

City Of Rockwall
Community Development Request Application

97-65

Items Submitted:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Landscape Plan |
| <input type="checkbox"/> Replat | <input type="checkbox"/> Overlay District | <input type="checkbox"/> Treescape Plan |
| <input type="checkbox"/> Vacation of Plat | <input type="checkbox"/> Building Elevations | <input type="checkbox"/> Zoning / PD Request |

General Information:

Addition Name: ROCKWALL ASSISTED LIVING Current Zoning: PD-18

Proposed Zoning: NO CHANGE No. Of Acres: 5.868 No. Of Lots: 2 No. Of Units: _____

General Location of Property (or) Address: NW CORNER SUMMER LEE DR & FM740

Proposed Use For Property: ASSISTED LIVING CENTER

Owner's Name: ED CAMPBELL

Applicant's Name: JAY MARSH

Company: FM740 ROCKWALL, LTD

Company: CARTER & BURGESS, INC

Address: 104 LION STREET, SUITE E

Address: 7950 ELMBROOK DR

City, State, Zip: DE SOTO, TX 75123

City, State, Zip: DALLAS, TX 75247

Phone: (972) 223-6241

Phone: (214) 638-0145 FAX (214) 638-0447

Representative's Name: SAME AS APPLICANT

Submitted By: MIKE JONES

Company: _____

Company: CARTER & BURGESS, INC.

Address: _____

Address: 7950 ELMBROOK DR

City, State, Zip: _____

City, State, Zip: DALLAS, TX 75247

Phone: _____

Phone: (214) 638-0145

Submittal Fee: (Notaries are available)

BEFORE ME, a Notary Public, on this day personally appeared MIKE JONES the undersigned applicant, who under Oath, stated the following:

"I hereby certify that I am the owner, or duly authorized agent of the owner, for the purposes of this application; all information submitted herein is true and correct; and the application fee of \$ 104.34, to cover the cost of this application, has been paid to the City of Rockwall on this 20TH day of AUGUST, 19 97.

SUBSCRIBED AND SWORN TO before me, this 20th day of August, 19 97.

11-3-97
My Commission Expires

Denise Larue
Notary Public in & for the State of Texas



Michael Jones
Applicant Signature
DENISE LARUE
Notary Public
State of Texas
My Comm. Exp. 11-03-97

Submittal Requirements

Submit following applicable items; 1st Submittal w/ application (Wk session)

2nd Submittal after revisions (Public Hearing)

Preliminary Plat w / check list	^{24x36} 18x24 <input checked="" type="checkbox"/> 12 Copies, folded	<input type="checkbox"/> 20 Copies, Folded, 1 - 8 1/2 x 11
Final Plat W / Check List	18 x 24 <input type="checkbox"/> 12 Copies, folded	<input type="checkbox"/> 20 Copies, Folded, 1 - 8 1/2 x 11
Replat W / Check List	18 x 24 <input type="checkbox"/> 12 Copies, folded	<input type="checkbox"/> 20 Copies, Folded, 1 - 8 1/2 x 11
Vacation of Plat	18 x 24 <input type="checkbox"/> 12 Copies, folded	<input type="checkbox"/> 20 Copies, Folded, 1 - 8 1/2 x 11
Concept /Development Plan	24 x 36 <input type="checkbox"/> 12 Copies, folded	<input type="checkbox"/> 20 Copies, Folded, 1 - 8 1/2 x 11
Site Plan w / Check List	24 x 36 <input type="checkbox"/> 12 Copies, folded	<input type="checkbox"/> 20 Copies, Folded, 1 - 8 1/2 x 11
Zoning Exhibit w/Legal Description	24 x 36 <input type="checkbox"/> 12 Copies, folded	<input type="checkbox"/> 20 Copies, Folded, 1 - 8 1/2 x 11
Building Elevations	24 x 36 <input type="checkbox"/> 12 Copies, folded	<input type="checkbox"/> 20 Copies, Folded, 1 - 8 1/2 x 11
Landscape/Irrigation Plan	24 x 36 <input type="checkbox"/> 12 Copies, folded	<input type="checkbox"/> 20 Copies, Folded, 1 - 8 1/2 x 11
Treescape Plan w/ check list	24 x 36 <input type="checkbox"/> 12 Copies, folded	<input type="checkbox"/> 20 Copies, Folded, 1 - 8 1/2 x 11
Conditional Use Legal Description	8.5 x 11 <input type="checkbox"/> 1 Copy	

Engineering Plans ☐ 2 sets engineering plans, when required, including the site plan, plat, landscape/irrigation plan and treescape plan.

NOTES:

- * **Engineering Plans - Contact Engineering Dept. to determine if required (if required, plans must be submitted to the city engineer 15 days prior to PZ work Session)**
- * **The applicant is encouraged to meet with staff prior to submittal**
- * **Treescape Plans required for all Plats & Site Plans**
- * **Final Plats must be filed with the county clerk within 120 days of approval by City Council or the plat will be considered invalid**
- * **Applicants of residential plats are required to attend Park Board Meetings**

FOR OFFICE USE ONLY

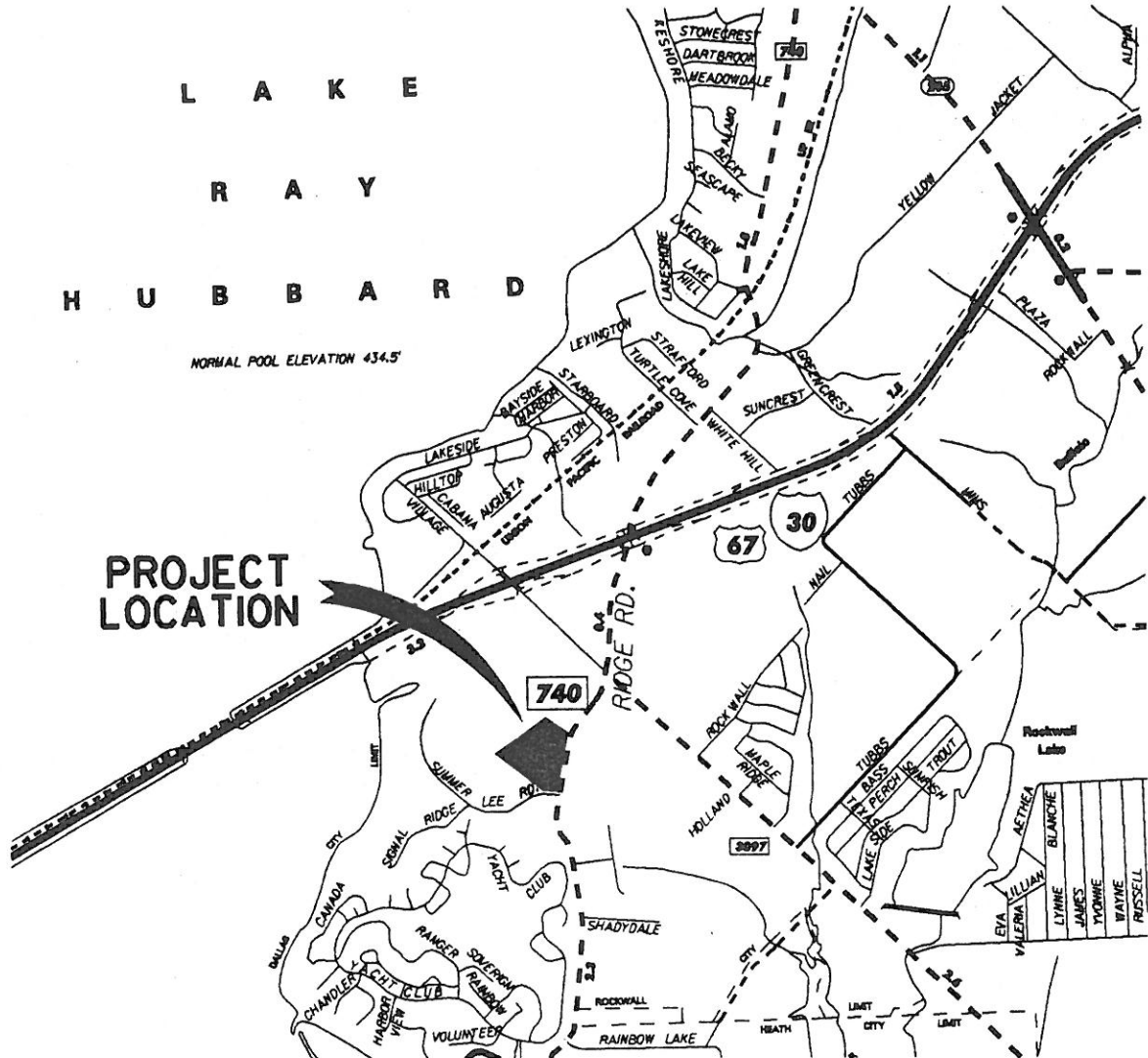
All necessary filling information included with application ☐ YES ☐ NO

Received By

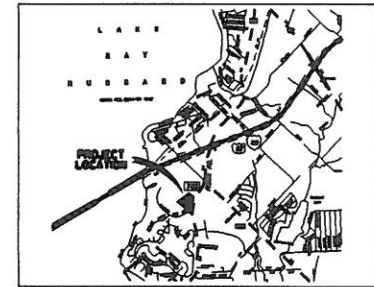
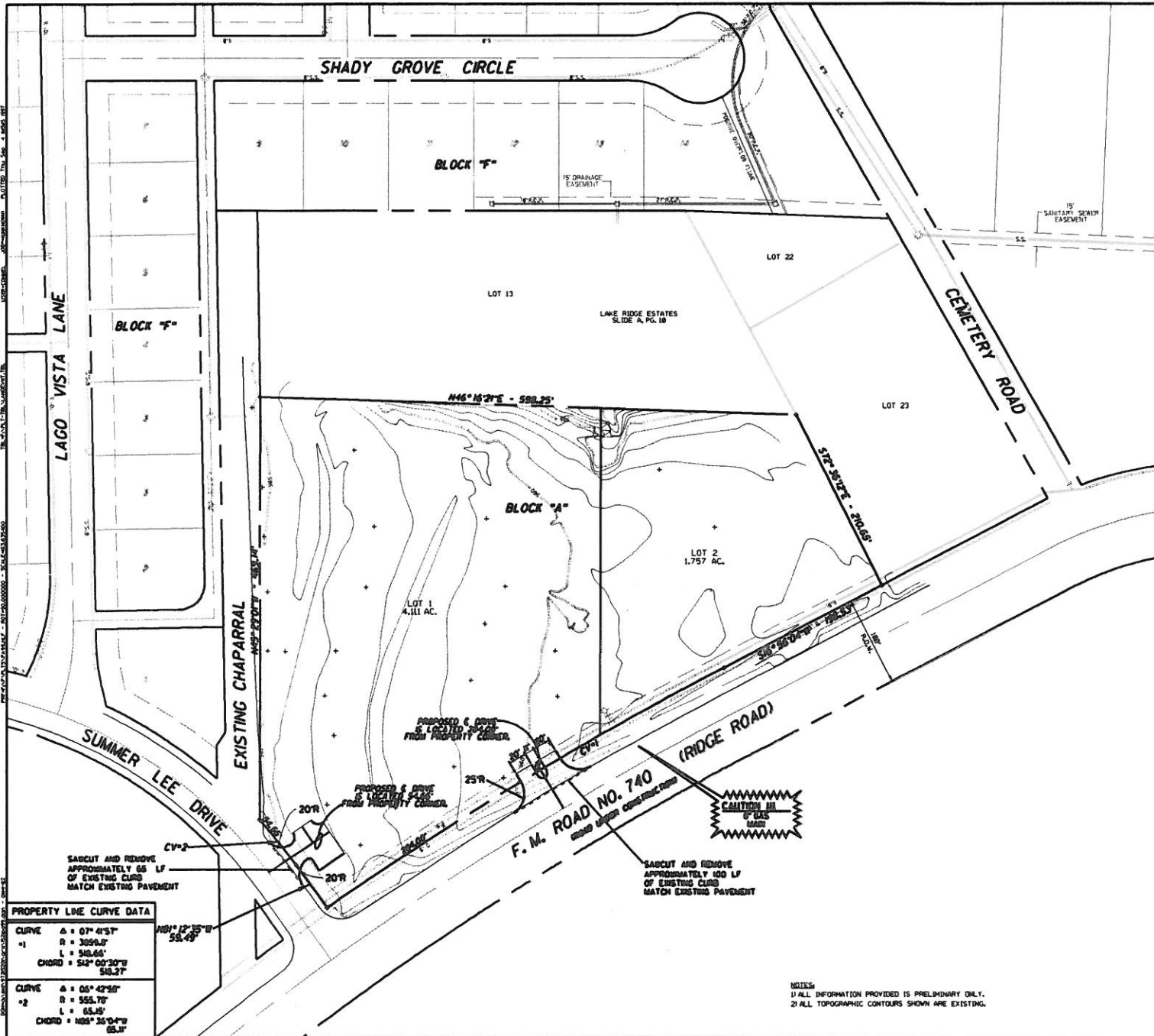
Date

NORMAL POOL ELEVATION 434.5'

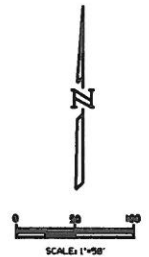
PROJECT LOCATION



97-65



VICINITY MAP
N.T.S.



T&E ELECTRIC	210-0704
LONG STAR GAS	973-3704
NORTH TEXAS CABLE CO.	1-800-488-7030
SOUTHWESTERN BELL TELEPHONE	320-5307

PRELIMINARY PLAT
FOR

ROCKWALL ASSISTED LIVING ADDITION

5.060 ACRES / TWO LOTS
ROCKWALL, TEXAS

EDWARD TEAL SURVEY, ABST. NO. 207

OWNER: F.M. 740 ROCKWALL, LTD.
104 LION STREET, SUITE E.
DALLAS, TX 75215
(972) 252-6943

ENGINEER/ARCHITECT
Carter-Burgess

CARTER & BURGESS, INC.
1000 S. GUYTON STREET, SUITE 200
DALLAS, TX 75215
(214) 443-0000

AUGUST, 1997

NOTES:
1) ALL INFORMATION PROVIDED IS PRELIMINARY ONLY.
2) ALL TOPOGRAPHIC CONTOURS SHOWN ARE EXISTING.

**City Of Rockwall
Planning & Zoning Commission**

Agenda Date: September 9, 1997

Applicant: Ed Campbell

Agenda Item: **97-65-PP**
A request from for a preliminary plat for 2 lots zoned PD-18 consisting of approximately 6 acres of land for an assisted Care facility located on the west side of FM-740 north of Summer Lee Drive.

Action Needed: Discuss and consider approval of the request.

Background Information: This plat proposes two lots for an assisted living facility. A revised concept plan for this tract to allow this use was recently approved. Lot 1 consist of 4.1 acres and lot 2 consists 1.7 acres. This site will be developed as the first phase with 2 developed at a later date.

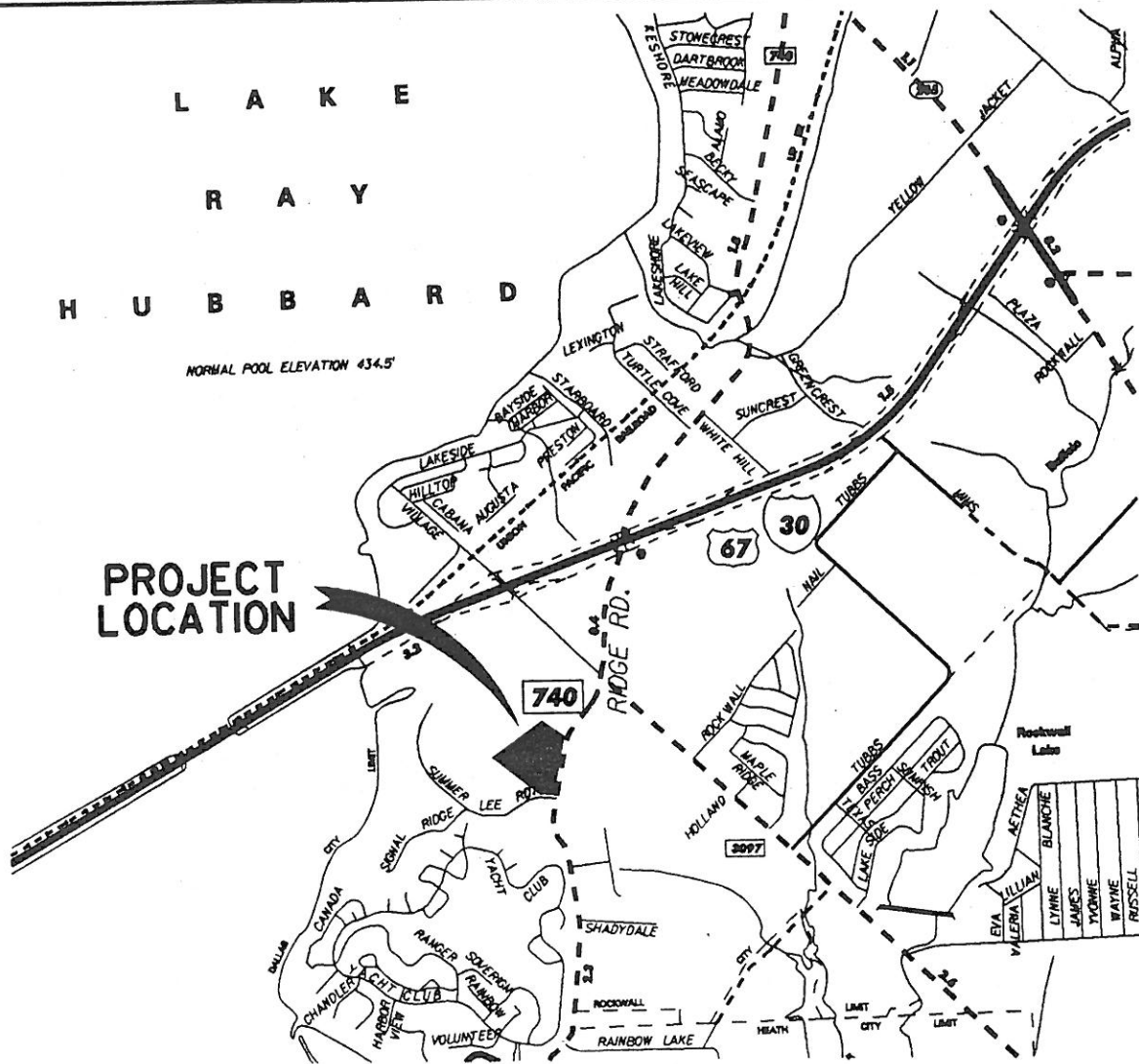
Staff Recommendation: Staff recommends approval with the following conditions;

1. Submittal of a treescape plan with the final plat and site plan.
2. Submittal of engineering plans with final plat and site plan.
3. Determination of FM-740 left turn lane with final plat and site plan.

L A K E R A Y H U B B A R D

NORMAL POOL ELEVATION 434.5'

PROJECT
LOCATION

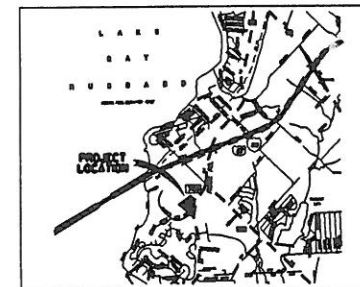
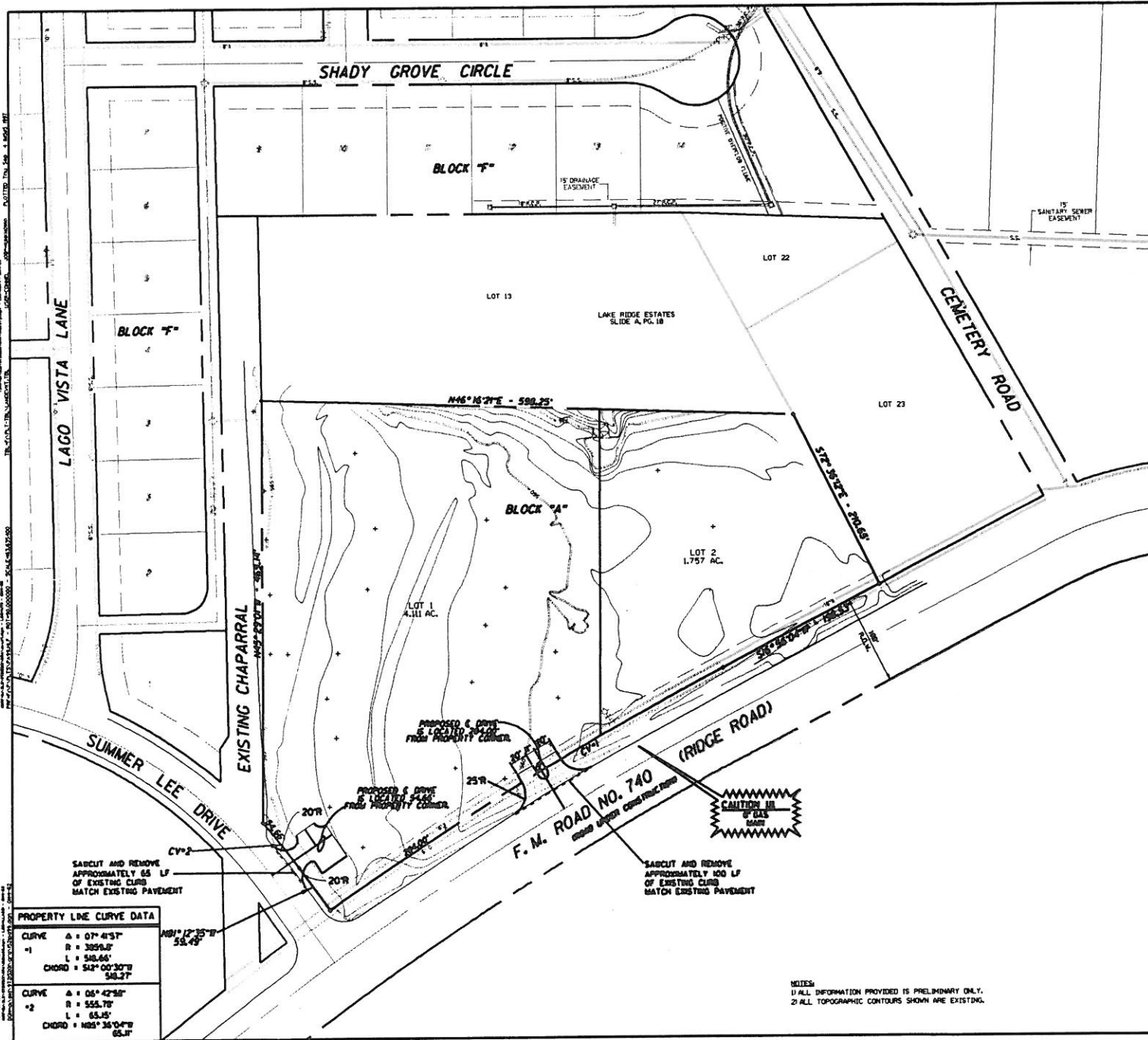


VICINITY MAP

N.T.S.



97-65



VICINITY MAP
N.T.S.



T.J.A. ELECTRIC	210-0704
LOVE STAR GAS	873-3704
NORTH TEXAS CABLE CO.	1-800-489-7838
SOUTHWESTERN BELL TELEPHONE	320-5387

PRELIMINARY PLAT

FOR

ROCKWALL ASSISTED LIVING ADDITION

5.868 ACRES / TWO LOTS
ROCKWALL, TEXAS

EDWARD TEAL SURVEY, ABST. NO. 207

OWNER: F.M. 740 ROCKWALL, LTD.
104 LION STREET, SUITE E.
DENTON, TX 76205
(817) 222-6943

ENGINEER/SURVEYOR

Carter-Burgess

OWNER & SURVEYOR
ALL RIGHTS RESERVED
NO PART OF THIS MAP MAY BE
REPRODUCED

AUGUST, 1997

NOTES:
1) ALL INFORMATION PROVIDED IS PRELIMINARY ONLY.
2) ALL TOPOGRAPHIC CONTOURS SHOWN ARE EXISTING.

PROJECT No. 97-353-01

**CITY OF ROCKWALL
City Council Agenda**

Agenda Date: September 15, 1997

Agenda No V.K

Agenda Item: **PZ-97-65-PP-** Consider Approval of A Request from Ed Campbell for a preliminary plat for 2 lots zoned PD-18 consisting of approximately 6 acres of land for an assisted Care facility located on the west side of FM-740 north of Summer Lee Drive and Take Any Necessary Action.

Item Generated By:

Action Needed:

Background Information:

Attachments:

1. Copy of Staff and P & Z Recommendation
2. Copy of Agenda Item Information

**City Of Rockwall
City Council**

Agenda Date: September 15, 1997

Applicant: Ed Campbell

Agenda Item: **97-65-PP**
A request from Ed Campbell for a preliminary plat for 2 lots zoned PD-18 consisting of approximately 6 acres of land for an assisted Care facility located on the west side of FM-740 north of Summer Lee Drive.

Action Needed: Discuss and consider approval of the request.

Background Information: This plat proposes two lots for an assisted living facility. A revised concept plan for this tract to allow this use was recently approved. Lot 1 consist of 4.1 acres and lot 2 consists 1.7 acres. This site will be developed as the first phase with 2 developed at a later date.

Staff Recommendation: Staff recommends approval with the following conditions;

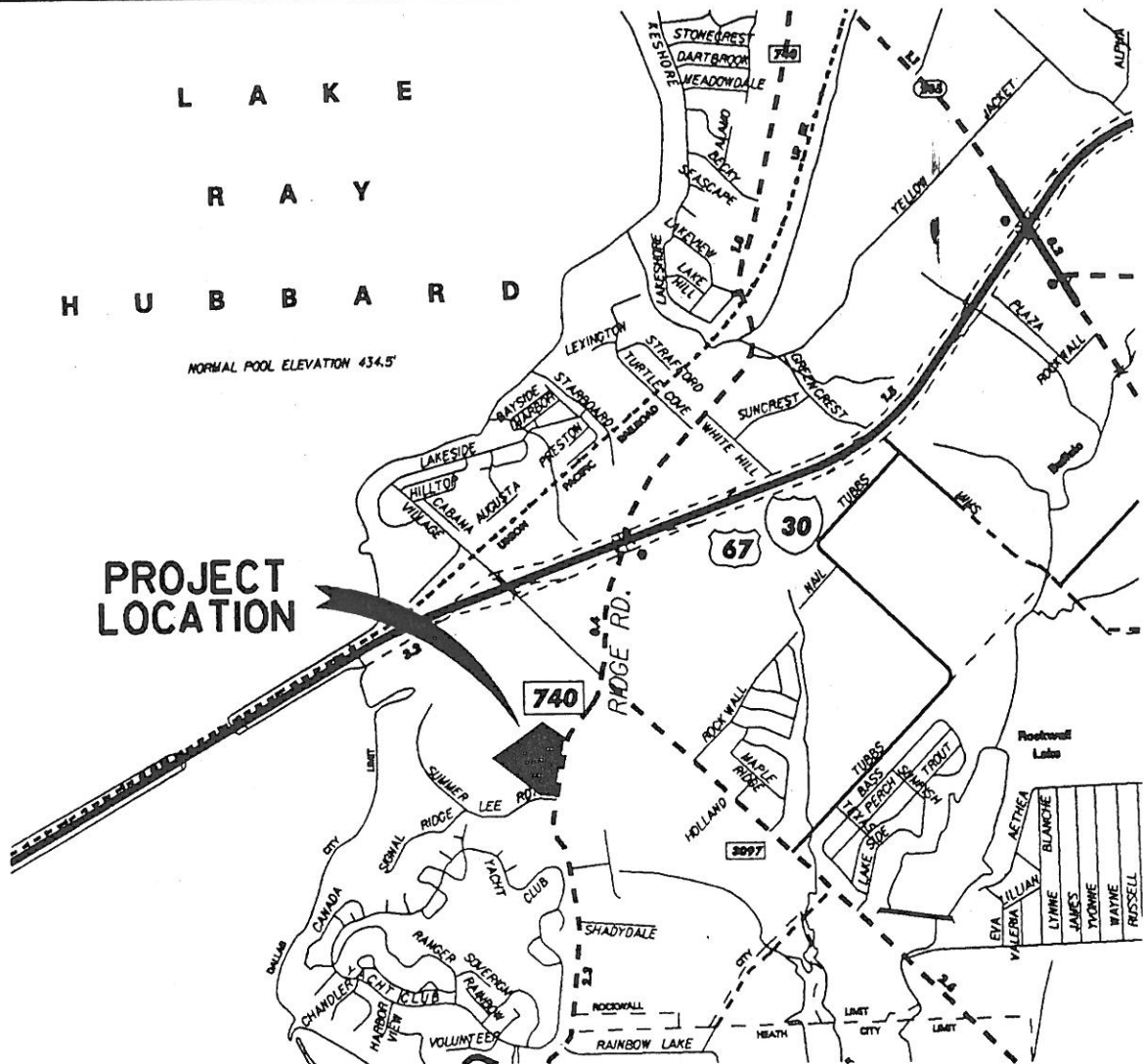
1. Submittal of a treescape plan with the final plat and site plan.
2. Submittal of engineering plans with final plat and site plan.
3. Determination of FM-740 left turn lane with final plat and site plan.

P&Z Recommendation: P&Z Commission recommends approval with staff conditions by a vote of 5 to 0.

L A K E R A Y H U B B A R D

NORMAL POOL ELEVATION 434.5'

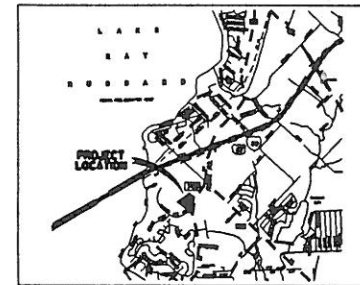
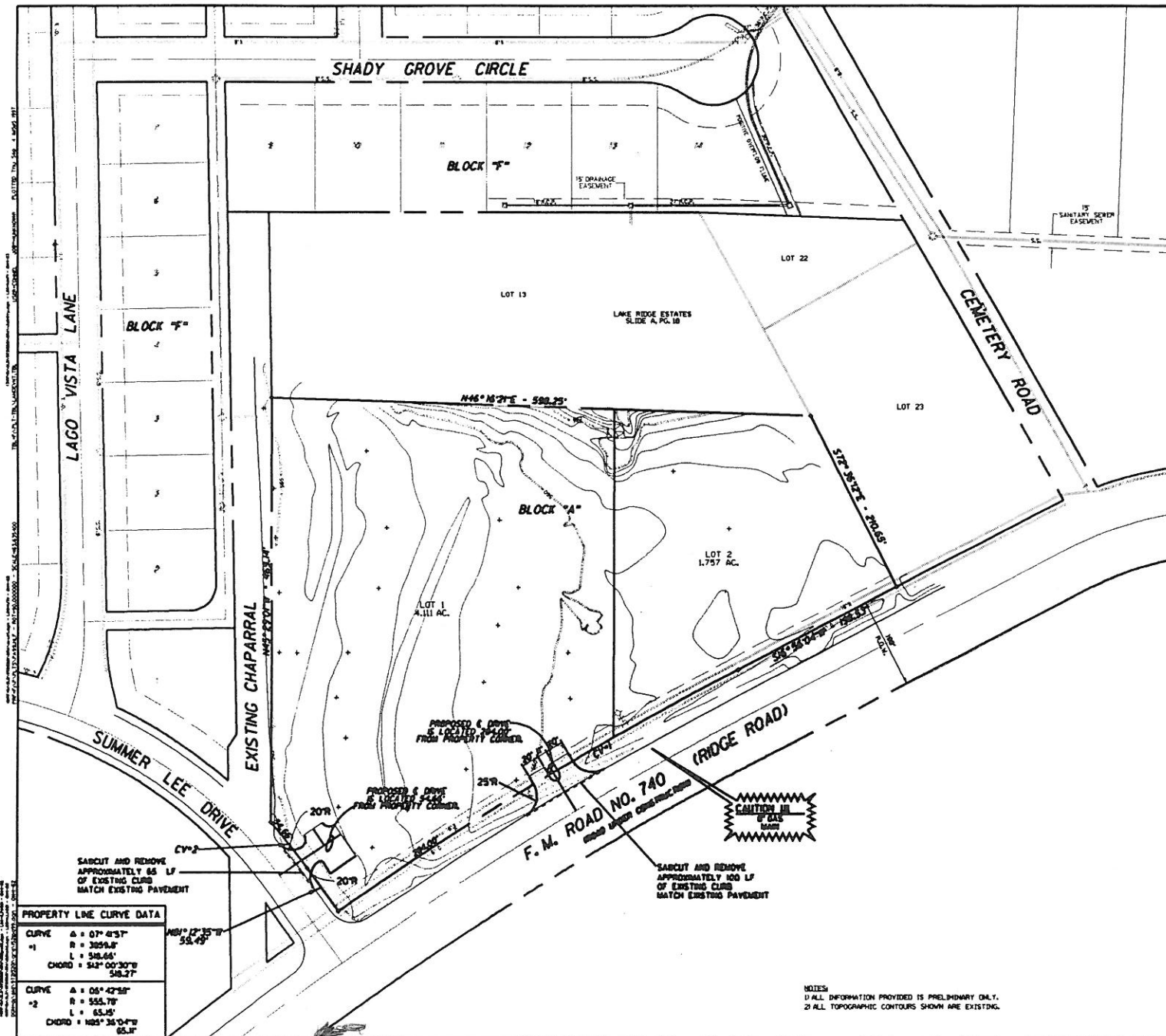
PROJECT
LOCATION



VICINITY MAP
N.T.S.



97-65



VERITY MAP
N.T.S.



T&B ELECTRIC ----- 218-0904
 LONG STAR GAS ----- 873-3784
 NORTH TEXAS CABLE CO. ----- 1-800-488-7838
 SOUTHWESTERN BELL TELEPHONE ----- 338-6387

PRELIMINARY PLAT
 FOR

ROCKWALL ASSISTED LIVING ADDITION

5.888 ACRES / TWO LOTS
 ROCKWALL, TEXAS

EDWARD TEAL SURVEY, ABST. NO. 207

OWNER: F.M. 740 ROCKWALL, LTD.
 104 LION STREET, SUITE B.
 DENTON, TX 76215
 (972) 222-6943

DRAWN BY: [Signature]

Carver-Burgess

AUGUST, 1997

NOTES:
 1) ALL INFORMATION PROVIDED IS PRELIMINARY ONLY.
 2) ALL TOPOGRAPHIC CONTOURS SHOWN ARE EXISTING.

PROJECT No. 97-252-G

97-65

[] Zoning / PD Request

3

MINUTES OF THE ROCKWALL CITY COUNCIL

September 15, 1997

Call to Order

The Rockwall City Council met in a regular session on September 15, 1997 at Rockwall City Hall, Council Chambers. Mayor Hatfield called the meeting to order at 6:00 p.m.

Councilmembers in attendance were: Sam Buffington, Ron Coleson, Pat Luby and Todd White. Dale Morgan arrived at 6:10 p.m. Nell Welborn was absent.

Invocation and Pledge of Allegiance -Ron Coleson

The Invocation and Pledge of Allegiance were led by Councilmember Coleson.

Proclamations/Resolutions:

Presentation of Proclamation for Constitution Week

Mayor Hatfield presented a proclamation to Virginia Clower, declaring the week of September 17 through September 23 as Constitution Week.

Presentation of Proclamation for Behind the Badge Week

Mayor Hatfield presented a proclamation to Chief Bill Watkins declaring the week of October 6 through October 11 as Behind the Badge Week.

Consent Agenda

Consider Approval of Minutes of September 2, 1997 and September 8, 1997 and Take Any Necessary Action.

Consider Approval of an Ordinance Amending Chapter 17 (Municipal Court) in Section 17-12 (Building Security Fund) and Take Any Necessary Action (2nd Reading).

White moved for approval of the consent agenda. Buffington seconded the motion and the vote to approve the consent agenda was unanimously in favor, with Morgan absent for this vote.

Appointments/Plats/Plan/Public Hearings

Appointment with Representative of Rockwall Community Playhouse to Hear Annual Report and Take Any Necessary Action.

Roberta Pavlov with Rockwall Community Playhouse came forward to present the Community Playhouse annual report. She reviewed the report which Council received in their packets and asked for any questions. Council had no questions and therefore Ms. Pavlov concluded her report.

Appointment with Representative of the Lakeside Singers to Hear Annual Report and Take Any Necessary Action.

This item was postponed to another meeting time because a representative of the Lakeside Singers was not present.

Appointment with Clyde Jackson to Discuss Temporary Directional Signs and Take Any Necessary Action.

Crolley indicated that there were representatives of Clyde Jackson present. He stated the request was for additional temporary builder signs to be allowed. He indicated the Council

received letters from various builders in their packet, showing support of these signs. Crolley indicated that Staff had concerns related to enforcement and aesthetics.

60 Coleson indicated he was not in favor of altering the ordinance, and asked how the City could compromise. Crolley indicated that Mr. Jackson had included a review of what other cities in the metroplex were doing. He stated there could be a registered sign person who would be responsible for putting out and picking up the signs, but that regulation of the signs would still be necessary. Crolley indicated Staff wanted direction from Council as to whether there was an interest in looking at the use of these signs.

65 Coleson indicated he would like to see more suggestions. Couch indicated that builders were currently allowed 2 off-site directional signs and that Council could consider altering the stick signs or changing the allowed signage. Coleson indicated he did not want to see additional signs. Luby concurred. White expressed opposition to additional signs, indicating that two offsite signs were enough in his opinion. He also indicated that the only Rockwall-based developer had indicated opposition. Buffington indicated he felt the signs were unsightly and addressed the dangers involved in putting out and taking up the signs. Hatfield concurred with the comments of the Council. Morgan abstained from comments.

75 Frank Murphy, with Wynne Jackson, came forward. He indicated that he believed the potential problems with aesthetics and enforcement could be addressed and stated that their company was spending a large amount of money in Rockwall and that they were looking for help to bring additional traffic into their developments. He also indicated that their company would have a limited number of locations for signs and that they were done in a very uniform manner.

80 After additional discussion, White moved for denial of the request. Buffington seconded the motion. The request for consideration of additional directional signage was denied by a unanimous vote.

85 **Appointment with Representative of the Planning and Zoning Commission and Take Any Necessary Action.**

Mayor Hatfield indicated that Ross Ramsay, Chairman, was present to answer any questions.

90 **PZ-97-59-CUP- Hold Public Hearing to Consider Approval of an Ordinance Granting a Request from Heritage Christian Academy for a Conditional Use Permit for Institutional Uses for a Church to Allow a Portable Building for a Classroom on 1 lot zoned "AG" consisting of approximately 7 acres of land located at 1540 I-30 and Take Any Necessary Action.**

95 Crolley outlined the request indicating that only one building was being requested at this time, and an additional building and one restroom facility would probably be put in next year. He indicated that the property was zoned agricultural and that no CUP had been issued on the property. Crolley indicated Staff recommended approval with the condition that no more than two classroom buildings and one restroom building be allowed. He stated the Planning and Zoning Commission recommended approval of the CUP with Staff conditions and the condition that the CUP be reviewed in two years.

105 Coleson asked if there were plans to build a permanent building. Crolley indicated it was uncertain, and that there was a representative from the school present. He stated that the permanent facility might be built at another location.

110 Hatfield opened the public hearing. Rick Dirksey, Vice President of the School, gave an overview of the growth, and indicated space requirements warrant the portable buildings. He indicated the school currently used space at the Church of Christ and Lakepointe Baptist. He indicated that they would like to use the one portable building at the facility and next year add another in order to keep Grades K-6 at one campus.

115 Coleson asked how long they intended to operate out of portable buildings. Erickson stated that it would probably be several years, until a permanent facility could be established. Coleson indicated he would prefer review every year instead of every two years. Crolley indicated Staff would have no problems with that. Erickson indicated that next year they would need to add another portable building and that they are in the process of developing a five year plan for a facility. Luby indicated he had heard good comments on the school and moved for approval. Hatfield closed the public hearing. Coleson asked why the Planning and Zoning Vote was 3 to 120 2. Ross Ramsay, Chairman, P & Z, indicated the two votes against were concerned about the portable buildings and how long they would be there. He indicated there were no serious objections. Ramsay indicated a one year review would be acceptable, and that there had not been much discussion on the review time frame.

125 White asked how many temporary buildings were located in the RISD. Crolley indicated that three had been added in the past few years at RISD campuses and six at Lakepointe. Coleson asked how long Lakepointe and the Schools would be using temporary facilities. Crolley indicated that Lakepointe was on a 5 year cycle, and that the RISD had not indicated how long. White asked if the CUP would expire every year and if the RISD has to come back each year or two also. Crolley indicated that they were not being reviewed. Buffington indicated that the 130 RISD had been using portable buildings, and he felt private facilities should have the same option available. Buffington moved to approve the CUP and review the facility every two years. Luby seconded the motion. Kindred read the caption:

135 Ord. No. 97-25
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 Institutional uses for a Church and School 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.

145 The vote to approve the ordinance was unanimous in favor.

PZ-97-63-PP/CP- Hold Public Hearing to Consider Approval of a Request from Sovereign Senior Care Corp. for a revised concept plan and preliminary plat for 1 lot currently zoned PD-5 and consisting of 1.5 acres of land for an assisted care facility located on the north side of SH-66 east of Heath Street.

155 Crolley outlined the request for an assisted care facility. He indicated the tract was 1.5 acres out of a 17 acre tract that had previously been changed to Zero Lot Line. He indicated it was compatible with the area around it and the uses in the area. Crolley stated that staff had no concerns with the use, but there might need to be some changes made to the parking and layout. He indicated this could be addressed with the site plan review. Crolley indicated that Staff recommended approval with the following conditions:

- 160
1. Submittal and review of the site plan and landscaping plan.
 2. Review of parking and access requirements with site plan.

3. Determination of floodplain and property behind assisting living center.

165 He indicated the Planning and Zoning Commission recommended approval with staff conditions and the condition that the dumpster requirements and delivery access be reviewed with the site plan.

170 Crolley Indicated Staff also wanted to consider possible usage of the area behind the living center in regard to tying into the Caruth Lake Trail or residential area.

175 Morgan asked why this case would not require a zoning change to institutional use. Crolley indicated that the area was zoned zero lot line under the PD and that notification of the case was required just as in a zoning change. He indicated it was processed just as a zoning change.

175 Hatfield opened the public hearing.

180 The Applicant, Chris Tolar, 8235 Douglas, Dallas, TX, Senior Care Corp came forward and reviewed the proposed uses. He indicated a willingness to work with Council. He stated that Whittle had also indicated a willingness to work on the usage of the parcel of extra land. Morgan asked about the total number of residents and food service available. Tolar indicated there would be a maximum of 23 residents. Tolar stated that meals would be provided and that the facility would follow State license requirements. Morgan asked if a particular group of senior citizens was targeted. Tolar indicated that in the independent living area, it would typically be those who are independent, but who don't want to maintain a home. And in the other area there would be those who need a little more assistance.

190 Coleson asked if there was a kitchen in most of the units. Tolar indicated only the 8 independent units would have a kitchen and that there would be a main kitchen for the rest of the facility. With no other questions, and no one else coming forward, Hatfield closed the public hearing.

195 White moved for approval of the revised concept plan and preliminary plat as requested, subject to staff recommendations. Buffington seconded the motion and the request passed by a unanimous vote.

195 **PZ-97-60-SP/LP- Consider Approval of a Request from Tetco Companies for a Site Plan and Landscape Plan, for 1 lot zoned "C" consisting of approximately 1 acre of land located on the north west corner of White Hills Drive and I-30 and Take Any Necessary Action.**

200 Crolley indicated there was currently a vacant building on the property that would be demolished. He stated this facility would be a gas convenience store of approximately 2200 square feet of area and a carwash to match at the back. He indicated that Staff recommended approval with the following conditions:

- 205 1. Approval of engineering plans.
2. Trash enclosure, car wash and equipment pad screening matching main building exterior materials.
3. 70' flag pole reduced to 60 maximum unless CUP approved.
- 210 4. Landscaping hedge around the north and west side of car wash for screening.
5. Sign permit issued for signage.
6. Canopy structure meet 90% masonry requirements to match main building

Hatfield acknowledged the applicant was present. Coleson moved for approval of the request

from Tetco for a site plan, and landscape plan. Luby seconded the motion and the request passed by a unanimous vote.

PZ-97-61-SP/LP- Consider Approval of A request from Auto Zone Inc for a Site Plan, and Landscape plan, for 1 lot zoned "LI" consisting of approximately 1 acre of land located on the south east corner of Justin Road and SH-205 and Take Any Necessary Action.

Crolley indicated the subject area was part of the Lofland Industrial Park and that a gray brick building of approximately 7,500 feet was proposed. He indicated that at the Planning and Zoning level, there was some discussion of sharing the drives with the proposed driveway and the existing driveway to the south. He indicated that because of the existing building and parking area, it did not seem practical to require a shared drive at this time, but that provision could be made should the site to the south redevelop. He reviewed the plans for the removal of the stone column and indicated that it was part of the contract with the owner of the property, prior to coming to the Planning and Zoning Commission. He indicated that the Commission did not want the stone column removed at the entry and did not think the additional driveway onto S.H. 205 was needed. Therefore, Crolley indicated they denied the request. Crolley indicated that Staff recommended approval with the condition that engineering plans be approved.

Hatfield indicated that portion of S.H. 205 would be 6 lanes in the future. White asked how they could use the property without their own drive. Crolley indicated that Planning and Zoning had favored making the main access for Auto Zone off of Justin.

Morgan asked Crolley why there was concern on this driveway, when there had not been on the Eckers driveway access to Horizon Road and F.M. 740 recently. Crolley indicated he thought the Commission was concerned with this project not meeting the original concept of an Industrial Park. Morgan pointed out that the park was developed in the early 80's and was not successful. Coleson asked Ramsay if there was an alternative plan. Ramsay indicated the concern at the Planning and Zoning Commission was the traffic issue on S.H. 205 and the visibility of the facility. He indicated they felt that it would be too close once the highway developed and that the stone column should stay.

Coleson asked why it would be necessary to remove the column. Crolley indicated that there was a representative for the project present to address that. Buffington confirmed that the request was for main access off of S.H.205 with secondary access off of Justin. Buffington indicated Justin would be the best access in relation to the widening of S.H. 205. Coleson asked how tight the site would be when S.H. 205 went to 6 lanes. Crolley indicated no additional right of way was anticipated at this time, but that there would not be a median break at the driveway, so that the main maneuvering southbound would be off Justin.

Coleson asked how it would affect the rest of the park. Crolley indicated there should be no effect on the rest of the development. Luby asked if the applicant would consider leaving the column. Clark Smith, Lead Engineer came forward and indicated they felt a column in the middle of a retail site was not to their best advantage. He stated that the entrance from S.H. 205 had been permitted by the State and that they understood there would be no median break. Luby asked about leaving the column. Smith indicated there was a storm sewer which was directly underneath it and that it would need to be removed.

Buffington asked about the rear of the building and dock area. Smith indicated that the dumpsters were located at the back of the building and would cut off access there. Morgan moved to approve the request with the access requested and to ask the applicant to reconsider

265 the stone column, but not to require it be left. Luby seconded the motion. Hatfield clarified the motion was to approve as submitted with the request that they review the column, but that approval was not contingent with keeping the column. Morgan indicated, yes, it would be as a courtesy. The motion passed by a unanimous vote.

270 **PZ-97-62-FP - Consider Approval of a Request from Kirby Albright for a final plat for 6 lots zoned PD-40 consisting of approximately 3.5 acres of land located south of Benton Woods Drive east of FM-740 and Take Any Necessary Action.**

Crolley outlined the request and indicated that included was the condition that a note be added to the plat pertaining to lots 4 and 5 that they will not be allowed to have driveway access off of F.M.740. He stated that Staff recommended approval with that condition and that Planning and Zoning Commission recommended approval with Staff conditions. Luby moved for approval with staff recommendations. Coleson seconded the motion and the vote was unanimous in favor.

280 **PZ-97-64-PP- Consider Approval of a Request from Harold Evans for a preliminary plat for 5 lots zoned SF-7 consisting of 1.5 acres of land located north west corner of Renfro Street and Hartman Street and Take Any Necessary Action.**

Crolley reported to Council that the applicant had informed Staff they would like the item to be tabled to finalize certain details. Crolley indicated this was a preliminary plat and that it must have action within 30 days of submittal. He recommended that the Council agree to table the item, if the applicant agreed to waive the requirement. The applicant agreed to the condition and so stated. White moved to table the item. Buffington seconded and the vote was unanimous in favor.

290 **PZ-97-65-PP- Consider Approval of A Request from Ed Campbell for a preliminary plat for 2 lots zoned PD-18 consisting of approximately 6 acres of land for an assisted Care facility located on the west side of FM-740 north of Summer Lee Drive and Take Any Necessary Action.**

Crolley indicated this plat proposed two lots for an assisted living facility for which a revised concept plan was recently approved. He indicated that Staff recommended approval with the following conditions:

1. Submittal of a treescape plan with the final plat and site plan.
2. Submittal of engineering plans with final plat and site plan.
3. Determination of FM-740 left turn lane with final plat and site plan.

300 He indicated the Planning and Zoning Commission recommended approval with staff conditions. Hatfield indicated the applicant was present. Hatfield asked when they were proposing to begin construction. Don Miller, representing the applicant, indicated by March 1998. Buffington moved to approve with staff conditions. White seconded the motion. The motion passed by a unanimous vote.

310 **PZ-97-66-FP - Consider Approval of a Request from Eric Johnson for a Final plat for the Lakeside Church of Christ for 1 lot being a replat of the Waggoner Gardens addition zoned "LI" on 9.8 acres of land located on the south side of Williams Street and East of Heath Street.**

Crolley indicated this was an existing church facility and that they were adding some parking and preparing a master plan for the entire church site. He pointed out a one acre tract had been purchased by the church for expansion and was being added to the platted area. Crolley indicated Staff recommended approval with the condition that the engineering plans be approved and that Planning and Zoning Commission recommended approval with staff conditions. White

moved to approve the final plat subject to staff conditions. Coleson seconded the motion and it passed by a unanimous vote.

PZ-97-67-RP - Consider Approval of a Request from Tipton Engineering for a replat of 2 lots in Rolling Meadows Estates located in the ETJ and consisting of approximately 9 acres of land located on the west side of FM-549 north of Airport Road and Take Any Necessary Action.

Crolley indicated this was a replat of a subdivision in the ETJ. He indicated that the lots were currently under contract and the applicant wanted a realignment to straighten out the lot line. Crolley stated that Staff had no concerns and recommended approval along with the Planning and Zoning Commission. Luby moved for approval. White seconded the motion. The vote was unanimous in favor.

Hold Public Hearing to Consider a Request for a Sign Plan and Variance to the Height Restrictions of the Sign Ordinance for Home Depot and Take Any Necessary Action.

The Council tabled the item until a future meeting.

City Manager's Report

Couch reported to Council that the City had received word that the Enterprise Zone was officially approved. She reported on the progress of FM 740.

Morgan asked about the status of the building permit for Love's Country Store. Crolley reported on the process involved in reviewing their plans and stated that he was not aware of any delays by the City.

Discussion/Action

Discuss and Consider Approval of an Ordinance Amending the Budget of the City For the Fiscal Year October 1, 1996 through September 30, 1997 and Take Any Necessary Action (1st Reading).

Buffington moved for approval of the ordinance amending the budget for fiscal year Oct. 1, 1996 through September 30, 1997. White seconded the motion. Kindred read the caption:

Ord. No. 97-22
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 1997; PROVIDING FOR AN EFFECTIVE DATE.

The ordinance passed by a unanimous vote.

Discuss and Consider Approval of an Ordinance to Approve and Adopt a Budget for the City for Fiscal Year October 1, 1997 through September 30, 1998 and Take Any Necessary Action (1st Reading).

White moved for approval of the Ordinance to Approve and Adopt the budget. Luby seconded the motion. Kindred read the caption:

Ord. No. 97-23
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 1997, THROUGH SEPTEMBER 30, 1998; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING OR AN EFFECTIVE DATE.

The ordinance was approved by a unanimous vote.

Discuss and Consider Approval of an Ordinance Adopting the Tax Rate and Take Any Necessary Action.

Luby moved approval of the Ordinance Adopting the Tax Rate and Buffington seconded the motion. Kindred read the caption:

Ord. No. 97-24

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 1997 AT A RATE OF \$.36 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 1997; TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE CITY PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 1997 TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY FIVE (65 YEARS).

The ordinance passed by a unanimous vote.

Mayor Hatfield adjourned the meeting for a break at 7:30 p.m. The meeting reconvened at 7:45 p.m.

Discuss and Consider Selection of a firm to provide Engineering Services for Emma Jane/Davey Crockett Street Rehabilitation and Take Any Necessary Action.

Couch indicated that the City was ready to proceed with design work for this project and Staff was recommending the contract be awarded to Huitt-Zolars. She indicated if approved a contract would be brought back to Council. White asked about the rating given Shimek Jacobs & Finklea on the review by Staff. Salazar indicated that number reflects the amount of work previously done for the City, not a rating. Morgan moved approval of the selection of Huitt-Zolars as requested. Coleson seconded the motion and the selection was approved by a unanimous vote.

Discuss and Consider Approval of Selection of a firm to provide Engineering Design Services for Ralph M. Hall Parkway, Brockway Branch Drainage Improvements and 12 Inch Water Line and Approval of an Engineering Services Contract for Same and Take Any Necessary Action.

Couch reviewed the proposed improvements to the Brockway branch drainage channel, Ralph M. Hall Parkway, and water line improvements. She indicated Staff was recommending that Wier and Associates be selected for design of these elements. She indicated Council had received information regarding the funding sources for the project in the packet. Hatfield indicated he understood a large amount of time had been spent working with the parties involved to develop the proposed project. Coleson moved to approve the contract with Wier and Associates. Buffington seconded the motion and it was approved by a unanimous vote.

Discuss and Consider Adoption of Park Land Dedication Ordinance and Take Any Necessary Action. (2nd Reading)

Couch asked Rick Crowley to briefly review the Park Dedication Ordinance and the related agenda items. He indicated that four of the Park Board members were present and recognized them as: Travis Rhodes, Michael Mathis, Phil Bishop and John White. He indicated that the Master Plan outlined certain changes to the Mandatory Park Land Dedication Ordinance related to costs to developers for land acquisition and park land development. He reviewed the recommended policies developed by the Park Board addressing those recommendations. Crowley stated one would establish the per neighborhood park development cost to be used in calculation of a new development's pro rata share contribution for neighborhood park development. The other would revise the method to establish the cost per acre to be used in calculation of a new development's pro rata contribution for land. Crowley outlined the tables showing the relative pro rata shares. Coleson asked if there was an escalation clause providing for land values. Crowley indicated the ordinance required an annual review of the two amounts. Coleson moved for adoption of the Ordinance. Buffington seconded the motion and Kindred read the caption:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ARTICLE II. PARK LAND DEDICATION OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

The motion passed by a unanimous vote.

Discuss and Consider Discuss Adoption of Resolutions Establishing Land Acquisition and Playground Pro Rata Rates for Neighborhood Parks and Take Any Necessary Action. Couch outlined the two resolutions. White moved to approve both resolutions. Luby seconded the motion and they were approved by a unanimous vote.

Discuss and Consider Creation of an Reinvestment Zone for Tax Abatement of Commercial Properties within Annexation Area One and Take Any Necessary Action. Couch indicated that during the prior annexation proceedings, there was some discussion about amending the abatement policy to residential areas and that action was not approved by Council. She indicated that the Mayor had requested another item placed on the agenda to consider granting an abatement for non-residential areas which were annexed in area one, generally those businesses located along SH 276 at FM 549. Couch indicated that if Council wished to proceed the action would be to direct Staff to prepare a Resolution to set a date for a public hearing to consider establishing a reinvestment zone for this area and then, once established, an ordinance would be brought forward establishing abatement procedures. Hatfield indicated that originally the item was tied to amendment of the existing abatement policy which required a 3/4 vote. Couch indicated the non-residential areas would fit within the current parameters of the abatement policy. Coleson moved for Staff to bring forward a Resolution. Buffington seconded the motion. White indicated that he understood the purpose of tax abatements in the scope of economic development was to bring new business to Rockwall, and that he did not see any justification here for granting tax abatements and would vote against it. The motion passed by the following vote:

FOR: Hatfield, Coleson, Luby, Buffington, Morgan,
AGAINST: White
ABSENT: Welborn

Discuss and Consider Schedule for Annexation of Group Two and Take Any Necessary Action.

Crolley outlined that a Schedule for Group 2 Annexation proceedings had been drafted for the areas North of I-30. He indicated that there were two scenarios regarding when the properties would come on the tax rolls. He indicated that one scenario would make the effective date this year and the other Jan. 5, 1998. Crolley indicated Council would need to determine when they wanted to make the annexation effective so that the date of readings on the ordinance could be scheduled. Crolley indicated that there were more people living in this area of annexation.

White moved to proceed with the annexation schedule as laid out, with the December 15th adoption date. Buffington seconded the motion. The motion passed by a unanimous vote.

Discuss and Consider Approval of a Resolution Authorizing the Execution of an Interlocal Agreement between the City of Rockwall and City of Garland for Purchase of Police Vehicles and Take Any Necessary Action.

Couch indicated that the City of Garland had offered to include the City of Rockwall to participate in a joint bid for police vehicles and trucks, in order to be more cost effective. White moved for approval of the Resolution authorizing the Interlocal Agreement with the City of Garland, as to

police cars. Buffington seconded the motion and the vote was in favor unanimously.

Discuss and Consider Approval of a Resolution Authorizing the Execution of an Interlocal Agreement between the City of Rockwall and City of Garland for Purchase of Service Trucks and Take Any Necessary Action.

White moved for approval of the Resolution authorizing the Interlocal Agreement with the City of Garland, as to Service Trucks. Luby seconded the motion and the vote was unanimous.

The Mayor adjourned the meeting into executive session at 8:00 p.m.

Hold Executive Session under Section 551 of the Texas Government Code to Discuss:

- A. Personnel regarding the following pursuant to Section 551.074:**
 - 1. Appointment of Boards, Commissions, and Committee Members.**
- B. Pursuant to Section 551.072 regarding:**
 - 1. Land acquisition regarding City Facilities**

Take Any Necessary Action as a Result of Executive Session

No action was taken as a result of the Executive Session.

Adjournment

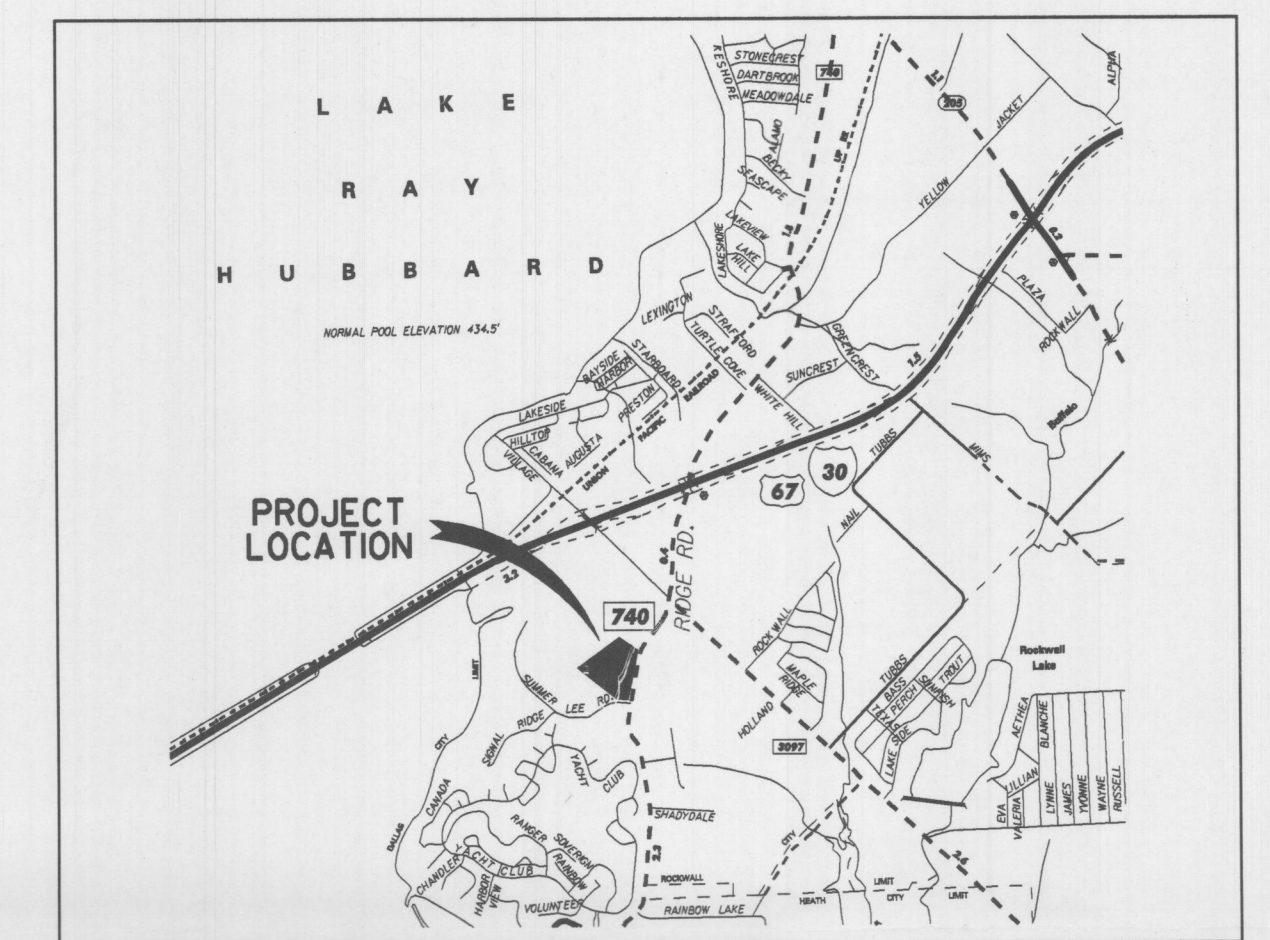
The Council adjourned from executive session at 8:30 p.m.

APPROVED:

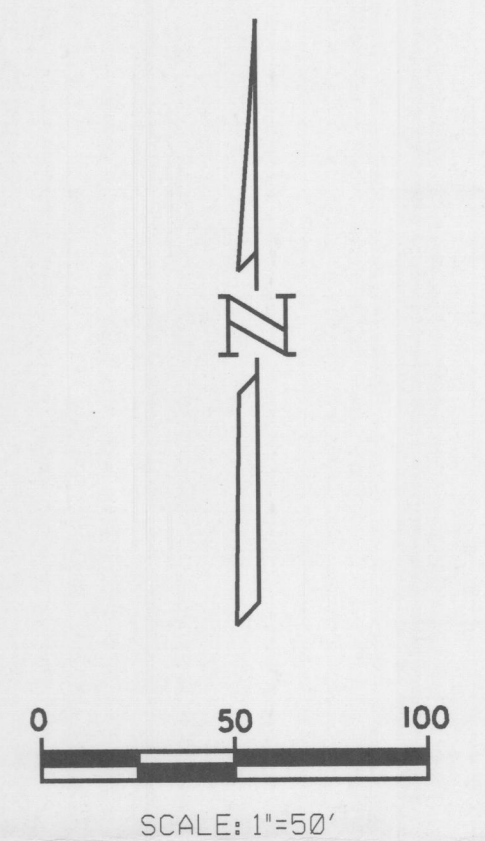
George R. Hatfield, Mayor

ATTEST:

Cindy Kindred, City Secretary



VICINITY MAP
N.T.S.



T.U. ELECTRIC	216-8984
LONE STAR GAS	573-3704
NORTH TEXAS CABLE COM.	1-800-480-7020
SOUTHWESTERN BELL TELEPHONE	320-5307

PRELIMINARY PLAT

FOR

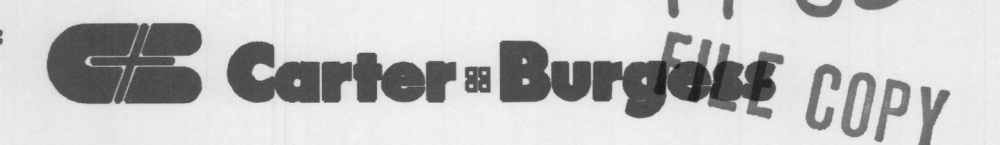
ROCKWALL ASSISTED LIVING ADDITION

5.868 ACRES / TWO LOTS
ROCKWALL, TEXAS

EDWARD TEAL SURVEY, ABST. NO. 207

OWNER: F.M. 740 ROCKWALL, LTD.
104 LION STREET, SUITE E.
DESOTO, TX 75115
(972) 223-6241

ENGINEER/SURVEYOR:

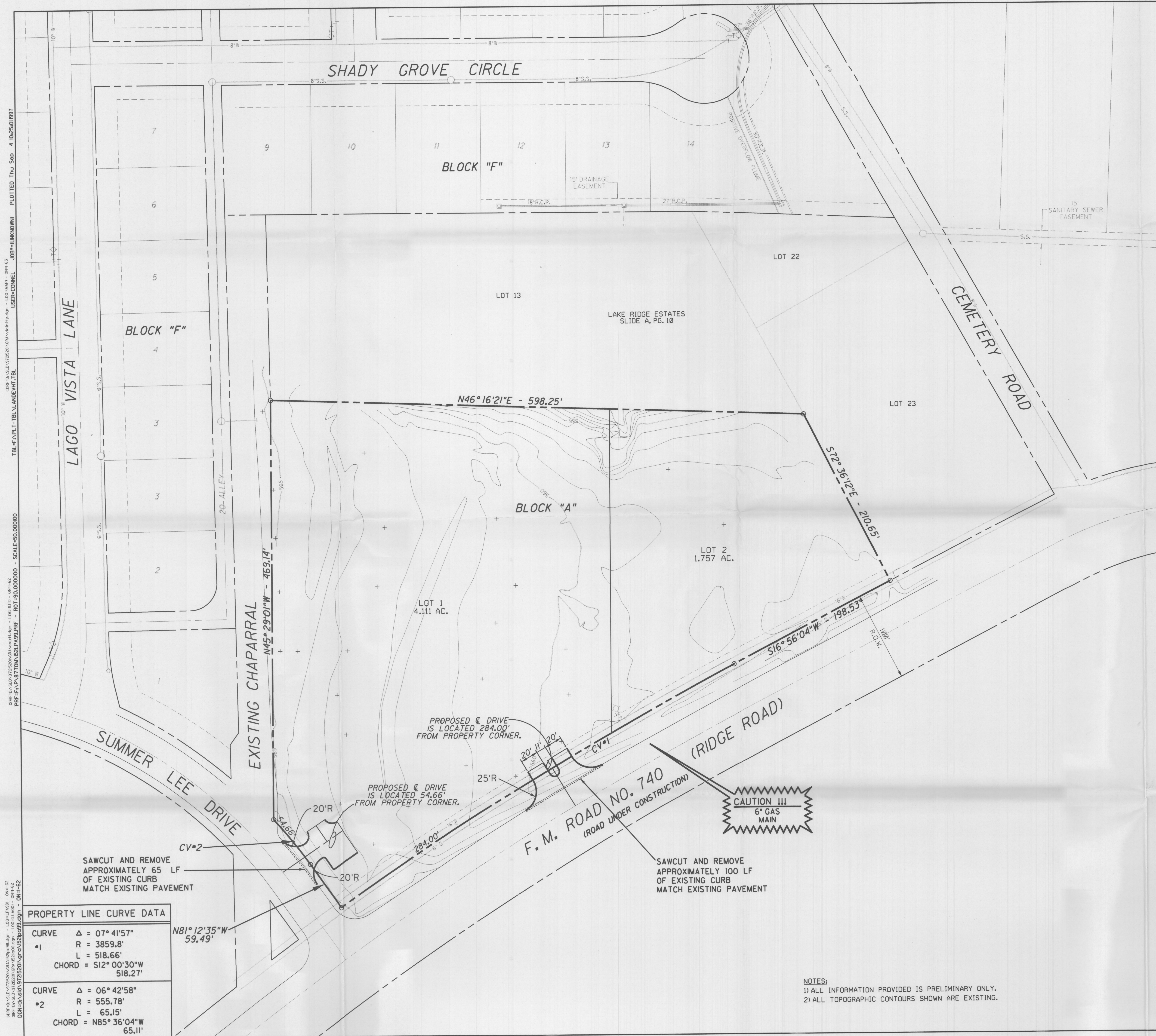


CARTER & BURGESS, INC.
7950 ELMBROOK DRIVE, SUITE 250
DALLAS, TX 75247-4961
(214) 638-0145

AUGUST, 1997

NOTES:

NOTES:
1) ALL INFORMATION PROVIDED IS PRELIMINARY ONLY.
2) ALL TOPOGRAPHIC CONTOURS SHOWN ARE EXISTING.



PROPERTY LINE CURVE DATA	
CURVE	$\Delta = 07^{\circ} 41' 57''$
•1	R = 3859.8'
	L = 518.66'
CHORD	$= S12^{\circ} 00' 30'' W$ 518.27'
CURVE	$\Delta = 06^{\circ} 42' 58''$
•2	R = 555.78'
	L = 65.15'
CHORD	$= N85^{\circ} 36' 04'' W$ 65.11'