

MEMORANDUM

June 16, 1993

TO: Mayor and Councilmembers

FROM: Julie Couch, City Manager

RE: Request for Amendment to PD Ordinance for Marble and Granite Consultants

In 1991 the City Council approved an ordinance to rezone the property on I-30 that contained the old skating rink from Agricultural to Planned Development. The applicant was the purchaser who wanted to use the property for a marble and granite processing operation. The use would have been acceptable in Light industrial, except for the use of some outside storage in the front of the building. The zoning was approved with several conditions. A copy of the ordinance is attached. One of the conditions pertains to the planting of photinias along and in front of the building in order to provide some screening of the storage. There were also some conditions that had time frames tied to the issuance of the Certificate of Occupancy.

Mr. Yates did take out a building permit after the zoning was approved, but he then fell into financial difficulties and was not able to complete the remodeling or install the plants. consequently, he has never been granted a Certificate of Occupancy. He has now indicated that he has regained some of his business and he would like to begin operation in order to have the funds available to comply with the terms of the ordinance. Attached is a letter from Mr. Yates indicating the time frame for completion of the planting of the photinias. It is also my understanding that he may wish to amend the provision for installing masonry to include it fully along the front of the building to a height of 8 feet rather than just in one area of the front of the building. A draft of the ordinance the Council may consider will be forwarded under separate cover in order to determine if he wants to include the building amendment.

GRANITE AND MARBLE CONSULTANTS
1535 EAST I 30
ROCKWALL, TEXAS 75087

JUNE 8, 1993

MS. JULIE COUCH
ASST. CITY MANAGER
ROCKWALL, TEXAS 75087

RE: CERTIFICATE OF OCCUPANCY

DEAR MS. COUCH:

I APPRECIATE THE TIME YOU SPENT WITH ME , MONDAY JUNE 7TH, CONCERNING MY PROPERTY AT 1535 EAST I 30 IN ROCKWALL. AS DISCUSSED, I WOULD LIKE TO SOLICIT HELP AND UNDERSTANDING AS IT RELATES TO MY SITUATION.

I AM REQUESTING AN EXTENSION OF TIME FOR COMPLYING WITH THE TERMS OF MY PD ZONING REQUIREMENTS. PLEASE FIND BELOW MY SCHEDULE FOR COMPLYING:

1. PLANTING OF PHOTENIAS ALONG I 30...COMPLETED BY AUGUST 1, 1993.
2. PLANTING OF PHOTENIAS FROM I 30 TO CORNER OF BUILDING...COMPLETED BY SEPTEMBER 1, 1993.
3. PLANTING OF PHOTENIAS FROM CORNER OF BUILDING TO REAR OF BUILDING...COMPLETED BY OCTOBER 1, 1993.

JULIE, I NOW HAVE WORK UNDER CONTRACT THAT ALLOWS ME TO MAKE AN HONEST COMMITMENT TO YOU AND THE CITY, THAT I FEEL IS REALISTIC. IF YOU AND THE CITY WILL WORK WITH ME, I KNOW THAT I CAN FULFILL MY COMMITMENTS TO YOU. ONCE I RECEIVE MY C.O. I FEEL THAT WITH PRESENT WORK LOAD, I CAN FULFILL THE OTHER REQUIREMENTS STATED IN MY PD ZONING.

SINCERELY,

HOWARD YATES