TREE PLANTING;  
670 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A  
SEVERABILITY CLAUSE; PROVIDING FOR A FINE OF FIVE HUNDRED  
DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING FOR AN  
EFFECTIVE DATE**

675 The motion passed unanimously.

#### **Discuss and Consider Authorizing the City Manager to Enter into a Contract for Traffic Engineering Services with DeShazo, Tang, & Associates and Take Any Necessary Action**



680 Couch reported that the Council had approved the selection of Deshazo, Tang, & Associates to provide the City with Traffic Engineering Services. Couch commented that a contract was included in the packet for consideration and approval. Welborn moved that the City Manager be authorized to enter into a contract with DeShazo, Tang & Associates for traffic engineering services. The motion was seconded by Luby, and it passed unanimously.

685 **Discuss and Consider Approval of an Annual Bid for Water Meters and Take Any Necessary Action**

Couch commented on the request and recommended that the bid be awarded to the low bidder. Hatfield moved that the bid be awarded to Mueller Co. and Master Meter. The motion was seconded by Morgan, and it passed unanimously.

690 **Discuss and Consider Action Regarding Bids for Municipal Pool Repairs and Take Any Necessary Action**

695 Couch reported that part of the recreational and development fund money set aside during the budget process had been for improvements to the municipal pool and the southside pool. Rick Crowley, Director of Public Services, came forward to discuss the information included in the memo. Crowley stated that the City wished to reject the bids received as not meeting specifications noting that the price of the bid was in excess of what was budgeted. He also asked that the City be allowed to move forward with an award of a price quote to Classic Tile & Plastering for the resurfacing project and that the City defer the improvements to the municipal pool which would be re-bid in late August. Following Council discussion, White moved that the City reject the bids received as not meeting specification, that the City award a bid to Classic Tile and Plastering to complete the repairs to the southside pool, and that the municipal pool be re-bid after closure of the pool in August. The motion was seconded by Welborn, and it passed unanimously.

705 **Discuss and Consider Approval of an Annual Contract for Mowing Services and Take Any Necessary Action**

710 Couch reported that this was an annual contract and that the City was recommending the low bidder, Insta Lawns. Welborn moved that the City award the annual mowing contract to Insta Lawns. The motion was seconded by White, and it passed unanimously.

715 **Hold Worksession to Discuss Construction of Horizon Road and Take Any Necessary Action**

720 Couch stated that the City had proposed two design alternatives for the widening of Horizon Road. William Douphrate, the Director of Community Development, reviewed the two alternatives with the Council. The first alternative, which was the original design concept, would connect into the existing pavement and would widen it to 27 feet which would accommodate four lanes of undivided traffic. The second alternative would be to completely remove the existing pavement and lower the existing grade of the street 18-24 inches. The



725 advantages and disadvantages of each alternative were reviewed. Douphrate stated that staff had  
determined that the cost to construct an entire new roadbed would be approximately \$222,250.00  
which was only a slight increase over the alternative which would allow for the connection into  
the existing roadbed. Douphrate recommended that the second alternative be approved because  
if it would have a longer life and would have significantly lower maintenance cost. Welborn  
moved that the City remove the existing road structure, lower the grade of the street and  
construction a new roadbed for Horizon Road. The motion was seconded by Morgan, and it  
passed unanimously.

730 **Hold Executive Session under Section 551.072 and 551.074 of the Texas  
Government Code**

735 The Council convened into executive session at 10:50 p.m. to discuss North Texas Municipal  
Water District Board Member appointment and land acquisition of city facilities.

The Council reconvened back into regular session at 10:55 p.m. Hatfield moved that Brett Hall  
be reappointed as the NTMWD Board Member. The motion was seconded by Morgan, and  
it passed unanimously.

740 **Adjournment**

The meeting was adjourned at 11:00 p.m.

745 APPROVED:

750 \_\_\_\_\_  
Mayor

ATTEST:

755 \_\_\_\_\_  
City Secretary



94-23

CITY OF ROCKWALL  
City Council Agenda

**Agenda Date:** September 5, 1995

**Agenda No.** VI.C.

**Agenda Item:** Appointment with Representative of American National Bank to  
Consider Approval of a Sign Variance and Take Any Necessary Action

**Item Generated By:**

**Action Needed:**

**Background Information:**

**Attachments:**

1. Copy of request from American National Bank.
2. Copy of memorandum from Bill Crolley.

**Agenda Item:** Appt: American National Bank

**Item No.** VI.C.



**moran & murphy architects, inc.**

ARCHITECTURE / INTERIORS / PLANNING

August 29, 1995

Bill Crolley  
City Planner  
City of Rockwall  
205 West Rusk  
Rockwall, Texas 75087

Re: ANB Rockwall

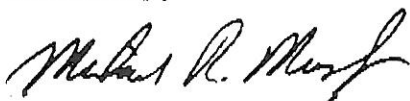
Bill:

Please accept this letter as American National Bank's request for a variance to the setback requirements of the signage ordinance as it affects their new facility at F.M. 3097 and Ridge Road.

As shown on the submitted Site Plan dated 2/3/95 the monument sign was located on the property line along Ridge Road. It would be in the Bank's interest to maintain this approximate location to optimize view corridors from Ridge Road.

Please contact me at your earliest convenience as to the time and procedures involved in this request.

Sincerely,



Michael R. Murphy

MRM:jm







## **MEMORANDUM**

**TO: Julie Couch, City Manager**

**FROM: Bill Crolley, City Planner**

**RE: American National Bank Sign Variance**

**DATE: June 14, 1995**

Attached is a letter from Michael Murphy on behalf of American National Bank requesting a sign variance at their new site on Ridge Road and F.M. 740. The site plan for this site was approved at the October 17, 1994 City Council meeting. There was a sign that was shown on that site plan. At the time the site plan was reviewed, it was believed by staff that the site plan was depicting the general location of the sign. Attached is a copy of the site plan approved in 1994.

The applicant is finalizing the exact location of the sign. Additional information, sign elevations and additional drawings will be provided on Friday.

94-23



## AMERICAN NATIONAL BANK

ESTABLISHED 1875

September 25, 1995

Mr. Bill Crolley  
City of Rockwall  
205 West Rusk  
Rockwall, Tx. 75087

Re: Future sidewalks to be constructed for American National Bank  
2865 Ridge Road.

Dear Bill:

In reference to our phone conversation of this morning, American National Bank agrees to complete construction of the sidewalks per the agreement with the city after road construction on FM 740 is completed.

The bank, also, offers to escrow funds for this project if necessary.

Thank you and your staff for your cooperation in our move to the new facility.

Sincerely,

Larry Parks



94-23

ORDINANCE NO. 95-2

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 TO USE A STRUCTURAL WOOD TRUSS SYSTEM ON A STEEL FRAME WITH PLYWOOD DECK CLAD WITH STANDING SEAM METAL ROOF SYSTEM IN A COMMERCIAL ZONING CLASSIFICATION ON A TRACT OF LAND DESCRIBED HEREIN; PROVIDING FOR SPECIAL CONDITIONS; 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.

WHEREAS, a Conditional Use Permit to use non-combustible construction materials for a building on the property described on the attached Exhibit "A" has been requested by American National Bank; 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 so as to grant a Conditional Use Permit to use a structural wood truss system on a steel frame with plywood deck clad with standing seam metal roof system on the property described on Exhibit "A" attached hereto and made a part hereof.

Section 2. That the above described tract of land 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 Conditional Use Permit and as may be amended in the future.

Section 3. 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 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by

Exhibit "A"

LEGAL DESCRIPTION

BEING a 2.5000 acre tract of land situated in the James Smith Survey, Abstract No. 200, City of Rockwall, Rockwall County, Texas, and being part of a 73.9 acre tract described in deed to Emily Sue Whitehead and O.L. Steyer, Jr., recorded in Volume 87, Page 148, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a concrete R.O.W. monument found at the intersection of the Easterly line of F.M. 740 (Ridge Road 90' R.O.W.) and the corner clip from the Easterly line of F.M. 3097 (100' R.O.W.) ;

THENCE North 08°10'58" East, with the easterly line of said F.M. 740 a distance of 94.19 feet to a 1/2" iron rod set for a corner;

THENCE South 81°49'02" East, a distance of 343.00 feet to a 1/2" iron rod set for corner, said point being in the Westerly line of a 25' Firelane, Access, & Utility Easement as recorded in Volume 606, Page 163, and Volume 606, Page 314 of the Deed Records of Rockwall County, Texas and as shown on the plat of the Steyer Retail Addition recorded in Cabinet C, Slide 115-116, Map Records of Rockwall County, Texas;

THENCE South 08°10'58" West, along said Westerly line of easement, a distance of 370.07 feet to a P.K. nail set in concrete curb for a corner and being the point of curvature of a curve to the right, said curve having a central angle of 37°56'29" and a radius of 35.00 feet;

THENCE along said Westerly line of easement and with said curve an arc distance of 23.18 feet to a P.K. nail set in concrete driveway for a corner;

THENCE South 46°07'27" West, along said Westerly line of easement, a distance of 55.46 feet to a P.. Nail set in concrete driveway for a corner in the said Easterly line of F.M. 3097;

THENCE North 43°52'33" West, along said Easterly line, a distance of 290.00 feet to a concrete monument found for corner;

THENCE North 15°54'15" West, along said Easterly line, a distance of 178.36 feet to the POINT OF BEGINNING and containing 2.5000 acres or 108,900 square feet of land.

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a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 5. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No.83-23 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 for this ordinance are declared to be severable.

Section 6. 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 cases provides.

DULY PASSED AND APPROVED this 20th day of February, 1995.

  
ATTEST

  
APPROVED

1st Reading 2-20-95

2nd Reading 3-6-95