

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**January 12, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:00 p.m. Present were Commissioner John McCutcheon, Patrick Trowbridge, Annie Fishman and Tracy Logan. Absent were Commissioners Mike Jusko and Johnny Lyons. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, and Planning Coordinator, Laura Morales.

II. CONSENT AGENDA

1. Approval of Minutes for the December 8, 2015 Planning and Zoning Commission meeting.
2. Approval of Minutes for the December 29, 2015 Planning and Zoning Commission meeting.

3. P2015-042

Discuss and consider a request by Greg Helsel of Spiars Engineering on behalf of the owner Will Shaddock of Master Developers-SNB, LLC for the approval of a final plat for Phase 1 of the Preserve Subdivision, containing 132 single-family residential lots on a 52.545-acre tract of land identified as Phase 3 of the North Shore Addition and Tract 26-1 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single Family 10 (SF-10) District land uses, located at the southeast corner of the intersection of Highland Drive and East Fork Drive, and take any action necessary.

4. P2016-001

Discuss and consider a request by Lori Stevens of Patriot PAWS Service Dogs for the approval of a replat for Lot 1, Block A, Patriot Paws Addition being a replat of a 3.466-acre tract of land currently identified as Lots 3 & 4, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, and addressed as 254 Ranch Trail, and take any action necessary.

Commissioner Fishman made motion to approve the consent agenda. Commissioner Trowbridge seconded the motion, which passed by a vote of 5-0, with Commissioners Jusko and Lyons absent.

Commissioner Lyons arrived at the meeting 6:04p.m.

Item 8 was moved up on the agenda and was the first Public Hearings item.

III. PUBLIC HEARINGS

5. Z2015-028

Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of JBR-2, LLC for the approval of a Specific Use Permit (SUP) for *Commercial Amusement/Recreation (Outside)* to allow two (2) private baseball fields to be established on a 2.49-acre portion of a larger 7.32-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated west of the intersection of SH-205 and FM-549, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation The applicant, Jimmy Strohmeyer of Strohmeyer Architects, Inc., is requesting a Specific Use Permit to allow for a Commercial Amusement/Recreation training facility for two private baseball fields to be located on a 2.49-acre portion of a larger 7.32-acre tract of land. The property is zoned General Retail District and is located at 5133 FM 549 and situated at the southwest corner of FM-549 and SH-205. There are two Agricultural zoned properties adjacent to this site with single-family homes on each lot;



62 however, the AG district is recognized as a non-residentially zoned district and does not require  
63 a 300-ft setback from this use. With this being said, the Oaks of Buffalo Way residential  
64 subdivision has adjacency to FM-549 and at its nearest point is approximately 120-ft from the  
65 proposed site; therefore, does not meet the 300-ft setback and will require approval by the  
66 Planning and Zoning Commission and City Council in order to operate practice ball fields.  
67

68 Mr. Gonzales added that the private baseball fields the applicant is requesting to build on this  
69 property are not regulation size and could not be used for normal game play or tournament play.  
70 The layouts of the ball fields are designed for infield practice and will be used only in that  
71 manner. The applicant has stated there will not be a need for exterior lighting as the ball fields  
72 will only be used during daylight hours. If approved, the ball fields will be available for rental  
73 and select team use for infield practice only.  
74

75 Mr. Gonzales further stated that staff mailed eleven notices to property owners within 500 feet of  
76 the subject property and also notified one HOA that is within 1500 feet participating in the  
77 notification program as well as posted a sign on the property. Staff has not received any  
78 notices "in favor of" or "opposed to" the zoning change requested. Also, after the initial mail  
79 out of property owner notices on October 30, 2015, a subsequent "Corrected Notice" was mailed  
80 to property owners indicating newly published public hearing dates. This was due to an error  
81 on the zoning map that staff discovered [the error has existed since the map was updated in  
82 2012]. The property was inadvertently indicated as a Commercial District, when it was zoned as  
83 General Retail District in 2011. The current zoning map has since been corrected to reflect  
84 General Retail designation for the property.  
85

86 Chairman Renfro asked for questions for staff.  
87

88 Commissioner McCutcheon asked if the property on the south falls within the City. Mr. Gonzales  
89 stated it was within the City.  
90

91 Commissioner Trowbridge asked questions concerning when notices were sent out. Mr.  
92 Gonzales stated when request initially came in; there was an error with the advertisement to  
93 reflect the actual zoning. A courtesy notice was sent out advising of new public hearing dates.  
94

95 Chairman Renfro opened the public hearing and asked applicant to come forward.  
96

97 Jimmy Strohmeyer  
98 1620 Fairlakes Point  
99 Rockwall, TX  
100

101 Mr. Strohmeyer came forward and stated the advertising zoning sign has been posted for three  
102 months. This request stemmed from a period of time when there were heavy rains and his son  
103 and daughter's baseball teams did not have any place to practice. The intent is to provide more  
104 opportunity for the kids to practice. It will be short field practice fields, infield work. There will  
105 be no batting practice. It is just to provide an alternative place for the community to have.  
106

107 Chairman Renfro asked what age frame would be utilizing the fields. Mr. Strohmeyer stated it  
108 would be from ages five to fourteen, and it would be stressed to the kids it is only infield  
109 practice.  
110

111 Commissioner Trowbridge had question about the location of the neighbor that is in opposition  
112 and what part of the field would be facing that neighbor. Mr. Strohmeyer stated the outfield  
113 would be facing that neighbor to the south, but there really is no outfield.  
114

115 Commissioner Lyons asked what happens if any damage is sustained by any balls that may  
116 cause damage to any property. Mr. Strohmeyer stated it would fall within the responsibility of  
117 the team on the field at the time.  
118

119 Commissioner McCutcheon asked what kind of fencing would be placed surrounding the area.  
120 Mr. Strohmeyer stated what is out there currently is a barb wire fence and there isn't intent to  
121 put any additional fencing.

Commissioner McCutcheon asked if there would be a staff member on site to monitor rules are being followed while someone is renting the field. Mr. Strohmeier stated if there was not a staff member it would fall within the responsibility of the coach with the team that rented at the time.

Chairman Renfro had concern of time stacking, if one team arrives before allotted time, what controls are being enforced to avoid kids waiting practicing outside the practice field. Mr. Strohmeier stated it would have to be considered, if it became a problem they would hire someone to be there full time.

Commissioner Logan asked if reason SUP is needed is because it will be a business. Mr. Miller stated an SUP would be required for both commercial and private use.

Commissioner Trowbridge had question concerning parking. Mr. Gonzales stated the parking is part of the conceptual plan and the ratio will be one for one thousand square feet of the ball fields.

Chairman Renfro opened the public hearing and asked anyone who wished to come forward and speak to do so.

Mike Edwards  
2412 White Rd.  
Heath, TX

Mr. Edwards came forward and stated he will be managing the facility. There will be no batting as coaches are the only ones who will be allowed to have bats. The warming up will take place inside the building. Mr. Edwards stated his intent is to provide a place where the kids can practice. It will consist of daylight and infield practice only.

Scott Blackwood  
5205 South FM549  
Rockwall, TX

Mr. Blackwood came forward and stated opposition of request. He is the property owner adjacent to subject property and has it for sale currently, and has had two potential buyers who did not buy due to the baseball fields. He feels his property value is going to suffer due to having this use allowed. His concern was when at least twelve tractors full of dirt began dumping on the property, he contacted the property owner and was told he was making drainage improvements, and did not indicate anything of baseball fields. Once red clay arrived he grew concerned and contacted the City and was told they had pulled a drainage grading permit. He feels it was their intent to not reveal the baseball fields until they were built, when it would be too late to change it. Is in strong opposition and urged the Commission to deny the request.

Chairman Renfro asked Mr. Miller what kind of other uses would be allowed within this General Retail area by right. Mr. Miller stated uses include gas station with two or less pumps, office, convenient stores. Chairman Renfro asked if any of those could be open 24 hours. Mr. Miller stated hours of operation are not regulated.

Commissioner McCutcheon asked property owner that is in opposition, if he is aware it is a commercial property. Mr. Blackwood stated he was aware of that but although city zoning allows that they are under deed restrictions that would not allow for that use.

General discussion took place concerning possible commercial uses that may be brought forward that would affect property as opposed to minimal use with the ball field.

Mr. Miller added brief background history of subject property.

Robert Brewer  
413 Chippindale Dr.  
Rockwall, TX

Mr. Brewer came forward and stated he feels this has been a great asset to the kids and has been very well managed and it is taken care of and stated he was in favor of request.

Chairman Renfro asked Mr. Strohmeyer to come forward for any rebuttal.

Mr. Strohmeyer wanted to stress the inside field has been used for years; the back part that slopes is what was filled to even it out.

Commissioner McCutcheon asked concerning conceptual plan the north field closest to FM49 shows it faces to the neighbor that is in opposition, what will be done to prevent any balls going onto that adjacent property. Mr. Strohmeyer stated they could place a small fence if the City would allow it.

Commissioner Trowbridge had concern of negative effect this use would have on neighboring property owner that is in opposition. Mr. Strohmeyer stated the land owner is aware of what other type of use could go in, but is willing to forgo the use going highly commercial and instead allow them to use it for the infield practice.

Chairman Renfro asked staff if there were to be any violations of the SUP if granted it could be taken away and could it be reviewed annually. Mr. Gonzales stated within the SUP City Council has the ability to review it at any time. But the Commission could put a time frame to allow to return and review if they deem necessary, that recommendation could be forwarded to the City Council.

Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner McCutcheon, had concern with the 300 setback waiver and how it will affect the adjoining properties and with no real set rule of how to make sure no baseballs will be thrown or batting taking place doesn't feel this would be a good use.

Commissioner Lyons stated that since it is no longer facing FM549 where potential danger could take place, but now that it is clarified that it is turned around, he generally feels this could be a good use for the land as it is already zoned commercial. Although there is not a fence in place, does not feel one is necessary.

Commissioner Lyons made motion to approve the item with staff recommendations. Chairman Renfro seconded the motion, motion failed to pass by a vote of 3-3, Commissioners Trowbridge, McCutcheon and Logan dissenting and Commissioner Jusko absent.

#### 6. Z2015-036

Hold a public hearing to discuss and consider a request by Harry Chapman of Noble RE, LLC on behalf of the owners Robert & Patrick Hughes and Sandra Ferguson for the approval of a zoning amendment to Planned Development District 32 (PD-32) [Ordinance No. 10-21] for the purpose of allowing a *Financial Institution with a Drive-Through* within the *Ridge Road Retail Subdistrict*, being a 1.1755-acre portion of a larger ~78.89-acre area of land identified as the *Harbor District*, being zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located at the northwest corner of Cemetery Road and Ridge Road [FM-740], with the greater *Harbor District* being generally located south of IH-30 and west of Horizon Road [FM-3097], and take any action necessary.

Planning Director, Ryan Miller, gave brief description of item stating applicant is looking to open PD32 for the purpose of allowing a financial institution with a drive thru in the Ridge Road Retail District. The Ridge Road District is only composed of one property it is the property that acts as the entryway to the Harbor District off of Ridge Road. The property is adjacent to Cemetery Road and Ridge Road. Mr. Miller added the reason applicants are making this request is to have the ability to construct a banking facility with an ITE, which is an Interactive Teller which is more advanced than the typical teller machine in that somebody is onscreen assisting. Mr. Miller added currently the ability to have a drive thru is not allowed in all of PD32 therefore the only path applicant can pursue to get this use is to open Planned Development 32 entirely to change the use.

Mr. Miller added that it is a requirement to send notifications to all properties within the PD letting them know there is going to be a change to the Planned Development District and 132 notices were sent to properties within 500 feet and the HOA's within 1500 feet and staff received three back in favor and two in opposition.

Also along with this property applicant is showing the proposed relocation of Cemetery Road which effectively will act as the entryway to the Harbor District in the future. They will have to site plan this property if the zoning is approved.

Mr. Miller stated he was available for questions.

Chairman Renfro asked for questions from Commission to staff.

Commissioner McCutcheon had questioned if once the PD is opened what this allows as far as other properties requesting the same. Mr. Miller stated the request is only for the drive thru facility for the subject property but in order to achieve that the entire PD has to be opened.

Chairman Renfro asked if this would be giving an additional entrance and exit point from the Harbor. Mr. Miller stated eventually, when the property develops it will be the entry point for the Harbor and it will be a two way lane.

Chairman Renfro asked the applicant to come forth and speak

Wayne Majio  
323 Brenmar Ave  
Dallas, TX

Applicant came forward and stated they will be dedicating a good portion of the road and feels it is in good interest for the City. Since there are already several other financial institutions with drive thru facilities stated he feels it would be a great fit in with this area.

Chairman Renfro opened the public hearing and asked anyone who wished to speak to come forward.

Freddy Jackson  
1812 Bristol Lane.  
Rockwall, TX

Mr. Jackson had question of Cemetery Road, and if entry way proposed would affect old Cemetery road. Mr. Miller stated it would be realigned to create an entry way into the Harbor. Cemetery would still have same point of access.

Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner McCutcheon made motion to approve the item with staff recommendations. Commissioner Trowbridge seconded the motion, which passed by a vote of 6-0, with Commissioner Jusko absent.

#### 7. Z2015-037

Hold a public hearing to discuss and consider a request by Arthur F. Beck of BSM Engineers, Inc. on behalf of the First United Methodist Church for the approval of a Specific Use Permit (SUP) for a structure that exceeds the maximum height requirements for a 8.2983-acre parcel of land identified as Lot 7, Block 1, First United Methodist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1200 E. Yellow Jacket Lane, and take any action necessary.

Senior Planner, David Gonzales, gave a brief explanation of request stating applicant is requesting to build a steeple and the UDC within Commercial zoning only allows structures to



304 go up to 60 feet, anything over that would require an SUP. Steeple will be 108 feet therefore  
305 requiring the SUP.

306 Mr. Gonzales added that staff mailed eleven notices to property owners within 500 feet of the  
307 subject property; however, there is no HOA/Neighborhood Organization within 1500 feet  
308 participating in the notification program, and also posted a sign on the property. Staff did not  
309 receive any notices either "for" or "against" the zoning change request.

310  
311 Chairman Renfro asked applicant to come forward and speak.

312  
313 Arthur Beck  
314 4111 E US Hwy 80  
315 Mesquite, TX

316  
317 Mr. Beck came forward and stated the when the church originally built church wanted to build  
318 the steeple but at the time did not have the financial means to do so, but now are able to do so.

319  
320 Chairman Renfro opened the public hearing and asked anyone who wished to speak to come  
321 forward.

322  
323 Leigh Plagens  
324 209 Glen Ave.  
325 Rockwall, TX

326  
327 Ms. Pengals came forward and stated she was in favor of the steeple and feels this would be a  
328 beautiful addition to this area.

329  
330 Chairman Renfro closed the public hearing and brought the item back to the Commission for  
331 discussion.

332  
333 Commissioner Trowbridge made motion to approve the item with staff recommendations.  
334 Commissioner McCutcheon seconded the motion, which passed by a vote of 6-0 with  
335 Commissioner Jusko absent.

336  
337  
338 8. Z2015-038

339 Hold a public hearing to discuss and consider a request by Scott and Leslie Milder for the approval of a  
340 zoning amendment to *Ordinance No. 07-29* for the purpose of allowing a *Banquet Facility* land use to  
341 be a permitted use through a Specific Use Permit (SUP) for all properties within Planned Development  
342 District 50 (PD-50), being 21.266-acres of land in the S.S. McCurry Survey, Abstract No. 146 and B. F.  
343 Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned Planned  
344 Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North  
345 Goliad Corridor Overlay (NGC OV) District, and generally located along N. Goliad Street [SH-205] north  
346 of Interurban Street, and take any action necessary.

347  
348 Planning Director, Ryan Miller, gave brief explanation stating in December 2015 Mr. and Mrs.  
349 Milder submitted an application to amend Planned Development 50 to allow what the code calls  
350 a banquet facility, but it is more of an event venue. The request is to allow this through a  
351 Specific Use Permit which is discretionary approval through City Council. Currently a banquet  
352 facility is not an allowed use within this PD, as it is Residential Office. Specifically what is  
353 being proposed is language commercial facility that can be rented out for private events,  
354 however these events cannot be opened to the general public. Simply defined the use if  
355 approved would be allowing PD50 to request a banquet facility, it would still be required to  
356 obtain a specific use permit on a case by case basis and establish operational guidelines for  
357 each property.

358  
359 Mr. Miller added that since the proposed case involves modifying the land uses permitted within  
360 Planned Development District 50, staff notified all property owners and residents within the  
361 Planned Development District. In addition, staff mailed out notifications to all property owners  
362 and residents within 500-feet of the district and to all Homeowner's Associations within 1,500-  
363 feet of the district. Of the 361 notices mailed, staff has received four notices returned three in  
364 favor of the request and one opposed.



Chairman Renfro asked for questions from Commission for staff.

Commissioner Trowbridge asked for clarification of opening entire PD meant any property owner within the district could also ask for a banquet facility on their property. Mr. Miller stated it would allow that but anyone doing so would still be required to obtain a specific use permit and go through the zoning process.

Commissioner McCutcheon has question concerning how parking is assessed for this type of facility versus a normal facility, is there a difference. Mr. Miller would be one per one hundred for this, typically what has been done in this district is given leniency for office uses and done a one for five hundred, retail is done one per one fifty and this event venue would be done one per one hundred square feet.

Chairman Renfro asked applicant to come forward.

Scott and Leslie Milder  
830 Shores Blvd.  
Rockwall, TX

Mr. Milder came forward and gave brief explanation of request stating his plan for the banquet facility and added the language of the request is somewhat misleading as they do not plan on hosting any banquets but only small events. He showed a power point presentation showing the work that has been done to the home since its purchase. Mr. Milder went on to explain the parking, stating currently there are eight parking spaces, and if SUP is approved they plan on adding another seven or eight spaces. Adjoining property is shared with properties adjacent from him. Mr. Milder also added that they plan on adding an 8foot fence to fence out the residential properties in the back.

Mrs. Milder added that this is a small property the intent is to make it feel like a home feel event.

Commissioner Trowbridge asked how it would be different from the wedding chapel that is south of the square. Mr. Milder stated that location has more capacity. Mr. Miller added that it is different, less intense use than that particular use due to it being a larger facility for both indoor and outdoor events.

Commissioner McCutcheon asked if properties within the PD were close in size comparably. Mr. Miller stated the fire code would have to be met due to it being more restrictive.

Chairman Renfro opened the public hearing.

Leigh Plagens  
209 Glenn Ave.  
Rockwall, TX

Mrs. Plagens came forward and stated she has lived in Rockwall and has been at the Our House and is thrilled to have this facility come in. She belongs to a club called Friday study club, and looks forward to hosting events for that.

Russell Honeycutt  
1625 Cresthill Dr.  
Rockwall, TX

Mr. Honeycutt came forward and stated he has known the Milder's for many years and stated his support for this request. He is director of La Casa and approached the Milder's to inquire about hosting an event there and is looking forward to having this addition to Rockwall.

Monica and Carlos Guevarra  
802 N. Alamo  
Rockwall, TX

Mrs. Guevara came forward and stated concern as to how maximum capacity would be handled, would someone be present to make sure the noise is contained and the maximum capacity be enforced. Mr. Guevara stated he also had concern of how will traffic be handled through the back parking due to his property being right next door.

Chairman Renfro asked Mr. Milder to come forward and offer rebuttal.

Mr. Milder stated that there is a daycare down the street on Goliad that has the driveway. If anything of such is done similarly it will be done to the City's regulations. Mr. Milder added that someone will always be there to monitor the event and the regulation of not exceeding the maximum capacity will be strictly enforced.

Chairman Renfro asked for explanation as to how the rental process for booking an event would be. Mrs. Milder stated they would have a very extensive contract that will have to be completed in order to book an event, and they plan on being very cautious.

Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Chairman Renfro asked if this SUP would have a time restraint. Mr. Miller stated the Commission would have the discretion of setting a renewal and could make that recommendation to City Council.

Commissioner Trowbridge made motion to approve the item, with staff recommendations. Commissioner Lyons seconded the motion, which passed by a vote of 6-0, with Commissioner Jusko absent.

9. Z2015-039

Hold a public hearing to discuss and consider a request by Dayne Ram of ADR Designs, LLC on behalf of the owner Majestic Cast, Inc. for the approval of a Specific Use Permit (SUP) for a *Residence Hotel* on a 2.003-acre parcel of land identified as Lot 4, Block A, Wal-Mart Super Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (OV) District, located on the east side of White Hills Drive south of Ridge Road [FM-740], and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of item stating request is for a specific use permit for a residence hotel to be placed on subject property which is along White Hills Drive and is part of the Walmart Addition, and Walmart sits east of the subject property. At this time applicant is trying to establish the entitlements and if approved and then will move forward with the site plan. Mr. Gonzales added that essentially what the applicant is proposing is a four story, 47,000 square foot facility which will be a Home 2 Suite by Hilton. The will have a 1600 square foot meeting room, indoor swimming pool, as part of the amenities. It will have 110 parking spaces that will be circulated around the site. The applicant is requesting along with the SUP for the Residence Hotel is a variance to the engineering standards of design for access. Currently based on those standards in order to have a drive approach they have to be 100 feet apart from other drive approaches, there is currently one now that is the entrance to Walmart, therefore where they're proposing to have the drive is about 85 feet from subject property and doesn't meet the 100foot requirement nor is it 100feet away from existing drive. Part of the request is to have a variance to allow for the driveway as their primary entrance. Their conceptual site plan shows is to have entrance and also since a portion of Suncrest Dr. is a city street they would have some access through there. They would prefer to take access through White Hills Drive, but that would be something to consider as well. If it does move into the site plan phase, it is important for them to establish the entitlement rights.

Mr. Gonzales added that fifty-two notices were mailed to property owners within 500 feet of the subject property including one HOA/Neighborhood Organization within 1500 feet participating in the notification program. Staff did receive one notice back today, from Mr. Patrick Short who is the property owner that is adjacent to this property that is present and would like to speak.

Mr. Gonzales further noted recommendations were provided for the Commission in their packet, and applicant is present to answer any questions.

Chairman Renfro asked for questions from Commission for staff.

Commissioner Logan had question of location of surrounding businesses to get better oriented of where entrance would be located, as well as location of Suncrest Drive as she was not aware there was a City street located there. Mr. Gonzales explained right of way of Suncrest Drive and explained that is usually where Walmart 18wheelers enter and exit for loading and unloading purposes, this street does not have as much traffic as White Hills Drive but is used for this purpose. Mr. Gonzales added that they would have two entrances if variance is approved.

Commissioner Trowbridge had question regarding whether or not any hotel request would be required to have a Specific Use Permit or because it is an extended hotel. Mr. Gonzales stated any hotel that is listed within the use chart does require a specific use permit.

Chairman Renfro opened the public hearing and asked the applicant to come forward and speak.

Dayne Ram  
601 Saddle Hill Dr.  
Grand Prairie, TX

Douglas Bradley  
519 W. Main St.  
Denison, TX

Applicant came forward and stated they are here to answer any questions and believe they are proposing a quality product to the City of Rockwall.

Commissioner Trowbridge asked applicant if this was a 20 year franchise agreement with Hilton, if they were representing the owner, and how many hotels are owned by them. Mr. Bradley stated it was a 20 year franchise agreement and they are currently manage and own three hotels as it is owner operated, different entities but same owner.

Commissioner Lyons asked if applicant had power point that was shown at the last meeting available to go over.

Mr. Bradley offered a power point presentation stating the Hilton brand Home 2 Suites is being introduced in up and coming cities and not in financially depressed areas and feels for the area that it is being proposed it will add some spark factor. Decoration is geared towards business travelers and is very modern and contemporary All suite accommodations are built with kitchenettes. Contemporary and urban looks is what the brand is gearing towards building where outside of hotel is also built to welcome use providing fire pits and outside lounging. The brand also focuses on technology that will gear towards young business travelers who are looking for a modern comfortable place to stay. Price points would be for a thirty day stay is \$3,000-\$3,500. Mr. Bradley added 73% of Home 2 Suites have received numerous awards by Trip Advisor.

Commissioner Logan had concern of extended stay hotels having the reputation of attracting a lot of crime and asked applicant concerning 20 year agreement with Hilton asked applicant for explanation of that agreement. Mr. Bradley explained Hilton is very strict and if one defaults on a franchise agreement there would be stiff penalties where it is not easy to just walk away from such agreement. Commissioner Logan asked if Hilton can decide anytime down the line it does not want the hotel to be a Hilton any longer. Mr. Bradley stated if the property was not operated to the Hilton brands expectations and standards, they could terminate the agreement, but added that this is a nine million dollar investment and does not feel owners would allow that to happen.

Commissioner McCutcheon had concern of location of proposal, likes the product, but feels one product is being shown but is concerned of location of this proposal not being in the ideal area.

Mr. Bradley stated this was a proposal that is not added in just any city, and feels having the Walmart close will serve beneficial for travelers who are staying for a longer period of time, such as people coming into town for project work. The focus is that type of traveler. He went on to state they have set rules for people wanting to stay and in order to stay at this type of hotel it will be required to have a major credit card or debit card, and an ID. He stressed that this is not like other long stay hotels that may be in the area.

Chairman Renfro opened up the public hearing and asked for anyone who wished to speak to come forward.

Patrick Short  
603 White Hills Dr.  
Rockwall, TX

Mr. Short came forward and stated he owns the Short Law Firm, and is concerned with the access entry with the way currently 18wheelers will not be able to make turn due to exit issue. For practicality issues feels it would be better if access could be from Walmart easement it would facilitate traffic.

Chairman Renfro asked applicant to come forward for any rebuttal.

Mr. Bradley spoke of access from White Hills Road it would alleviate some of the traffic and allow traffic to flow better. Walmart has been approached and no response has been gained, to have it as an additional point.

Chairman Renfro had question of peak traffic hours. Applicant stated he does not feel there would be a large traffic concern with the size of the hotel.

Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Lyons made motion to approve the item with staff recommendations with variance of driveway facing White Hills. With the absence of a second, Chairman Renfro asked for discussion from the Commission and the motion died temporarily.

Commissioner Trowbridge stated he was still struggling with long term land use for this hotel and although he was not trying to pick what else it could be, but feels there is a lot of other land uses that could be used here that would fit within the zoning that wouldn't cause as much consternation flow to some of the existing neighboring properties. He feels it's a great project, just not the right location.

Commissioner Logan stated concern concerning general extended stays seem to draw an unsavory crowds and although this one is nice and pretty and the concept is great and beautiful and loves what it looks like right now is struggling to decide if it's a permanent situation.

Chairman Renfro added he as well likes the concept plan but was unsure if this particular area was the right fit for it.

Commissioner McCutcheon stated he likes the concept plan, but concerned that price point will change if the economy were to change, and is concerned with long term use of the land for this product.

Commissioner Lyons added that this is the location that is being proposed, and feels if the opinion is just to say this isn't a good spot for it but there is no recommendation for another spot other than the Harbor; it's not helping the discussion. Since this is the area this is the spot applicant chose to go forward with, feels it's a beautiful location or it will be a beautiful building once it's done and as far as location he feels it will improve the, and it does make sense the need for one, with L3 here and can definitely see engineers using this location or professionals that are in Rockwall. He asked staff if with the SUP City Council held the right to be able to pull it back at any time.



607 Mr. Gonzales stated that is the standard language that is used in the SUP.  
608

609 Commissioner Lyons added that therefore that would give a layer of protection.  
610

611 Chairman Renfro made comment that although he understands the SUP, and the ability to  
612 suspend the SUP, he is concerned that then there would be a big building with no tenant  
613 occupying it. Chairman Renfro added that the way the streets are around the proposed site, it is  
614 very difficult on that side of the highway to move your way around especially when you have  
615 people going in and out of Walmart early in the morning as well as truckers coming down the  
616 service road  
617

618 Commissioner McCutcheon stated he echoed along with the other concerns as far as the  
619 concept, and understands this proposal is not the cheapest thing they can do therefore it is  
620 obvious they're going to put an investment, but price points change over time because the  
621 economy changes over time, and long term use of the land, feels this is a good product, and the  
622 price of the land they're getting is probably the best location for the right price that gets them  
623 the higher quality product. He added he is not necessarily against it but still struggling for  
624 discussion or opinion that will pull him one way or the other.  
625

626 Commissioner Fishman stated that she has some of the same concerns some of the other  
627 Commissioners had already discussed, feels it's a great product and if Rockwall is going to  
628 have that, that's a beautiful product to have but is concerned with the location. In terms of it  
629 already being a tight and congested area, but realizes if something's going to go in there, what  
630 else is going to go in there that will not add some amount of congestion.  
631

632 Chairman Renfro asked if further discussion was needed.  
633

634 Commissioner Logan made a motion to approve the item with staff recommendations and  
635 variances.  
636

637 Commissioner Lyons seconded the motion.  
638

639 Chairman Renfro stated there was a motion on the floor with second and asked for discussion  
640 before the vote.  
641

642 Commission discussed procedural rules with Planning Director before discussion continued.  
643

644 Chairman Trowbridge stated he was leaning on saying no because, from the whole long term  
645 land use, loves the product, I totally love that and I've always kind of thought that if it was on the  
646 cusp, the ultimate land use, is coming into question over a long period of time you need to  
647 protect the surrounding land users first and then allow that to go. If we have been too discreet  
648 in our definition or in our decision on this I think City Council can clearly overturn and be able  
649 to make the right political decision on that, but when it comes to a discreet decision on land use  
650 that's where this is and feels he is not for it.  
651

652 Mr. Gonzales added that as a point of the Commissions discussion if item is turned down it will  
653 take a three quarter majority vote of Council in order to approve.  
654

655  
656 Chairman Renfro stated concern over the viability of use over time.  
657

658 Commissioner Logan added that she feels if all the rules are followed, the owner does what they  
659 promise, and the police do what they're supposed to do, and the City does what they're  
660 supposed to do and all the rules are followed, believes this a really nice viable option.  
661

662 Chairman Renfro called for a vote and added that a vote of yes is to pass and a vote of no is to  
663 deny. The motion failed by a vote of 2-4 with Commissioners Logan and Lyons dissenting and  
664 Commissioner Jusko absent.  
665  
666  
667



668 IV. DISCUSSION ITEMS

669

670 10. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

671

672 ✓ MIS2015-003: Amendments to the Master Thoroughfare Plan (2<sup>nd</sup> Reading) [Approved]

673

674 ✓ Z2015-030: Amendments to PD-75 (2<sup>nd</sup> Reading) [Approved]

675

676 ✓ Z2015-031: SUP for a Carwash @ La Jolla Pointe Drive and Ridge Road (2<sup>nd</sup> Reading) [Approved]

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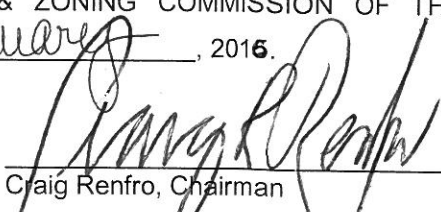
704

**Planning Director, Ryan Miller, provided a brief update about the outcomes of the above referenced cases at the City Council meeting .The Commission did not have any questions concerning this agenda item.**

685 V. ADJOURNMENT

687 The meeting adjourned at 9:16 p.m.

691 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
692 ROCKWALL, Texas, this 24 day of January, 2016.

  
Craig Renfro, Chairman

698 Attest:

699   
700 Laura Morales, Planning Coordinator  
701  
702  
703  
704

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**January 26, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:02 p.m. Present were Commissioner John McCutcheon, Patrick Trowbridge, Annie Fishman, Johnny Lyons and Mike Jusko. Absent was Commissioner Tracy Logan. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, and Planning Coordinator, Laura Morales.

II. CONSENT AGENDA

1. Approval of Minutes for the January 12, 2016 Planning and Zoning Commission meeting.

2. P2016-002

Discuss and consider a request by Michael & Mary Grace Frasier for the approval of a replat for Lot 13, Block E, Wade Addition being a 0.74-acre tract of land currently identified as Lots 11 & 12, Block E, Wade Addition and Tract 36 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 704 Jackson Street, and take any action necessary.

Commissioner McCutcheon made motion to approve the consent agenda. Commissioner Lyons seconded the motion, which passed by a vote of 6-0, with Commissioner Logan absent.

III. APPOINTMENTS

3. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

ARB representative came forward and gave brief summary of their recommendations for the items on the ARB agenda.

IV. ACTION ITEMS

4. MIS2016-001

Discuss and consider the approval of a special request by Jennie Watkins for an exception to the setback requirements for the purpose of constructing a single family home on a 0.12-acre parcel of land identified as Lot 49, Canup Addition, City of Rockwall, Rockwall County, Texas, being zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, located at the southeast corner of the intersection of Sam Houston Street and E. Bourn Street, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of the item stating that the applicant, Jennie Watkins, has submitted a special request concerning the property at the corner of the intersection of Sam Houston and E. Bourn Street. The property is zoned Single Family 7 District and is located within the Southside Residential Neighborhood Overlay District.

Mr. Gonzales went on to explain that the applicant is proposing to construct a single family home on the subject property; however, the property is 35-feet wide and on a corner lot which is considered as two front yard setbacks at 20-feet each, and an internal side yard setback of 6-feet which leaves a reduced building envelop of 9-feet by 150-feet. Due to the limited width of the building envelop the applicant is requesting to reduce the front building setback adjacent to Sam Houston Street from 20-feet to 10-feet and the internal side yard setback from 6-feet to 5-feet, which will increase the building envelop to a developable lot size of 20-feet by 150-feet.

Section 6.4, Southside Residential Neighborhood Overlay District, of Article V, District Development Standards, of the Unified Development Code grants the City Council the ability to consider special requests within the district including the ability to vary setbacks the furtherance of neighborhood preservation and enhancement. Typically, properties within the Southside Residential Neighborhood Overlay District require a minimum of 50-feet of street frontage; however, the subject property being annexed prior to 1959 and being platted prior to 1983 is considered to be a Lot of Record. The proposed home will meet the minimum standards established in the Southside Residential Neighborhood Overlay District. The applicant has submitted a letter of request and a survey of the proposed property that has been provided to the Planning and Zoning Commission.

Chairman asked the applicant to come forward.

Jenny Watkins  
302 E. Bourne St.  
Rockwall, TX

Commissioner Jusko asked if there was a rendering of what applicant anticipates will be on the lot. Ms. Watkins stated she has a few ideas she is considering one is a contemporary modern style, or a country style with a front porch.

Commissioner Trowbridge asked applicant if she owned lot next door. Applicant stated she does not but the builder does.

Commissioner Lyons asked Mr. Gonzales if there was a width minimum for the structure. Mr. Gonzales stated there is no width minimum.

Chairman Renfro asked if notices if were sent out. Mr. Gonzales stated this was not a public hearing and therefore no notices were required to be sent.

Commissioner McCutcheon made a motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion, which passed by a vote of 6-0, with Commissioner Logan absent.

#### 5. MIS2016-002

Discuss and consider a request by William Laurence for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, *General Residential District Standards*, of Article V, *District Development Standards*, of the Unified Development Code, for a 0.17-acre parcel of land identified as Lot 1, Block 1, St. Mary's Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 508 St. Mary's Street, and take any action necessary.

Planning Director, Ryan Miller, gave brief description of item stating the subject property is located at 508 St. Mary's and applicant is requesting a masonry exception there is an existing about a 1000 square foot home on the property with vinyl siding and what the applicant is proposing to do is to construct a 1900 square foot addition to the home and use 100 percent hardyboard for the siding. The code requires 80 percent masonry on any structure that is over 120 square feet and typically it would be brick or stone but hardyboard is allowed up to 50 percent. Mr. Miller further stated the code does have flexibility built in and allows for exceptions to the masonry requirements on a case by case basis. The subject property is in an older part of the City where many of the homes have hardyboard or vinyl siding therefore the request will not change character of the district.

The applicant was not present.

Commissioner Trowbridge asked if the majority of the surrounding homes have siding. Mr. Miller stated they do.

Commissioner Trowbridge made a motion to approve with staff recommendations. Commissioner McCutcheon seconded the motion which passed by a vote of 6-0, with Commissioner Logan absent.

V. DISCUSSION ITEMS

6. Z2016-001

Hold a public hearing to discuss and consider a request by Sherri Banuelos for the approval of a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.03-acre tract of land identified as Tract 11-5 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 735 Davis Drive, and take any action necessary.

Senior Planner, David Gonzalez, stated the subject property is currently zoned Agricultural and the applicant is requesting to change it to a Single Family One District and the applicant is present to further expand on the request.

Chairman Renfro asked applicant to come forward.

Sherri Banuelos  
735 Davis Dr.  
Rockwall, TX

Ms. Banuelos came forward and stated the purpose of the request is to build a workshop in the back of the home for the purpose of projects for the house as well as storage. She stated her and her husband recently moved from a much larger house and they need more space.

There being no questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

7. Z2016-002

Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the approval of a Specific Use Permit (SUP) for a guest quarters/secondary living unit and garage on a 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, addressed as 453 Cullins Road, and take any action necessary.

Senior Planner, David Gonzales, gave brief summary of request stating applicant had recently had a zoning case approved and is here for the second part of the process requesting a Specific Use Permit for the detached garage and mother in law suite and applicant is present to further expand on request.

Chairman Renfro asked the applicant to come forward.

Dale Price  
453 Cullins Rd.  
Rockwall, TX

Mr. Dale came forward and stated this is a barn and a mother in law suite and the purpose of it is to allow his mother in law to come live with them and to have extra storage space.

There being no questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

8. Z2016-003

Hold a public hearing to discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of U. V. Real Estate, LP for the approval of a Specific Use Permit (SUP) to allow for outside storage in conjunction with an Auto Body Shop on a 3.2039-acre tract of land described as Tract 7-01 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, located at 1780 E IH-30, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

187 Planning Director, Ryan Miller, stated the applicant was present to expand on request and will be  
188 available for questions.

189  
190 Jeff Harold  
191 750 E I30  
192 Rockwall, TX  
193

194 Mr. Harold came forward and stated Service King has been looking for some time to come into  
195 the Rockwall area. They plan to do auto repair only and do not rebuild engines but they do repair  
196 anything that has to do with vehicles inside and out other than the engines and therefore need  
197 the outside storage and that is reason for the request of the SUP.  
198

199 Mr. Miller added that the subject property is within the IH30 Overlay District and that is the  
200 reason the SUP is needed due to the Overlay District not allowing for outside storage.  
201

202 (Commissioner Logan arrived at the meeting at 6:32p.m.)  
203

204 There being no further questions Chairman Renfro indicated the case will return to the  
205 Commission for action at the next scheduled meeting.  
206

207  
208 9. P2016-003

209 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Bobby Samuel  
210 of Meritage Homes of Texas, LLC for the approval of a final plat for Stone Creek, Phase VII containing  
211 79 single-family residential lots on 37.823-acres of land being a portion of a larger 163.2672-acre tract  
212 of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County,  
213 Texas, zoned Planned Development District 70 (PD-70) for Single Family 10 (SF-10) District land uses,  
214 generally located at the northwest corner of Hays Road and E. Quail Run Road, and take any action  
215 necessary.  
216

217 Senior Planner, David Gonzales, stated applicant was present to expand further on request and  
218 will be available for any questions.  
219

220 Warren Corwin  
221 200 West Belmont  
222 Allen, TX  
223

224 Mr. Corwin came forward and stated they have been working on this project for about three  
225 years they have reviewed staff comments and have addressed staffs concerns.  
226

227 There being no questions Chairman Renfro indicated the case will return to the Commission for  
228 action at the next scheduled meeting.  
229

230  
231 10. P2016-004

232 Discuss and consider a request by Jay Holman & Don Silverman of Rockwall 205-552, LLC for the  
233 approval of preliminary plat for Lots 1-6, Block A, Dalton Goliad Addition being a 9.183-acre tract of land  
234 identified as Tract 4-1 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County,  
235 Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV)  
236 District, located at the northwest corner of the intersection of SH-205 [N. Goliad Street] and FM-552,  
237 and take any action necessary.  
238

239 Planning Director, Ryan Miller, stated applicant was present to expand further on the request  
240 and will be available for questions.  
241

242 Juan Vasquez  
243 1919 Shiloh Rd.  
244 Garland, TX  
245

246 Mr. Vasquez came forward and stated they are looking to develop the nine acre corner on 205  
247 and Dalton Rd. and are currently getting started with the preliminary plat looking at



approximately six lots and is being driven by grocery Aldi that is coming in and the rest is planning what may come in in the future.

Commissioner Trowbridge asked when a preliminary plat is required. Mr. Miller stated preliminary plats are generally required when larger site are proposed to be subdivided. The preliminary plat is useful for laying out utilities and detention/drainage. The purpose to preliminary plat is to head on any issues the site may have. The next step in the process is for them to site plan each individual lot and final plat.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting. Chairman Renfro also made note that Commissioner Logan did arrive to the meeting.

11. P2016-005

Discuss and consider a request by Warren Corwin of Corwin Engineering on behalf of John Arnold of the Skorburg Company (BH Phase V 80' POD, SF, LTD) for the approval of a final plat Phase V of the Breezy Hill Subdivision containing 79 single-family residential lots on a 25.598-acres of land being identified as Tract 7-06 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated on the west side of Breezy Hill Road north of the intersection Breezy Hill Road and FM-552, and take any action necessary.

Planning Director, Ryan Miller, stated this request is another phase of the Breezy Hill Subdivision it is 79 lots and does conform to the preliminary and will be on the consent agenda at the next scheduled meeting.

There being no questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

12. SP2016-001

Discuss and consider a request by James Spencer of GHA Architecture/Development on behalf of the owner Robert Clinesmith of Triton I-30 Rockwall, LLC for the approval of a site plan for a restaurant on a 1.66-acre tract of land identified as a portion of Lot 1, Village 2 Addition and Tract 3 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located west of the intersection of Village Drive and the IH-30 frontage road, and take any action necessary.

Planning Director, Ryan Miller, stated the applicant is present to expand on request and will be available for any questions for staff.

James Spencer  
14901 Corinne Drive  
Dallas, TX

Mr. Spencer came forward and stated they are proposing for a site plan for approval for a proposed El Fenix restaurant on the IH30 Overlay off of Village Dr.

Commissioner Logan asked where access would be and if it would be necessary to cut through another property for access. Mr. Spencer stated there is a single point of access which is in front of the Snuffers restaurant.

Commissioner McCutcheon asked if two points of access were required. Fire Marshall, Ariana Hargrove, stated only one was required. General discussion took place concerning the point of access.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

13. SP2016-003

Discuss and consider a request by Daniel Stewart of Cates-Clark & Associates, LLP on behalf of Jeff Finkel of Seaman Development Corporation for the approval of a site plan for a furniture store on 3.64-acre portion of a larger 14.07-acre tract of land identified as Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located east of Greencrest Boulevard and north of IH-30, and take any action necessary.

Senior Planner, David Gonzales, stated the applicant was present to expand further on request and he would be available for questions.

Daniel Stewart  
14800 Quorum Dr.  
Dallas, TX

Mr. Stewart came forward and stated the request is for site plan approval for a proposed Rooms To Go store they have received the site plan comments back from staff and there are some technical things they will need to work through but will not be an issue. He added there are two variances proposed concerning EIFS and stone masonry requirement and after speaking with the owner they will revise the elevations to comply with both of those requirements and will no longer be variance requests when they return for the public hearing.

Commissioner Logan asked if the masonry requirement was not being met due to glass. Mr. Gonzales stated it was not due to the glass, the minimum masonry requirement is 20 percent natural stone within an Overlay District glass is considered masonry according to the code.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

14. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

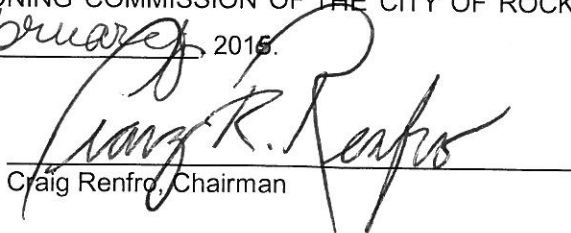
- ✓ P2015-042: Final Plat for the Preserve, Phase 1 [Approved]
- ✓ P2016-001: Lot 1, Block A, Patriot Paws Addition [Approved]
- ✓ Z2015-028: SUP for a Private Baseball Fields (1<sup>st</sup> Reading) [Approved]
- ✓ Z2015-036: Amendments to PD-32 (1<sup>st</sup> Reading) [Approved]
- ✓ Z2015-037: SUP for a Church Steeple (1<sup>st</sup> Reading) [Approved]
- ✓ Z2015-038: Amendments to PD-50 (1<sup>st</sup> Reading) [Approved]
- ✓ Z2015-039: SUP for a Residence Hotel (1<sup>st</sup> Reading) [Approved]

Planning Director Ryan Miller provided a brief update about the outcomes of the above referenced cases at the City Council meeting. The Commission did not have any questions concerning this agenda item.

VI. ADJOURNMENT

The meeting adjourned at 6:54 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 9 day of February, 2016.

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**February 9, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Chairman Renfro called the meeting to order at 6:00 p.m. Present were Commissioner John McCutcheon, Patrick Trowbridge, Tracy Logan, Johnny Lyons and Mike Jusko. Absent was Commissioner Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks and Planning Coordinator, Laura Morales.

**II. CONSENT AGENDA**

1. Approval of Minutes for the January 26, 2016 Planning and Zoning Commission meeting.

2. P2016-003

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Bobby Samuel of Meritage Homes of Texas, LLC for the approval of a final plat for Stone Creek, Phase VII containing 80 single-family residential lots on 37.823-acres of land being a portion of a larger 163.2672-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single Family 10 (SF-10) District land uses, generally located at the northwest corner of Hays Road and E. Quail Run Road, and take any action necessary.

3. P2016-004

Discuss and consider a request by Jay Holman & Don Silverman of Rockwall 205-552, LLC for the approval of preliminary plat for Lots 1-6, Block A, Dalton Goliad Addition being a 9.183-acre tract of land identified as Tract 4-1 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of SH-205 [N. Goliad Street] and FM-552, and take any action necessary.

4. P2016-005

Discuss and consider a request by Warren Corwin of Corwin Engineering on behalf of John Arnold of the Skorborg Company (*BH Phase V 80' POD, SF, LTD*) for the approval of a final plat Phase V of the Breezy Hill Subdivision containing 79 single-family residential lots on a 25.598-acres of land being identified as Tract 7-06 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated on the west side of Breezy Hill Road north of the intersection Breezy Hill Road and FM-552, and take any action necessary.

**Commissioner Lyons made a motion to approve the consent agenda. Commissioner Jusko seconded the motion which passed by a vote of 6-0, with Commissioner Fishman absent.**

**III. PUBLIC HEARINGS**

5. Z2016-001

Hold a public hearing to discuss and consider a request by Sherri Banuelos for the approval of a zoning change from an Agricultural (AG) District to a Single Family One (SF-1) District for a 1.03-acre tract of land identified as Tract 11-5 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 735 Davis Drive, and take any action necessary.

61 Senior Planner, David Gonzales, gave brief explanation of request stating that the subject  
62 property is a 1.03-acre tract of land located at 735 Davis Drive. The applicant, Sherri  
63 Banuelos, is requesting to rezone the property from an Agricultural District to a Single-  
64 Family One District for the purpose of allowing an accessory structure to be constructed on  
65 the property. According to the Permissible Uses Chart of the Unified Development Code, an  
66 accessory structure within the AG district is not an allowed use; however, the use is allowed  
67 by right in a residentially zoned district, including the SF-1 District. The applicant has  
68 indicated that the primary use for the accessory structure is for storage, outdoor equipment,  
69 other items, and for use as a workshop. Currently, the subject property has an existing  
70 single-family home constructed on it that was annexed into the City on March 16, 1998.

71  
72 Mr. Gonzales further stated that the Future Land Use Map, adopted with the Comprehensive  
73 Plan, designates the subject property for Low Density Residential land uses, which is  
74 defined as less than two single-family units per acre. This designation is in conformance  
75 with the applicant's request to rezone the subject property to a Single-Family One District.

76  
77 Also, on January 28, 2016, staff mailed twenty-two notices to property owners within 500  
78 feet of the subject property. There is no HOA/Neighborhood Organization within 1500 feet  
79 participating in the notification program. Additionally, staff posted a sign on the property.  
80 Staff has not received any notices either "for" or "against" the zoning change request.

81  
82 Chairman Renfro opened the public hearing and asked the applicant to come forward.

83  
84 Sherri Banuelos  
85 735 Davis Dr.  
86 Rockwall, TX

87  
88 Chairman Renfro asked applicant if she wished to add anything to Mr. Gonzales's summary  
89 of request. Ms. Banuelos stated she did not.

90  
91 Chairman Renfro asked if there was anyone in the audience wishing to speak, there being  
92 no one indicating such; Chairman Renfro closed the public hearing and brought the item  
93 back to the Commission.

94  
95 Commissioner Trowbridge made motion to approve the item with staff recommendations.  
96 Commissioner McCutcheon seconded the motion, which passed by a vote of 6-0, with  
97 Commissioner Fishman absent.

98  
99 6. Z2016-002

100 Hold a public hearing to discuss and consider a request by Bobby Dale and Bretta Price for the  
101 approval of a Specific Use Permit (SUP) for a guest quarters/secondary living unit and garage on a  
102 5.5-acre tract of land identified as Tract 17-7 of the W. W. Ford Survey, Abstract No. 80, City of  
103 Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District, addressed  
104 as 453 Cullins Road, and take any action necessary.

105  
106 Senior Planner, David Gonzales, gave brief explanation of request stating the applicants,  
107 Bobby Dale & Bretta Price, are requesting a Specific Use Permit for the purpose of  
108 constructing a one-story combination mother-in-law suite and detached garage, the subject  
109 property is a five acre tract of land. Based on the applicant's letter of request and the  
110 building plans submitted, the size and height of the new structure will exceed what the  
111 Unified Development Code allows. The subject property is located on the northeast corner  
112 of FM-549 and Cullins Road.

113  
114 Mr. Gonzales further noted that staff mailed nineteen notices to property owners within 500  
115 feet of the subject property and also notified one HOA/Neighborhood Organization that is  
116 within 1,500 feet and participating in the notification program. Additionally, staff posted a  
117 sign on the property and staff received no notices "for" or "against" the zoning change  
118 requested.

119  
120 Chairman Renfro asked the applicant to come forward and speak.  
121

Dale Price  
453 Cullins Rd.  
Rockwall, TX

Mr. Price came forward and stated he did not have much information to add from Mr. Gonzales' summary of request.

Chairman Renfro asked what the square footage of the main house was. Mr. Price stated it was 4601 square feet and with the garage it was a little over 5000 square feet.

Chairman Trowbridge asked if it would have a separate address. Mr. Price stated it would not.

Chairman Renfro opened the public hearing and asked if there was anyone wishing to speak, there being no one indicating such, Chairman Renfro closed the public hearing.

Commissioner McCutcheon made motion to approve the request with staff recommendations. Commissioner Jusko seconded the motion which passed by a vote of 6-0, with Commissioner Fishman absent.

7. Z2016-003

Hold a public hearing to discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of U. V. Real Estate, LP for the approval of a Specific Use Permit (SUP) to allow for outside storage in conjunction with an Auto Body Shop on a 3.2039-acre tract of land described as Tract 7-01 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, located at 1780 E IH-30, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of request stating the subject property is a 3.2 acre tract of land and is where Tuff Shed currently is and Tuff Shed was granted an SUP for outside storage in 2013 but did have a time limitation tied to it and will be expiring April 1, 2016. Applicant is requesting to build an auto body shop which is permitted by right, but does require an SUP for outside storage. It will be for vehicles located in the back of the building. In addition the applicant is requesting to use a 6 foot pre-cast fence around the storage area to screen the vehicles from adjacent properties. The code does allow the Planning and Zoning Commission to approve a precast fence.

Mr. Miller further stated that staff mailed 23 notices to property owners and residents within 500-feet of the subject property and posted a sign on the subject property at 1780 E. IH-30, and advertised the public hearings in the Rockwall Harold Banner and did not receive any notices back in favor or in opposition.

Mr. Miller added that the conditions that were added to the draft ordinance that will help regulate the property were included in the Commissioners packet.

Chairman Renfro asked Commission for questions for staff.

Commissioner Logan asked if it was known what kind of foundation the precast fence would sit on. Mr. Miller stated they are slit in place panels and are stamped with a stone look which meets the requirements, if the Planning and Zoning Commission grant the exception to use a precast fence.

Commissioner Trowbridge asked if current land owner is requesting the change or is there a change in ownership associated with the change of use. Mr. Miller stated the current land owner has given consent for the application.

Chairman Renfro asked the applicant to come forward and speak.



183 Matt Moore  
184 1903 Central Drive  
185 Bedford, TX  
186

187 Mr. Moore came forward and stated Mr. Miller covered the request well and clarified that  
188 Service Kind does have the property under contract and are waiting to get this request  
189 approved before closing on the property. Mr. Moore stated they have read through all of  
190 staffs conditions and accept the conditions.  
191

192 Commissioner Jusko asked how deep the piers on the wall would be. Mr. Moore stated it  
193 has not been engineered yet but is something they will work with the fence group on and  
194 will work with the City through that process.  
195

196 Commissioner Logan asked whether or not vehicles could be stored inside the building  
197 overnight. Mr. Moore indicated with the size of the facility that would not be feasible.  
198

199 Commissioner Logan asked how many bays there would be. Mr. Moore stated there would  
200 be fourteen bays.  
201

202 Commissioner McCutcheon asked what the gate would be mad of. Mr. Moore stated it would  
203 be a metal fence and could be a solid look or rod like. Commissioner McCutcheon also  
204 asked what the requirement for fencing is for this type of facility. Mr. Miller stated a six foot  
205 masonry fence is required finished in brick or stone material but can ask for the pre cast  
206 fence panels that are discretionary approval by the Planning Commission.  
207

208 Chairman Renfro opened the public hearing and asked if anyone present wished to come  
209 forward to speak, there being no one indicating such; Chairman Renfro closed the public  
210 hearing.  
211

212 General discussion took place concerning issues precast fencing may have as opposed to a  
213 meeting the masonry requirements.  
214

215 Mr. Moore stated if it was the desire of the Commission to move away from the precast  
216 fencing and meet the masonry fence requirements he would go that route.  
217

218 Chairman Renfro opened the public hearing and asked if there was anyone that wished to  
219 speak, there being no one indicating such; Chairman Renfro closed the public hearing.  
220

221 Chairman Renfro made motion to approve request with the exception to the pre-cast fence.  
222 Commissioner Lyons seconded the motion, which passed by a vote of 6-0, with  
223 Commissioner Fishman absent.  
224

225  
226 8. Z2016-004

227 Hold a public hearing to discuss and consider a request by Scott and Leslie Milder for the approval  
228 of a Specific Use Permit for a Banquet Facility on a 0.66-acre lot of land containing two (2) parcels  
229 of land identified as Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, City  
230 of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for  
231 Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV)  
232 District, addressed as 803 & 805 N. Goliad Street, and take any action necessary.  
233

234 Planning Director, Ryan Miller, gave brief request of item stating at the last City Council  
235 meeting on February 1<sup>st</sup> Council approved an amendment to Planned Development District  
236 50 that allowed for a banquet facilities use or event venues through a Specific Use Permit.  
237 Per the ordinance it defines these facilities as commercial facilities that can be rented out  
238 for the purpose of hosting private events however the events cannot be opened to the  
239 general public. In accordance with this new amendment, the applicant is requesting a  
240 specific use permit for a banquet facility on the subject property which is located south of  
241 Heath St. and 803 N. Goliad St. and is on the west side of SH205.  
242

Mr. Miller also explained that the applicants did provide a letter stating that the purpose of the facility is to host small events such as birthday parties, bridal/baby showers, and graduation parties along with a list of the types of events they intend to allow to be hosted. They have also defined the operational hours as Sunday thru Thursday 8am to 9pm and Friday and Saturday 8am to 11pm and applicant has also provided staff with several further operational restraints that better clarify their intended use. Mr. Miller added that examples of that is no food preparation would take place on site, no live outdoor music, and anytime there is alcohol present there will be a security guard or an off duty police officer required. All that information was compiled into a draft ordinance and have put together a list of the operational requirements for the review of the Commission.

Mr. Miller further stated there are several variances associated with the request, the first being a request to the paving standards. When request originally came in there were nine parking spaces and a cross access easement paved. What the applicant needs in order to meet the parking requirement is sixteen parking spaces currently applicant is requesting to do this per the site plan by including five additional parking spaces accessible by a twelve in half foot drive that will connect the end of the pavement, the cross access easement, to North Alamo Street and off of that there will be five parking spaces, however the applicant is requesting that it be permitted to be a crushed rock or gravel. Mr. Miller added that the Ordinance does stipulate concrete or asphalt is required in this District and the City Engineer as well as the Engineering Standards of Design as well as the Unified Development Code stipulate concrete citywide. There has been one lot approved for asphalt within the District and that would be Blacks Collectables. However due to maintenance issues with asphalt the City has moved to only requiring concrete, but applicant is requesting a waiver to this requirement. Mr. Miller also pointed out that regardless of paving material approved detention will be required. Applicant is also requesting a variance to allow parking within a cross easement, and typically that is not allowed because it restricts the free flow of traffic between properties and it is an Ordinance requirement, in this case applicant is showing two parking spaces in the cross easement next to the property to the north. The final request is for the twenty foot cross access easement. This is required in PD50 because there is an access plan to try and take as much traffic off of SH205 and circulate it between the properties. In this case the applicant is requesting a waiver to paving that however applicant has provided a condition in the draft ordinance which ties the paving and the provision of the cross access easement to the property to the southwest which is currently zoned SF-7. When that property rezones and takes on a commercial use then the applicant has stated he will provide the cross access required between the properties to the south, his property and the property to the north as well as removing the two parking spaces in the cross access easement and placing them elsewhere on the site.

Mr. Miller went on to explain the property is a Single Family-7 and currently there are no commercial properties along Alamo Street nor have there been any zoning requests for commercial properties along Alamo Street. The Ordinance of Planned Development 50 District does give the ability for Planning and Zoning as well as City Council the ability to grant variances specifically in the event that unique conditions exist on the property. Any recommendation for approval of a variance as well as for the SUP is discretionary approval for the Planning and Zoning Commission as well as City Council.

Mr. Miller also stated that staff mailed 105 notices to property owners within 500-feet of the subject property and posted a sign adjacent to N. Goliad Street. Staff received three notifications in favor of the request one of which did state a desire to see the back of the property paved. An email was also received late today that stated opposition of the applicant's request.

Mr. Miller stated the applicant was present and staff was available for questions.

Chairman Renfro asked the Commission for questions for staff.

Commissioner Trowbridge asked if cross easement posed a fire hazard. Mr. Miller stated it did not as it is not a fire lane.

Commissioner Trowbridge asked if cross easement was going into place or is the easement being waived. Mr. Miller stated the cross easement is currently in place on the property to the southwest, it was platted as part of the redevelopment of the property. Based on the way the SUP Ordinance is written if what applicant is requesting is granted, it will allow two parking spaces within that easement and restricting the ability to act as a cross access easement until such time that that property on the southwest develops at which time the two parking spaces will be required to be moved.

Commissioner Jusko asked if there were any city provisions that would allow grass pavers. Mr. Miller stated currently grass pavers are not allowed.

Chairman Renfro asked applicant to come forward and speak.

Scott Milder  
830 Shores Blvd.  
Rockwall, TX

Mr. Milder came forward and briefly stated request for variances, specifically for the paving, the venue will be for small events and the capacity level is 49 therefore there will not be a large amount of people, but the reason for the variance request is should the venue not work out, and it is decided to use the property for what it was originally zoned for, there wouldn't be a need to have that much parking on that side and basically just trying to limit the amount of concrete put on the property. By doing crushed rock or some sort of alternate material would allow flexibility should the use be changed. Mr. Milder also noted the area where the alternate material would be will be enclosed by an eight foot fence. Concerning the cross easement it will only be used until the property to the southwest changes into commercial.

Commissioner Logan asked if east west connection to Alamo was a variance as well as the parking around it. Mr. Miller stated it was a variance for the paving standards, and a variance to park within a cross access easement and a variance for the cross access easement itself but it is not a variance to exit off Alamo the driveway is currently already there.

Commissioner Logan asked concerning detention requirement. Mr. Miller detention is always required when developing any property in this case the area where the concrete was already poured is required to be detained, even if gravel is approved that will change the runoff and that will have to be detained somewhere on the property.

Commissioner Lyons asked staff if variance is granted on the paving of the cross access easement, once that's needed and the properties to the north and the south are developed and there becomes a need for that

Commissioner Trowbridge asked age and type of trees on the property. Mr. Milder stated he was not sure of age, but they are mature Pecan trees. Commissioner Trowbridge also asked what other material other than gravel could applicant use. Mr. Milder stated he did not intend to use gravel; it would be a type of crushed stone or granite.

Chairman Renfro opened the Public Hearing and asked if anyone present wished to speak to come forward.

David Smith  
601 Stonebridge Dr.  
Rockwall, TX

Mr. Smith came forward came forward and stated he initially he was unsure of whether or not he was in favor or in opposition fearing added traffic would be an issue as well as people attending the venue using his property for parking. But after hearing the presentation he believes it will fit in well and not cause issues, therefore he is in favor of the request.

Benny Daniels  
3308 Augusta Blvd.  
Rockwall, TX

Mr. Daniels came forward and stated he is in favor of request. He has known the Milders for many years and feels they will provide a facility that will be an asset to the City because there is a need for this type of venue.

Jim Cooper  
901 N Alamo Road  
Rockwall, TX

Mr. Cooper came forward and stated although the he feels this will be an asset to Rockwall and all the work that has been done on the property has been good, he has concerns on a resident's standpoint of the appearance of a gravel parking lot facing Alamo. He is concerned on what type of time frame if any would be required to keep this type of material before concrete needs to replace it. Mr. Miller stated applicant will be providing a fence therefor the parking area would be screened. The time limit is tied to the development of the property on the southwest corner when that property rezones and goes commercial at that time the cross access will be paved. Mr. Cooper also stated concern with the parking, he is worried the event guests will park on the street on Alamo and that would cause an issue for residents not being able to park. Mr. Cooper also shared concern of the noise and commotion the events would cause during nights and weekends.

Chairman Renfro asked applicant to come forward for any rebuttal and questions.

Mr. Milder clarified that the fence would screen the area and would remain close at all times unless other than when an event is being hosted. Mr. Milder also stated that concerning the noise, the SUP states there will not be any outdoor music.

Chairman Renfro stated concern should ownership change and variance was granted. Mr. Milder stated there is currently a substantial amount of concrete on the property.

Commissioner Trowbridge asked if different types of uses require different parking requirements. Mr. Miller stated that they do. Commissioner Trowbridge also asked concerning the no food preparation stipulation. Mr. Miller stated the kitchen was not set up to be a full kitchen and the intent is for guests to bring food into the facility and use the kitchen as a prep area.

Commissioner Logan shared need for variances of such to keep the quaintness of old Rockwall and not have too much concrete that loses that look of an old house such as the subject property.

General discussion took place by the Commissioners where some expressed they were okay with the variance approval.

Commissioner Lyons made motion to approve the item with the variances. Chairman Renfro seconded the motion, which passed by a vote of 6-0, with Commissioner Fishman absent.

#### IV. ACTION ITEMS

##### 9. SP2016-001

Discuss and consider a request by James Spencer of GHA Architecture/Development on behalf of the owner Robert Clinesmith of Triton I-30 Rockwall, LLC for the approval of a site plan for a restaurant on a 1.66-acre tract of land identified as a portion of Lot 1, Village 2 Addition and Tract 3 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located west of the intersection of Village Drive and the IH-30 frontage road, and take any action necessary.



425 Planning Director, Ryan Miller, gave brief summary of request stating the applicant is  
426 requesting approval of a site plan for a 7600 square foot restaurant facility. The facility will  
427 be accessible through the Snuffers parking lot through a required cross access easement  
428 and currently does meet the requirements for the district and the technical requirements as  
429 well. The ARB did review and they made a recommendation to approve to the Planning and  
430 Zoning Commission based on the elevations. Mr. Miller added there is only one requirement  
431 they are currently not meeting and that is for the parking within a landscape buffer. Since it  
432 is a very narrow lot and there is a retaining wall as well it made it difficult for the landscape  
433 buffer requirement to be met, what they have done is provide a cluster of trees and this will  
434 allow them to meet the intent of the landscape ordinance.

435  
436 Mr. Miller stated applicant is present and staff is available for questions.

437  
438 Commissioner Logan asked if the existing wall will stay. Mr. Miller stated they will be using  
439 the existing wall.

440  
441 Chairman Renfro asked applicant to come forward.

442  
443 James Spencer  
444 14901 Corrin Dr.  
445 Dallas, TX

446  
447 Commissioner Lyons asked if there were any drawings of what it's going to look like the  
448 view of the restaurant or any artist renderings from IH30. Mr. Spencer stated they only had  
449 the elevation renderings.

450  
451  
452 Commissioner McCutcheon made motion to approve request. Commissioner Jusko  
453 seconded the motion which passed by a vote of 6-0, with Commissioner Fishman absent.

454  
455  
456 10. SP2016-002

457 Discuss and consider a request by Jeff Carroll of Carroll Architects on behalf of the owner First  
458 Baptist Church for the approval of a site plan for a parking lot on an approximately 1.80-acre tract of  
459 land being five (5) parcels of land identified as Lots 1, 2, 3, 5 and a portion of Lot 4, Block M,  
460 Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR)  
461 District, generally located on the west side of S. Goliad Street between Ross Avenue and Bourn  
462 Avenue, and take any action necessary.

463  
464 Senior Planner, David Gonzales, gave brief summary of request stating that the applicant is  
465 requesting approval of a site plan for an off-site parking lot that will be located south of the  
466 existing First Baptist Church. The proposed parking lot will incorporate five lots within the  
467 1.80-acre tract of land, of which four are vacant. The plan will involve demolishing an  
468 existing structure currently used for housing of church vehicles. The property is zoned for  
469 General Retail District uses and is located on the west side of S. Goliad Street between Ross  
470 Avenue and Bourn Avenue.

471  
472 Mr. Gonzales explained that the applicant has provided a treescape plan indicating a total of  
473 168 caliper inches will be removed from the site, the majority of which are Hackberry and  
474 Cedar trees. Hackberry and Cedar trees that are 11 inches dbh or larger, shall be replaced  
475 at 50 percent of the total caliper inches being removed; however, Hackberry and Cedar trees  
476 are less than 11 inches are not considered a protected tree. Also being removed from the  
477 site are two elm trees considered to be feature trees and those total 24 caliper inches.  
478 Feature trees may not be removed without approval of the Planning and Zoning Commission  
479 and are to be replaced inch for inch. The total mitigation required for the site is 78.5 inches.  
480 The applicant's landscape plan depicts the provision of thirty three inch caliper trees, which  
481 satisfies the mitigation requirements. The landscape plan as submitted meets or exceeds  
482 the intent of the Unified Development Code.

483  
484 Mr. Gonzales went on to explain that the applicant is requesting a variance to allow a six  
485 foot wood fence along the rear perimeter of the property to provide screening for the



adjacent residential properties. Mr. Gonzales added that recommendation will only be required from the Planning and Zoning Commission and it will not need to go to City Council.

Mr. Gonzales stated applicant is present and staff is available for questions.

Commissioner Logan asked if currently there is a fence along the alley. Mr. Gonzales stated there is not.

Chairman Renfro made motion to approve with staff recommendations. Commissioner McCutcheon seconded the motion, which passed by a vote of 6-0, with Commissioner Fishman absent.

#### 11. SP2016-003

Discuss and consider a request by Daniel Stewart of Cates-Clark & Associates, LLP on behalf of Jeff Finkel of Seaman Development Corporation for the approval of a site plan for a furniture store on 3.64-acre portion of a larger 14.07-acre tract of land identified as Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located east of Greencrest Boulevard and north of IH-30, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating that this is a site plan proposing for a 40,000 Rooms to Go facility. The submitted site plan, building elevations, landscape plan, treescape plan, and photometric plan are in compliance and conform to the technical requirements contained within the UDC. Staff is still working with the applicant on some minor technical comments and was brought back to the ARB and the board expressed concern with the blue ACM panels being used at the Kids columns' secondary entrance. The ARB also indicated that both of the side building elevations lacked interest due to no architectural elements being present. To address these concerns the ARB recommended that the applicant remove the blue ACM panels and incorporate stone columns with an arched roof matching the primary entrance. The Board also recommended the applicant provide architectural elements for each side elevation in order to break up the flat appearance of the buildings side elevations since they were highly visible. The applicant did make the changes to those areas and ARB met with applicant this evening and reviewed and did approve.

Mr. Gonzales stated the applicant was present and staff is available for questions.

Commissioner Lyons made motion to approve the item with staff recommendations. Commissioner Trowbridge seconded the motion, which passed by a vote of 6-0, with Commissioner Fishman absent.

## V. DISCUSSION ITEMS

### 12. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).

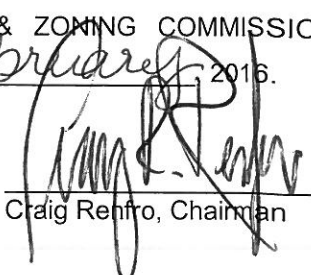
- ✓ P2016-002: Lot 13, Block E, Wade Addition [Approved]
- ✓ MIS2016-001: Exception to the Setback Requirements [Approved]
- ✓ MIS2016-002: Exception to the Masonry Requirements for 508 St. Mary's Street [Approved]
- ✓ Z2015-028: SUP for a Private Baseball Fields (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2015-036: Amendments to PD-32 (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2015-037: SUP for a Church Steeple (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2015-038: Amendments to PD-50 (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2015-039: SUP for a Residence Hotel (2<sup>nd</sup> Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. The Commission did not have any questions concerning this agenda item.

547 VI. ADJOURNMENT  
548  
549

550 The meeting adjourned at 7:51 p.m.  
551  
552  
553  
554  
555  
556

557 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
558 ROCKWALL, Texas, this 23 day of February, 2016.

559  
560   
561  
562 \_\_\_\_\_  
563 Craig Renfro, Chairman

564 Attest:

565   
566 \_\_\_\_\_  
567 Laura Morales, Planning Coordinator  
568

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**February 23, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Chairman Renfro called the meeting to order at 6:01 p.m. Present were Commissioner John McCutcheon, Patrick Trowbridge, Johnny Lyons, Mike Jusko, Annie Fishman and Tracy Logan. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks and Planning Coordinator, Laura Morales.

**II. CONSENT AGENDA**

1. Approval of Minutes for the February 9, 2016 Planning and Zoning Commission meeting.

2. P2016-008

Discuss and consider a request by Sam Ellis on behalf of Amal Fernando of M. REA Properties 2, LLC for the approval of a replat for Lot 1, Block A, Children's Lighthouse Addition being a 3.483-acre tract of land currently identified as Lot 1 of the DeWoody Addition and Lot 1, Block D, North Lakeshore Valley, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District (65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3009 & 3011 N. SH-205, and take any action necessary.

Commissioner Lyons made motion to approve consent agenda. Commissioner Trowbridge seconded the motion which passed by a vote of 6-0.

Chairman Renfro advised that item #8 would be moved up to the top on the discussion items.

**III. ACTION ITEMS**

3. MIS2016-004

Discuss and consider a request by Worth Williams on behalf of Arkoma Development, LLC for the approval of a Treescape Plan for a 6.1091-acre tract of land identified as Tract 8-4 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located at the southwest corner of the intersection of SH-205 [N. Goliad Street] and North Lakeshore Drive, situated within the North SH-205 Overlay (N. SH-205 OV) District, and take any action necessary.

Senior Planner David Gonzales gave brief description of item stating applicant Worth Williams, has submitted a Tree Mitigation Plan in conjunction with a mass grading permit for the future development of a commercial/retail project within Planned Development No. 65. In 2006, Arkoma Development LLC submitted a development plan for the corner of N. Lakeshore Blvd and SH-205, which included one parcel to the south of Lakeshore and multiple parcels to the north. The subject property is located on the south-west corner of SH-205 and North Lakeshore Drive and is identified as Tract 8-4 of the J H B Jones Survey Abstract No. 124, being 6.1091-acres. The applicant has provided a tree survey identifying a total of 230 trees totaling 2,208-caliper inches that require removal in order to develop the property. The majority of the trees are Hackberry and Cedar trees.

Mr. Gonzales explained that according to the UDC Hackberry and Cedar trees that are 11 inches dbh or larger, shall be replaced at 50 percent of the total caliper inches being removed; however, Hackberry and Cedar trees that are less than 11 inches dbh shall not be considered a protected tree. Of the 230 trees being removed, sixty-four are considered protected trees and require mitigation totaling 769 caliper inches of mitigation, while eight trees totaling 163.5 caliper inches are identified as feature trees. Feature trees may not be removed without approval of the Planning and Zoning Commission and are to be replaced on an inch-for-inch basis unless the tree is thirty caliper inches or greater. In these cases the trees will be replaced at twice the number of inches being removed and the applicant has accounted for the double mitigation

standard where applicable. Under Article IX, Section 7 Tree Replacement Credits A. Preservation Credits of the UDC, the code states that each saved oak, any type, pecan or elm trees 24 inches dB or greater will earn a credit. The maximum credit under this provision is 20 percent of the total replacement inches in the development.

Mr. Gonzales further explained that the Tree Mitigation Plan identifies tree #1587 as a 38.3-caliper inch Pecan that will be saved. Therefore, a credit adjustment to the mitigation balance will be applied leaving a total mitigation balance of 731 caliper inches due. The mitigation balance will be satisfied at the time of development of the site. Approval of the applicant's request is a discretionary decision for the Planning and Zoning Commission.

Mr. Gonzales stated applicant is present and staff is available for questions.

Mark Hickman  
3094 CR 1024  
Farmersville, TX

Mr. Hickman came forward and stated he is here representing Worth Williams and currently working on the site plan and has been working with staff to limit the tree mitigation as much as possible and believes they will be making a big dent in the tree mitigation, particularly on the larger trees located on the south side where there are three trees, a forty inch, thirty-two inch and a twenty inch oak and have worked the site plan to save all but the forty inch. Mr. Hunter further stated there are about a dozen other trees that will be saved also. They have been working with staff on the site plan process to keep the tree mitigation at a minimum, but are still asking the same request even though they feel they will be able to save several trees they are requesting to remove because they will not be removed at this time in hope of saving them.

Chairman Renfro asked Commission for questions for applicant or staff.

Commissioner Logan had question for staff regarding the thirty-eight inch requirement. Mr. Gonzales explained that any tree that is on site oak, pecan or elm twenty four inches or greater if not removed then the developer obtains a credit for that.

Chairman Renfro asked staff how much applicant is being asked to pay. Mr. Gonzales stated once the development is on the ground, it will depend upon the mitigation.

Commissioner Logan asked if the 20 inch oak tree was over the property line, and the 32 inch tree partially over the property line. Mr. Hickman stated the trunk of the 32 inch tree is partially over the property and the 20 inch is over the property line.

Commissioner asked why removal is being allowed if it is not on the property being developed. Mr. Miller answered it has already been to the City Council and the Parks Board where permission was granted.

Commissioner Trowbridge made motion to approve the item. Commissioner McCutcheon seconded the motion which passed by a vote of 6-0.

#### IV. DISCUSSION ITEMS

##### 4. Z2016-006

Hold a public hearing to discuss and consider a request by John Cherry for the approval of a Specific Use Permit (SUP) for a carport on a 1.04-acre tract of land identified as Tract 47 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 303 Renfro Street, and take any action necessary.

Chairman Renfro asked applicant to come forward and speak.



John Cherry  
303 Renfro  
Rockwall, TX

Mr. Cherry came forward and stated when he bought the home it had an existing carport on the right side from the street but only allowed for one vehicle and he has removed that. Currently there is an existing gravel driveway to the left side and he will be moving the carport there and it is jay swing and will allow for three vehicles and will be screening it with a cedar fence that will allow for it not to be visible from the street.

Commissioner asked the Commission for any questions for staff or applicant.

Commissioner Trowbridge asked how tall the screen fence would be. Mr. Hunter stated it is 8foot tall and is currently in place now and the roofing is made of corrugated metal.

There being no further questions staff indicated the case will return to the Commission for action at the next scheduled meeting.

5. Z2016-007

Hold a public hearing to discuss and consider a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a General Retail (GR) District on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, addressed as 5205 S. FM-549, and take any action necessary.

Chairman Renfro asked applicant to come forward and speak.

Scott Blackwood  
5205 South FM549  
Rockwall, TX

Mr. Blackwood came forward and stated reason for request is because he has made numerous attempts to sell the property but it has been difficult to sell as a home front due to the General Retail zoning that is next door. He does not feel as development grows in the future it will sell as a residential use it is not sellable. He stated he requested a zoning change for a Commercial use with an SUP a few years ago when they were annexed into the City but that was denied. They have shown the house to potential buyers numerous times, and have reduced the price numerous times and it is below market value, but they have found it increasingly difficult to sell as a residential home site with the zoning it is next to. He went on to state that since his application for the zoning change was made he has one interested party wanting to buy it if the zoning is approved.

Chairman Renfro made comment concerning neighboring properties being residential. Mr. Blackwood stated he has spoken to the neighbor southwest of him and he is not opposed to the request.

Commissioner Trowbridge asked if request is denied what the time frame would be before the applicant can reapply. Mr. Miller stated it would be one year unless the request comes back with more restrictive conditions it can come back immediately.

Commissioner Trowbridge also asked concerning the party that was interested in buying the home was it strictly if the zoning was changed. Mr. Blackwood stated that the offer that they had presented was for commercial use.

Commissioner Lyons asked staff for a rundown of what can be developed in General Retail. Mr. Miller stated generally General Retail is less intense than a Commercial District it's typically used adjacent to residential properties because it is more restrictive with its uses.

Commissioner Lyons asked the applicant what he felt has changed now from the time of the last denied request that will make General Retail a better fit for the subject property. Mr. Blackwood stated that due to the hard corner being General Retail already it would be a better fit than for example Residential Office.

Chairman Renfro asked if it was the applicants understanding that the property would hold more value if it was changed to General Retail. Mr. Blackwood stated it would be.

There being no further questions staff indicated the case will return to the Commission for action at the next scheduled meeting.

6. P2016-006

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a preliminary plat for Breezy Hill, Phase VII containing 10 single-family residential lots on 6.802-acres of land identified as Tract 7-10 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of N. John King Boulevard and Cozy View Drive, and take any action necessary.

Chairman Renfro advised the Commission item #'s 6 and 7 will be combined and asked applicant to come forward and speak.

Adam Buczek  
Westchester Dr. Suite 710  
Dallas, TX 75225

Mr. Buczek came forward and provided a slide show presentation which gave an overview of request which included the approved master plat for Breezy Hill Estates.

Mr. Miller added that last year there was a case that came to the Commission concerning the property to the northeast of the Breezy Hill Subdivision and at that time staff was in the process of amending the master thoroughfare plan and through conversations with the developer and staff it was identified a route that would run through this property extending to the church property to the west. Staff will work with the developer for an alternative that can be brought back to the Commission that still meets the intent of the master thoroughfare plan that was approved earlier this year.

Mr. Buczek stated there are still some discussions that need to take place concerning the thoroughfare through their property before it is brought forward to the Commission.

There being no further questions staff indicated the case will return to the Commission for action at the next scheduled meeting.

7. P2016-007

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a preliminary plat for Breezy Hill, Phase VI containing 79 single-family residential lots on 32.020-acre portion of a larger 61.528-acre tract of land identified as Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, generally located northeast of the intersection of N. John King Boulevard and Life Springs Drive, and take any action necessary.

Item was combined with P2016-006

8. P2016-009

Hold a public hearing to discuss and consider a request by Michael Hunter of the Rockwall Housing Authority for the approval of a residential replat for Lots 1 & 2, Block H, Lake Rockwall Estates East Addition being a 0.27-acre parcel of land currently identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

Chairman Renfro asked applicant to come forward and speak.

Michael Hunter  
220 W. Quail Run Road  
Rockwall, TX

Mr. Hunter came forward and gave brief explanation of reason for request stating they have been working with the subject property since the flood that happened a few months ago that will help two families that were affected by the flood. They need to replat the property to allow for two single family homes.

Chairman Renfro asked Commission for questions for applicant or staff.

Commissioner Trowbridge asked what the size of the lots will be. Mr. Hunter stated over 45 feet each and 100feet long on each lot.

There being no further questions staff indicated the case will return to the Commission for action at the next scheduled meeting.

9. P2016-010

Discuss and consider a request by Pat Atkins of Saddle Star Land Development, LLC on behalf of the owner Larry Hance for the approval of a preliminary plat for the Saddle Star North Subdivision containing 108 single-family residential lots on a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80) for Single Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary.

Chairman Renfro advised item #'s 9 and 10 would be combined and asked applicant to come forward and speak.

Pat Atkins  
3076 Hays Lane  
Rockwall, TX

Mr. Atkins came forward and gave brief explanation of request that is reflective of the recent planned ordinance that was brought to the Commission and Council and that was approved. Mr. Atkins stated they have reviewed staffs comments concerning the master plat and understand and have no objections to the modifications.

Chairman Renfro asked for questions of Commission for applicant or staff.

There being no questions staff indicated the case will return to the Commission for action at the next scheduled meeting.

10. P2016-011

Discuss and consider a request by Pat Atkins of Saddle Star Land Development, LLC on behalf of the owner Larry Hance for the approval of a master plat/open space plan for the Saddle Star North Subdivision containing 108 single-family residential lots on a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80) for Single Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary.

Item was combined with P2016-010

11. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- ✓ P2016-003: Final Plat for Stone Creek, Phase VII [Approved]
- ✓ P2016-004: Preliminary Plat for Lots 1-6, Block A, Dalton Goliad Addition [Approved]

- ✓ P2016-005: Final Plat for Breezy Hill, Phase V [Approved]
- ✓ Z2016-001: AG to SF-1 for 735 Davis Drive (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-002: SUP for 453 Cullins Road (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-003: SUP for Service King (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-004: SUP for 803 N. Goliad Street (1<sup>st</sup> Reading) [Approved]
- ✓ SP2016-001: Variance for El Fenix [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced cases at the City Council meeting. The Commission did not have any questions concerning this agenda item.

V. ADJOURNMENT

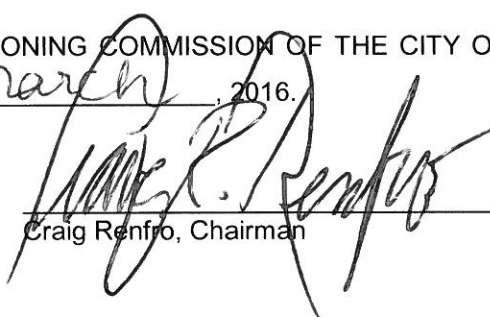
The meeting adjourned at 6:49 p.m.

VI. TRAINING SESSION

12. *Planning and Zoning Commission Training Session*

A work session will be held in the City Council meeting room immediately following the adjournment of the February 23, 2016 Planning and Zoning Commission work session meeting.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 29 day of March, 2016.

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**March 29, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:01 p.m. Present were Commissioner John McCutcheon, Patrick Trowbridge, Johnny Lyons, Annie Fishman, Tracy Logan and new Commissioner Sandra Whitley. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks and Planning Coordinator, Laura Morales.

II. CONSENT AGENDA

1. Approval of Minutes for the February 23, 2016 Planning and Zoning Commission meeting.

2. P2016-006 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a preliminary plat for Breezy Hill, Phase VII containing 10 single-family residential lots on 6.802-acres of land identified as Tract 7-10 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of N. John King Boulevard and Cozy View Drive, and take any action necessary.

3. P2016-007

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a preliminary plat for Breezy Hill, Phase VI containing 79 single-family residential lots on 32.020-acre portion of a larger 61.528-acre tract of land identified as Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, generally located northeast of the intersection of N. John King Boulevard and Life Springs Drive, and take any action necessary.

**Commissioner McCutcheon made motion to pass the consent agenda. Commissioner Fishman seconded the motion, which passed by a vote of 6-0 with Commissioner Whitley abstaining.**

III. APPOINTMENTS

4. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

**Planning Director, Ryan Miller, stated ARB representative was unable to attend and comments concerning SP2016-005 that was reviewed by the ARB Board will be discussed when item comes up on the agenda.**

IV. PUBLIC HEARING ITEMS

5. P2016-009

Hold a public hearing to discuss and consider a request by Michael Hunter of the Rockwall Housing Development Corporation for the approval of a residential replat for Lots 1 & 2, Block H, Lake Rockwall Estates East Addition being a 0.27-acre parcel of land currently identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.



64 Planner, Korey Brooks, gave brief explanation of item and stated applicant is present to answer  
65 any questions.

66  
67 Chairman Renfro asked applicant to come forth and speak.

68  
69 Michael Hunter  
70 Rockwall, TX

71  
72 Mr. Hunter came forward and gave brief explanation of request stating request stemmed from  
73 last year's flood that left two families without a home. The request involves a replat of one lot  
74 that will allow be split in two to allow for two homes to be built on it.

75  
76 Chairman Renfro opened the public hearing and asked if anyone wished to speak to come  
77 forward. There being no one indicating such, Chairman Renfro closed the public hearing and  
78 brought the item back to the Commission for discussion.

79  
80 Commissioner McCutcheon made motion to approve the item with staff recommendations.  
81 Commissioner Lyons seconded the motion which passed by a vote of 7-0.

- 82  
83  
84 6. Z2016-006 Hold a public hearing to discuss and consider a request by John Cherry for the approval of a  
85 Specific Use Permit (SUP) for a carport on a 1.04-acre tract of land identified as Tract 47 of the R.  
86 Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-  
87 7) District, addressed as 303 Renfro Street, and take any action necessary.

88  
89  
90 Planner, Korey Brooks, gave brief explanation of item stating The applicant, John Cherry is  
91 requesting a Specific Use Permit to allow for a carport that does not meet the minimum garage  
92 setback requirements stipulated in Section 4.1.F Carports of Article VI, Parking and Loading, of  
93 the Unified Development Code, which states that in single-family or duplex districts, carports  
94 must be located at least 20-feet behind the front building facade and be architecturally integrated  
95 with the main residential structure. The subject property is zoned Single Family 7 District. The  
96 proposed carport will stand approximately 8-feet in total height and will have a building footprint  
97 of 32-feet x 20-feet or approximately 640 square feet. The structure will be located on the north  
98 side of the building and setback 10-feet from the front façade of the house. The applicant is  
99 proposing that the carport to be situated behind a fence so that it is not visible from the street.  
100 Additionally, the opening of the carport will be located facing the northern property line. The  
101 applicant is also requesting a waiver to the masonry requirement to construct the carport out of  
102 a steel building system with a standing seam metal roof as a continuation of back patio cover.  
103 Mr. Brooks added that staff mailed 82 notices to property owners within 500-feet of the subject  
104 property and also notified the only HOA/Neighborhood Organization that is within 1,500-feet and  
105 participating in the notification program, additionally, staff posted a sign on the property and  
106 staff did not received any notices for or against.

107  
108 Mr. Brooks stated applicant was present to answer any questions.

109  
110 Chairman Renfro asked applicant to come forth and speak.

111  
112 John Cherry  
113 303 Renfro Dr.  
114 Rockwall, TX

115  
116 Mr. Cherry came forward and gave brief explanation and showed short side presentation and  
117 stated when he first purchased the property in 2011 it had two driveways one on the right side of  
118 the house one on the left with one having a single carport. Since purchasing the home he has  
119 done renovations to the house and he expressed his desire to continue to work on improving it.

120  
121 Chairman Renfro asked how high the fence was. Mr. Cherry stated it would be 8 foot high.

122  
123 Commissioner Trowbridge asked what the roof would be constructed of. Mr. Cherry stated it  
124 would corrugate metal. Commissioner Trowbridge also asked if the roof would be higher or  
125 lower than the fence. Mr. Cherry stated it would be a little higher between 8 and 9 feet.

Commissioner Logan asked what year house was built. Mr. Cherry stated it was built in 1954. Commissioner Logan made comment on the addition of the carport rather than a garage and appreciates staying with that architectural style.

Commissioner McCutcheon asked if carport would go along the back of the house much like a patio deck. Mr. Cherry stated it would be.

Chairman Renfro opened the public hearing, and asked anyone who wished to speak to come forward.

Jerry Clark  
401 Renfro  
Rockwall, TX

Mr. Clark came forward and stated he has lived in his home 26 years and believes Mr. Cherry has done a great job on the property since having bought it. He is in favor of the request and added that it has been a good addition to the neighborhood.

Ross Ramsey  
377 Jordan Farms  
Rockwall, TX

Mr. Ramsey came forward and stated that after hearing Mr. Cherry's presentation he is in favor of the request.

Chairman Renfro closed the public hearing and brought the item back to the Commission for direction.

Commissioner Lyons made motion to approve the item with staff recommendations. Commissioner Trowbridge seconded the motion, which passed by a vote of 6-0.

#### 7. Z2016-007

Hold a public hearing to discuss and consider a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a General Retail (GR) District on a 12.493-acre tract of land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, addressed as 5205 S. FM-549, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of item stating that the intent of the current request is to rezone the property from an Agricultural District to a General Retail District for the purpose of facilitating the sale of the property. According to a letter provided by the applicant, the reason the zoning change is being requested is to facilitate the sale of the property. In addition, the applicant has stated that the property is no longer suitable for residential use due to the adjacent commercial property to the northeast, increasing traffic along FM-549, and the traffic noise generated from FM-549. Currently, the 12.493-acre tract of land is being utilized for residential land uses and has an existing single family home situated on it.

Mr. Miller went on to explain that according to the purpose statements stipulated in Section 4.4, General Retail District, of Article V, District Development Standards, of the Unified Development Code, the General Retail District is meant to be utilized as a district that buffers residential areas from more intense commercial districts. The UDC goes on to state that this designation is appropriate for properties that are in a close proximity to an intersection or major thoroughfare/arterial and in areas where there is increased water, fire protection, wastewater and drainage capacity; and oriented in a way so that commercial traffic does not flow through residential neighborhoods or create increased traffic congestion/adverse traffic impacts. In this case, the applicant's property is situated directly adjacent to FM-549; west of the intersection of FM-549 and SH-205 and based on the uses permitted within the district should not create a negative impact with regard to traffic circulation in the area. The property does have the ability to provide appropriate fire protection and drainage capacity; however, utilities will need to be extended to the site prior to development. This will include the extension of a 12-inch waterline approximately 1,300-feet to the eastern property line and the potential extension of wastewater

lines and the construction of an off-site lift station. Alternatively, the applicant could request a waiver from the City Council to allow the installation of an On-Site Sewage Facility. The applicant has stated the intent of rezoning request is for the purpose of conveying the property and that there is no immediate plans for development.

Mr. Miller added that with regard to land uses the UDC states the General Retail District, is a light retail zone, and it is intended that limited commercial uses fall in this district. Since the zone will be located close to residential areas, the development standards are stringent and require as high a standard of development as the Residential Office and Neighborhood Services Districts. Also, should the Planning and Zoning Commission and City Council approve the applicant's request, staff has included a condition of approval that would amend the Future Land Use Map to reflect the proposed change in land use from a Low Density Residential designation to a Commercial designation.

Mr. Miller added that staff mailed 19 notices to property owners and residents within 500-feet of the subject property. Staff also sent a notice to the Oaks of Buffalo Way Homeowner's Associations, which is the only HOA located within 1,500 feet of the subject property. Also staff posted a sign along FM-549, which is the only street frontage adjacent to the subject property as required by the Unified Development Code and did receive three notices back one in favor and two against the request, however the two notices in opposition equal more than twenty percent of the adjacent land area within two hundred feet and according to state and local requirements that necessitates a three quarter majority vote by Planning and Zoning and City Council, meaning a 6-1 vote will be required to approve this case.

Mr. Miller stated applicant was present to answer any questions.

Chairman Renfro asked what the reasons were given for the opposition. Mr. Miller stated one in opposition stated the applicant wouldn't grant the adjacent property the ability to have baseball on his property and that is the reason, the other stated it was in opposition due to the area being residential.

Commissioner Trowbridge asked if request is denied, how long before a request can be brought back to the Commission. Mr. Miller stated if City Council were to deny without prejudice that restricts the applicant from bringing back the exact same request within one year. However the code does allow for the request to be substantially changed which Planning and Zoning would determine if it a substantially different request, if it is different Planning Director can approve it administratively, but if there is any question it does need to be brought before the Planning and Zoning Commission.

Chairman Renfro asked the applicant to come forth and speak.

Scott Blackwood  
5205 S. FM 549  
Rockwall, TX

Mr. Blackwood stated since last meeting he has suspended the listing of the subject property with the real estate agent due to lack of interested buyers. In the last year the house had been showed many times and brought the price down but had no offers he feels because of the General Retail zoning that is next to his property. They have since had an offer on the property and have someone under contract now that wants to purchase it as a commercial use and will come before the Commission and Council with their plan.

Commissioner Trowbridge asked if the person interested in the home is only looking to buy only if the zoning is commercial, is it a commercial contract to purchase the land. Mr. Blackwood stated that they will execute the contract and there will be a period of due diligence in which time they would be doing their own engineering studies, zoning assessments and things of that nature. They will also be working to assemble different parcels of land, but of which he is not being told which ones.

Mr. Blackwood added that in their contract they agreed to cooperate with the buyer to bring a zoning application before the City; however since he had already applied he decided to let it run its course.

Commissioner Trowbridge asked if the zoning did not get changed, has the proposed buyer stated they no longer want to buy. Mr. Blackwood stated if they are unable to get the pieces assembled, and if after their studies and research find that it is not going to be a feasible project for them they do have the ability to withdraw during the due diligence period.

Chairman Renfro made comment that if the contract is executed but they don't close on the property then there would just be a property whose zoning was changed for no reason.

Mr. Miller stated that the original reason for the request was to change the zoning to a General Retail Designation to facilitate the sale of the property. This development came after the application was already made; therefore regardless of the sale of the property should the buyer withdraws the application, Mr. Blackwood would still like to pursue the zoning change request to change it to a General Retail Designation.

Chairman Renfro asked Mr. Miller if eventually the intent was to go all commercial on the properties adjacent to subject property on the corner. Mr. Miller stated the Future Land Use map is what guides the direction of the City and it shows this area currently as Low Density Residential, it is basically a twenty year outlook of development. Since that designation doesn't match with what's being requested if Council approves this request, would have to change the Future Land Use Map to a designation that matches the General Retail District which is a Commercial Designation, therefore they would effectively be approving a Comprehensive Plan amendment, this is the way zoning requests that don't meet the Comprehensive Plan have been done this way in the past, once they're approved the condition is put to automatically change the Comprehensive Plan to bring that into conformance with the zoning change.

Chairman Renfro expressed concern of re-zoning a hard corner with to an inferior zoning due to property selling or not, and asked why could it not go Commercial zoning now. Mr. Miller advised applicant can bring forward an application for a zoning request, but it is discretionary to The Commission.

Chairman Renfro opened the public hearing and asked if anyone wished to speak to come forward, there being no one indicating such Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Trowbridge made motion to deny the item. Chairman Renfro seconded the motion.

Commissioner McCutcheon asked if item was denied and the property sold, could the new property owner come with a new request, and if so would it be tied to the land or tied to the property owner. Mr. Ryan Miller stated it would be tied to the land.

The motion to deny passed by a vote of 6-1, with Commissioner McCutcheon dissenting.

## V. ACTION ITEMS

### 8. MIS2016-005

Discuss and consider a request by William Laurence for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, *General Residential District Standards*, of Article V, *District Development Standards*, of the Unified Development Code, for a 0.17-acre parcel of land identified as Lot 1, Block 1, St. Mary's Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 508 St. Mary's Street, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of request stating that on February 1, 2016, City Council approved an exception to the masonry requirements to allow the primary structure to be re-clad in one hundred percent hardi-board siding. Subsequently, the applicant has found a



different product that he feels better suits the historic nature of the home. The applicant would like to modify his original request and instead of using hardi-board as originally requested, the applicant would like to use a lap siding that is made from 100% wood. The applicant feels that using a material such as hardi-board would change the historical look of the home.

According to Section 3.1, General Residential District Standards, of Article V, District Development Standards, of the Unified Development Code the minimum masonry requirement for exterior walls on structures that are 120 square feet or greater is 80%; with a maximum of 50% of this masonry requirement being permitted to be Hardy Plank, stucco or a similar cementaceous material. Additionally, the code states that, exceptions to these requirements may be permitted on a case-by-case basis by the City Council upon submission and approval of elevation drawings of the subject structure, and materials samples. The applicant has previously submitted building elevations and a site plan showing the proposed single-family home after the addition, however, since the request has been modified, a material sample has been provided. Additionally, the applicant has stated in a letter submitted to staff that the purpose of requesting the masonry exception is to match the materials and architectural style of the adjacent properties. Staff should note that all the structures on the adjacent properties utilize one hundred percent vinyl/wood siding or a similar cementaceous lap siding material.

Mr. Brooks also provided a sample board of material for review and stated applicant was present and is available for further questions.

Commissioner Logan asked if material was hardiboard or wood. Mr. Brooks stated the original request was for hardiboard but the modified request is for wood. Commissioner Logan asked how did he get vinyl siding get approved initially. Mr. Miller stated that originally when request first came before the Commission, there is an existing home which they are doing a large addition to, and therefore are required to meet the minimum masonry requirements and at that time came forward with the request to do hardiboard to match the adjacent properties. The reason the request is changing is due to the spacing of hardiboard changes the look of the home and their intent is to try and replicate more of the original material by using this wood siding that gives the home more of a historic look.

Commissioner Whitley asked if the item has gone through the Historical Preservation Advisory Board. Mr. Miller stated it is outside of the boundaries of the Historic District and was not required to go before that Board; however it is close to the neighborhood that does have a more historic look.

Commissioner Trowbridge asked if material being requested would historic compliant. Mr. Miller stated if it did go through the Board it would still require a masonry exception but they have looked at cases with similar products and approved because the look is more historic.

Chairman Renfro asked the applicant to come forward.

William Lawrence  
508 St. Mary's  
Rockwall, TX

Mr. Lawrence came forward and gave brief explanation that when home was purchased three years ago and since that time have gutted it and have redone everything, but due to the addition the spacing the hardiboard will cause does not look right and added that the wood cost about thirty percent more than the hardiboard and feels it will really give the home an authentic 1930's look to the entire house.

Chairman Renfro asked for questions or discussion.

Commissioner Fishman made motion to approve the item with staff recommendations. Commissioner Lyons seconded the motion, which passed by a vote of 7-0.

9. MIS2016-006

Discuss and consider the approval of a special request by Ulises Martinez Viveros & Rosita Z. Barron for the construction of a manufactured home that does not meet the minimum standards for square



footage and materials as set forth in *Exhibit 'C'* of Planned Development District 75 (PD-75) [Ordinance No. 09-37] on a 0.17-acre parcels of land identified as Lot 838A, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses, addressed as 120 Blanche Drive, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of the case stating the applicants, Ulises Martinez Viveros & Rosita Z. Barron, have submitted a special request seeking approval for a manufactured home that does not meet the minimum standards of the Single Family Residential District. If approved, the special request would also allow for the home to be less than the minimum square footage of the SF-7 district and for the home to not meet the minimum masonry standard established in the Unified Development Code. The applicant is proposing to place a 952 sq. ft. manufactured home on the lot. This represents 148 sq. ft. less than the required minimum of 1,100 sf. Also, the applicant is requesting to use Hardi Plank siding rather than meeting the minimum 80% masonry standard of brick, stone for the home.

Mr. Gonzales added that according to Section C, Consideration of Special Request, of Exhibit 'C' of PD-75, the City Council may consider special requests on a case-by-case basis for properties located within the Lake Rockwall Estates subdivision pending a recommendation from the Planning and Zoning Commission. The approval of any special request shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. Additionally, City Council does have the authority to grant a waiver/variance to allow the manufactured home to not meet the minimum standards for square footage and/or not meeting the minimum masonry standard.

Mr. Gonzales further explained that if the Planning & Zoning Commission and City Council choose to approve the applicant's request staff would offer the conditions that any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Mr. Gonzales added that applicant was present and Planning Coordinator, Laura Morales, would be available to translate for the applicants due to language barrier.

Chairman Renfro asked Commission for any questions for staff before bringing applicant forward.

Chairman Renfro made comment concerning how strongly exceptions are looked at concerning Lake Rockwall Estates, however Council has made it clear that they are looking to improve the overall area, therefor his question is how does this request lend itself when other home owners are being held to a higher standard, what would this do moving forward would it create an obstacle in accomplishing the overall goal of improving that area. Mr. Gonzales stated an applicant has the ability to request a variance, but with the purpose of the onetime replacement was to allow that within a certain time frame, if it wasn't established then the code says it has to meet the definitions of a single family home. In this case request does not mean minimum size or material requirements. Due to the special request it allows for the preemption of the zoning and that is where the Commission comes in and is able to take a look at the overall request as well as what others have requested in previous cases to see if request is something that would be viable and feasible for this particular lot and it would be considered on a case by case basis.

Chairman Renfro asked what the one time replacement consist of. Mr. Gonzales stated is to allow for someone to have a manufactured home removed and what it allows for is a home of equal size or larger and a newer than what was there before to be brought in one time. However, if it sits vacant for six months or longer, as in this case, then it loses its non-conforming status and therefore has to conform to the SF-7 standard, however because PD75 allows for the preemption of the zoning, the applicant can make this request.

Commissioner Trowbridge asked how long trailer has been vacant and if it is within a floodplain. Mr. Gonzales stated the exact time frame of when it was removed is not known, and it is not within the floodplain.

Mr. Miller added that the structure was removed shortly after annexation which took place in 2009.

Commissioner Lyons asked if applicants are currently citizens of Rockwall. Mr. Gonzales stated that question would have to be directed to the applicant. Commissioner Lyons also asked for clarification of the onetime replacement would it have to be newer. Mr. Gonzales stated it would have to be newer than what was previously there, HUD inspected manufactured home 1976 or newer. Commissioner Lyons asked if it was know what was previously there, Mr. Gonzales stated it was not, and therefore that is why in this case it loses its status as such and therefore asking for the special exceptions.

Ms. Morales asked applicant to go come forward and answer questions, and asked Mr. Viveros concerning Commissioner Lyons earlier question as to where he currently resides. Mr. Viveros stated he does live in Rockwall at 488 Wayne Dr.

Commissioner Whitley asked for clarification if applicant was replacing the former home with this home within the six month period, would this request still have to be brought before the Commission and City Council. Mr. Gonzales stated it would not, other than the engineered foundation standards having had to be met as well as meeting the masonry standards for a one time replacement.

Commissioner Trowbridge asked if he owned the lot and will he be purchasing the manufactured home. Mr. Martinez stated he does own the lot and will be purchasing the manufactured home.

Chairman Renfro asked if there is risk of setting precedence by approving request. Mr. Gonzales stated requests such as these are a case by case basis.

Commissioner McCutcheon asked if this request is approved, can the applicant in the future request to replace the existing one and want to use the one time replacement. Mr. Gonzales stated the one time replacement no longer applies to this case.

Chairman Renfro asked for any additional questions for the applicant, there being no further questions, Chairman Renfro asked for discussion or motions from Commission.

Commissioner Fishman stated she was inclined to approve request.

Commissioner McCutcheon stated he generally was in favor of request with applicant currently residing in Rockwall, the issue with the size was of some concern, but is in favor as well.

Commissioner Whitley added she agrees with both Commissioner Fishman and McCutcheon and added she feels in favor of it due to the applicant already being a member of the community of Rockwall.

Commissioner Lyons stated he is generally in favor and applicant being a resident of Rockwall makes a difference.

Commissioner Logan expressed concern over the masonry variance.

Commissioner Trowbridge he agrees with fellow Commissioners opinion of taking into consideration that the applicant is a citizen of Rockwall and is in favor of approval and made motion to approve the item. Commissioner McCutcheon seconded the motion. Commissioner Logan asked for an amendment to motion for a denial of the masonry requirements.

Commissioner Trowbridge denied the amendment and the motion passed by a vote of 6-1 with Commissioner Logan dissenting.

Chairman Renfro called for a break at 7: 25 p.m.

10. P2016-011

Discuss and consider a request by Pat Atkins of Saddle Star Land Development, LLC on behalf of the owner Larry Hance for the approval of a master plat/open space plan for the Saddle Star North Subdivision containing 108 single-family residential lots on a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80) for Single Family 8.4 (SF-8.4) District land uses, situated within the

SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary.

Chairman Renfro advised items #10 and #11 would be combined but would take action separately.

Senior Planner, David Gonzales, gave brief explanation of item stating that the Saddle Star Estates North Subdivision is a single phase, master planned community that will be composed of 108 single-family, residential lots on approximately 44.56-acre tract of land. The 108 single-family lots will be broken down into three lot types with 11 lots being allocated to the 8,700 SF lot type, 79 lots being allocated to the 10,000 SF lot type, and 18 lots being allocated to the 12,500 SF lot type. Additionally, the plan will consist of 5.61-acres of open space. The purpose of the applicant's request is to provide a master plat that will delineate the sequence and timing of the development, and an open space plan that will layout the proposed trails, and amenities for the subdivision. According to the master plat, this development will be completed in one phase that contains a total of 108 single-family residential lots. Additionally, the development will incorporate a total of 5.61-acre, or 12.59% of non-contiguous open space and will be connected via a trail system that runs through the center of the development and along John King Boulevard. The developer's plan will be to construct the trail system and a corner enhancement associated with the John King Design Guidelines as an amenity to the development. Also, on March 15, 2016, the Parks Board reviewed the proposed Master Plat and Open Space Plan and made a recommendation to the plat with the condition that the developer shall be required to pay pro-rata equipment fees in the amount of \$214 per lot for a total of \$23,112 for the Saddle Star Estates North Subdivision and will be due at the time of final plat approval.

Mr. Gonzales added that If the Planning & Zoning Commission and City Council choose to approve the master plat for the Saddle Star Estates North Subdivision staff recommends the condition of approval to be that the master plat conform to all requirements stipulated by the Planning, Engineering and Fire Departments and that the applicant adhere to the recommendations made by the Parks Board. Also that any construction resulting from the approval of this master plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Mr. Gonzales also went to state that the master plat must be approved first before the preliminary plat.

Chairman Renfro asked applicant to come forth and speak.

Pat Atkins  
3076 Hays Lane  
Rockwall, TX

Mr. Atkins came forward and gave a brief explanation of request and added he has received staffs comments and is working with reviews from needed departments to move forward.

Chairman Renfro asked if open space stayed within recommendations that had been given previously when it came through the Planning Commission. Mr. Gonzales stated the PD allowed for five acres plus of open space and therefore if applicant wants to provide more he can, but he cannot provide any less but yes, he is in compliance with the open space requirement.

Commissioner Lyons made motion to approve item with staff recommendations. Commissioner McCutcheon seconded the motion, which passed by a vote of 7-0.

#### 11. P2016-010

Discuss and consider a request by Pat Atkins of Saddle Star Land Development, LLC on behalf of the owner Larry Hance for the approval of a preliminary plat for the Saddle Star North Subdivision containing 108 single-family residential lots on a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development

District 80 (PD-80) for Single Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary.

Item was combined with item#10

Commissioner Lyons made motion to pass item with staff recommendations. Commissioner McCutcheon seconded the motion which passed by a vote of 7-0.

## VI. DISCUSSION ITEMS

### 12. Z2016-008

Hold a public hearing to discuss and consider a request by Darrell Simpson on behalf of Sherri Banuelos for the approval of a Specific Use Permit (SUP) to allow an accessory building that does not meet the minimum requirements as stipulated by Article IV, Permissible Uses, of the Unified Development Code for a 1.03-acre tract of land identified as Tract 11-5 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Single Family One (SF-1) District, addressed as 735 Davis Drive, and take any action necessary.

Chairman Renfro asked the applicant to come forward.

Sherri Banuelos  
735 Davis Drive  
Rockwall, TX

Ms. Banuelos came forward and gave brief explanation of request stating they would like to build a work shop at the back of the property that they will also use for storage due to them having downgraded to a smaller home and need additional storage area as well as to work on home related project. They would also like to make the driveway as gravel.

Chairman Renfro asked for questions from Commission for applicant.

Chairman Renfro asked why this is coming as a public hearing. Mr. Brooks stated it is due to it not meeting the minimum requirements.

Commissioner Logan asked as to why masonry requirements were not being able to be met. Ms. Banuelos stated it was for financial reasons.

Commissioner Lyons asked if pictures of the back yard can be brought to next meeting. Ms. Banuelos stated she would as well as of neighboring houses.

Commissioner McCutcheon asked if there were any other similar accessory buildings in the area. Ms. Banuelos stated there is one neighboring them but it is falling apart.

There being no further questions staff indicated the case will return to the Commission for action at the next scheduled meeting.

### 13. Z2016-009

Hold a public hearing to discuss and consider a request by Mohamed Taha for the approval of a Specific Use Permit (SUP) to allow a minor auto repair garage to be established in conjunction with an existing oil/lube change facility located on a 0.2755-acre parcel of land identified as Lot 3, Block B, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary.

Senior Planner, David Gonzales stated applicant and representative were present and available for questions.



Mohamed Taha  
4713 One Place Dr.  
Garland, TX

Mr. Taha came forward and gave brief explanation of request stating he would like to have the storage of vehicles that is considered outside storage for a period of 24-48 hours. Mr. Taha added he had same request a year ago, but failed to attend the last required meeting after Planning Commission approved and is here with same request. It involves parking of vehicles in the back of his shop for cars that are awaiting parts or customers that drop vehicles after hours. Also, Mr. Taha stated he has met with a contractor to have the building remodeled as well as meeting with Mr. Gonzales to go over materials required and such.

Chairman Renfro asked what the change from last request. Mr. Gonzales stated the difference is they are requesting to amend the site plan to allow seven parking spaces behind the building.

Chairman Renfro asked if Code Enforcement has been involved since the last request was not approved. Mr. Gonzales stated he believes they have since last request was not approved.

Commissioner Trowbridge asked if first request included seven parking spaces as well. Mr. Gonzales stated in 2014 they wanted seven spaces for 48 hours and Planning Commission did approve but due to Mr. Taha not attending the City Council and it was not approved they are requesting it once again.

There being no further questions staff indicated the case will return to the Commission for action at the next scheduled meeting.

14. Z2016-010

Hold a public hearing to discuss and consider a request by Grey Stogner of Crestview Real Estate on behalf of the owner Tom R. Briscoe of Briscoe Oil, Inc. for the approval of a PD Development Plan for an urgent care facility on a 1.042-acre tract of land identified as Lots 1 & 2, Block A, Briscoe/Hillcrest Addition and Tract 41-2 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the *Summit Office Subdistrict* and the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of Horizon Road [FM3097] and the IH-30 frontage road, and take any action necessary.

Senior Planner, David Gonzales, asked applicant to come forward.

Matt Moore  
1903 Central Dr.  
Bedford, TX

Mr. Moore came forward and gave brief explanation of request which will be for a proposed Care Now.

Chairman Renfro asked if this request meets the intent of the Harbor District. Mr. Gonzales stated that a PD Development allows for an applicant to come in and amend the PD Concept Plan.

General discussion took place concerning what the PD ordinances allow.

Commissioner Trowbridge asked concerning height due to it being next to the Twin Towers. Mr. Moore stated it is a one story building.

There being no further questions staff indicated the case will return to the Commission for action at the next scheduled meeting.

15. Z2016-011

Hold a public hearing to discuss and consider a request by Fred Hazel of Davis Development on behalf of Jim Kirby of Rockway Partners, LLC for the approval of a zoning change from a Commercial (C) District to a Planned Development District for a multi-family apartment complex on a 17.60-acre tract of

land identified as Lots 6-11, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located east of the intersection of Laguna Drive and La Jolla Pointe Drive, and take any action necessary.

Planning Director, Ryan Miller, asked applicant to come forward.

Jean Babb  
1220 Blue Bell

Mr. Babb came forward and gave a brief explanation of request providing a slide show of the project highlights. He stated it is a family owned company founded in 1995. Current Texas markets include Frisco, McKinney Prosper, Allen, Fairview, Carrollton and Fort Worth. 2,111 units completed to date with another 3,728 under construction. They have also developed in twelve states across the country.

Mr. Babb went on to state thru Mayor Pruitt's direction have met with the HOA of Lakeside Village as well as Turtle Cove. 44percent one bedroom, 43 percent two bedroom, and 13percent will be three bedrooms. 15.5 units per acre density. Total parking 476 surface parking. There will be four different building types and will be gated.

Chairman Renfro asked for questions from Commission.

Commissioner Trowbridge asked concerning

Chairman Renfro asked if there was another owner. Mr. Babb stated they have reached out to owner but have not been successful in doing so.

Commissioner Logan had concern of traffic study. Mr. Babb stated that is in process.

There being no further questions staff indicated the case will return to the Commission for action at the next scheduled meeting.

16. P2016-012

Discuss and consider a request by Worth Williams of Moore Worth Investments, LLC on behalf of Jean Voltz of Arkoma Development LLC for the approval of preliminary plat for Lots 1-4, Block A, Lakeshore Commons Addition being a 4.706-acre tract of land identified as Tract 8-4 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located at the southwest corner of the intersection of SH-205 [N. Goliad Street] and North Lakeshore Drive, situated within the North SH-205 Overlay (N. SH-205 OV) District, and take any action necessary.

Planner Korey stated representative for applicant was present.

Mark Hickman  
3094 CR 1024  
Farmersville, TX

Mr. Hickman came forward and gave brief explanation of request and stated the plan is to break this tract of land into four tracts. That will house a restaurant and neighborhood type need shops. It is proposed to be a 9400 square foot building with their own underground detention.

Commissioner Trowbridge asked concerning traffic with proposed tenants coming in, is there a traffic study that has been done. Mr. Hickman stated there is a traffic study that supports proposal, and they have been working with staff as well to ensure they do all that is needed.

There being no other questions staff indicated the case will return to the Commission for action at the next scheduled meeting.

744 17. SP2016-005

745 Discuss and consider a request by Jay Holman & Don Silverman of Rockwall 205-552, LLC for the  
746 approval of site plan for a retail building on a 1.231-acre portion of a larger 9.183-acre tract of land  
747 identified as Tract 4-1 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County,  
748 Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV)  
749 District, located at the northwest corner of the intersection of SH-205 [N. Goliad Street] and FM-552,  
750 and take any action necessary.  
751

752 Planner Corey Brooks stated applicant was present and asked him to come forward.  
753

754 Applicant's representative came forward and gave brief explanation of request that includes a  
755 retail building approximately 11,000 square feet. They have received comments from staff and  
756 are working with staff to address those.  
757

758 Mr. Brooks added that this is part of a larger development and this building will set the tone for  
759 the development of that area. Applicant and staff met with ARB earlier today and discussed  
760 variances that will be required to the back of the building those recommendations were given to  
761 applicant and changes will be made and they will submit those changes.  
762

763 Chairman Renfro asked if it is in conformance with City's plan. Mr. Brooks stated at this time the  
764 back of the building does not conform to the natural stone requirements and therefore they will  
765 be resubmitting.  
766

767 Commissioner Trowbridge asked if there any tenants signed as of yet. Mr. Hickman stated there  
768 are several interested parties but no one has signed any contract or such.  
769

770 There being no other questions staff indicated the case will return to the Commission for action  
771 at the next scheduled meeting.  
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773  
774 There being no further questions staff indicated the case will return to the Commission for action at the  
775 next scheduled meeting.  
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777  
778 18. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).  
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- 780 ✓ P2016-008: Lot 1, Block A, Children's Lighthouse Addition [Approved]
- 781 ✓ Z2016-001: AG to SF-1 for 735 Davis Drive (2<sup>nd</sup> Reading) [Approved]
- 782 ✓ Z2016-002: SUP for 453 Cullins Road (2<sup>nd</sup> Reading) [Approved]
- 783 ✓ Z2016-003: SUP for Service King (1<sup>st</sup> Reading) [Approved]
- 784 ✓ Z2016-004: SUP for 803 N. Goliad Street (2<sup>nd</sup> Reading) [Approved]
- 785
- 786

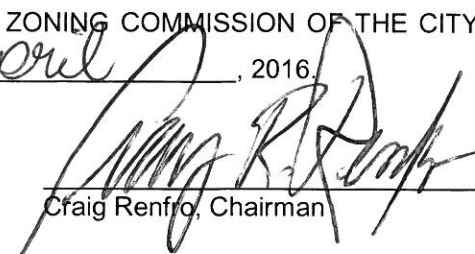
787 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
788 referenced cases at the City Council meeting. The Commission did not have any questions  
789 concerning this agenda item.  
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793 VII. ADJOURNMENT  
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797 The meeting adjourned at 8:49 p.m.  
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PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 12 day of April, 2016.

  
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Craig Renfro, Chairman

Attest:

  
\_\_\_\_\_  
Laura Morales, Planning Coordinator



**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**April 12, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Chairman Renfro called the meeting to order at 6:01 p.m. Present were Commissioner John McCutcheon, Patrick Trowbridge, Johnny Lyons, Annie Fishman, Tracy Logan and Sandra Whitley. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshal, Ariana Hargrove.

**II. CONSENT AGENDA**

1. Approval of Minutes for the March 29, 2016 Planning and Zoning Commission meeting.

2. P2016-012

Discuss and consider a request by Worth Williams of Moore Worth Investments, LLC on behalf of Jean Voltz of Arkoma Development LLC for the approval of preliminary plat for Lots 1-4, Block A, Lakeshore Commons Addition being a 4.706-acre tract of land identified as Tract 8-4 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located at the southwest corner of the intersection of SH-205 [N. Goliad Street] and North Lakeshore Drive, situated within the North SH-205 Overlay (N. SH-205 OV) District, and take any action necessary.

Commissioner McCutcheon made motion to pass the consent agenda. Commissioner Lyons seconded the motion which passed by a vote of 7-0.

**III. PUBLIC HEARING ITEMS**

3. Z2016-008

Hold a public hearing to discuss and consider a request by Darrell Simpson on behalf of Sherri Banuelos for the approval of a Specific Use Permit (SUP) to allow an accessory building that does not meet the minimum requirements as stipulated by Article IV, Permissible Uses, of the Unified Development Code for a 1.03-acre tract of land identified as Tract 11-5 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Single Family One (SF-1) District, addressed as 735 Davis Drive, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of request stating that the applicant, Sherry Banuelos is requesting a Specific Use Permit to allow for an accessory building that does not meet the minimum requirements specified in the Unified Development Code According to the section SF-1 in the UDCC no more than two accessory buildings are allowed which are up to 225 square feet in area and 15 feet or less in height, and the exterior cladding contains only materials found on the main structure. The subject property is zoned Single Family 1 District. The proposed accessory building will stand approximately 15-feet in total height and will have a building footprint of 24-feet x 36-feet or approximately 864 square feet. The accessory building will be located behind the main residential structure and not visible from the street. The applicant is requesting a waiver to the size requirement to allow for a building approximately 639 sq. ft. larger than the maximum size allowed in a SF-1 District. The applicant is also requesting a waiver to the masonry requirement to construct the accessory building out of a steel building system with a standing seam metal roof that does not comply with the masonry requirements for an accessory building in an SF-1 District. The applicant plans to extend the current gravel driveway to the accessory building to allow access to the building.

Mr. Brooks also stated that 23 notices to property owners and occupants within 500-feet of the subject property were mailed as well as notification sent to the Rolling Meadows HOA, which is the only HOA/Neighborhood Organization that is within 1,500-feet and participating in the

notification program. Additionally, a sign was posted on the subject property as required by the Unified Development Code. Staff had not received any notices returned.

Chairman Renfro asked the applicant to come forth and speak.

Darrell Simpson  
635 Davis Dr.  
Rockwall, TX

Mr. Simpson, representative for Ms. Banuelos came forward and said he was available for questions.

Commissioner Trowbridge asked what kind of roof will be on the building. Mr. Simpson stated it will be a white metal roof.

Chairman Renfro opened the public hearing and asked if anyone who wished to come forward and speak to do so. There being no one indicating such, Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Trowbridge made motion to pass the item with staff recommendations. Commissioner McCutcheon seconded the motion, which passed by a vote of 7-0.

#### 4. Z2016-009

Hold a public hearing to discuss and consider a request by Mohamed Taha for the approval of a Specific Use Permit (SUP) to allow a minor auto repair garage to be established in conjunction with an existing oil/lube change facility located on a 0.2755-acre parcel of land identified as Lot 3, Block B, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary.

Senior Planner David Gonzales gave brief explanation of request stating that the reason for the request for the SUP is for the purpose of allowing outside storage of vehicles for customers that are in need of parts or equipment unavailable at the time of service. These vehicles would be parked/stored at the rear of the building for a period of no more than 48 hours, and should not be visible from Ridge Road when parked behind the building. This facility has been in operation since 1987 and has an approved site plan indicating four diagonal parking spaces. The applicant has provided an amended site plan depicting seven striped head-in parking spaces located at the rear of the building with the possibility of one or two spaces being visible from the sidewalk and right of way. Should the SUP be approved as requested, the Unified Development Code would require screening of the stored vehicles from public streets, sidewalks, and open space. Also, Mr. Taha made a similar request for a SUP in September 2014 and was denied by City Council on November 3, 2014. This item was considered to be denied with prejudice, requiring the applicant to wait for a period of at least one year from the date of denial in order to resubmit the same or similar application.

Mr. Gonzales added that also to consider is the Engineering Departments standards of design and construction regarding parking spaces. Based on the design standards, these parking spaces are to be a minimum 9-ft X 20-ft with a 24-ft wide aisle behind the parking spaces for maneuvering. Based on the proposed design, a turnaround behind the last parking space is required, with no dead-end parking allowed.

Mr. Gonzales further noted that staff mailed twenty-nine notices to property owners and residents within 500 feet of the subject property and also notified one HOA within 1500-feet and posted a sign on the subject property. Three notices were received in opposition of the request. Mr. Gonzales stated Mr. Taha and his attorney were both present and available for questions as well as staff.

Chairman Renfro asked the Commission for any questions for staff.

Commissioner Trowbridge wanted to clarify what was being considered for approval is seven parking spaces of which some can be seen from the road as well as the radius at the end of the parking area for two spaces.

Mr. Gonzales stated the applicant is requesting the seven spaces however with that request a screening mechanism was not part of the request when it was submitted that would need to be discussed. Also concerning the two parking spaces, those would be lost it is fifteen feet that they have to abide by.

Chairman Renfro asked concerning the number of violations applicant has had as there have been several since the opening of his business and from the last time the applicant was before he Commission. Mr. Gonzales stated that from the time the application was received the total amount of citations that have been issued is 33 however since the last Specific Use Permit request where applicant came before the Commission there has been 24 for a total of 33 since Code Enforcement has been involved.

Commissioner Trowbridge asked if this was a Specific Use Permit is within a Scenic Overlay. Mr. Gonzales stated it is.

Chairman Renfro opened the public hearing and asked the applicant to come forward.

Mohamed Taha  
4713 One Place Dr.  
Garland, TX

Chairman Renfro asked Mr. Taha concerning the violations. Mr. Taha stated the violations began after the last request he made last year where he failed to attend the City Council meeting where request was denied and reason for that was his misunderstanding that once the Planning and Zoning Commission approved that was the final step. Two of the violations were for vehicles that came in overnight after closing both of which were waiting on parts, he explained to Code Officer but according to the Code due to the vehicles being there it was a violation. Mr. Taha went on to explain that at the beginning he was not aware of the Code in its entirety believing that as long as the cars were parked behind the building it was not a violation and that led to citations which he took to court where some were dismissed and then was informed he would be in violation until he came before the Commission and City Council for approval of request that would allow the vehicles to be parked outside.

Commissioner Trowbridge asked if he was the owner of the business and the land. Mr. Taha stated he is only the owner of the business the land owner is his business partner.

Commissioner Lyons asked if any repairs were done to vehicles outside of the building. Mr. Taha stated the work is done inside the bay, occasionally if a tow truck drops off a vehicle that is in need of a part in order to be moved inside the bay that will be done for that purpose.

Commissioner Lyons asked if original request was for four parking spaces, why the change to seven. Mr. Taha stated that due to the increase of business he feels there is need.

Mr. Gonzales added that the original request was for seven as well, but it was the recommendation of Planning and Zoning at that time to approve four.

Heath Grob  
106 N. 2<sup>nd</sup> Street  
Rockwall, TX

Mr. Grob came forward stated he is the representative for Mr. Taha and stated the reason for requesting the seven parking spaces is because those spaces are not open to the public, they line up with the bay to allow access in and out from the bay there is no real turning around back there. Concerning the citations, 21 of the citations were just three incidents, there are seven parking spots that is seven tickets per incident. The third time a citation was issued is when Mr. Taha retained him as attorney. Mr. Grob further clarified that the reason Mr. Taha did not attend the last City Council meeting was due to his misunderstanding that he had one meeting left for approval. Concerning the screening of the vehicles Mr. Taha is willing to put a gate that would screen all vehicles from the street, however it does not remedy the visibility of the vehicles to

the three story building that is behind them, and aside from landscaping that is impossible to block, however being that the vehicles would only be parked at night, it should not affect them.

Commissioner Logan asked if the approval was granted where the gate would be built at. Mr. Grob stated it would come along the right side of the building and it would be a six or seven foot gate that would be closed when business is closed for the evening.

Chairman Renfro opened the public hearing and asked anyone who wished to speak to come forward and do so at this time.

Deborah Shultz  
1435 Foxwood Lane  
Rockwall, TX

Mrs. Shultz came forward and stated she is in favor of the request. She has worked with Mr. Taha in the past when taking her vehicle in for repair and he has been very helpful in working with her as she is a single mom. Her kid's scouting troop has also volunteered to help with any cleaning and such should it be needed in the business. She added her father owned his own business as well and feels it should be allowed that he park within his own property.

Nell Wellborn  
810 Lake Meadows Circle  
Rockwall, TX

Ms. Wellborn came forward and stated she is in opposition of the request. She believes this Specific Use Permit is going beyond what the City is required to do. She feels this location was not ideal for this type of business, and over the years it has gotten worse instead of better. She doesn't believe the office building that sits behind complains of the visibility issue, however they do complain of employees of Mr. Taha parking in their office due to lack of parking. Ms. Wellborn brought pictures she wanted to share but were unable to present them due to a technical problem.

Terri Nevitt  
201 Becky Lane  
Rockwall, TX

Ms. Nevitt came forward and stated she is in opposition of the request, feels size and location of this business it is too small for the amount of business he is generating, feels he has outgrown the location and should look to relocate to better suite his growth.

Chairman Renfro asked if anyone else wished to speak, there being no one indicating such Chairman Renfro closed the public hearing, brought the item back to the Commission and asked the applicant to come forward to offer any rebuttal.

Mr. Taha stated that concerning the parking for his employees, he contacted the owner of the parking area directly across the street from him and is going to be leasing it to allow for his employees to park there. Concerning the expanding plan currently he has contacted a contractor to do remodeling to keep with Rockwall's standards.

Chairman Renfro asked concerning the possibility that this location has outgrown the location. Mr. Taha stated he is now booking appointments and downloaded a software that allows for him not to book more vehicles than a day can handle, aside from times when he is awaiting parts that are generally not in stock where the vehicles do have to stay.

Commissioner Logan asked if there are three bays, can three vehicles be stored within those. Mr. Taha stated that creates a problem when he opens the business, at the time he opens he would have to move all the vehicles and there are only two employees on staff in the morning therefor having them parked facilitates the opening instead of moving in and out of the bay.

Commissioner McCutcheon brought up that at the time of last request Mr. Taha had said there would be some remodeling to the business at that time, and asked why that had not been done as of yet.



Mr. Taha stated at that time it was not financially feasible, but within this last year business has grown and have now met with the contractor and are going to be moving forward with that.

Commissioner Lyons stated concern with having seven spaces versus the four, the safety concern of fitting seven in such a tight area, he asked for clarification of what size they would be assuming they are not going to be standard sized spaces. Mr. Gonzales stated the engineered design require them to be 9x20 they have to be standard parking spaces unless the Commission approves otherwise. Mr. Taha added that when he first came into the building the parking spaces were not slanted as they are now but were straight. Mr. Lyons added he was leaning for approving four instead of seven.

Chairman Renfro asked for further discussion from the Commission before taking action.

Commissioner Trowbridge stated concern this being in the Scenic Overlay; felt it had to be carefully thought out to keep the integrity of this area.

Chairman Renfro added that outgrowing a business is a good thing that marks success but does agree that there does need to find the balance between helping the citizen as well as keeping the integrity of the Scenic Overlay.

Commissioner McCutcheon also expressed concern if request is turned down, what is being gained from that as it will still be an existing building.

Commissioner Whitley stated concern with the amount of violations, and who would monitor that the vehicles are only stored overnight.

Commissioner Trowbridge asked if item is approved with four spaces versus seven, how the motion would move forward. Mr. Gonzales stated the applicants request is for seven parking spaces, however if the Commission changes that is what would go forward to City Council.

Commissioner Fishman stated her concern is finding balance between the land uses of the location with it being in a Scenic Overlay and having a good Rockwall business that is encouraged but feels this business may have outgrown the location.

Commissioner Lyons made motion to approve with staff recommendations with four slanted parking spaces, without screening. Commissioner McCutcheon made amendment to add the screening. Commissioner Lyons denied the amendment. Commissioner Logan seconded the motion. The motion passed by a vote of 4-3 with Chairman Renfro, Commissioner Whitley and Commissioner McCutcheon dissenting.

##### 5. Z2016-010

Hold a public hearing to discuss and consider a request by Grey Stogner of Crestview Real Estate on behalf of the owner Tom R. Briscoe of Briscoe Oil, Inc. for the approval of a PD Development Plan for an urgent care facility on a 1.042-acre tract of land identified as Lots 1 & 2, Block A, Briscoe/Hillcrest Addition and Tract 41-2 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the *Summit Office Subdistrict* and the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of Horizon Road [FM3097] and the IH-30 frontage road, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request explaining that on September 20, 2010, the City Council passed Ordinance No. 10-21 [Planned Development District 32, which established a concept plan and development standards for the approximate 78.89-acre tract of land commonly referred to as PD-32 or the Harbor District. Within the approved concept plan, PD-32 was divided into ten subdistricts that contained individual development and land use standards. The subject property is a 1.042-acre portion of land located within the Summit Office Subdistrict, which according to the PD Ordinance is intended to capitalize on the superior views of Lake Ray Hubbard by providing mid-rise office buildings. Key characteristics include good visibility and ease of access from Interstate 30 and Horizon Road.

Mr. Gonzales further added that the applicant, Grey Stogner, has submitted an application for the approval of a PD Development Plan indicating a proposed layout for the 1.042-acre tract of land. Based on the applicant's concept plan, a waiver to the building placement requirements

will be required for the purpose of allowing the buildings' easterly facing facade to be situated no more than 60-ft to 70-ft from Horizon Road and for the southerly facing facade to vary from the horizontal articulation standards. It should be noted that the district's intent for the buildings setback from Horizon Road is 150 feet; however, the property has been platted with a 25-ft building setback. Since the applicant is requesting waivers to Ordinance No. 10-21 and the proposed use while being a permitted use does not meet Criteria A of Section 9.C that states it needs to meet the general intent of the PD District or Subdistrict in which the subject property is located, staff has required the applicant to submit a PD Development Plan. Through this process, the City Council retains discretionary approval over the request to ensure that the proposed development does not have a negative impact on adjacent properties.

Mr. Gonzales went on to further explain that the concept plan for the Summit Office Subdistrict calls for pedestrian opportunities extending parallel with Pinnacle Way Drive, which is the primary connector to Horizon Road. Street Type B which is Pinnacle Way Drive calls for a 48-ft right-of-way that includes a 24-ft street section with an 8-ft sidewalk, street trees, and pedestrian scaled streetlights, which meets the requirements outlined in Ord No. 10-21. The plan submitted by the applicant does conform to the majority of the technical requirements of PD-32, with the exception of the building placement requirements and the horizontal articulation standards. According to the ordinance, a minimum of 45% of the building facade facing the proposed Pinnacle Way Drive is to be built to the build-to-line with the remaining portion of the facade to be no less than 2-ft and no greater than 12-ft from the BTL creating horizontal articulation. Although the applicant has provided a recess in the elevation extending to the BTL, it only represents approximately 32% or a 27-ft expanse of the facade rather the 45% or a 38-ft expanse of this plane as required by the ordinance. Another aspect to consider with this request is the abandonment of Hill Top Lane, which bisects the Briscoe property. This right-of-way will be exchanged for the realigned Pinnacle Way Drive. The original intent of Hill Top Lane was to provide cross access for the 1.042-acre property located along the western boundary which is Harbor District Addition, Block A, Lot 4 of the subject property. Access will still be provided through a 24-ft cross access easement to the property and will be dedicated during the platting process. This has been included as a condition of approval in this case memo and in the draft ordinance.

Also, taking the intent of the district into consideration the current plan does seem to conform to the vision stated within the concept plan with respect to the creation of a pedestrian friendly environment along Pinnacle Way Drive. With this being said, the requested waivers for building placement and horizontal articulation along with the abandonment of Hill Top Lane and the issue of cross access to the adjoining property makes this a discretionary approval for the City Council. Should the City Council choose to grant the request the applicant will still need to submit a PD Site Plan that will be reviewed by the Architectural Review Board and the Planning and Zoning Commission.

Mr. Gonzales also advised the Commission that on April 1, 2016, staff mailed 28 notices to property owners and residents within 500 feet of the subject property. Staff also emailed notices to the Lakeside Village and Lago Vista Homeowner's Associations, which are the only HOA's located within 1,500 feet of the subject property and also posted a sign at the corner of the intersection of Sunset Ridge Drive and the IH-30 Frontage Road. Staff has received one response in favor of the PD Development Plan request. Mr. Gonzales added the applicant is present to answer questions as well as staff.

Chairman Renfro asked for questions for staff.

Commissioner Trowbridge asked if land to the left hand corner where the Trend Tower and the parking garage will be contiguous to the neighboring property or is there a property in between the proposed lot. Mr. Gonzales stated future development will happen on that property.

Commissioner Logan asked if standard is 150 foot setback and the depth from Horizon is only 176 feet would it be considered under the current standards not developable. Mr. Gonzales stated the property is platted with a 25 foot setback and looking at the Concept Plan refers to that area as a parking lot but when the three lots are combined then you have a developable piece of property therefor that is the purpose of applicant bringing forward the PD Development Plan for the Commissions consideration. That is reason for built in flexibility.

Chairman Renfro asked if Concept Plan also calls for a midsize office type building. Mr. Gonzales stated it called for a midrise up to eight stories high that is what the intent of the District is to not have a building that goes beyond eight stories. Chairman Renfro added that it called for it to go upward not outward being that the lot is so small.

Planning Director, Ryan Miller added that the way PD 32 was written, it was understood that not all development would conform to the Concept Plan because a Concept Plan was being laid out for the entire district sometimes it involved smaller parcels of land, this being one of them. Therefore within the Concept Plan itself subdistrict were created where the intent was broadly stated and allow this subdistrict does call for a midrise it does allow one story buildings and the use applicant is proposing is allowed by right. What is kicking in the PD Development in this case is the abandonment of Hilltop Lane and the realignment of Pinnacle Way.

Chairman Renfro asked the applicant to come forth and speak.

Matt Moore  
1903 Central Drive  
Bedford, TX

Mr. Moore came forward and stated both Mr. Gonzales and Mr. Miller gave good explanation of request and the challenges from a development point on this particular piece of property. Advised he is available for any questions from the Commission.

Chairman Renfro opened the public hearing and asked anyone wishing to speak to come forward to do so.

Philip M. Ruais  
5900 S. Lake Forest Dr. Suite 200  
McKinney, TX

Mr. Ruais came forward and stated he is a representative and attorney for Landa Properties that own 4.59 acres off of Summer Lee Drive stated the only opposition they have to request is that they don't feel it is not an acceptable gateway or entry way for a development for the City of Rockwall in what they are trying to set forth and develop.

Dick Clark  
2917 Saratoga Drive  
Rockwall, TX

Mr. Clark came forward and stated why an eight story urgent care facility is needed what else would be going into the building and how far away the closest medical facility is from this proposed site were any studies done if another medical facility is needed in the City. Does not feel there is really a necessity to develop on this land at this particular time with this particular product. Mr. Miller added clarification to Mr. Clark stating the building is not going to be eight stories high but instead is the maximum height allowed in the district and applicant is proposing a single story building. Mr. Clark continued to state concern with adding another building will add to traffic and feels that traffic and growth need to be taken into consideration.

Kristen Minth  
3406 Lakeside Drive  
Rockwall, TX

Mrs. Minth came forward and stated she is in favor of request feels with the changes to the off ramps and previous requests for gas stations in this spot no more gas stations are needed, asks Commission to approve request.

Chairman Renfro closed the public hearing and asked applicant to come forward for any rebuttal.

Mr. Moore came forward and stated with the traffic standpoint he feels it should not be a concern as this use is not a very intense use given the location of IH30 and Horizon and they average about 45 patients a day spread out in the course of a day this use would not be a big traffic



generator as opposed to a gas station or a big store. Mr. Moore added that with concern to whether this use for the Gateway Overlay is an appropriate use, feels it is subject to opinion feels the use is compatible for the area. Care Now would not make the investment in Rockwall if they felt the need was not there and could not be successful. Added he is available for any questions from the Commission.

Chairman Renfro asked concerning Gateway Overlay, what is the client willing to do to offset the removal of existing landscape. Mr. Moore stated they will have interior lot landscaping and whatever else is required to meet the intent of the PD.

Chairman Renfro expressed concern of ability to make left turn from Pinnacle Way extension will traffic is able to take a left turn from Horizon and towards the freeway without a traffic light as people are coming off of and exiting Horizon and turning right, which he feels it will create traffic trouble at certain times of the day.

Commissioner Fishman had concern with whether or not this is the best fit for this land how well will a Care Now fit in the grand scheme of what was intended for this area.

Commissioner Lyons expressed concern of location for this use with only looking at what has been submitted as well as concern with the landscaping and asked if it was known how many urgent care facilities there are currently in Rockwall. Mr. Moore stated if this was approved at the next step they will provide a full landscape plan, and at this time does not know how many other urgent care facilities are in town.

Greg Stogner  
12720 Hillcrest Road  
Dallas, TX

Mr. Stogner came forward and stated he has worked with Care Now as a developer for about ten years and went on to expand on the Care Now owner that is a family owned business with 29 locations that they own. The difference between urgent care facilities as opposed to a Care Now is that their goal is to be the family practitioner for the community, they get very involved with the community and the difference is that there is always a doctor on duty. The client is very interested in the City of Rockwall. Mr. Stogner added that as far as the concern for the landscaping due to the Gateway Overlay they are willing to work with staff, they are of the mind set of you only get one chance to make a good impression and will it will be heavily landscaped and they will do all that is needed to make it a good looking facility and entry way to meet the standards of Rockwall.

Mr. Gonzales added that Hilltop Lane is a 20 foot right a way and taking a look at how that can be traveled that is one of the purposes of having it exchanged over for Pinnacle Way Drive that would not meet the standards for a street with a 20 foot right a way.

Commissioner McCutcheon asked for clarification of why request is before the Commission is it being mainly for the reason only due to the right a way road swap. Mr. Gonzales stated that is one of the reasons, it is an amendment to PD32 and part of the amendment is to include the abandonment of Hilltop Lane in exchange for the Pinnacle Way Drive. Commissioner McCutcheon went on to express concern with this being the gateway into the City, but feels proposal is better fit than a request for a gas station.

Chairman Renfro expressed concern over this particular use in this prime real estate area in the City and although it is a great developer there is still concern if it does not work and is left vacant.

Commissioner Trowbridge asked how long the lease was for. Mr. Stogner stated it was for twenty years and addressed Chairman Renfro's concern of it being in the gateway of the City, but feels it is a low impact one story good looking that will be heavily beautifully landscaped and should that happen, which he feels is not likely, what is left is a usable building.

Commissioner Whitley asked if this development happens will it impede access to the adjacent properties. Mr. Gonzales stated access will be available.



Commissioner Trowbridge made comment of initial concern with the drop of density and the height with request being a less density low building in comparison with what surrounds it, but can see a lot of work has been done from staff comments from work session and feels he is on board with it at this time due to that.

Commissioner Logan asked if the request were to be approved would it be a requirement for the building to have the same type of "Tuscan" look that is in place along that corridor. Mr. Gonzales stated that the Summit Office would require either traditional building style it is in the PD specific to the guidelines or there are two types that are available to the applicant that would be something that would be reviewed at the site plan stage.

Chairman Renfro expressed at this time he is inclined not to support the request and asked for further discussion or a motion.

Commissioner Lyons made motion to approve item with staff recommendations. Commissioner Trowbridge seconded the motion, which passed by a vote of 5-2 with Chairman Renfro and Commissioner Fishman dissenting.

Chairman Renfro called for a five minute recess at 7:58 p.m.

Chairman Renfro called the meeting back to order at 8:11 p.m.

#### 6. Z2016-011

Hold a public hearing to discuss and consider a request by Fred Hazel of Davis Development on behalf of Jim Kirby of Rockway Partners, LLC for the approval of a zoning change from a Commercial (C) District to a Planned Development District for a multi-family apartment complex on a 17.60-acre tract of land identified as Lots 6-11, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located east of the intersection of Laguna Drive and La Jolla Pointe Drive, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of item stating On March 11, 2016, the applicant submitted an application requesting to rezone a 17.60-acre tract of land from a Commercial District to a Planned Development District for a multi-family apartment complex that will consist of 272 units. The subject property, which was annexed into the City on November 7, 1960 by Ordinance No. 60-03, is located on the north side of Interstate Highway 30 west of Ridge Road along La Jolla Pointe Drive -- and is currently a vacant tract of land. The subdivision was originally platted in 2003 as La Jolla Pointe Addition, Phase 2 which was Case No. PZ2002-83-001, and was replatted into its current configuration in 2007 Case No. P2006-019.

Mr. Miller further explained that along with the application, the applicant has submitted a concept plan, building elevations and development standards for the proposed multi-family apartment complex. The concept plan shows that the proposed 272-unit apartment complex will consist of eight buildings that range in height from three to four stories, and contain 24-36 units each; with the exception of Building No. 1, which will consist of 49 units. This building will also house a clubhouse/amenity center and the leasing office, with an exterior pool adjacent to the southern building façade. The above unit composition equals a minimum unit size of 1,032 SF. Based on the size of the subject property and the number of units proposed, the requested density will be 15.45 units per acre. Currently, the highest density-zoning district that the City permits is the Multi-Family 14 District, which permits up to 14 units per acre. Since the applicant is proposing to rezone the subject property to a Planned Development District, additional density maybe requested of the City Council; however, this does remain a discretionary decision for the City Council, and the City Council does have the power to reduce the density of the request.

Mr. Miller added that to meet the requirement the concept plan indicates that a mixture of 38 garages and 482 surface parking spaces will be utilized. This will exceed the parking requirement by 16 spaces. The proposed 38 garages will be integrated into the design of the eight buildings and will not incorporate tandem parking spaces.

Mr. Miller went on to state that the concept plan includes the public right-of-way for Carmel Circle, which was dedicated with Case No.'s P2006-019 & P2004-068. The applicant is requesting that the City Council abandon this right-of-way as part of this case. If the City Council chooses to approve this request, staff will begin the abandonment process by establishing the fair market value of the right-of-way and offering one-half of the right-of-way to the adjacent property owners. Staff should point out that currently the subject property excludes an outparcel that is situated at the southwest corner of Carmel Circle and La Jolla Pointe Drive, and that the property owner of this outparcel would have the right to purchase a portion of this right-of-way. This could lead to changes in the concept plan at the time of site plan depending on the adjacent property owner's decision to purchase or not purchase the right-of-way.

Mr. Miller further stated that as part of this submittal, staff has required the applicant to submit a Traffic Impact Analysis. The TIA submitted by the applicant has been forwarded on to the City's consultant for outside review. The building elevations submitted by the applicant show that four different architectural styles will be used for the proposed eight buildings. Each of the buildings will utilize a mixture of stucco, natural cut stone, and brick on the exterior façades, and a combination of standing seam metal and architectural shingles on the roofs. In addition, the elevations conform to the four sided architecture requirements stipulated by the IH-30 Overlay District as stipulated by the UDC. Staff has incorporated these elevations into the Planned Development District Ordinance, and general conformance to these elevations and pending a recommendation by the Architectural Review Board at the time of site plan is a requirement of the proposed zoning district.

Chairman Renfro asked if there were any questions for staff.

Chairman Renfro asked if it met the current comp plan. Mr. Miller stated it generally conforms to the guidelines stipulated by the comp plan there were a couple of recommendations that staff made that are contained in the case memo that were made to the applicant and they did generally conform to those recommendations with the exception of one of the buildings could have been turned closer to the street however there are significant grade issues and therefore that building had to be angled in that manner. Mr. Miller clarified that the concept plan is a series of guidelines and policies and few requests that come before the Commission meet one hundred percent of the Comp Plan. Chairman Renfro added that the future land use map shows this to be Commercial. Mr. Miller stated that it was according to the future land use map.

Chairman Renfro had question regarding the number of units of condos/townhomes that may or may not be coming across from subject property in the Harbor District. Mr. Miller stated there is an allowance for 1,164 condominiums or townhomes in the Harbor District.

Commissioner Trowbridge asked for clarification or examples of what the future land use map use being Commercial could it include retail, or office use. Mr. Miller stated Commercial does allow for retail use

Commissioner Lyons asked what school district this area belongs to. Mr. Miller stated staff does not deal with the school district to answer that question.

Chairman Renfro asked applicant to come forward and speak.

Gene Babb  
1220 Blue Bell Ct  
Celina, TX

Mr. Babb came forward and gave brief description of request stating this is a family owned business and they have several developments throughout Texas including 2,111 units completed to date in DFW with 3, 728 under construction one hundred percent of their equity is internal and use traditional construction loans and have constructed over 50,000 units since 1995. He went on to add the highlights of the project with a slide show presentation that showed the price targets, details of units and amenities.

Mr. Babb added that he would not go into great detail as Mr. Miller had already gone thru the information but wanted to address the concerns that have been voiced being the majority of the issues being with traffic, the property becoming section 8, home property devaluation, and crime.

Mr. Babb explained that they are currently building in three areas Craig's Ranch in McKinney and the homes in the surrounding area there range from \$300,000 up to \$1,000,000 and have not heard any feedback that their product has affected the home values there and the same goes for the development in Frisco as well as in Prosper. The issue with traffic, they did conduct an independent traffic study and it stated the traffic is not god and is below what it should be and indicated that our apartment complex would not worsen the already problem with traffic that exists currently and states there is a future interchange that is to be installed between Ridge Road and Horizon and when that happens that will provide much needed relief to this area. With concern to the property getting sold and it becoming a Section 8 community, there are laws in place that would not allow that anytime a Section 8 community is going to be built it has to be hammered out prior to development it cannot be something that is retroactive after the community is built. Mr. Babb went on to add that with the concern of increased crime, statistically is shown that there is more crime in a commercial area, but with the target area for tenants that they have, the credit requirements that are required it will be a high level tenant. Mr. Babb added that Mr. Fred Hazel, the company vice president as well as engineers from the Davis Company that are present if there were any additional questions.

Chairman Renfro asked for questions for applicant from Commission.

Commissioner Trowbridge asked if the units would be three and four stick built stories, would any be basement units and are the hallways enclosed and air-conditioned. Mr. Babb stated there would be no basement units and the hallways would be open and wide which provide a lot of air circulation and also have ceiling fan.

Commissioner Trowbridge asked what the average cost of units would be. Mr. Babb stated it is 1,032 square feet average and at a \$1.30 a foot that translates to roughly \$1,350 a month with some of the larger units would increase.

Commissioner Logan asked for clarification of the traffic study with it being at a graded level of F which is the worst it can be, and in knowing that why are they opting for this particular location where the traffic is so bad already. Mr. Babb stated traffic is bad everywhere and coming from Atlanta where it is worse, feels traffic for a multi-family is not bad, they like the drive by that comes with traffic and are counting on the future plan for the interchange that will relieve some of the traffic.

Commissioner Fishman asked if they would be retaining ownership over the long term. Mr. Babb stated it was a hard question to answer as sometimes they do and sometimes they don't although they don't build to sell, but being a private company and often times they have private investors that want to purchase their communities and they will sell them and Mr. Davis will re-invest that money back into the company.

Fred Hazel  
407 Oxmoor Lake Drive  
McDonough, GA

Mr. Hazel came forward and stated to answer that question directly, the community may be sold but would like to point out that the proposed community is what they consider investment grade asset given the rents, the cost to construct, the amenities, if it were sold you would have someone paying a lot of money and therefor you would have someone that is going to maintain the property to maintain the quality of the asset.

Chairman Renfro opened the public hearing and asked if anyone who wished to speak to come forward and do so.

Fred Mosley  
2030 Pontchatrain Dr.  
Rockwall, TX

Mr. Mosley stated opposition due to the paramount issue being traffic in and out for the people that already live here he has lived at Lakeside Village for the last ten years. Feels it is a challenge today and adding 500-600 vehicles plus service vehicles coming in and out it is going to be near impossible and would like to see their independent study challenged.

Austin Greenberg  
3400 Water View  
Rockwall, TX

Mr. Greenberg stated he is in opposition of request due to traffic, wants it to stay commercial and although the developer mentioned construction in other communities they are larger communities not one as small as Rockwall. He is also concerned with the school overcrowding this development will add to the school district.

Kristen Minth  
3406 Lakeside Drive  
Rockwall, TX

Ms. Minth came forward expressed and expressed opposition this development was not preplanned. Transition is not needed it is zoned commercial for a reason and feels it needs to stay as such.

Nick Nichols  
3927 Mediterranean  
Rockwall, TX

Mr. Nichols expressed opposition due to the impact it will have on the already big problem with the traffic situation. Also impact the construction will have on this area, and also the problem it will cause to accommodate new students that will come.

Jack Willard  
3106 Village Dr.  
Rockwall, TX

Mr. Willard expressed opposition due to the debris/trash that will be generated off of the parking lot as well as concern with security. Also expressed this will have a negative impact on house value.

Tina Goltia  
3311 Lakeside Dr.  
Rockwall, TX

Ms. Goltia expressed opposition to the request, moved here from Florida, chose Rockwall due to the quality of schools, sense of community, unique feel town and is concerned with losing the commercial area feel which is the main reason she chose Rockwall, urged the Commission to vote against.

Sean Phiffer  
3405 Water View  
Rockwall, TX

Mr. Phiffer expressed opposition to the request, feels it is not adequate area it will cause traffic, feels this area should stay commercial and also will cause added crowding to schools.

Bobby Moore  
4105 Cabana Court  
Rockwall, TX



Mr. Moore came forward and stated opposition due to traffic issues it will create. Also the issues with overcrowding of the schools. He also expressed concern with water runoff it will create. Safety concern with the railroad being nearby as well as the devaluation of house value will be affected.

Pam Watkins  
3620 Lakeside Dr.  
Rockwall, TX

Ms. Watkins came forward and stated she has lived in Rockwall for the last twenty years and expressed her opposition of the request feels this development does not need to lose the commercial zoning. Also spoke with many people in Lakeside Village who could not be present but asked she express their opposition as well.

Pam Griffin  
2324  
Rockwall, TX

Ms. Griffin came forward and expressed her opposition with concern for school overcrowding this added development will add. Also is concerned with the safety of their amenities.

Randall Sanders  
2920 Starboard  
Rockwall, TX

Expressed opposition due to the traffic it will create as well as school overcrowd

Linda Allen  
3510 Village Drive  
Rockwall, TX

Ms. Allen came forward and expressed opposition due to the noise and light pollution as well as school overcrowding.

Julie Ballantine  
3018 Bayside Drive  
Rockwall, TX

Ms. Ballantine expressed opposition due to the negative impact it will bring to home values surrounding the development.

Jerry Gardner  
3412 Augusta Blvd.  
Rockwall, TX

Mr. Gardner expressed his opposition due to the overcrowding it will add to the area.

Erv Slovak  
3322 Augusta Blvd.  
Rockwall, TX

Expressed opposition to the request expressed concern with the look of the development.

Roger Williamson  
3402 & 3404 Lakeside Dr.  
Rockwall, TX

Expressed concern with what drainage issues this will cause, there is already water and flooding issues in Lakeside Village from water running down the hill. As well as the traffic issue.

805 Paul Hustins  
806 3313 Lakeside Drive  
807 Rockwall, TX  
808  
809 Mr. Hustins came forward and stated opposition due to traffic issues this will create. Also added  
810 he agrees with all other concerns that have been voiced.  
811  
812  
813 Dick Clark  
814 2917 Saratoga Drive  
815 Rockwall, TX  
816  
817 Mr. Clark came forward and expressed opposition due to the traffic and property values will be  
818 affected as well.  
819  
820  
821 Jackie McLary  
822 3622 Lakeside Drive  
823 Rockwall, TX  
824  
825 Mr. McLary came forward and stated opposition due to traffic issues it will create.  
826  
827  
828 Dick Clark  
829 2917 Saratoga Drive  
830 Rockwall, TX  
831  
832 Mr. Clark came forward and expressed opposition due to the traffic and how the property values  
833 will be affected.  
834  
835  
836 Mike Crawford  
837 3620 Lakeside Dr.  
838 Rockwall, TX  
839  
840 Mr. Crawford came forward and stated opposition to the request.  
841  
842  
843 Janell Baker  
844 3616 Hilltop Circle  
845 Rockwall, TX  
846  
847 Ms. Baker expressed opposition to request due to the overcrowding of the schools this will  
848 cause.  
849  
850  
851 Jim Kirby  
852 13330 Noel Rd. #622  
853 Dallas, TX  
854  
855 Mr. Kirby expressed opposition due to the problem of water detention the construction of this  
856 development will create to the Lakeside Village subdivision.  
857  
858  
859 Phillip Ruais  
860 5900 S. Lake Forest Dr. Suite 200  
861 Dallas, TX  
862  
863 Mr. Ruais who stated he is the representative and attorney for Landa Properties property owner  
864 of the small square surrounding area of subject property, and stated she is in opposition due to  
865 her no longer having an access point to her property on this road she would be required to  
866 create a new access point of La Jolla which will make for further traffic problems.

Chairman Renfro asked staff to clarify that and asked staff to interject. Mr. Miller stated if that right of way is abandoned his property owner would have the ability to purchase one half of that right away should they decline then it would revert back to, and this is only if it approved, the Davis Development Group but they wouldn't be restricted to access to this property she would get a drive access point off of La Jolla Point.

Mr. Ruais added that they would have to use a portion of their property for access in a multifamily use as opposed to a commercial development and urges the Commission to deny the request.

Terry Nevitt  
201 Becky Lane  
Rockwall, TX

Ms. Nevitt expressed opposition to request feels there are already the needed apartments for Rockwall, and is concerned with property values as well as traffic.

Chairman Renfro closed the public hearing and asked the applicant to come forward and offer a rebuttal.

Mr. Hazel came forward and had addressed comments made of tenants not paying property taxes paid to the community but the community pays taxes. Concerning the issue with light and noise pollution, met with mayor before coming forward and also met with the HOA communities, once constructed visibility will be hard from the neighboring residents. Also there will be storm water studies that will be done to address any water detentions. With concern with the traffic issue, there was a third party review that was done on their independent traffic study. The security-it is a gated community and therefor feels his tenants will not be motivated to trespass into adjoining communities to use their amenities.

Chairman Renfro brought the item back to the Commission for discussion.

Commissioner Trowbridge made comment concerning traffic that although it is zoned commercial and any other building will create traffic as well, the question needs to be what needs to be approved for the land use.

Commissioner Logan stated that she reviewed the traffic study that the developer provided and the City took the time to have it analyzed by a third party but her concern remains that the survey states that it already has the lowest grade possible and if this development would add and doesn't feel she could support request.

Commissioner Lyons stated concerns traffic it would cause, feels traffic should be alleviated before considering a proposal such as this. Also concerned with the impact it will have on the overcrowding of the schools. He also expressed concern of thinking of what possibly could be brought forth if not this.

Chairman Renfro stated he has faith in the traffic study and there is no way to know whether or not it would affect the property value expressed concerns with the condos already approved at the Harbor what will happen to existing apartment complexes if yet another one is approved.

Commissioner Whitley made comment concerning traffic and feels it should be considered and concerns of that of the citizens cannot be minimized. What can be proposed in the future should be considered as well, if a strip mall comes in and sooner or later something will be developed on this property.

Commissioner McCutcheon expressed same general feeling of fellow Commissioners feels this is not the right land use for this particular property to change the use for residential where he feels the majority of people leave that needs to be considered and although it is a good product it is not the right location.

Commissioner Fishman expressed that although it is a good product feels how it will affect the long term use and there is a need to respect the opinion of the already existing residents and if there is such a strong opposition, that needs to be taken into consideration.

Chairman Renfro asked for any further discussion or motion.

Commissioner McCutcheon made motion to deny request. Commissioner Lyons seconded the motion, which passed for denial with a vote of 6-1 with Commissioner Trowbridge dissenting.

#### IV. ACTION ITEMS

##### 7. SP2016-005

Discuss and consider a request by Jay Holman & Don Silverman of Rockwall 205-552, LLC for the approval of site plan for a retail building on a 1.231-acre portion of a larger 9.183-acre tract of land identified as Tract 4-1 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of SH-205 [N. Goliad Street] and FM-552, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of request stating On March 11, 2016, the applicant submitted an application for a site plan showing the proposed layout of an 11,334 SF retail building on a 1.231-acre parcel of land. The subject property is located north of the northwest corner of the intersection of North Goliad Street and FM 552, and is zoned General Retail within the North SH-205 Overlay District.

Mr. Brooks explained that according to Section 4.4, General Retail District, of Article V, Development Standards, of the Unified Development Code, the proposed use is permitted by-right in the General Retail District, and will not require any additional approvals by the Planning and Zoning Commission. The submitted site plan, building elevations, landscape plan, and photometric plan conform to the technical requirements contained within the Unified Development Code for properties located in a General Retail District and located within the N. SH-205 Overlay District

Mr. Brooks added that on March 29, 2016, the Architectural Review Board reviewed the proposed site plan and building elevations. The ARB stated that the proposed design of the building did not meet the intent of standards stipulated in the North SH-205 Overlay District and asked the applicant to make revisions to the building elevation, specifically the rear elevation of the building needs additional articulation and architectural consideration. This was being requested because this building will be situated in the development so that all four sides are visible. The applicant has submitted revisions for the ARB and staff to review.

Chairman Renfro asked for any questions for staff or applicant there being none Chairman Renfro asked for discussion or a motion.

Commissioner McCutcheon made motion to approve the item with staff recommendations Commissioner Trowbridge seconded the motion, which passed by a vote of 7-0.

#### V. DISCUSSION ITEMS

##### 8. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- ✓ P2016-006: Breezy Hill, Phase VII [Approved]
- ✓ P2016-007: Breezy Hill, Phase VI [Approved]
- ✓ P2016-009: Lots 1 & 2, Block H, Lake Rockwall Estates, East Addition [Approved]
- ✓ P2016-010: Preliminary Plat for Saddle Star Estates [Approved]
- ✓ P2016-011: Master Plat/Open Space Plan for Saddle Star Estates [Approved]
- ✓ Z2016-006: SUP for a Carport at 303 Renfro Drive (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-007: Zoning Change AG to GR for 5205 S. FM-549 (1<sup>st</sup> Reading) [Withdrawn by Applicant]
- ✓ MIS2016-005: Masonry Exception for 508 St. Mary's Street [Approved]
- ✓ MIS2016-006: Special Exception Request for 120 Blanche Drive [Approved]



989 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
990 referenced case at the City Council meeting. The Commission did not have any questions  
991 concerning this agenda item.  
992  
993  
994

995 VI. ADJOURNMENT

996  
997 Meeting adjourned at 10:06 p.m.  
998  
999

1000 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
1001 Texas, this 22 day of April, 2016.  
1002

1003  
1004   
1005  
1006 Craig Renfro, Chairman  
1007

1008 Attest:

1009   
1010  
1011 Laura Morales, Planning Coordinator  
1012

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**April 26, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Chairman Renfro called the meeting to order at 6:07 p.m. Present were Commissioner John McCutcheon, Patrick Trowbridge, Johnny Logan, Tracy Logan and Sandra Whitley. Absent was Commissioner Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshal, Ariana Hargrove.

**II. CONSENT AGENDA**

1. Approval of Minutes for the April 12, 2016 Planning and Zoning Commission meeting.

2. P2016-013

Discuss and consider a request by Alexander Menjivar and Daniel & Lidia Mendez for the approval of a final plat for Lots 1 & 2, Block A, Mendez Addition being a five (5) acre tract of land identified as Tract 2 of the J. H. Bailey Survey, Abstract No. 45, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 5143 SH-276, and take any action necessary.

3. P2016-014

Discuss and consider a request by Daniel Stewart of Cates-Clark & Associates, LP on behalf of Jeff Finkel of Seaman Development Corporation for the approval of a final plat for Lot 1, Block 1, Rockwall-Pine Addition being a 3.642-acre portion of a larger 14.07-acre tract of land identified as Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 920 E. IH-30, located southwest of the intersection of Kyle Drive and the E. IH-30 frontage road and take any action necessary.

4. P2016-015

Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of JBR-2, LLC for the approval of a final plat for Lots 1 & 2, Block A, JBR2 Addition being a 7.329-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated west of the intersection of SH-205 and FM-549, and take any action necessary.

5. P2016-017

Discuss and consider a request by Robert R. Varner, Jr. of Townsend Professional Centre, LLC for the approval of a replat creating Lots 9, 10, & 11, Block A, Municipal Industrial Park Addition, being a 2.60-acre parcel of land currently identified as Lot 8, Block A, Municipal Industrial Park Addition (2.29-acres) and Lot 1, Block A, Corrigan Law Office Addition (0.31-acres), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated west of the intersection of SH-205 and FM-549, and take any action necessary.

**Chairman Renfro made a motion to pass the consent agenda. Commissioner McCutcheon seconded the motion which passed by a vote of 6-0, with Commissioner Fishman absent.**

**III. APPOINTMENTS**

6. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

64 ARB representative came forward and gave brief explanation of recommendation pertaining to  
65 the items on the agenda that required architectural review.

66  
67 No discussion took place concerning this item.  
68  
69

70 IV. DISCUSSION ITEMS  
71

72 7. Z2016-012  
73

74 Hold a public hearing to discuss and consider a request by Jim Evans of CEI Engineering Associates,  
75 inc. on behalf of Bob Hubbard of EZ Mart Stores, Inc. for the approval of a Specific Use Permit (SUP) to  
76 allow a retail store with more than two (2) gasoline dispensers on a 0.918-acre parcel of land identified  
77 as Lot 1, Block A, Mr. M Addition, City of Rockwall, Rockwall County, Texas, zoned Planned  
78 Development District 9 (PD-9) for General Retail (GR) District land uses, and take any action necessary.

79 Planner, Korey Brooks stated applicant was present and available for questions.  
80

81 Jeremy Eve  
82 3030 LBJ Ste 100  
83 Dallas, TX  
84

85 Mr. Eve came forward and stated he is a consultant for Kroger on the project to demolish the  
86 existing EZ Mart gas station to build an 806 square foot building gas station with 8 dispensers  
87 and a canopy and will have 13 parking spaces. Additionally it will have a dumpster enclosure.  
88 They will keep the existing entrances. Received comments from staff and are prepared to  
89 address them without a problem.  
90

91 Chairman Renfro asked for questions for applicant from the Commission.  
92

93 Commissioner Trowbridge asked if number of pumps was 8 and of parking spaces were 13.  
94 Applicant stated that was correct.  
95

96 Chairman Renfro asked if the gas pumps would be shielded from the store. Applicant stated that  
97 was correct.  
98

99 Chairman Renfro asked if there would be a store or a booth as in the existing Kroger has  
100 already. Applicant stated it will be a convenient store.  
101

102 There being no further questions Chairman Renfro indicated the case will return to the  
103 Commission for action at the next scheduled meeting.  
104

105  
106 8. Z2016-013  
107

108 Hold a public hearing to discuss and consider a request by Garrett Lust of Pointe Land & Development,  
109 LLC on behalf of Marvin Wu of West Union Investment, Co. for the approval of a zoning change from  
110 an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land  
111 uses on a 81.49-acre parcel of land identified as Tract 16 of the J. A. Ramsey Survey, Abstract No. 186,  
112 City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on Rochell Road  
113 south of the intersection of Rochell Road the SH-276, and take any action necessary.

114 Senior Planner, David Gonzales stated applicant was present and available for questions.  
115

116 Jason White  
117 (No address given)  
118  
119

120 Mr. White came forward and stated he was one of the engineers with Jones and Carter  
121 representing the applicant. Mr. White gave brief explanation of request feels request for zoning  
122 change will fit with existing surrounding residential subdivisions. He spoke concerning  
123 amenities and park area. They have received comments from staff and are prepared to address  
124 those.  
125

Commissioner Trowbridge asked how many acres and density. Mr. White stated the total is 81.5 acres and 224 residential lots total open space would be 22.3 percent.

Garrett Lust  
(No address given)

Mr. Lust came forward and added they are staying with 2.5 units max density although ordinance states it to be 2.0 clauses within that allow for that and due to the proposal of the park feels it is acceptable to request that change.

Commissioner Trowbridge asked what density was in PD 69 which surrounds the area Mr. Gonzales stated he would provide that information at the next meeting.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

9. Z2016-014

Hold a public hearing to discuss and consider a request by Noah Flabiano of the Skoburg Company on behalf of the owner Lakeside Church of Christ of Rockwall for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and located on the north side of Airport Road, west of the intersection of Airport Road and FM3549, and take any action necessary.

Noah Fabiano  
8214 Westchester Suite 710  
Dallas, TX

Mr. Fabiano came forward and gave brief explanation of request discussing concept plan, development standards and an overall representation of the product.

Chairman Renfro asked for questions for applicant from Commission.

Commissioner Lyons had concerned of loss of sidewalks and narrower streets by doing open swales.

There being no questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

10. Z2016-015

Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (*R. & R. Hance Investments, LP*) for the approval of a zoning amendment to Planned Development District 79 (PD-79) [*Ordinance No. 16-07*] for the purpose of amending the concept plan and incorporating 11.121-acres of land into the existing 44.292-acre development creating a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

Planning Director, Ryan Miler, stated there is currently an annexation going forward and it will be going to City Council for a 2<sup>nd</sup> reading before it goes forward to the Public Hearing therefor staff felt comfortable bringing it forward. Also stated Mr. Atkins was present and available for questions.

Pat Atkins  
3076 Hays Ln.  
Rockwall, TX



Mr. Atkins came forward and stated the annexation has taken time and the process of completion of the final 11 acres completes the masterplan and addresses the open space concern and density is now addressed. Mr. Atkins added he has received staffs comments and will address them.

Mr. Miller added that when it came thru the first time and the original PD was approved at that time the Commissioner's concern was with the open space being only 17percent, now with this addition it is at 20 percent or in excess of that, this is an amendment to the current PD79. Mr. Miller added that currently the garage offset standard is 20 feet from the front façade, but the applicant is requesting for it to be 5 feet but it will meet the same standards that were approved in the Summerset Parks Subdivision he will have the ability to encroach into the front with the porches and sunroom which will provide that buried setback in the front.

There being no questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

Chairman Renfro stated items 11 and 12 on the agenda would be moved to the end of the agenda.

11. Z2016-016

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Section 4, *Southside Residential Neighborhood Overlay (SRO) District*, of Article V, *District Development Standards*, of the Unified Development Code, and take any action necessary.

Planning Director, Ryan Miller, recently did a text amendment to PD75, which is the Lake Rockwall Estate Subdivision, to take out a clause that allowed Council to approve land use without a zoning process. There are two places where that exact language exists; the other is in the Southside Residential Neighborhood District. Council has directed staff to amend that ordinance and take that language out, and also in addition, under the current ordinance any application for a special request must first be brought to the City Council to initiate the request, then to the Planning and Zoning Commission for a recommendation, and finally returning to the City Council for action. Typically, these requests would be taken directly to the Planning and Zoning Commission for recommendation prior to being brought before the City Council. That has since been corrected and staff can now intake an application and bring it directly to the Planning and Zoning Commission for a recommendation and then to City Council. It is a discussion and the ordinance will be brought at the next meeting.

Commissioner Trowbridge asked for clarification of what the intent was when first it was first drafted and the striking of certain language. Mr. Miller stated with both Lake Rockwall Estates and the Southside Residential Overlay Districts the idea was that this being the older parts of town, these lots are already established and the idea was to provide flexibility with the understanding that older ordinances intended to regulate this area as we move forward and standards and product that people are putting in change we need to accommodate these areas and some of the existing lots due to the size would need to be accommodated to.

No further discussion took place concerning this agenda item.

12. Z2016-017

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Section 1, *Land Use Schedule*, and Section 2.1.8, *Auto and Marine-Related Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code for the purpose of changing the requirements for *Used Motor Vehicle Dealerships*, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation requested that City Council to allow thru a SUP for the allowance of Used Motor Vehicle Dealerships.

The majority of the cities

Planning Director, Ryan Miller, stated that on the City Council meeting that took place on March 21, 2016 a perspective applicant came forward and requested that City Council look into changing the current use chart to allow used motor vehicle dealerships in a Light Industrial District thru a Specific Use Permit. The way the ordinance is currently set up used car

dealerships are only allowed as an ancillary or accessory use to new auto dealerships, with the thinking that this will provide some controls going forward and it will also provide a certain type of product.

Mr. Miller further stated that City Council did direct staff to look into how other cities approach this use and potentially amending the code to allow used car dealerships in the Light Industrial Districts. In order to achieve this, staff first did comparable cities analysis and looked at their code. What was found is that the majority of the cities that allow the use do so thru a Specific Use Permit, Rockwall currently has the most restrictive ordinance with the exception of Rowlett. After the comparable cities analysis was completed, staff also did a locational analysis for Rockwall's existing Auto Motor facilities, and what was found is that the all of these facilities, with the exception of two non-conforming one that exist in the downtown area, are situated along the IH30 corridor and based on that information staff also put together a fiscal impact analysis.

Mr. Miller went on to state that in 2007 a change was made to the way the City allows New Car Dealerships in the certain Districts that allows them the code was amended to require a Specific Use Permit, whereas before they were allowed by right in the Light Industrial District for the prevention of concentration of these dealerships along the IH30 corridor and also because there was an abundance of Light Industrial Land remaining in that corridor in the undeveloped areas. An ordinance was prepared, essentially it would not accommodate what the applicant is requesting, it would allow for the use in the Light Industrial with an SUP but it would prevent it to go into the Overlay Districts which is similar to what the City of Frisco did with their ordinance.

Mr. Miller added that even though staff was directed to look into this, the Commission may chose to leave the current ordinance in place and that recommendation can be given to the Council or a different recommendation can be given by the Commission with the information staff provided. Mr. Miller added this was brought to the work session for discussion before it goes to public hearing and to City Council and is available for any question.

Chairman Renfro commented on not being in favor of inviting used dealerships aside from the ones that are currently in place, other than those that are indoor such as one that came in not long ago. Mr. Miller added that used vehicle sales are currently allowed but they have to be internal to the building and cannot have any outside.

Commissioner Trowbridge asked if of the nine dealerships along the IH30 corridor any of those came in after the change requiring the SUP. Mr. Miller stated that three of those came in after the change was put in place.

Commissioner Whitley asked if this request was passed would it affect the existing used car dealerships that are in the downtown area. Mr. Miller stated it would not, as they are considered legally non-conforming.

Commissioner Lyons asked if this is passed, would it allow used car dealerships to go in anywhere in the Light Industrial District with the Specific Use Permit. Mr. Miller stated it would prohibit it within the Overlay Districts.

Commissioner Trowbridge asked where is the perspective applicant asking to come in with the used car dealership. Mr. Miller stated he would defer to the Public Hearing where the applicant will probably make a presentation. Mr. Miller added it is not site specific what is being proposed is regulating a use for the entire City.

No further discussion took place concerning this agenda item.

13. P2016-016

Discuss and consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of the owner Robert John Crowell of Crowell Development Corporation for the approval of a final plat for Wanda Ridge Estates, Phase 2 containing 45 single-family residential lots on 79.7111-acres identified as Tract 17-3 (4.679-acres), Tract 19 (61.658-acres), and Tract 42-01 (13.374-acres) of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, situated in the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located north of the intersection of Wanda Lane and FM-548, and take any action necessary.

314 Senior Planner, David Gonzales, gave brief description of request, stating it is being brought  
315 before the Commission because it is in the ETJ there have been a few things that have been  
316 highlighted as far as comments in the staff report, have met with the surveyor who will bring  
317 back those comments and make the needed changes then it will go to the county judge for his  
318 signature.  
319

320 There being no questions Chairman Renfro indicated the case will return to the Commission for  
321 action at the next scheduled meeting.  
322  
323

324 14. SP2016-006

325 Discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of Michael  
326 James of U. V. Real Estate, LP for the approval of a site plan for an *Auto Body Shop (i.e. Service King*  
327 *Collision Repair)* on a 3.2039-acre tract of land described as Tract 7-01 of the J. Lockhart Survey,  
328 Abstract No. 134, City of Rockwall, Rockwall County, Texas, located at 1780 E IH-30, zoned Light  
329 Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action  
330 necessary.  
331

332 Planning Director, Ryan Miller, stated this came before the Commission as an SUP a few  
333 meetings ago and did receive it for outside storage now they are moving forward with the site  
334 plan phase and added that the applicant was present and available for questions.  
335

336 Jeff Carroll  
337 750 IH30  
338 Rockwall, TX  
339

340 Mr. Carroll came forward and stated after meeting with ARB this evening and they had one  
341 comment to add a mansard roof and flipping it to the front to tie into the canopy but that will be  
342 Service Kings decision if that can be done. Mr. Carroll added that Service King has reduced the  
343 building size 5,000 square feet from the site plan approval process due to the cost of the  
344 retaining wall.  
345

346 Chairman Renfro asked if it had canopies. Mr. Carroll stated there is one located in the front that  
347 serves as a drive thru for pickup.  
348

349 Commissioner Trowbridge asked concerning the cost of the retaining wall and losing the square  
350 footage. Mr. Carroll stated it was a decision Service King took to reduce it.  
351

352 There being no further questions Chairman Renfro indicated the case will return to the  
353 Commission for action at the next scheduled meeting.  
354  
355

356 15. SP2016-007

357 Discuss and consider a request by Bryan M. Burger, PE of Burger Engineering, LLC on behalf of the  
358 owner Don Silverman of Rockwall 205-552, LLC for the approval of site plan for a grocery store (*i.e. Aldi*  
359 *Food Store)* on a 1.972-acre portion of a larger 9.183-acre tract of land identified as Tract 4-1 of the T.  
360 R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned General Retail  
361 (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest  
362 corner of the intersection of SH-205 [*N. Goliad Street*] and FM-552, and take any action necessary.  
363

364 Senior Planner, David Gonzales advised the Commission the applicant was present and  
365 available for questions.  
366

367 Brian Burger  
368 17103 Preston Road  
369 Dallas, TX  
370

371 Mr. Burger came forward and gave brief explanation of request and stated staff has given their  
372 recommendations and have those have been addressed.  
373

374 There being no questions Chairman Renfro indicated the case will return to the Commission for  
375 action at the next scheduled meeting.  
376

377 16. SP2016-008

378 Discuss and consider a request by Vincent Jarrard of Eurthmic Design Group Architects on behalf of the  
379 owner Cameron Bagley of Racetrac Petroleum, Inc. for the approval of site plan for a *car wash/auto*  
380 *detail* facility (i.e. *Carmel Carwash*) on a 1.3-acre tract of land identified as Lot 1, Block 1, Crossings  
381 Addition (i.e. 1.004-acres) and a 0.296-acre portion of Lot 1, Block 1, Rockwall Business Park Addition,  
382 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205  
383 Overlay (SH-205 OV) District, addressed as 2003 S. Goliad Street, and take any action necessary.  
384

385 Planner, Korey Brooks advised the Commission the applicant was present and available for  
386 questions.  
387

388 Benson Gerard  
389 11700 Preston Road  
390 Dallas, TX  
391

392 Mr. Gerard came forward and gave brief explanation of request stating it is for an express car  
393 wash. The owner has several units in Dallas and runs a very good operation the incorporate a lot  
394 of landscaping. It will be 22 percent on the proposed site. They have gone through staff's  
395 comments as well as the ARB comments and address those.  
396

397 Commissioner Logan asked if there is no median opening. Mr. Gerard stated they are eliminating  
398 one of the curb cuts and make the existing one on the right side wider.  
399

400 Commissioner Trowbridge what the setback was. Mr. Gerard stated it is a fifty foot setback for  
401 their use. Commissioner Trowbridge asked if the exit will be in the rear and go out through the  
402 front and will the vacuums be on the right side facing the Veterinary office. Mr. Gerard stated  
403 that was correct.  
404

405 Commissioner McCutcheon if there are any stipulations on the facing of the bays. Mr. Brooks  
406 stated the applicant is requesting a variance that will allow the bays to face SH205.  
407

408 Mr. Miller added that they will propose a cultured stone and will bring a sample of that at the next  
409 ARB meeting and they will get a recommendation from the Board, but the Commission is the  
410 approving body for cultured stone.  
411

412 There being no further questions Chairman Renfro indicated the case will return to the  
413 Commission for action at the next scheduled meeting.  
414

415  
416 17. SP2016-009

417 Discuss and consider a request by Eric Morff of Cole on behalf of the owner 2804 Ridge, LLC for the  
418 approval of site plan for a *restaurant with drive-through* (i.e. *Panera Bread*) on a 0.93-acre parcel of  
419 land identified as Lot 2 of the Road Runner Addition, City of Rockwall, Rockwall County, Texas, zoned  
420 Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV)  
421 Districts, addressed as 2804 S. Goliad Street, and take any action necessary.  
422

423 Senior Planner, David Gonzales, advised the Commission the applicant was present and  
424 available for any questions.  
425

426 Justin Kanoker  
427 3630 Gyer Road  
428 St. Louis, MO  
429

430 Applicant came forward and gave brief explanation of request stating it is approximately a one  
431 acre parcel and will be putting a 4300 square foot building with eleven car stacked drive thru  
432 with 52 proposed parking spots. The hours of operation will be 7 days a week 6am to 9pm. It will  
433 have approximately 100 seats inside for dining and 20 seats in the outside patio.  
434

435 Commissioner Trowbridge asked concerning color renderings if the store would be similar to  
436 existing stores. Applicant provided picture that showed color of product and full masonry and  
437 brick behind the Panera Bread signs and will provide full perspective renderings in the next  
438 meeting.  
439



Commissioner Logan asked concerning parking layout will the old concrete be salvaged. Applicant stated they will be doing the entire lot concrete but the majority will be replaced.

Applicant stated they have received staff comments and will review and address those.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

18. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).

- ✓ P2016-008: Preliminary Plat for Lots 1-4, Block A, Lakeshore Commons Addition [Approved]
- ✓ Z2016-006: SUP for a Carport at 303 Renfro Drive (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-008: SUP for an Accessory Building at 735 David Drive (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-009: SUP for a Minor Automotive Facility at 2225 Ridge Road (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-010: PD Development Plan for Care Now (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-011: Zoning Change (Commercial to PD for a Multi-Family Apartment Complex) [Withdrawn]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting.

V. ADJOURNMENT

The meeting adjourned at 7:34 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 10 day of May, 2016

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**May 10, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:00 p.m. Present were Commissioners John McCutcheon, Patrick Trowbridge, Johnny Logan, Tracy Logan, Sandra Whitley and Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant Engineer, Amy Williams and Civil Engineer, Jeremy White.

II. CONSENT AGENDA

1. Approval of Minutes for the April 26, 2016 Planning and Zoning Commission meeting.

2. P2016-016

Discuss and consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of the owner Robert John Crowell of Crowell Development Corporation for the approval of a final plat for Wanda Ridge Estates, Phase 2 containing 45 single-family residential lots on 79.7111-acres identified as Tract 17-3 (4.679-acres), Tract 19 (61.658-acres), and Tract 42-01 (13.374-acres) of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, situated in the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located north of the intersection of Wanda Lane and FM-548, and take any action necessary.

Chairman Renfro made motion to approve the consent agenda. Commissioner McCutcheon seconded the motion, which passed by a vote of 7-0.

III. APPOINTMENTS

3. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

ARB representative came forward and gave brief explanation of recommendation pertaining to the items on the agenda that required architectural review those which were discussed at the previous meeting. Changes were addressed by the applicants.

No discussion took place concerning this agenda item.

IV. PUBLIC HEARING ITEMS

4. Z2016-012

Hold a public hearing to discuss and consider a request by Jim Evans of CEI Engineering Associates, inc. on behalf of Bob Hubbard of EZ Mart Stores, Inc. for the approval of a Specific Use Permit (SUP) to allow a retail store with more than two (2) gasoline dispensers on a 0.918-acre parcel of land identified as Lot 1, Block A, Mr. M Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 2901 Ridge Road and take any action necessary.

Planner, Korey Brooks, gave explanation of the request stating that the applicant is requesting the approval of a Specific Use Permit to allow a retail store with more than two gasoline dispensers on a 0.918-acre parcel of land located at the southeast corner of Ridge Road and Horizon Road. This property is currently zoned Planned Development District 9 for General Retail District land uses. According to the Section 1.1, Use of Land and Buildings, of Article IV, Permissible Uses, of the Unified Development Code a retail store with more than two gasoline dispensers requires a Specific Use Permit in a General Retail District.

Mr. Brooks went on to state that as part of the Specific Use Permit submittal the applicant has submitted a conceptual site plan showing that there will be no changes to the traffic pattern adjacent to major streets; however, the applicant will be adding cross access to the properties to the south to facilitate the flow of traffic through the shopping center. Additionally, the current use of the property--a retail store with two gasoline dispensers or a gas station--will not change. Currently there is an existing 2,264 sq. ft. EZ-Mart store with two gasoline dispensers and a canopy located on site. The applicant is proposing to replace the existing store, pumps, tanks, and canopy with an 804 sq. ft. kiosk, eight gasoline dispensers, new tanks, and a new canopy. It should be noted that this Kroger gas station will be located less than 1,000-feet away from an existing Kroger grocery store and gas station. With the exception of the proposed additional gas pumps, the applicant's request conforms to all applicable requirements; however, granting a Specific Use Permit is a discretionary act to the City Council. If approved, the applicant will be required to submit a site plan and replat conforming to all applicable requirements.

Mr. Brooks also added that on April, 26, 2016 staff sent 38 notices to property owners/residents within 500-feet of the subject property. Staff also mailed notices to Lago Vista HOA, which is the only HOA/Neighborhood association that is within 1,500-feet and participation in the notification program. Additionally, staff posted a sign on the subject property and staff has not received any notices returned.

Chairman Renfro asked for questions for staff from Commission.

Commissioner McCutcheon asked if any responses from mailed notices were received. Mr. Brooks stated none were received for or against.

Chairman Renfro asked the applicant to come forth and speak.

Jeremy Lee  
3030 LBJ Freeway  
Dallas, TX

Mr. Lee came forward and stated they have addressed staffs comments and is available for questions.

Chairman Renfro expressed concern with the gap between the store and the parking spaces issue from Ridge to Horizon, asked applicant if there was a possibility to increase the striping to the crosswalk. Applicant stated it was feasible to add the additional striping to the cross walk to eight feet.

Commissioner Lyons asked if there are any other grocery stores that also have two separate fuel stations so close together. Applicant stated Kroger does, they are currently thriving and it works to add another one. Commissioner Lyons also asked how many pumps are existing and how many are being requested. Mr. Brooks clarified that currently there are two pumps and they are requesting eight.

Commissioner McCutcheon asked

Chairman Renfro opened the public hearing and asked anyone who wished to come forward and speak to do so. There being no one indicating such, Chairman Renfro closed the public hearing.

Commissioner Trowbridge made motion to approve the item with staff recommendations. Commissioner Lyons seconded the motion. Chairman Renfro asked to amend the motion to include to the increase cross walk striping. Both Commissioner Trowbridge and Commissioner Lyons accepted the amendment. The motion passed by a vote of 7-0.

##### 5. Z2016-013

Hold a public hearing to discuss and consider a request by Garrett Lust of Pointe Land & Development, LLC on behalf of Marven Wu of West Union Investment, Co. for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 81.49-acre parcel of land identified as Tract 16 of the J. A. Ramsey Survey, Abstract No. 186,



City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on Rochell Road south of the intersection of Rochell Road the SH-276, and take any action necessary.

Senior Planner, David Gonzales, started by advising the Commission that they have a new staff report due to some changes that were done after consulting with applicant earlier in the day, he went on to give explanation of request stating that, the applicant submitted an application requesting to rezone an 81.49-acre tract of land from an Agricultural District to a Planned Development District for a single-family, residential subdivision that will consist of 204 single-family lots. The subject property, which was annexed into the City on October 4, 2010 by Ordinance No. 10-27, is located south of the intersection of Rochell Road and SH-276, adjacent to Timber Creek Estates Subdivision. The property is currently vacant land that is zoned Agricultural District. According to the concept plan, it is the intent of the development to provide 204 single-family residential lots that are to be a minimum of 8,125 sq. ft. in area. The development will provide an approximately nine acre public park located at the southern portion of the development. In addition, the Concept Plan shows the inclusion of 18.97-acres of net open space, or 23.3% exceeding the minimum 20% requirement. Staff has included these as development requirements within the Planned Development District Ordinance. In addition, the applicant has also indicated that a minimum of a 15-foot landscape buffer will be provided along Rochell Road. A minimum 10-ft landscape buffer along the proposed minor collector street (Street H) is required, with large canopy trees planted along the perimeter of each roadway at 50-ft intervals. However, the applicant is seeking a waiver to this requirement for Street H due to the amenities provided for in the 9-acre public park. The applicant will also include a minimum of a five foot sidewalk that will be constructed within the rights-of-way. The Code does allow for a waiver through a recommendation from the Planning and Zoning Commission and City Council.

Mr. Gonzales further stated that the Future Land Use Map contained within the Comprehensive Plan designates the subject property as Low Density Residential land uses. According to the Comprehensive Plan, the Low Density Residential designation is generally defined as single family development consisting of less than 2 units per acre; however, a density up to 2.5 units per gross acre may be allowed within a Planned Development district that includes the dedication and/or development of additional amenities that exceed the minimum standards for residential Planned Developments. These amenities may include but not limited to parks and open space, neighborhood amenity centers, development of trails and parks in flood plains, municipal parks and/or recreation facilities. In this case, the applicant is proposing a density of 2.50 units per gross acre and is proposing an approximately nine acre public park incorporating an eight foot concrete hike and bike trail system, a playground area, plaza, picnic area, covered pavilion, and other features as depicted on the Park Concept Plan. This will be the developments primary amenity. Request did go before the Parks Board on May 3, 2016 and based on what the applicant provided, the Park Board did approve with certain stipulations that need to be met in order for the City to accept it as for as maintenance.

Mr. Gonzales went on to explain there are no alleys, and according to the Engineering Department's Standards of Design and Construction Manual, and within the Comp Plan as well an applicant can request to have the alley requirement waived because the will be offer front entry and J-Swing garages. Ninety percent of the product will have front entry garages and ten percent will have the J-swing. But according to the Unified Development Code, Article VI, Section 4 Residential Parking, Sec. 4.1., A, a single-family parking garages must be located at least 20 feet behind the front building facade for front entry garages, but applicant is requesting to have those up to the front façade of the house.

Also, the proposed zoning does appear to conform to the majority of the Comprehensive Plan's policies and guidelines with the exception of the required proximity of residential lots less than 12,000 sq. ft. to a neighborhood oriented park or open space. The Comprehensive Plan's policy requires the lots to be no further than 800-ft from a public park or open space in order to benefit from a property value premium an approximation of no more than 24 lots located in the North West quadrant of the development are not within the 800-ft. minimum distance requirement. With this being said, the proposed Concept Plan is a discretionary decision for the City Council.

Mr. Gonzales added that on April 29, 2016, staff mailed 102 notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Timber Creek and Fontana Ranch Homeowner's Associations (HOA's), which are the only HOA's located



187 within 1,500 feet of the subject property. Additionally, staff posted a sign adjacent to the subject  
188 property along Rochell Road and advertised the public hearings in the Rockwall Harold Banner.  
189 Staff has received one notice not in favor of the request.  
190

191 Mr. Gonzales also noted that with the waivers, those are built into the ordinance not unless  
192 otherwise instructed.  
193

194 Chairman Renfro asked for questions for staff from the Commission.  
195

196 Commissioner Logan asked for clarification of what percentage detention ponds are rated at as  
197 far as open space. Mr. Gonzales stated the detention ponds in this case are not considered  
198 floodplain; therefore they do count for one hundred percent open space. The applicant is  
199 providing twenty three percent open space which is exceeding the necessary twenty percent  
200 requirement. If it were a floodplain it would be counted as half of that as open space.  
201

202 Commissioner Trowbridge asked if detention pond is in the quadrant where the lots are not  
203 meeting the 800 feet to a park or open space requirement. Mr. Gonzales explained using the  
204 shown map where it would be located but added that they may meet the requirement but at this  
205 point it is not known.  
206

207 Commissioner Lyons asked for clarification of what applicant is requesting concerning the front  
208 facing garages if it will be in line with the house. Mr. Gonzales stated that they would be flush to  
209 the front facade of the house.  
210

211 Commissioner Lyons also asked how are adjacent subdivisions set up and are there any current  
212 subdivisions with the front entry look. Mr. Gonzales stated that Timber Creek Estates are  
213 primarily alleys, but those that have front entry are j-swing garages. Concerning other  
214 subdivisions that are set up similar to request, Mr. Gonzales deferred that question to Planning  
215 Director Ryan Miller. Mr. Miller stated that the most recent approval for flush front entry garages  
216 is Discovery Lakes; however there was a percentage that was built into that ordinance that  
217 required a certain number of j-swing to allow the front entry. There are also a couple of other  
218 subdivisions, 2 in PD-10, Townsend Village and Rockwall Downs that have flush front entry  
219 garages but that was the result of a settlement that was done in 2004. Stone Creek also has a  
220 portion also has front entry on their 50 foot lots and that to was tied to a settlement but also on a  
221 50 foot lot it is difficult to do a j-swing drive.  
222

223 Commissioner Lyons also asked if notifications were also sent to the residents of the County  
224 that are nearby. Mr. Gonzales stated it is not a requirement to notify outside the city limits.  
225

226 Commissioner Fishman asked if point of access met the fire code. Mr. Miller stated the fire  
227 department did review the concept plan and it does meet fire requirements it provides two points  
228 of entry.  
229

230 Chairman asked what percentage were 80 foot lots. Mr. Gonzales stated there are 30 making it a  
231 less than 15 percent. Chairman Renfro asked reason for applicant not doing j-swing on all the 80  
232 foot lots. Mr. Gonzales stated that would be better answered by the applicant.  
233

234 Chairman Renfro opened the public hearing and asked the applicant to come forward.  
235

236 Garrett Lust  
237 6860 North Dallas Parkway  
238 Dallas, TX  
239

240 Mr. Lust came forward and gave brief explanation of request, advised the Commission that they  
241 have addressed all of staffs comments as far as feedback. Feels this PD will offer a desirable  
242 community and will be a nice addition that will fit Rockwall. They will be improving the section of  
243 Rochell Road that is adjacent to their property boundary, adding the minor thoroughfare, as well  
244 as bring in the nine and a half district park. Concerning the j-swing garages, the mentality with  
245 that and the percentage of 90 and 10 that is just a minimum percentage, want to establish that at  
246 least 10 percent will be j-swing the desire is to let the homebuyer determine the overall layout  
247 and let the market determine the actual amount of the j-swings. For sizing the 65 foot lots will fit  
248 a j-swing product, try and push for the most front entry possible specifically because home

249 builders and home buyers desire the front entry layout. Concerning the 10 foot buffer being  
250 waved, they feel they are providing a nine and a half acre landscape buffer; the only thing that  
251 would change is having one canopy tree every 50 feet along the road.  
252  
253

254 Chairman Renfro if homebuyer would know to ask for a j-swing garage versus a front entry  
255 garage. Mr. Lust stated it was due to popularity in past communities it was more desirable, more  
256 affordable and more popular to the home buyer since it is a more efficient layout.  
257

258 Commissioner Whitley asked for further detail concerning the improvements that will be done to  
259 Rochell Road. Mr. Lust explained the road is improved to the property line or Timber Creek  
260 Estates, it is half of the major thoroughfare that is set in the thoroughfare plan the plan is to  
261 improve to their property line.  
262

263 Mr. Lust added that concerning the lot mix, it is currently only a concept plan and not set in  
264 stone only wanted to establish the minimum of 80 foot lots.  
265

266 Chairman Renfro stated it is a public hearing and asked anyone who wished to speak to come  
267 forward and do so.  
268

269 Janice Navotny  
270 3581 Rochelle Road  
271 Rockwall, TX  
272

273 Ms. Navotny came forward and stated she lives in the County and her home is across the street  
274 wants to know how big and what value these houses will have. She stated she is in opposition  
275 of request, does not like front entry because that causes more cars parking on the street and  
276 feels that this request is a bad fit for this area. She would like the road be built before the homes  
277 are built.

278 Mr. Gonzales advised Ms. Navotny that it would be required for the road to be built before homes  
279 are built.  
280

281 Phillip Nott  
282 3855 Chestnut Trail  
283 Rockwall, TX  
284

285 Mr. Nott came forward in opposition of request. Has concern of whether or not there will there be  
286 a traffic light at Rochelle and 276 and has there been a traffic study done because by adding that  
287 development it is going to add to the already heavy traffic on 276. Mr. Nott also had question  
288 concerning the buffer zone.  
289

290 Mr. Miller stated a stop light has been requested at Rochelle and 276, and that is handled thru TX  
291 Dot, they require warrant studies and they are in the process of doing that and will get back to  
292 the City. In terms of the buffer zone it is the notification area for the case all properties are  
293 notified within the city limit that are within 500 feet from the subject property.  
294

295 Chairman Renfro asked if there was anyone else who wished to speak, there being no one  
296 indicating such Chairman Renfro closed the public hearing and asked the applicant to come for  
297 rebuttal.  
298  
299

300 Mr. Lust came forward and stated concerning what the size of homes, they are not locked in  
301 home size at this time but stated it will a substantial home, they anticipate all will be two story  
302 and will have \$350-450k estimated price range.  
303

304 Mr. Gonzales added that according to the ordinance the minimum standard for the smaller lots  
305 the 65x125 is 1400 square feet and for the bigger lot the minimum standard is 1800 square feet.  
306

307 Mr. Lust added that they anticipate all the homes will be larger than the minimum.  
308  
309

Chairman Renfro expressed concern for the front entry garage, having that all along a street with no setback, it loses the vertical articulation asked if the applicant would be willing to increase the percentage of j-swings. Mr. Lust stated they are willing and open to what the City suggests as far as increasing the percentage.

Neil Heckle  
(No address given)

Mr. Heckle came forward and stated he is the owner of Point Land Development. He stated they are willing to go to 20-25 percent, but they need flexibility for builders.

Commissioner Whitley stated she understood applicant that is looking for most liberal for builders but the Commission has an obligation to the community, concerned with what guarantee product being proposed won't be the minimum when it comes in. Mr. Heckle stated a possible solution would be to work on a layered effect; to say that a certain percentage minimal is 1400 but no more than a certain percentage can be below 1600 to try and give the City some assurance. Something of the sort can be worked out and discussed.

Mr. Miller stated applicant is offering a layered effect and it may be opportune to table the item and bring it back with those solutions that are an option the Commission can consider.

Chairman Renfro added he is in agreement with that option as the applicant is willing to work with the City.

Chairman Renfro made a motion to continue the Public Hearing for the next Planning and Zoning that will take place May 31, 2016. Commissioner Lyons seconded the motion, which passed by a vote of 7-0.

6. Z2016-014

Hold a public hearing to discuss and consider a request by Noah Flabiano of the Skorburg Company on behalf of the owner Lakeside Church of Christ of Rockwall for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land uses on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and located on the north side of Airport Road, west of the intersection of Airport Road and FM3549, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation the application, stating that the applicant is requesting to rezone a 29.541-acre tract of land from an Agricultural District to a Planned Development District for a single-family, residential subdivision that will consist of 45 single-family residential lots. Mr. Miller advised the Commission that the case memo before them shows 42 lots but there was some last minute changes to the concept plan. The property which was annexed into the City on March 16, 1998 and is located on the north side of Airport Road, west of the intersection of Airport Road and FM-3549. Directly north is the Rolling Meadows subdivision which consists of 18 homes on about 80 acres and is zoned Single Family-4.0 meaning they have a minimum of four acre lots. Directly south of the property is Airport Road and three agricultural parcels of land with one single family residence. Directly west of the subject property is the Amity and Indian subdivisions which contain 22 and 20 single family homes and are zoned Single Family 10 District. Directly east of the subject property is Lakeside Church of Christ of Rockwall, which is situated on a 16.0 acre parcel of land. Additionally, there are several residential properties on various tracts of land.

Along with the application, the applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows the layout of the subdivision, which will have two access points off Airport Road. In addition, the development will stub out access to the church property to the east for a possible future connection point to FM-3549. According to the concept plan, the development will consist of 45, 80' x 100' lots, and have a gross residential density of 1.2 units per acre. The subdivision will incorporate greater than 20 percent, approximately seven and a half acres, open space that will be situated in the center of the development.

Mr. Miller went on to add that the applicant is proposing to utilize a rural street cross section that will have a 50-foot right-of-way and be composed of 28-feet of pavement leading into an eleven foot bar ditch/drainage area with a 3:1 minimum slope, followed by a 7½-foot utility easement adjacent to the right-of-way. This is the same street cross section that was incorporated in the Breezy Hill Subdivision. In addition, the applicant has consented to the same 40-foot front yard building setback that was approved for the Breezy Hill Subdivision. It should also be noted that the proposed zoning ordinance incorporates similar anti-monotony standards that were used in Stone Creek and the Breezy Hill subdivision.

Mr. Miller further stated that as with other cases that have come before the Commission with residential lots since 2008, the applicant is requesting a waiver to the alley requirement, which is pretty typical. That is the only deviation from the standard PD language.

Also, looking at conformance at the Comprehensive plan, the Future Land Use map designates the subject property as being designated for Low Density Residential which is typically designated as two units per acre however there is a density bonus if the applicant provides increased amenity up to two and a half units per acre. In this case they are far below the two units per acre they are at 1.52 units therefore the property is in conformance with the future land use plan. In addition, Resolution No. 07-03 -- approved on January 16, 2016 and codified into the City's Comprehensive Plan as Exhibit 'A' -- outlines the City's residential development policies. The proposed concept plan and development standards submitted by the applicant are generally in conformance with these policies and the greater policies of the Comprehensive Plan. With this being said, the Comprehensive Plan does state that "(w)here residential uses in a Planned Development abut an existing development, the PD lots should be at least the same size as the existing lots or be buffered by open space, trails, walkways, natural screening or a roadway." As a result, staff did recommend to the applicant that they increase the size of the lots adjacent to the Rolling Meadows Estates, which is a Single Family Estates 4.0 District consisting of lots that are a minimum of four acres in size. As an alternative, staff also suggested that a minimum of a ten foot landscape buffer with trees 20-feet on center could be provided adjacent to this area to meet the Comprehensive Plan requirements. At this time, the applicant has not incorporated staff's recommendations.

Mr. Miller added that on April 29, 2016, staff mailed 72 notices to property owners and residents within 500-feet of the subject property and also emailed notices to the Rolling Meadow Estates Homeowner's Associations, which is the only HOA located within 1,500 feet of the subject property. Additionally, staff posted a sign along Airport Road, and advertised the public hearings in the Rockwall Harold Banner. Staff received three responses in favor of the request and four responses against the request.

Chairman Renfro asked for questions for staff from the Commission.

Chairman Renfro opened the public hearing and asked applicant to come forward.

Noah Fabiano  
8214 Westchester suite 710  
Dallas, TX

Mr. Fabiano came forward and stated that although all are familiar with their developments which include Breezy Hill and Stone Creek he would be providing a brief slide show presentation of the request that provided detail of concept plan, development standards and overall how they will be meeting the future land use requirement as well as lot sizes, amenities and such.

Mr. Fabiano added concerning being out of conformance with the screening there is currently red cedars in place and they will be adding more along the existing property line to provide the screening needed.

Chairman Renfro asked if Windsor would be the only builder they will be using. Mr. Fabiano stated Windsor is going to be one they will use but they may use another, does not want to tie down saying it will only be Windsor because they may use others, it is unclear at this time what other builder they may use but it will be quality builders.



Adam Buzcek  
8214 Westchester suite 710  
Dallas, TX

Mr. Buzcek came forward and stated Windsor will be a builder there may or may not be another builder that is compatible with Windsor quality.

Chairman Renfro asked if Skorgburg oversee the other builders. Mr. Buzcek stated they do.

Commissioner Lyons asked how much 25 percent is for retention for drainage. Mr. Fabiano stated they cannot drain into the pond, but that will be addressed at the platting stages.

Mr. Miller added they will be required to provide detention.

Chairman Renfro opened up the public hearing and asked anyone who wished to speak to come forward and do so.

Gary Evans  
2585 Rolling Meadows  
Rockwall, TX

Mr. Evans came forward and stated his opposition to the request. Stated developer came to his home earlier in the week with a concept plan showing 42 homes and is upset to find out now they are proposing 45 homes. He has lived in Rockwall 20 years and feels that although he isn't against the property being developed, this builder is not the right fit. Feels his property value will suffer because of it and is asking the Commission to vote against it.

Donna Orr  
2625 Rolling Meadows  
Rockwall, TX

Ms. Orr stated she agrees with everything Mr. Evans stated. She has been at her home for 17 years. She thinks if they have five lots instead of nine they would not lose a lot of money. Ms. Orr also stated she is concerned with the screening as far as maintenance wants there to be a provision for maintenance. Also there is a property line discrepancy between the church's property and hers, and is asking item to be tabled until that is clarified. In the comprehensive plan there is a box that shows that low density is less than two units per acre, not two units per gross acreage and although credit is given for having green areas, but lots behind her house is barely one third of an acre. Ms. Orr went on to say she does not trust this developer and is asking the Commission to vote against it.

Stella Bennett  
2705 Rolling Meadows  
Rockwall, TX

Ms. Bennett came forward and stated she is in agreement with neighbor comments and is in opposition to the request asking Commission to vote against it.

Dwight Walker  
1832 E. FM 552  
Rockwall, TX

Mr. Walker came forward and stated he is one of ten elders of the church as well as several others in attendance that own the property and would like to see it sell. He is asking for approval to continue to work with his fellowship and other projects of help that they are involved that help the community.

Chairman Renfro closed the public hearing and asked the applicant to come forward for rebuttal.

Mr. Buzcek came forward and stated there was a mistake in the concept plan that was given to the residents that showed 42 lots it was not supposed to be passed out, the additional 3 lots with the screening they will add will not be seen. They need the 45 lots for the project to be financially feasible. As for the screening maintaining, it will be allotted to be taken care of by the HOA. Concerning asking for SF-10 instead of SF-16 they need the setback flexibility provided by the SF-10.

Commissioner McCutcheon asked about the boundary dispute one of the residents brought up. Mr. Miller stated that boundary line disputes would be a civil issue and any action taken would not affect that.

Commissioner Fishman asked if they will be providing any amenities. Mr. Buzcek stated it will be a natural open space are not planning to provide any type of trail or such.

Commissioner Whitley expressed concern as to what appearance the homes would have. She expressed concern with the amount of neighborhoods that are looking too similar, would like to see more thought given to the appearance to have more character to have more unique look. Mr. Buzek stated as of now they are committing to this PD to be modeled after Breezy Hill and Stone Creek it has been a very successful master plan, if they do bring in another builder it will be one that is compatible with their current product. They have a new series that is what they are showing and has been very popular.

Commissioner Logan asked if there was swale drainage directed to front of the property is there a city storm drain that ties into or does it come off the back of the property. Mr. Buzek the drainage will have to satisfy the City's engineering department there will be no flow change or concentration. There is not an existing system currently.

Chairman Renfro expressed concern with the minimum requirement to be 1800 square feet, for this type of subdivision the one story lots that they are proposing, asked if there is a way to tighten that up were there could be some control. Mr. Miller stated it is up to the applicant to define that when the turn in their request. In this case the Single Family 10 requires a minimum of 1800 but the applicant may increase it to fit their product, but that is up to the applicant.

Chairman Renfro asked Mr. Buzcek what the price point of the homes would be. Mr. Buzcek stated the price point would be \$350-450.

Commissioner McCutcheon made a motion to approve the request with staff recommendations. Commissioner Logan seconded the motion which passed by a vote of 7-0.

A break was called at 7:55. Meeting was reconvened at 8:05

#### 7. Z2016-015

Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (*R. & R. Hance Investments, LP*) for the approval of a zoning amendment to Planned Development District 79 (PD-79) [*Ordinance No. 16-07*] for the purpose of amending the concept plan and incorporating 11.121-acres of land into the existing 44.292-acre development creating a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

Planning Director, Ryan Miller, gave explanation of request stating On January 4, 2016, the City Council approved Planned Development District 79, which rezoned the 45.292-acre subject property from an Agricultural District to a Planned Development District for a single-family, residential subdivision that consisted of 113 single-family lots. As part of this case, the applicant indicated that an additional 11.121-acre tract of land situated in the City's Extraterritorial Jurisdiction would be incorporated into the subdivision after the property had been annexed. On May 16, 2016, the City Council is scheduled to approve the voluntary annexation of the 11.121-acre tract of land, which will be designated as an Agricultural District upon annexation. In accordance with the original intent of the request, the applicant has submitted an application requesting to amend Planned Development District 79 to incorporate

the newly annexed land into the subdivision. This will increase the number of lots in the subdivision from 113 to 138. Along with the application, the applicant has submitted a revised concept plan showing the layout of the additional 25 single-family lots. All 138 lots will be a minimum of 70' x 125'. The development will maintain the 2.49 units/acre approved with the original PD ordinance. In addition, the applicant will be increasing the percentage of open space from 17% to 22.63%, and will be incorporating an amenities center and community garden area.

Mr. Miller further stated that as part of the PD amendment, the applicant is requesting to change the garage orientation to allow a minimum of a five foot offset between the front façade of the primary structure and the garage. Currently, the UDC requires a minimum of a 20-foot offset between the front façade of the primary structure and the garage. It should be noted that this same request was approved in the Somerset Park Subdivision, and that the approved/proposed PD ordinance incorporates many of the same components as Planned Development District 63. Specifically, with regard to the permitted encroachment into the front yard building setback, which is intended to provide variation and articulation in the front façade of the proposed houses.

Also, the proposed zoning change does not change the proposed land use of the property and the applicant's request remains in conformance to the *Low Density Residential* land use designation indicated on the Future Land Use Map of the Comprehensive Plan. Moreover, according to the Comprehensive Plan, Low Density Residential areas are generally defined as less than two units per acre; however, a density up to two-and-one-half units per gross acre may be allowed within a residential Planned Development District. The Unified Development Code expands this statement by stating that additional amenities such as parks, open space, amenity centers, schools, trails that exceed the minimum requirements would qualify a development for a density bonus of up to two-and-one-half units per acre. In this case, the applicant has provided additional open space and single loaded many the lots so that a good portion of properties will face on to an open space. Taking this into consideration and that the applicant's revised concept plan does not change the density from 2.49 units/acre, and increases the open space and amenity in the area; brings the request further into conformance with the Comprehensive Plan.

Mr. Miller further stated that on April 29, 2016, staff mailed three notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Stoney Hollow and Stone Creek Homeowner's Associations, which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign along John King Boulevard, and advertised the public hearings in the Rockwall Harold Banner. No responses were received by staff.

Chairman Renfro opened the public hearing asked the applicant to come forward.

Pat Atkins  
3776 Hays Lane  
Rockwall, TX

Mr. Atkins came forward and stated they have been working with two builders that have committed with letters of intent that would be Highland Homes and Guian and he has been working closely with them on the orientation of the garages. The plan that they propose is a mix of the two car swing low garage, three car garages and two car front facing garage. With the front facing garage Mr. Atkins asked to have the setback requirement waived.

Mr. Miller clarified with Mr. Atkins that his request is to have flushed front facing garages with a commitment of having 50% j-swing and if approved it will have to be made as part of the motion.

Chairman Renfro asked why the change now. Mr. Atkins stated now that they are in the commitment with the builders and they would like the flexibility, it was decided to make request.

Commissioner Logan why is it difficult for the builder to meet the five foot setback. Mr. Atkins stated it had to do with the slab and framing.

Chairman Renfro asked if anyone wished to speak to come forward to do so. There being no one indicating such Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Trowbridge made motion to approve the item as modified to reflect a minimum of 50% j-swing and not to require the 20 foot setback for the front facing garages. Commissioner McCutcheon seconded the motion, which passed by a vote of 7-0.

8. Z2016-016

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Section 4, *Southside Residential Neighborhood Overlay (SRO) District*, of Article V, *District Development Standards*, of the Unified Development Code, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of item stating On April 4, 2016, the City Council directed staff to initiate a text amendment to Section 4, *Southside Residential Neighborhood Overlay District*, of Article V, *District Development Standards*, of the Unified Development Code for the purpose of removing the City Council's ability to grant land use without a public process. In addition, under the current ordinance any application for a special request must first be brought to the City Council to initiate the request, then to the Planning and Zoning Commission for a recommendation, and finally returning to the City Council for action. Typically, these requests would be taken directly to the Planning and Zoning Commission for recommendation first prior to being brought before the City Council. As was discussed in the Planning and Zoning Commission Work Session on April 26, 2016, staff has also taken this opportunity to update the purpose statement of the overlay district. These changes are target at better clarifying the purpose and intent of the district.

Mr. Miller added that in accordance, with Section 4.2 of Article XI, *Zoning Related Applications*, of the UDC staff is bringing the proposed amendments forward to the Planning and Zoning Commission for a recommendation to the City Council. Attached to this case memo is a copy of the current ordinance and a copy of the proposed amendments to the UDC.

Also staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 6.1 of Article II, *Authority and Administrative Procedures*, of the UDC. This notice was published in the Rockwall Herald Banner on April 29, 2016.

Chairman Renfro asked if anyone wished to speak to come forward to do so. There being no one indicating such Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Trowbridge made a motion to approve the item. Commissioner Fishman seconded the motion, which passed by a vote of 7-0.

9. Z2016-017

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Section 1, *Land Use Schedule*, and Section 2.1.8, *Auto and Marine-Related Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code for the purpose of changing the requirements for *Used Motor Vehicle Dealerships*, and take any action necessary.

Planning Director, Ryan Miller, gave explanation of item stating Planning Director, Ryan Miller, stated that on the City Council meeting that took place on March 21, 2016 a perspective applicant came forward and requested that City Council look into changing the current use chart to allow used motor vehicle dealerships in a Light Industrial District thru a Specific Use Permit. The way the ordinance is currently set up used car dealerships are only allowed as an ancillary or accessory use to new auto dealerships, with the thinking that this will provide some controls going forward and it will also provide a certain type of product. This request was tied to a specific used car dealership.

Mr. Miller further stated that as a result of the request City Council did direct staff to initiate a text amendment with the intent of allowing motor vehicle dealership used thru a specific use permit in a light industrial district. In response to this request staff began the process of drafting an ordinance and ultimately what was decided in the ordinance that allowed the use thru an



SUP, however it was restricted in the Overlay Districts. Staff came to this conclusion after having done several studies one of which was a comparison study with several neighboring cities to see what requirements they had. Staff first did comparable cities analysis and looked at their code. What was found is that the majority of the cities that allow the use do so thru a Specific Use Permit, Rockwall currently has the most restrictive ordinance with the exception of Rowlett. The next study done was a location analysis, and it shows Rockwall currently has 11 car dealerships, 2 legally non-conforming used dealerships and 9 new dealerships that also have used vehicle sales. They all exist within the IH-30 corridor, which averages to 11 percent of the retail within that corridor.

Mr. Miller went on to state that past actions were also looked into specifically in 2007 a change was made to the way the City allows New Car Dealerships in the certain Districts that allows them the code was amended to require a Specific Use Permit, whereas before they were allowed by right in the Light Industrial District for the prevention of concentration of these dealerships along the IH30 corridor and also because there was an abundance of Light Industrial Land remaining in that corridor in the undeveloped areas. An ordinance was prepared, essentially it would not accommodate what the applicant is requesting, it would allow for the use in the Light Industrial with an SUP but it would prevent it to go into the Overlay Districts which is similar to what the City of Frisco did with their ordinance.

Mr. Miller further added that another component that was looked into was the impact on the City sales tax of the specific use and looked into the State tax code which according to section 152.001 of the State of Texas Tax Code a retail sale does not include the purchase of new motor vehicles from a licensed dealer franchised to resell that type of vehicle, used motor vehicles by a licensed dealer for resale purposes, and new motor vehicles by a licensed franchise dealer for a lease contract. This means that the City does not collect sales tax on the sale or lease of any new or used automobile. In addition, staff has performed a basic fiscal impact analysis comparing the assessed values of the existing eight Fenton Nissan is currently under construction new/used motor vehicle facilities against the City's commercial/retail land uses, which is the predominate use in the IH-30 Overlay District. The analysis performed by staff shows that the eight new/used motor vehicle facilities have a total land footprint of 62.387-acres adjacent to IH-30, with a total land value of 2M, a total improvement value of 18M, and a total assessed value 40M. This all equals a total \$196,381.00 of property taxes paid to the City per year. The total property value per square foot for this use breaks down to \$14.89/SF. Performing this same analysis on the City's commercial/retail uses the total property value per square foot breaks down to \$18.96/SF, or a difference of +\$4.07. This number is assumed to be higher if only the commercial/retail land in the IH-30 Corridor is used, because land value in this area tends to be higher than the land value Citywide. In addition, the retail/commercial uses include sales tax, which would further widen this disparity. It should also be pointed out that these are new motor vehicle facilities and not used motor vehicle facilities, which is what the current ordinance is proposing to allow.

Mr. Miller stated the final component that was looked at was researching comparable City's, staff observed highway corridors in several neighboring communities where new motor vehicle dealership sites have transitioned into primarily used motor vehicle dealerships. This is an important observation when considering the long-term vision for the City's primary entry and retail corridor.

Mr. Miller added that it should be noted that staff's proposed ordinance does not accommodate the request made by Echo Park Automotive for the property at 1415 & 1501 E. IH-30, which is located within the IH-30 Overlay District; however, for the reasons stated above and to prevent the proliferation/concentration of automotive uses within the City's overlay districts staff has prepared an ordinance prohibiting the use in many of the City's strategic highway corridors. The Planning and Zoning Commission and City Council retain the discretion to amend or redirect staff should the ordinance not be sufficient to properly regulate the use. The City Council also retains the discretion to refrain from changing the ordinance if they see no public benefit from doing so. Staff has sent out a 15-day notice to the Rockwall Herald Banner and this notice was published in the Rockwall Herald Banner on April 29, 2016.

742 With that being said Mr. Miller advised he was available for questions.  
743

744 Chairman Renfro asked if it is required for used vehicles to be kept indoors. Mr. Miller stated  
745 there is a provision within the ordinance where used automotive sales is allowed but must be  
746 strictly indoors.  
747

748 Chairman Renfro opened the public hearing and asked the applicant to come forward.  
749

750 Maxwell Fisher  
751 900 Jackson Street suite 640  
752 Dallas TX  
753

754 Representative for Echo Park and gave brief explanation of request stating his company has  
755 over 100 dealerships new and used in 13 states with approximately 10,000 employees and LEED  
756 environmentally sensitive buildings. They are owned by Sonic Automotive and are not a  
757 franchise they would be a specialty retail store with modern interiors, high technology. Mr.  
758 Fisher feels that with the industry changing, what the proposed open concept will be successful  
759 in Rockwall.  
760

761 Chairman Renfro noted to applicant slide show presentation was well presented and shows the  
762 product is a good product, but expressed concern with changing the code when it was written  
763 for a reason, feels this type of product is not a revenue maker.  
764

765 Commissioner Trowbridge stated he agreed with Chairman Renfro's comment and feels with  
766 Rockwall being a small county and having little available land left every decision has to be well  
767 thought out. He went on to ask what size typically would be and how much inventory. Mr. Fisher  
768 stated typically 6 acres but it averages on what parcel of land is available and inventory is a  
769 couple of hundred and they also offer to look at inventory online. Commissioner Trowbridge  
770 asked if there would be any mechanical work provided at the facility. Mr. Fisher stated it would  
771 only be minor maintenance.  
772

773 Nell Welborn  
774 810 Lake Meadows  
775 Rockwall, TX  
776

777 Mrs. Welborn came forward and stated she feels City leaders had a vision of what Rockwall  
778 should be and have been successful making Rockwall what it is now and feels this is due to not  
779 saying yes to every request that comes forward. She does not feel this would be beneficial to  
780 Rockwall, is in opposition of request.  
781

782 Chairman Renfro closed the public hearing and brought the item before the Commission for  
783 discussion.  
784

785 Chairman Renfro asked for clarification of what of what overall Commission would be making  
786 motion for. Mr. Miller advised that Commission can accept the draft ordinance staff has  
787 prepared, amend it to make it more restrictive or less restrictive, or leave it the way to leave the  
788 ordinance as is.  
789

790 Commissioner Lyons stated that his viewpoint is that there are enough used car dealerships, but  
791 feels it should be based on individual needs of particular business and on a case by case basis.  
792

793 Commissioner McCutcheon in favor of leaving as is expressed concern of once a dealership  
794 goes out of business the cost of what's left as far as usable space is not cost effective.  
795

796 Chairman Renfro stated he agrees with Commissioner McCutcheon feels it is an overlay district  
797 and there is not much land left and with this type of business that does not produce enough  
798 revenue would be in favor of keeping ordinance as is.  
799

800 Commissioner Whitley asked if no change is made to the existing ordinance could this business  
801 be built somewhere else in Rockwall as long as it is not on IH-30.  
802  
803



Mr. Miller stated if no change is made the only way this business could be built in the City of Rockwall would be if they incorporate new automotive sales.

General discussion took place concerning comparison of other cities that have allowed used car dealerships and how it has affected the look of those cities.

Commissioner Trowbridge made motion to deny the item. Commissioner McCutcheon seconded the motion which passed by a vote of 6-1, with Commissioner Lyons dissenting.

## V. ACTION ITEMS

### 10. SP2016-006

Discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of Michael James of U. V. Real Estate, LP for the approval of a site plan for an *Auto Body Shop (i.e. Service King Collision Repair)* on a 3.2039-acre tract of land described as Tract 7-01 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, located at 1780 E IH-30, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary *[Postponed to the May 31, 2016 Planning and Zoning Work Session Meeting]*.

### 11. SP2016-007

Discuss and consider a request by Bryan M. Burger, PE of Burger Engineering, LLC on behalf of the owner Don Silverman of Rockwall 205-552, LLC for the approval of site plan for a grocery store (*i.e. Aldi Food Store*) on a 1.972-acre portion of a larger 9.183-acre tract of land identified as Tract 4-1 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of SH-205 [N. Goliad Street] and FM-552, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating request is for approval for a site plan for an Aldi Food Store that is located at the corner of N. Goliad and FM 552. The request is for an 18,663 square Aldi facility. It is zoned General Retail and the Goliad retail came before the Commission for this particular tract last month and was approved for a retail facility. The applicant has completed all of staff's recommendations of plan review; however there is one thing that needs to be pointed out, the site plan shows an area for storage of the shopping carts, in the plan review it is listed as a waiver, however after discussion with Mr. Miller it was decided to consider it outside display and therefore the Commission can approve at the site plan level indicating where that will be located.

Mr. Gonzales went on to state concerning the Architectural Review Board at the last meeting did have comments for the applicant and they did come back with the changes that the Board recommended.

Chairman Renfro asked for questions from Commission for staff or applicant. No discussion took place concerning this agenda item.

Commissioner McCutcheon made motion to approve. Commissioner Lyons seconded the motion which passed by a vote of 7-0.

### 12. SP2016-008

Discuss and consider a request by Vincent Jarrard of Eurthmic Design Group Architects on behalf of the owner Cameron Bagley of Racetrac Petroleum, Inc. for the approval of site plan for a *car wash/auto detail facility (i.e. Carmel Carwash)* on a 1.3-acre tract of land identified as Lot 1, Block 1, Crossings Addition (*i.e. 1.004-acres*) and a 0.296-acre portion of Lot 1, Block 1, Rockwall Business Park Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2003 S. Goliad Street, and take any action necessary.

Planner, Korey Brooks, gave explanation of request stating the applicant is requesting approval of a Site Plan for the purpose of constructing a 7,355 sq. ft. Car Wash facility. The 1.3-acre parcel is zoned Commercial District, is within the SH-205 Overlay District, and is located at 2003 N. Goliad Street, just north of the intersection of SH-205 and IH-30. According to the UDC the proposed use which is a car wash facility is a use permitted by right, with certain conditions for front setback and entrance and exits regarding the tunnel orientation, and will not require any

866 additional approvals from the Planning and Zoning Commission. The submitted site plan,  
867 landscape plan, and photometric plan conform to the technical requirements contained within  
868 the Unified Development Code for properties located in a Commercial District and located within  
869 the SH-205 Overlay District. If the applicant platted this property as shown, it would result in the  
870 remaining portion of the lot not having frontage on a public street, which is not permitted in any  
871 district; therefore the applicant will be required to plat the two lots as one lot unless the City  
872 Council approves a variance during the platting process. If additional property is acquired that  
873 can be combined with the back portion of the lot to allow it to have frontage on a public street,  
874 the property can be replatted without the variance requirement.  
875

876 Mr. Brooks further stated that based on what the applicant has submitted staff has identified  
877 some exceptions to the masonry requirements. According to the UDC each exterior wall shall  
878 consist of 90 percent masonry materials, excluding doors and windows, excluding cast stone  
879 and cultured stone, on walls which are visible from a public street or open space, including a  
880 minimum of 20 percent natural or quarried stone. The applicant is requesting to use cultured  
881 stone instead of natural/quarried stone. This will be the first case, and the one that follows,  
882 where an applicant is requesting cultured stone.  
883

884  
885 Mr. Brooks went on to state that since this was the first case that involved a request for this he  
886 would highlight the five standards that have been identified for cultured stone and those are  
887 One, that the manufacturing molds should be made from actual stones and each piece should  
888 complement each other having the right shape, texture, size, and detail of natural stone. Two,  
889 that the overtones of color should be integrated into the stone during the molding process, while  
890 the base color of the stone is blended entirely throughout; three, that highly skilled artisans  
891 should be utilized to hand paint each piece in order to give each stone depth and variation of  
892 color; four, that the use of the highest quality synthetic minerals oxides should be used to infuse  
893 the surface with rich, authentic tones; and five, that the manufactured stone product shall have a  
894 minimum warranty of 75 years. The cultured stone that the applicant is proposing does not meet  
895 the minimum warranty requirement; however, the stone provided by the applicant does carry a  
896 50-year warranty. Additionally, this brand of stone, not the style, has been utilized in other parts  
897 of the city. With the being said, the approval of an exception to use cultures stone is a  
898 discretionary decision for the Planning and Zoning Commission.  
899

900 Mr. Brooks also explained that the applicant is requesting a variance to have the tunnels of the  
901 car wash face SH-205; however, they will be shielded by the point of sale pavilion, and  
902 landscaping will be added to help mitigate for requested variance. ARB has reviewed the  
903 elevations and the site plan for this site and at the last meeting made a recommendation for the  
904 canopies to be fabricated from metal to match the louvers on the main structure; however the  
905 applicant is still requesting to use fabric and after the ARB reviewed a sample of the fabric  
906 today, they did recommend approval of that as well as the use of cultured stone.  
907

908 Chairman Renfro asked what the material was made of. Mr. Brooks passed a sample of the  
909 material that the applicant provided.  
910

911 Chairman Renfro asked the applicant to expand further on the request and material.  
912

913 Vincent Gerard  
914 11700 Preston Road suite 660  
915 Dallas, TX  
916

917 Mr. Gerard came forward and addressed question concerning the material of the fabric provided  
918 cut sheet added that it is flame retardant and does meet all requirements of the International  
919 Building Code and comes with a ten year warranty. They will have piled down the landscape that  
920 shows on their landscape plan to help screen the overhead doors. Mr. Gerard added that the  
921 owner really takes care of the landscaping and produces a really beautiful product.  
922

923 Chairman Renfro brought the item back to Commission and asked for discussion, questions, or  
924 motions.  
925

926 Mr. Miller pointed out that for clarification there needs to be three separate motions, one for the  
927 site plan, one for the variance, and one for the special request.



Commissioner Lyons made a motion to approve the site plan item. Commissioner Trowbridge seconded the motion which passed by a vote of 7-0.

Commissioner Lyons made a motion to approve the variances for the item. Commissioner Trowbridge seconded the motion which passed by a vote of 7-0.

Commissioner Lyons made a motion to approve the item with the special request. Commissioner Trowbridge seconded the motion which passed by a vote of 7-0.

13. SP2016-009

Discuss and consider a request by Eric Morff of Cole on behalf of the owner 2804 Ridge, LLC for the approval of site plan for a *restaurant with drive-through* (i.e. *Panera Bread*) on a 0.93-acre parcel of land identified as Lot 2 of the Road Runner Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 2804 S. Goliad Street, and take any action necessary.

Senior Planner David Gonzales gave brief explanation or request stating Panera Bread is requesting approval of a site plan for a 43,000 square foot facility with a drive-thru which is located at 2804 S. Goliad what used to be the old Valero gas station. The site plan meets the technical requirements for the landscape plan, building elevations, and treescape plan; however currently waiting on photometric plan to clarify some points, and that will be a condition of approval. As far as site plan is concerned there are two variance requests one being as the previous case a special request to use cultured stone and will provide a sample for the Commission to review as well as color renderings.

Mr. Gonzales further stated ARB did approve a recommendation after seeing a color rendering. It does meet the five criteria that Mr. Brooks went over in the previous case. Concerning the vertical articulation and the pitch roof standards those are the two variances that will be required. Any building that is less than 6,000 square feet in an Overlay District requires a pitched roof and although they do show vertical articulation it doesn't quite meet the letter of the ordinance. Those two variances will go to City Council for final resolution; however it does require a recommendation from the Planning and Zoning Commission. The recommendation on the cultured stone requires only vote from the Commission.

Mr. Gonzales added that for clarification purposes there would need to be three motions, one for the site plan, one for the variances, and one for the special request. Mr. Gonzales added that a representative of Panera was available as well as staff for any questions.

Chairman Renfro asked for the site plan to be put on the screen had a question of the flow on one circumstance.

Justin Knepper  
3630 Gyer Road  
St. Louis, MO

Chairman Renfro asked for the site plan to be put on the screen had a question of the flow on one circumstance, if going south on Ridge and turning right into the parking lot and want to go straight, going on Goliad and turning right into the parking lot to park in one of the front row parking spaces, but those are taken, it would be impossible to turn right at that point because it would mean going the wrong way to circle back therefore would be forced to leave the parking lot and go out to the access road and loop around again. Seems there is an error in how that was drawn up, if the parking spaces were angled in the opposite direction that would prevent from having to leave and loop around again should there be no parking available.

General discussion took place concerning what changes would need to be made to the site plan to correct that error.

Chairman Renfro made a motion to approve the site plan with the revision to the parking lot striping and staff recommendations. Commissioner Lyons seconded the motion which passed by a vote of 7-0.

Chairman Renfro made motion to approve the variances with staff recommendations. Commissioner Lyons seconded the motion which passed by a vote of 7-0.

Chairman Renfro made motion to accept the special request to allow for the cultured stone. Commissioner Lyons seconded the motion, which passed by a vote of 7-0.

14. SP2016-010

Discuss and consider a request by Glen Cox for the approval of site plan for an *office building* on a 2.60-acre tract of land identified as Lot 1, Block A, Corrigan Law Office Addition [0.31-acres] and Lot 8, Block A, Municipal Industrial Park Addition [2.29-acres], City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 805, 815 & 821 T. L. Townsend Drive, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of item stating it originally came in as an administrative site plan, but as staff was reviewing it was recognized that the parking they had for the particular site was not adequate for the use, since it is an office building for office use, therefore the applicant is required to have a shared parking agreement that will provide the necessary parking for not only the existing building but also for the proposed building and the future building that will be going in lot 10. The parking agreement would go to City Council for final resolution.

Chairman Renfro asked for discussion or motion. No discussion took place.

Commissioner Lyons made motion to approve item with staff recommendations. Commissioner McCutcheon seconded the motion which passed by a vote of 7-0.

15. SP2014-011

Discuss and consider a request by Tom Pritchett on behalf of Channell Commercial Corporation for the approval of an amended site plan allowing for an alternative landscape plan for an *office and industrial facility* on an 18.763-acre parcel of land being identified as Lot 1, Block A, Channell Subdivision, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, addressed as 1700 John King Boulevard, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of request stating that in July of 2014 a landscape plan was approved, but when they went to build it they did not feel the scale was appropriate to the size of the building they found a new landscape architect and prepared an alternate plan that they feel will better scale the building and incorporates more trees than currently. It does not meet the minimum requirements but it does exceed what the previous landscape plan had. Additionally they are proposing to remove the parking lot trees; however the ordinance reads that all parking spaces need to be within 80 feet of a tree. The applicant is proposing to put up a shade like canopy structures with material very similar to what was shown in a previous case for the car wash, they are proposing to put those in the southern parking spaces. They are requesting a variance because they can't put those structures and trees in the landscape medians, but they are exceeding the requirements.

Mr. Miller went on to go through some interesting things that they have added since the last plan such as an amphitheater, increased the size of the roundabout and created a plaza in front of the building that has a wall around it and has a large berm leading up to that wall and then sloping down to the intersection which creates an optical illusion making the building look like it is set back even further than the fifty foot requirement where the building has been built.

Mr. Miller further explained since it is an alternate landscape plan and it does have variances that are associated with the Overlay District requirements it does need to be brought forward to the Planning and Zoning Commission as well as City Council for approval. The plan of putting this new idea together is to increase the landscape again, creating that optical illusion because this is their corporate headquarters.

Mr. Miller stated the representative was not present.

Commissioner Trowbridge asked if the building was 100% occupied by the owner. Mr. Miller stated it is a company that moved from California to Rockwall and will be using the location as their corporate headquarters.

Commissioner Lyons made a motion to approve with staff recommendations. Commissioner Trowbridge seconded the motion which passed by a vote of 7-0.

VI. DISCUSSION ITEMS

16. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

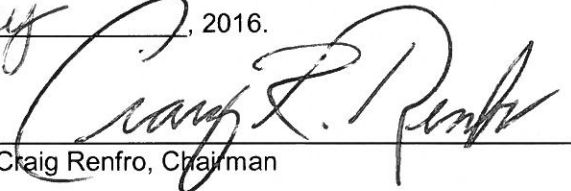
- ✓ P2016-013: Lots 1 & 2, Block A, Mendez Addition [Approved]
- ✓ P2016-014: Lot 1, Block 1, Rockwall-Pine Addition [Approved]
- ✓ P2016-015: Lots 1 & 2, Block A, JBR2 Addition [Approved]
- ✓ P2016-017: Lots 9, 10 & 11, Block A, Municipal Industrial Park Addition [Approved]
- ✓ Z2016-008: SUP for an Accessory Building at 735 David Drive (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-009: SUP for a Minor Automotive Facility at 2225 Ridge Road (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-010: PD Development Plan for Care Now (2<sup>nd</sup> Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

VII. ADJOURNMENT

Meeting was adjourned at 10:13 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 31 day of May, 2016.

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**May 31, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Chairman Renfro called the meeting to order at 6:01 p.m. Present were, Commissioners Patrick Trowbridge, Johnny Lyons, Tracy Logan, and Annie Fishman. Absent were Commissioners Sandra Whitley and John McCutcheon. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

**II. CONSENT AGENDA**

1. Approval of Minutes for the May 10, 2016 Planning and Zoning Commission meeting.

2. P2016-021

Discuss and consider a request by Robert A. Howman of Glenn Engineering on behalf of James Watson of the Rockwall Independent School District for the approval of a preliminary plat for Lot 1, Block A, Rockwall – CCA Addition being a 173.00-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By Pass Corridor (SH-205 BY OV) District, situated south of the intersection of SH-276 and John King Boulevard, and take any action necessary.

3. P2016-022

Discuss and consider a request by Rick Bates of RLK Engineering, Inc. on behalf of James Watson of the Rockwall Independent School District for the approval of a preliminary plat for Lot 1, Block 1, Dobbs Elementary Addition being a 17.464-acre tract of land identified as a portion of Rockwall School Addition No. 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated at the northeast corner of the intersection of E. Washington Street and S. Clark Street, and take any action necessary.

4. P2016-026

Discuss and consider a request by Debra Cox of JDJR Engineers & Consultants, Inc. on behalf of Don French of the First Baptist Church of Rockwall for the approval of a replat for Lot 6, Block M, Sanger Brothers Addition being a 1.8046-acre tract of land identified as Lots 1-5, Block M, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the southwest corner of the intersection of W. Ross Street and S. Goliad Street [SH-205], and take any action necessary.

Chairman Renfro made a motion to pass the consent agenda. Commissioner Lyons seconded the motion, which passed by a vote of 5-0, with Commissioners Whitley and McCutcheon absent.

**III. APPOINTMENTS**

5. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

The Architectural Review Board representative, Ashlei Neill, came forward and gave brief summary of recommendations pertaining to the items on the agenda that required architectural review.



IV. PUBLIC HEARING ITEMS

6. Z2016-013

Hold a public hearing to discuss and consider a request by Garrett Lust of Pointe Land & Development, LLC on behalf of Marven Wu of West Union Investment, Co. for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 81.49-acre parcel of land identified as Tract 16 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on Rochell Road south of the intersection of Rochell Road the SH-276, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request and reminded the Commission this was a continuation of the public hearing and that the applicant requested a continuation at the May 10, 2016 meeting. The applicant is requesting a Planned Development for Teracina Estates located along Rochell Road, which is at the City's corporate limits. East and south of the subject property is outside the City limits. North of the subject property is Timber Creek Estates and to the west is an approximately 80-acre vacant tract of land that is zoned Agricultural District and further west is Fontanna Ranch.

Mr. Gonzales also pointed out that according to the concept plan, it is the intent of the development to provide 204 single-family residential lots, with two different lot types of which will be a minimum of 8,125 sq. ft., 65' x 125' lots in area and 80'x125'. The primary lot will have approximately 184 lots and the remaining 30 will be the larger lots. The development will provide an approximately nine 9-acre public park located at the southern portion of the development. In addition, the Concept Plan shows the inclusion of 18.97-acres of net open space or 23.3% that is exceeding the minimum 20% requirement. Staff has included these as development requirements within the Planned Development District Ordinance. In addition, the applicant has also indicated that a minimum of a 15-foot landscape buffer will be provided along Rochell Road. A minimum 10-ft landscape buffer along the proposed minor collector street, shown as Street H, is required, with large canopy trees planted along the perimeter of each roadway at 50-ft intervals. However, the applicant is seeking a waiver to this requirement for Street H due to the amenities provided for in the 9-acre public park such as an 8-foot wide trail system, a pavilion a plaza. The applicant will also include a minimum of a five-foot sidewalk that will be constructed within the rights-of-way. The proposed park has been through the Parks Board and was approved.

Mr. Gonzales further explained that the proposed zoning does appear to conform to the majority of the Comprehensive Plan's policies and guidelines but the applicant is requesting three waivers. One is for front entry drives even with the front façade of the home; the Code requires parking garages must be located at least 20 feet behind the front building facade for front entry garages, unless it is a J-Swing garage where the garage door is perpendicular to the street. Part of the PD request is to allow for 20% j-swing. At the last meeting the applicant had proposed 10% j-swing, and there was discussion between the applicant and the Commission. The applicant is now proposing 20% j-swing product as a minimum and the maximum would be the front entry garages. Mr. Gonzales noted that would cover two of the waivers that would be built in the PD Ordinance.

Mr. Gonzales went on to state the third waiver concerns the park plan, the Code requires a street landscape buffer-strip with a minimum width of ten feet, must be provided along the entire length of the property to be developed that is adjacent to a major arterial or collector street in numbers equal to one tree for each 50 feet of street frontage. Based on the Planned Development Concept Plan, Street H will be built as a minor collector in conformance with the City's Master Thoroughfare Plan. The UDC does allow the Planning and Zoning Commission and City Council to consider alternative landscaping requirements upon finding that the resulting landscape will provide an improved amenity for both the general public and users of the facility being landscaped. To achieve this, the applicant is proposing a 9-acre public park with lots being single loaded on Street H, in conformance with the Comprehensive Plan.

Mr. Gonzales also explained that the Future Land Use Map contained within the Comprehensive Plan designates the subject property as Low Density Residential land uses. According to the Comprehensive Plan, the Low Density Residential designation is generally defined as single family development consisting of less than 2 units per acre; however, a density up to 2.5 units per gross acre may be allowed within a Planned Development district that includes the

dedication and/or development of additional amenities that exceed the minimum standards for residential Planned Developments. These amenities may include but not limited to parks and open space, neighborhood amenity centers, development of trails and parks in flood plains, municipal parks and/or recreation facilities, etc. In this case, the applicant is proposing a density of 2.50 units per gross acre and is proposing an approximately nine 9-acre public park incorporating an eight 8-ft. concrete hike and bike trail system, a playground area, plaza, picnic area, covered pavilion, and other features as depicted on the Park Concept Plan. This will be the developments primary amenity. The proposed zoning does appear to conform to the majority of the Comprehensive Plan's policies and guidelines with the exception of the required proximity of residential lots less than 12,000 sq. ft. to a neighborhood oriented park or open space. The Comprehensive Plan's policy requires the lots to be no further than 800-ft from a public park or open space in order to benefit from a property value premium. An approximation of no more than 24 lots or 11.7% of the lots located in the North West quadrant of the development are not within the 800-ft. minimum distance requirement. With this being said, the proposed Concept Plan is a discretionary decision for the City Council.

Mr. Gonzales went on to state staff mailed 102 notices to property owners and residents within 500-feet of the subject property. Staff also emailed notices to the Timber Creek and Fontana Ranch Homeowner's Associations which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign adjacent to the subject property along Rochell Road and advertised the public hearings in the Rockwall Harold Banner. Staff has received two notices "not in favor of" the request.

Mr. Gonzales clarified that the purpose for the continuance of the meeting was for the garage orientation and the size of the product that the applicant is providing and those changes have been made to the ordinance. The applicant increased the size of the homes for each lot type from 1,400 square feet for lot type A to 1,800 square foot as a minimum and on lot type B those have been increased to 2,000 square feet also, the increase in the number of j-swing garages. Mr. Gonzales stated the applicant was present and staff was available for questions, and advised the public hearing remains open.

Chairman Renfro asked the applicant to come forth and speak.

Garrett Lust  
6860 North Dallas Parkway  
Dallas, TX

Mr. Lust came forward and explained the decision to increase from the 10% originally proposed to 20% for the j-swing garages was because they knew the 10% was not acceptable to the City and felt they have catered to the other requests as far as increasing the minimum required home size, and increasing the j-swings. He went on to explain that the biggest issue with the increased number of j-swings is taking away the 20 feet of the back yard for the homeowners. They would like to limit the number of j-swings to let the homeowners decide if they would want that layout or not.

Commissioner Trowbridge asked if the 20% still allow for anti-monotony such as the patterns in the front of the homes, will it still be able to differentiate. Mr. Lust stated they plan to uphold all the anti-monotony standards put in place and would like to use the j-swing as something to break up the monotony, prefer to have the homeowner be the deciding factor in that. It can also be discussed with the builder how that is handled generally to avoid the monotony.

Chairman Trowbridge asked how many builders will be in the development. Mr. Lust stated currently they are anticipating for it to be a two builder program. Commissioner Trowbridge commented on how each builder usually has a stock set of plans, asked how many plans were they looking at having. Mr. Lust stated that according to the lot size options the builder will have a set of plans for each lot size and each plan is customizable, but at this time cannot say amount of plans each builder will come with for each lot.

Planning Director, Ryan Miller, added that there is an anti-monotony standards in the Planned Development District that they will have to abide by, however, discussion concerning builders is not discussed during the zoning phase.

Mr. Lust added that they have included a clause knowing the importance for the City the issue with the j-swing garage is to avoid the monotony of the front façade of the streetscape, the

clause will state that all of the garage doors must be made with cedar construction which improves the overall look of the front of the house of the front entry designs.

Chairman Renfro asked concerning the percentage of j-swing garages if those would be spread out evenly throughout the subdivision. Mr. Lust stated they have not put in place a plan for that as of yet. Chairman Renfro asked if the homes in the front would be wider, Mr. Lust stated they are 65 foot lots the ones towards the north that are adjacent to Timber Creek property are the 80 foot lots and that was done to create a transition between Timber Creek and the requested subdivision. Mr. Lust stated they do envision for the 80 foot lots to have more of the j-swing garages layout options because it gives a wider range which makes for a better layout.

Mr. Lust went on to state that they are requesting a 5 foot side setback on the 65 foot lots to allow for a j-swing design.

Commissioner Fishman asked if it was still the 23% open space. Mr. Lust stated yes, open space has not changed. Commissioner Fishman also expressed concern over the traffic on Rochell Road, asked if there had been any traffic studies done. Mr. Lust stated that at this time they are under the impression that a traffic study is not necessary for this size development; however they are planning to improve Rochelle Road onto their property line and will match to the development to the north which is Timber Creek. Mr. Lust also noted that it is his understanding that in 2018 TXDOT has plans to expand Hwy 276 and there will be a light there and it would be improved.

Commissioner Lyons asked what the lot mix and percentage for j-swing for Timber Creek Subdivision. Mr. Lust stated it is 80 foot lots and Timber Creek is rear entry is all alley ways no j-swing garages.

Chairman Renfro stated the public hearing was still open and asked if there was anyone who wished to speak to come forth and do so, there being no one indicating such; Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Logan expressed concern with the percentage of j-swing garages being requested, feels it is too many front facing garages close to the street expressed concern in the developer offering the suggestion to the builder to make the garages cedar but with there not being a Code to enforce that is not convinced enough to give variance. Mr. Gonzales stated that requirement of cedar garages will be built into the ordinance if approved.

Chairman Renfro asked the applicant to come forward.

Chairman Renfro expressed concern with the percentage only being 20 for the j-swing garages, is not inclined to approve with such a low percentage asked the applicant if there would be consideration to go with a higher percentage. Mr. Lust stated they would consider doing 30% j-swing.

Commissioner Logan expressed concern with allowing so many variances that do not meet the master plan, believes it is the developers responsibility to adhere to the standards that we want for our community. Mr. Lust stated that concerning the variances she mentioned, it is only one that they are doing lot layout and type would be the minimum percentage of j-swing, the only others would be the landscape buffer and the front entry instead of the alley ways.

Commissioner Logan asked if the Parks Department was happy with the variance for the back northwest lots not being close to any of the open space. Mr. Gonzales advised when the Parks Board met they approved the plan with the stipulation that the City will not maintain the park until it becomes fully turfed as well as other stipulations for the amenities. Mr. Lust added they wanted to build the park through the major thoroughfare because it will be a district park.

Commissioner Trowbridge expressed liking of the Park, but believes the concern is the amount of the j-swing garages would be willing to make a motion with the 30% increase the applicant stated they would be willing to do.

Commissioner Trowbridge made a motion to pass the request with the amended 30 percent increase for the j-swing garage requirement. Commissioner Fishman seconded the motion which passed by a vote of 5-0, with Commissioners Whitley and McCutcheon absent.



Chairman Renfro noted Commissioner McCutcheon arrived at the meeting at 6:35 p.m.

## V. ACTION ITEMS

### 7. SP2016-006

Discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of Michael James of U. V. Real Estate, LP for the approval of a site plan for an *Auto Body Shop (i.e. Service King Collision Repair)* on a 3.2039-acre tract of land described as Tract 7-01 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, located at 1780 E IH-30, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

Senior Planner, Ryan Miller, gave brief explanation of request stating that On March 7, 2016, the City Council approved a Specific Use Permit to allow for outside storage on the 3.2039-acre subject property. This case specifically allowed the outside storage of automobiles in the IH-30 Overlay District. As part of this case, the City Council approved a recommendation by the Planning and Zoning Commission requiring a six foot masonry fence, non-precast fence. In response to this approval, the applicant submitted an application for a site plan showing the proposed layout of the 18,475 SF major automotive repair facility on April 15, 2016. The subject property is located within the IH-30 Overlay District, east of John King Boulevard, on the southern side IH-30 Frontage Road and is zoned Light Industrial District.

Mr. Miller went on to state the requested land use is permitted by right within the Light Industrial District and with the Specific Use Permit being approved no additional approvals will be needed by the Planning and Zoning Department or the City Council with the exception of the variances the applicant is requesting. And aside from the variances, the photometric plan, landscape plan and the site plan all conform to the technical requirements. The variances specifically relate to the building construction and are one, to the screening requirements. The applicant is requesting a variance to allow two vent stacks to project out of the rear of the building it will serve as ventilation for the paint booths. These vent stacks are depicted on the building elevations, and the applicant has submitted a letter stating that they will be 2'-4" in diameter and extend above the parapet wall by eight feet. The applicant has stated any type of screening would make the building look unbalanced. This is an Overlay District requirement therefore the variance will require a  $\frac{3}{4}$ -majority vote of the City Council to be approved.

Mr. Miller went on to state that the second variance is to the Building Standards specifically the materials. Currently the materials being provided are CMU, Austin stone and stucco. Stucco is allowed up to 50% of the masonry requirement however the applicant is showing about 51-58% on various facades and that does exceed the maximum permitted by the Code and the applicant is requesting a variance for that as well. Also, Mr. Miller explained, the four sided architecture requirement, which is made up of the horizontal and vertical articulation as well as the material requirements. In this case the applicant is requesting a variance due to the fact that the building doesn't meet the horizontal or vertical articulation nor does it incorporate the same materials on all four sides. The back wall is basically flat and is only composed of CMU. The applicant has stated that the purpose behind not meeting the stone requirement on that back wall is because it will not be visible.

Mr. Miller further explained that the Comprehensive Plan state that Planning and Zoning and City Council should consider pro-active methods to encourage high quality and inspiring architecture throughout the City particularly on undeveloped sites that are highly visible on the IH30 frontage road. The subject property is within the IH30 Overlay District; however any variances to the Unified Development Code are a discretionary decision to the Planning and Zoning Commission and City Council.

Mr. Miller went on to state that the Architectural Review Board reviewed the proposed site plan and building elevations. The ARB requested that the applicant provide a mansard roof structure extending from the mid-point of the building to the front canopies adjacent to IH-30. The purpose of this request was to provide balance to the building while breaking up the monotony of the roofline. The applicant has stated that due to the cost of the requested improvements they will not be able to accommodate the ARB's recommendation. As a result, the ARB cannot recommend approval of the requested variances. Also, concerning one of the recommendations, currently the applicant is showing a six foot masonry dumpster enclosure but the Overlay



District requires an eight foot. It wasn't a requested variance in the letter provided by the applicant but that was added to the recommendation section in the Commissions case memo.

Mr. Miller advised the applicant was present and staff was available for questions.

Chairman Renfro asked applicant to come forth and speak.

Jeff Carrol  
Carrol Architects  
705 E. IH30  
Rockwall, TX

Mr. Carroll came forward and stated he took the from the previous Planning and Zoning work session on the Architectural Board's recommendation to add a masonry roof from the mid-section back towards the front section to Service King and they were reluctant to do that, mainly due to a cost stand point, and although that is not a viable reason, but Mr. Carrol added that considering the site work that is being done with the adding of the masonry screened wall and various other issues that have come with the site, that was the reason for being unable to accept that recommendation at this time.

Mr. Carrol went on to explain the exhaust vents for the paint booths are eight feet tall and the para pet wall is four feet tall that would stick out four or five feet about the para pet since it is just an exhaust there is no smoke, heat type thing. Those pipes what has been found is that they are less distracting and will blend in with the sky as they are a silver color as opposed if a screen is put around them. The exhaust vents would also be approximately 300 feet away from IH-30 because the paint booths are in the back part of the building.

Concerning the stucco percentage Mr. Carol explained that when it was re-evaluated the front elevation they came up with the 58% and felt it was close enough and wanted to move forward with that because they feel the product they are bringing is an A product to Rockwall and so far is the most dressed up Service King that they have put out so far and is asking for the Commission's recommendation to move forward.

Commissioner Trowbridge asked how wide the back wall is. Mr. Carrol stated for the horizontal and vertical articulation it is being met in the front and on the two side walls, but on the back since it is so deep and narrow and is 90 feet wide.

Commissioner Lyons asked if any HVAC equipment would be on the roof. Mr. Carrol stated it would all be on the roof and would be below the para pet wall that was raised will cover the equipment. Commissioner Lyons also asked if the vent stacks are being left silver, Mr. Carrol stated they would be and Service King has done studies concerning that and have found silver reflects the light and blends in better than paint.

Chairman Renfro brought the item back to the Commission for discussion, questions or motions.

Commissioner Lyons made motion to pass the item with staff recommendations. Commissioner Fishman seconded the motion, which passed by a vote of 6-0, with Commissioner Whitley absent.

## VI. DISCUSSION ITEMS

### 8. Z2016-017

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Section 1, *Land Use Schedule*, and Section 2.1.8, *Auto and Marine-Related Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code for the purpose of changing the requirements for *Used Motor Vehicle Dealerships*, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of item stating that on May 16<sup>th</sup> staff brought forward an ordinance proposing to allow the motor vehicle used use by Specific Use Permit in a Light Industrial District and by right in a Heavy Industrial District however the ordinance also restricted the use in certain Overlay Districts in the City. The City Council did deny that and directed staff to bring back a text amendment allowing the use by Specific Use

379 Permit in the Light Industrial District only. In accordance with that staff has provided the  
380 Commission with a draft ordinance that would basically change what was proposed in the  
381 previous meeting to allow that use only by Specific Use Permit in a Light Industrial District.  
382

383 Mr. Miller went on to explain that the item will be brought back for action on the June 14<sup>th</sup>  
384 meeting and is available for any questions.  
385

386 Commissioner McCutcheon asked for clarification of the new draft as opposed to the previous  
387 one that was brought to them in the last meeting. Mr. Miller explained that currently the code  
388 only allows the used automotive dealership as an ancillary use to a new motor vehicle  
389 dealership which is currently allowed by right in a Commercial District and by SUP in a Light  
390 Industrial District. What staff has been directed to prepare is to allow this use as a standalone  
391 use in a Light Industrial District through a Specific Use Permit only.  
392

393 Chairman Renfro asked if the use can be allowed within the Overlay Districts. Mr. Miller stated  
394 that was what was proposed in the previous draft ordinance that was voted down by City  
395 Council and staff was directed to bring it back to allow it in a Light Industrial by a Specific Use  
396 Permit.  
397

398 General discussion took place concerning allowing the use within the Overlay Districts.  
399

400 Commissioner McCutcheon asked if a map could be provided at the next meeting to show where  
401 Light Industrial areas are within the City. Mr. Miller stated he could provide the Commission with  
402 that and include it in the packets for their review.  
403

404 There being no further questions Chairman Renfro indicated the case will return to the  
405 Commission for action at the next scheduled meeting.  
406  
407

408 9. Z2016-018

409 Hold a public hearing to discuss and consider a request by Jeff Parker of the Skorburg Company on  
410 behalf of BH Balance IV, LLC for the approval of a zoning amendment to Planned Development District  
411 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and for the  
412 purpose of incorporating changes to the development standards contained in *Exhibit 'C' of Ordinance*  
413 *14-26* for a 405.184-acre tract of land identified as the Breezy Hill Subdivision and situated within the J.  
414 Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-  
415 552 and west of Breezy Hill Road, and take any action necessary.  
416

417 Chairman Renfro asked the applicant to come forward.  
418

419 Rich Darragh  
420 8214 Westchester Drive suite 710  
421 Dallas, TX  
422

423 Mr. Darragh came forward and stated they are still working on a final plan and the PD but will  
424 have more details as they move forward and will provide those at the next scheduled meeting.  
425 But basically they are looking to rezone the Commercial they already have at the southwest  
426 corner of Breezy Hill, are looking to rezone it to 50'x 120's and the approximate numbers will be  
427 47 lots, front entry with a minimum of 20 homes not less than 2,500 square feet.  
428

429 Commissioner Trowbridge asked if what was being done is taking out a commercial spot and  
430 replacing it with residential. Mr. Darragh stated they are making the commercial area smaller due  
431 to not finding buyers with the size it is currently they want to make it smaller make it more  
432 marketable to the commercial buyers and continue the transitional zoning. Commissioner  
433 Trowbridge asked the size of that commercial lot. Mr. Darragh stated it is 19 ½ acres.  
434

435 There being no further questions Chairman Renfro indicated the case will return to the  
436 Commission for action at the next scheduled meeting.  
437  
438  
439  
440  
441

10. P2016-020

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Randal Currington of Fontanna Ranch Phase II, LP for the approval of a final plat for Phase II of the Fontanna Ranch Subdivision containing 49 single-family residential lots on a 19.167-acre tract of land identified as Tract 5 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 64 (PD-64) for Single Family 16 (SF-16) land uses, generally located east of FM-549 and south of SH-276, and take any action necessary.

Senior Planner, David Gonzales, reminded the Commission that the preliminary plat for this item was re-instated December of 2015 and now can move forward with Phase II.

Chairman Renfro asked applicant to come forward.

Cameron Slown  
FC Cuny Corporation  
(No address given)

Mr. Slown came forward and stated this is the second phase of the Fontanna Ranch development and the only difference from what was presented in the preliminary plat and now is the extension of Guadalupe Drive to the northeast. There have been some adjustments in the detention area, but aside from that it is similar to what was presented before.

Mr. Gonzales added Guadalupe Drive will extend to the Terracina Estates and is what was being referred to as street H.

There being no questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

11. P2016-023

Discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (*R. & R. Hance Investments, LP*) for the approval of a master plat/open space plan for the Saddle Star South Subdivision containing 138 single-family residential lots on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of the case stating the master and preliminary plat are what is being brought forward as the zoning was approved at the previous meeting. The master shows that it will be plated in two phases and will be incorporating the ten foot walking trail along the John King Blvd. as well as construct a trail head and will also be providing an amenity center, community garden and a private park area.

Mr. Miller added this will be taken to the Parks Board, and that is why it came before the Commission in the work session and will bring the Park Boards recommendation at the June 14<sup>th</sup> meeting.

There being no questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

12. P2016-024

Discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (*R. & R. Hance Investments, LP*) for the approval of a preliminary plat for the Saddle Star South Subdivision containing 138 single-family residential lots on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

Chairman Renfro noted this agenda item would be combined with the previous item, P2016-023.

13. SP2016-012

Discuss and consider a request by Chet Leugers, PE of Pacheco Koch on behalf of Michael Hampton of the Rockwall Economic Development Corporation for the approval of a site plan for a warehouse/manufacturing facility on a 30.6-acre portion of a larger 86.806-acre tract of land identified as Tract 1 of the H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northwest corner of Discovery Boulevard and Data Drive, and take any action necessary.

Chairman Renfro asked applicant to come forward.

Michael Hampton  
REDC

Mr. Hampton came forward stated he is the Director of Project Development with the REDC and is here with several members of the applicants team. He stated the REDC owns about 400 acres at the Rockwall Technology Park and roughly about half of that is vacant including the 30 acre piece at the hard corner of Discovery and Data. The REDC has been working for several months with Pride Industries and the REDC Board of directors approved a contract with them and an agreement to recruit their very large project which they are very excited to bring to Rockwall. They have received staff's comments and there are technical issues that will be corrected and revisions will be sent back to staff. They want to get feedback from staff as there are variances that the applicant is requesting primarily with the architectural side of things, which is not too uncommon for these large manufacturing facilities.

Mr. Hampton further stated they will be asking for a parking variance the provided parking that they are proposing is about 132 spots, and although this is a large facility, there will be about 140 employees thru 3 shifts it is operated 24 hours a day, will only have a limited amount of employees at a time and therefor did not want to propose a large amount of parking. They will also be asking for a screening variance, on the east side of the building there is truck areas that instead of a 14 foot wall there, they are proposing a berm as well as a hedge of cedar trees and some streetscape trees along Data Drive. They felt after talking to staff that was a preferred more attractive look.

Mr. Hampton went on to explain there is also a detention pond on the northwest side of the site. The REDC is developing a regional detention pond and currently are about half way into the design on that and with the contract are obligated to try and get that in in conjunction with this project, therefor that pond may or may not be the case even if applicant does build it, it may be a temporary pond and are requesting not to put the trees in only to have to pull them out and that is another variance they will be requesting. The other three that have been identified are all dealing with the architectural side. Mr. Hampton provided pictures of the applicant's most recent construction to show what the end product would look like and it will be one that will fit in at the Technology Park.

Commissioner Trowbridge asked what will be manufactured and if it would be just one tenant. Mr. Hampton stated Pride is a corrugating manufacturer and this facility will be corrugating and converting facility for cardboard and various packaging containers.

Commissioner McCutcheon asked if everything will be done internal, aside from the trucks backing up. Mr. Hampton stated it would all be internal.

Chairman asked what the total square footage of the building was and how many parking spots there were. Mr. Hampton stated it is 389,000 square feet.

Mr. Gonzales answered, and stated they are providing 132 spaces, 9x20 and what is required is 309 however they are providing additional parking spaces for the tractor trailers making the total 334, however those are not viewed as typical parking spaces and that is the purpose for the variance but is not an unusual request.



Chairman Renfro expressed concern for long term planning, for reuse of this property if the building were to become obsolete.

Mr. Miller stated since it was a discussion item he would add that this type of variance has been approved in several other buildings when a shift plan is provided and what is being seen industry wide is a need for less employees and therefore the City's parking requirement may be a little high for manufacturing type business.

Commissioner Trowbridge asked what percentage of office it would have. Mr. Hampton stated it would be about 4 or 5 percent of office space.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

#### 14. SP2016-013

Discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of the owner Tom R. Briscoe of Briscoe Oil, Inc. for the approval of a *PD Site Plan* for an urgent care facility on a 1.042-acre tract of land identified as Lots 1 & 2, Block A, Briscoe/Hillcrest Addition and Tract 41-2 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Summit Office Subdistrict and the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of Horizon Road [FM3097] and the IH-30 frontage road, and take any action necessary.

Chairman Renfro asked the applicant to come forward.

Greg Stogner  
12720 Hillcrest suite 650  
Dallas, TX

Mr. Stogner came forward and gave brief summary of request stating it is for an Urgent Care facility Care Now would be the tenant, it is 6,235 square feet they do meet the landscape standards, it's owned by HCA Hospital Corporation of America. Mr. Stogner went on to say he has built about 25 of them and it is a good company with good people.

Chairman Renfro asked concerning Architectural Review Boards comments. Mr. Stogner stated they went through the four sided architecture and looking at PD 32 as to what that is and the defined tem of the four sided architectural is not a defined term in there but it does say to have a dual entrance appearance, but in this case it causes confusion because looking at north, south, east and west and will be calling Horizon true east so Horizon would be the entrance that is east and that is where you would have stone as looking at elevation number 5 then you have accent brick and racing stripes on the side facing Trend HR that would be what would be called the west side and then the north side because that is at IH-30 that is where they would be putting the stone. The Architectural Review Board wanted to have the stone there changed to brick lift up the para pet as it is and on elevation two which would be towards Pinnacle Way to make that, what he would call turn the stone down the two windows and meet the architectural offset to the left that is seen by the front door which they do plan on adding.

Staff showed pictures of elevations on screen to allow visual of what applicant was discussing.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

#### 15. SP2016-014

Discuss and consider a request by Ron Valk of Platinum Storage Rockwall, LLC on behalf of Shawn Valk of Platinum Construction for the approval of site plan for a multi-tenant office/warehouse facility on a 2.692-acre parcel of land identified as Lot 3, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the west side of T. L. Townsend Drive, south of the intersection of T. L. Townsend Drive and IH-30, and take any action necessary.

Chairman Renfro asked the applicant to come forward.

Annalyse Olsen  
1834 S. FM551  
Fate, TX

Ms. Olson came forward and came forward and stated they are requesting to build an office warehouse park on a property that is connecting to a storage facility that they are currently finishing construction on. The two buildings combined will be 20,800 square feet, the eastern property is 8,800 square feet and the back building is 12,000 square feet.

Planner, Korey Brooks, added that on the south elevation of both of the buildings they are currently not meeting the vertical or horizontal articulation requirements and will be requesting a variance but they will not be visible from public view and additionally the trees off Townsend will help screen that as well. The Architectural Review Board suggested turning the northern building the other direction and have both buildings face each other and possibly have a court yard in the middle so as to not have one building doesn't front the back of the other building. The applicant is going to look into the request and find out if that will be feasible for them to do.

Mr. Brooks went on to state that additionally the Architectural Review Board wanted more vertical articulation on the north elevation of the building and the applicant is proposing raising the middle piece two to three feet to break up the monotony of the two buildings.

Mr. Brooks also explained each suite will have a separate tenant and will have office space and warehouse space.

Chairman Renfro asked if each entrance would be for each individual tenant. Mr. Brooks stated they would be separate suits for each individual tenant.

Commissioner Trowbridge asked if they own and operate storage facilities and has the zoning been changed recently on this particular property. Ms. Olson stated they primarily do own storage facilities. Mr. Miller added that recently the property was subdivided and the applicant had to get a variance to do that due to Platinum Storage who is currently under construction doesn't have frontage on a public street and had to get approval thru Planning and Zoning as well as City Council.

Commissioner Trowbridge asked what kind of business they foresee will be renting the offices. Ms. Olsen stated she believes it will be possibly landscapers, contractors and such. Commissioner Trowbridge also asked how many suites there would be. Ms. Olson stated there would be four in the front and five in the back and Platinum Storages offices will take up half of the front of the building.

Commissioner Lyons asked how much square footage was each suite. Ms. Olson stated she did not have that information but will provide it at the next meeting.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

16. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- ✓ P2016-016: Final Plat for Wanda Ridge Estates Addition [Approved]
- ✓ Z2016-012: SUP for a Retail Store w/ Fuel Sales at 2901 Ridge Road (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-013: Zoning Change from AG to PD for Terracina Estates [Postponed June 6, 2016 Meeting]
- ✓ Z2016-014: Zoning Change from AG to PD for the Ridgecrest Subdivision (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-015: Amendment to PD-79 (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-016: Text Amendment to the SRO District (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-017: Text Amendment for Used Motor Vehicle Sales [Postponed to the June 6, 2016 Meeting]
- ✓ SP2016-008: Variances for Carmel Car Wash [Approved]
- ✓ SP2016-009: Variances for Panera Bread [Approved]
- ✓ SP2016-010: Parking Agreement for 805, 815 & 821 T. L. Townsend Drive [Approved]
- ✓ SP2014-011: Alternate Landscape Plan for Channell Commercial Corporation [Approved]

693 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
694 referenced case at the City Council meeting. General discussion over Case No. Z2016-017 and  
695 procedural requirements for cases took place between the Planning Director and the  
696 Commission.  
697  
698

699 VII. ADJOURNMENT  
700

701  
702 The meeting adjourned at 7:48 p.m.  
703  
704

705 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
706 Texas, this 14 day of June, 2016.

707  
708   
709  
710 Craig Renfro, Chairman  
711

712 Attest:   
713  
714 Laura Morales, Planning Coordinator  
715

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**June 14, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:00 p.m. Present were, Commissioners Johnny Lyons, Tracy Logan, Annie Fishman, Sandra Whitley and John McCutcheon. Absent was Commissioner Patrick Trowbridge. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morale, and Civil Engineer, Jeremy White.

II. CONSENT AGENDA

1. Approval of Minutes for the May 31, 2016 Planning and Zoning Commission meeting.

2. P2016-020

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Randal Currington of Fontanna Ranch Phase II, LP for the approval of a final plat for Phase II of the Fontanna Ranch Subdivision containing 49 single-family residential lots on a 19.167-acre tract of land identified as Tract 5 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 64 (PD-64) for Single Family 16 (SF-16) land uses, generally located east of FM-549 and south of SH-276, and take any action necessary.

3. P2016-028

Discuss and consider a request by Noah Flabiano of the Skorburg Company on behalf of the owner Lakeside Church of Christ of Rockwall for the approval of a master plan/ open space plan for the Ridgecrest Subdivision containing 45 single-family residential lots on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81), located on the north side of Airport Road, west of the intersection of Airport Road and FM-3549, and take any action necessary.

4. P2016-029

Discuss and consider a request by Noah Flabiano of the Skorburg Company on behalf of the owner Lakeside Church of Christ of Rockwall for the approval of a preliminary plat for the Ridgecrest Subdivision containing 45 single-family residential lots on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81), located on the north side of Airport Road, west of the intersection of Airport Road and FM-3549, and take any action necessary.

**Commissioner Lyons made a motion to approve the consent agenda. Commissioner McCutcheon seconded the motion, which passed by a vote of 6-0, with Commissioner Trowbridge absent.**

III. APPOINTMENTS

5. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

Chairman Renfro noted that the item that was reviewed by the Architectural Review Board will be discussed later in the agenda.



IV. PUBLIC HEARING ITEMS

6. Z2016-017

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Section 1, *Land Use Schedule*, and Section 2.1.8, *Auto and Marine-Related Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code for the purpose of changing the requirements for *Used Motor Vehicle Dealerships*, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of item stating that staff was directed by City Council on May 16<sup>th</sup> to amend our current ordinance to allow for Used Automotive dealerships in a Light Industrial District by a Specific Use Permit. Currently they are only allowed as an accessory use to New Motor Vehicle dealerships in the City. The ordinance change would affectively allow them as a standalone use through a Specific Use Permit in a Light Industrial District.

Mr. Miller went on to explain that at the May 31<sup>st</sup> work session the Commission asked staff for a map of all the Light Industrial District properties be provided. Staff did provide that map as well as a copy of the proposed draft ordinance in the Commissions packet for review. A fifteen day notice was sent out in accordance with State Law and all local requirements were met as well. Mr. Miller stated he was available for questions.

Chairman Renfro opened the public hearing and asked anyone who wished to speak to come forth and do so.

Maxwell Fisher  
900 Jackson Street Suite 640  
Dallas, TX

Mr. Fisher came forward and stated that he will not be making the full presentation as it was already shown to the Commission in the work session. He went on to state he represents Echo Park and believes the ordinance should be adopted to allow Pre-Owned Auto Sales by SUP in the Light Industrial District as well as the IH-30 Overlay. He added that he was available for questions.

Chairman Renfro reminded the Commission that when this item was previously brought before them there were some questions concerning the motivation of the request and asked Mr. Miller to clarify what Council is directing the Commission to do to make sure everyone is clear.

Mr. Miller stated originally staff received the direction from Council and an ordinance was brought before the Commission three meetings ago and what that ordinance proposed to allow the Used Automotive Dealership by SUP in the Light Industrial District; however staff included that it should be allowed by right in a High Industrial District and also be restricted within certain Overlay Districts. That was voted down by the Planning and Zoning Commission by a vote of 6-1 and staff took it to the City Council and they made a motion to deny by a vote of 6-1 and as part of that motion redirected staff to bring back an ordinance only allowing the Used Automotive Dealerships in a Light Industrial District with a Specific Use Permit and in accordance with that staff is bringing it back to the Commission.

Commissioner Logan asked for clarification of the automotive sales tax asked if that is a tax that goes to the State and therefore there is no income generated for the City by Used Car dealerships in Light Industrial or anywhere else. Mr. Miller stated there is a tax on real property, on inventory. Commissioner Logan asked in comparison with other business would it be significantly less. Mr. Miller stated that was a question he was unable to answer.

Chairman Renfro stated it was his understanding that when Commissioner Trowbridge and himself at the previous meeting the concern was that there is very few real-estate left especially in the IH-30 corridor and that is considered the gateway as travelers come in and exiting the City and therefore must be very conscientious and careful of what type of business uses go into that corridor. Although it is within the IH-30 Overlay District and there are restrictions built in but believes the concern was that this would be a standalone Used Car Dealership, unlike what is now where the New Car dealerships have a designated area within their dealerships for the used vehicles and currently there is an ordinance in place that allows for Used Auto Dealerships as

126 long as the business is ran in an enclosed building and is typically off the IH-30 overlay and  
127 deals with more internet sales and therefore most of the time it is not known what those  
128 buildings are. Chairman Renfro further asked if this was being done for the sense that another  
129 ordinance was needed for a specific use that he feels may never be used in that area but has to  
130 be in that area.

131  
132 Mr. Miller stated that Council redirected staff because there was nothing in the original  
133 direction, and that staff was directed to provide an ordinance that made the change in the Light  
134 Industrial District standard, which is what is being brought forward at this time without the  
135 additional restrictions.

136  
137 Chairman Renfro asked for more clarification as to why amendment was asked to be drawn up  
138 and stated he was unaware of a person or company was asking to come in to build a standalone  
139 car dealership and therefore we have to have an ordinance showing that the City allows that.

140  
141 Mr. Miller stated Echo Park had an appointment item with City Council where they made the  
142 original request for Council to change the ordinance and that is what started this process off. At  
143 that time staff was directed to bring the original ordinance forward which staff did however  
144 added the additional restrictions and Council since has redirected staff to bring back this  
145 ordinance.

146  
147 Commissioner McCutcheon asked if this was approved as its being brought forward would any  
148 of the current New/Used Car dealerships now be allowed to change to an only Used Vehicle  
149 dealership. Mr. Miller stated they would be required to apply for a Specific Use Permit and is  
150 discretionary to Planning and Zoning and City Council.

151  
152 Commissioner Fishman asked if additional Used Car dealerships alone were to come into this  
153 area would they be required to come before the Commission or would they be allowed to go in  
154 by right. Mr. Miller stated that the only change being made requires a Specific Use Permit  
155 therefore any Used Car dealership coming into a Light Industrial District would be required to go  
156 through this discretionary process prior to being able to apply for a Certificate of Occupancy.

157  
158 Chairman Renfro noted that that being the case it could be done on an individual case by case  
159 basis. Mr. Miller stated that was correct.

160  
161 Commissioner McCutcheon expressed concern that although there could be good opportunities  
162 that come in but as a whole how will it affect the overall look if it becomes obsolete and and  
163 would end up as an empty parking lot as many of our neighboring cities have had that happen  
164 and expressed concern of Rockwall ending up like that and does not feel he has heard a good  
165 enough reason to allow this change and although Rockwall is more restrictive than other cities  
166 but also one of the smallest cities that does not have the land mass that other cities do and  
167 therefore have to be more conscientious of what is allowed.

168  
169 Commissioner Fishman reiterated some of Commissioner McCutcheon's concerns stating that  
170 she feels that by allowing Used Car dealerships into this area how it will deter other businesses  
171 from wanting to come into Rockwall, for example some of the high end car dealerships will they  
172 be as inclined to come to Rockwall and although the product being presented is very nice, she  
173 is concerned with not knowing what the impact will be in the long term and has not heard  
174 enough information to change her position from when this was presented a few weeks ago.

175  
176 Commissioner Logan stated that it was her understanding that for both New and Used Car  
177 dealerships motor vehicle sales tax goes to the State therefor all of the land that is dedicated to  
178 a car dealership produces, other than property tax revenue, no taxable benefit to the City and  
179 feels that allowing this use would add a negative aspect of putting more property invested in car  
180 dealerships, with Used Car dealerships being slightly lower in the chain than a New Car  
181 dealership.

182  
183 Chairman Renfro asked the Commissioners if they were prepared to go with the same decision  
184 as they reached when it was brought before them a few weeks ago. He expressed concern with  
185 there being only so much property along the IH-30 corridor and when it's gone it's gone and  
186 therefore it is necessary to be careful with what is allowed to go in, feels that the market has  
187 shown that when there are nice flagship dealerships here and is concerned that when the Used

Car dealerships start coming in the New Car dealerships may feel the need to leave and then there would be the end result of who would occupy those nice New Car dealerships, it would most likely be more Used Car dealerships and will create the problem that some neighboring cities have ended up with.

Commissioner McCutcheon made motion to deny case Z2016-017. Chairman Renfro asked for clarification as to what was being denied if it was the introduction of a text amendment. Mr. Miller stated that by denying what is basically being said is to leave the ordinance as is. Commissioner Logan seconded the motion, which passed by a vote of 6-0, with Commissioner Trowbridge absent.

7. Z2016-018

Hold a public hearing to discuss and consider a request by Jeff Parker of the Skorburg Company on behalf of BH Balance IV, LLC for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and for the purpose of incorporating changes to the development standards contained in *Exhibit 'C' of Ordinance 14-26* for a 405.184-acre tract of land identified as the Breezy Hill Subdivision and situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation and background of the item stating the subject property was originally annexed into the City after it was put into a 212 Development Agreement. The original 212 Agreement allowed the property to have 810 single-family residential lots however when it was brought into the City it was changed to 658 single-family residential lots with a 59 acre general retail tract of land that was at the hard corner of John King Blvd. and FM 552. In October of 2012 it was amended to allow up to 691 lots and amended again in 2014 to allow 742 lots and that is where the current lot count stands. On March 13, 2015 the applicant submitted an application requesting to increase it to 762 lots at 2 units per acre and this request also included a new lot type that would be 50x120 foot lots, however that was denied and since that time period a year has passed and the applicant has resubmitted an application requesting to amend the concept plan to allow for a new lot type and to remove about 14.21 acres of land from the retail portion. Mr. Miller provided the Commission a map that showed where the 14.21 acres of land was depicted in the concept plan as Phase 10 and that would be a new lot type, lot type E, which would be a 50x120 foot lot with a minimum of 6,000 square feet and the applicant is proposing to incorporate 47 of those into the overall concept plan. This would increase the overall lot count from 742 lots to 789 lots and increase the density from 2 units per acre to 2.07 units per acre.

Mr. Miller went on to state that it should be noted that if the City Council chooses to approve this case, the Future Land Use map will need to be amended to change the designation for this area from a Commercial designation to a Low Density Residential designation and that has been added to the conditions of approval for this case.

Mr. Miller went on to state staff mailed out 334 notifications on May 27, 2016 and also sent out notices to the Stoney Hollow and Breezy Hill Homeowner's Associations. Of the notices sent out, staff received 7 notices returned in opposition of the request, 2 were provided for the Commission this evening and 5 were provided in the packet. Mr. Miller added the applicant was present and staff was available for questions.

Chairman Renfro opened the public hearing and asked the applicant to come forward.

Adam Buzcek  
8214 Westchester Drive Suite 710  
Dallas, TX

Mr. Buzcek came forward and provided a slide show of request which included other Skorburg projects in Rockwall which include Breezy Hill and Stone Creek. The slide show provided plat history, subject property location, proposed concept plan, zoning request, and development standards.



Mr. Buczek went on to give a brief history of the subject property stating that the original 212 Agreement back in 2007 when the property was purchased had all single-family zoning with up to 810 residential lots and it accommodated an area for a school site, because at that time Rockwall Independent School District had expressed interest in wanting a site on the project. In 2009 with the direction of Council and working with staff, they looked to rezone and improve the PD by zoning with a 55 acre commercial site at the south, that was the second version of the item and it reduced the lot count to 658 lots because they converted from residential to commercial maintaining the 2 lots per acre for overall residential density. In 2012 the PD was once again amended the PD for 691 residential units and RISD did not want to build the school site in Breezy Hill therefore they made a master plan that conformed to the 2 units per acre and kept the same lot mix. In 2014 a proposal for 50 foot product was proposed and that request was denied at that time and now there are currently 60 foot lots along the retail and that request was denied at that time. The reason that was done is due to the success of the 50 foot product and the 60 foot product harmoniously co-existing in pods in a transitional zoning from the retail of the Tom Thumb center by Stone Creek was very successful and was a different product line and saw that they were running out of that lot mix.

Mr. Buczek stated that they are before the Commission now 15 months later asking for the City to approve and support their request for the 50 foot product of lots that would be a transitional zoning from the remaining commercial which will be approximately 20 acres and leaving about 20 acres on the hard corner and then transition to the proposed 50's and then it would transition to 60's, 70's, 80's and then the half acre lots.

Mr. Buczek went on to show slide show that showed subject property location, trail system, open space plan. If request is approved it will have a residential increase of approximately 10 acres the residential units would increase from 741 to 789 which is still under the original 810 lot vision before the commercial component was added. The residential density goes up 700<sup>th</sup> of an acre from 2.0 to 2.07. M. Buczek went on to state reasons they feel this request should be approved is because it is a logical transitional zoning between the commercial and that has been proven by Stone Creek, the 50's and 60's have harmoniously existed. They are high quality and high price point and the builder would be Windsor Homes. This proposal would offer some diversity of housing product for Breezy Hill which it currently does not have. Stone Creek will be out of that lot type by the end of this year. He went on to state that they feel the remaining 20 acres of commercial will still accommodate a good anchor and some pad sites down the road. The projected price points will be 280's 290's and mid 300's that is what is selling in Stone Creek currently. The projected square footage is 1800square feet minimum but most of the product that they are selling is in the 2,000's and goes as high as 4,000.

Mr. Buzcek stated he and his team were available for questions.

Chairman Renfro asked what the square footage range would be. Mr. Buzcek stated they would be 1,800 to 4,000 and for this area would be predominantly 2,400 to 3,500 square feet and the price range for those would be the high 280's to mid-300.

Chairman Renfro stated he read the concerns of the residents and one major concern that was expressed by numerous residents was that this product type is going to either cap or reduce market values in adjacent neighborhoods and asked what a response to that concern would be. Mr. Buczek stated his response would be to look at Stone Creek and look at Breezy Hill the 50 foot lots have not dragged the 60 foot lots down at all. In Stone Creek have had 50 foot product since 2009 and feels it is just a different product type and looking at the concept plan you can see it is 400 acres and was originally intended to be a life cycle neighborhood and Stone Creek had the 50x120 component in it although Breezy Hill did not but it did not start out with a retail component it started out all residential but after Council's direction the retail component was added with the thinking that it could go back to residential as the market dictated. Now realizing that much commercial is not necessary and is not the highest best land use they would like to reduce the 20 acres of commercial and incorporate that same transitional buffer that was done in Stone Creek. Looking at the price point history they have exceeded the price points in all categories including in every lot category, so in answer does not feel the price values of adjacent homes will be affected.



Commissioner Logan asked concerning the original concept plan that included the site for the school was that when it was proposing 810 lots. Mr. Buczek stated it was.

Commissioner Logan asked what year they began to produce the majority of homes. Mr. Buczek stated it was in 2012. Commissioner Logan expressed concern of what the residents that originally bought in Breezy Hill with the premise that the developer established when they made their big investment and now that is being changed how that would cause a feeling to them of having been misguided of what would be developed in subject property when they first bought their homes.

Commissioner Whitley expressed stated she understood the change from commercial to residential and is not opposed to that but her concern is with arguments that focus on the price points, aside from the profit motive, why not just continue with the 60 foot lots in this particular section as opposed to bringing it down to the 50 foot lots. Mr. Buczek stated there was a clear and pristine answer and that is that the residual land at Stone Creek is entirely zoned for 60 foot lots, and therefore there is an abundant amount of 60 foot lots and zero 50 foot lots left in Stone Creek. There are about 300 of the 60 foot lots in the balance of the Stone Creek Property and that is not to say it will all be developed that way, may choose to do bigger lots but there is plenty of 60 foot lots for that market demand for that lot size, but there is zero on the 50 foot market and there are a lot of people that do not want to pay and maintain a 60 foot lot. If the 50 foot lots are approved it will be a high end product just as the 60 foot product is, Windsor Homes will be the builder.

Chairman Renfro noted again this is a public hearing and asked those who wanted to speak to form a line and come forward.

Amanda Warner  
890 Pleasant View Dr.  
Rockwall, TX

Ms. Warner came forward and stated she had questions for the developer. One, what is the percentage sold of the half acres, the 80 foots, and the 70 foots that are currently already established in the neighborhood. Two, what is the average price of what is existing, either built or in the process of being built as far as the price point.

Kelli Nori  
4189 Lorion Drive  
Rockwall, TXX

Ms. Nori came forward and stated she is in opposition of the request. She stated she moved to Rockwall because these types of developments were available where they weren't available somewhere else and wants to keep the value of her home. She feels that by bringing in the proposed product it will drive the value of her property down and affects the investment that they made. They made the investment with the understanding that the minimum standards were set at the threshold and now the developer wants to lower them. She doesn't have an issue if they were kept at the 60 foot lots its going down to the 50 foot lot that makes a big difference. Also, she stated it was her understanding that the 50 foot lots of which the developer just mentioned had sold two lots was having trouble selling those due to the fact that Windsor Homes does not have a floor plan that fits the 50 foot lots.

Dave Parks  
3718 Drewsbury Drive  
Rockwall, TX

Mr. Parks stated his opposition to the proposal. He moved to Rockwall and made a contract to build a home in Breezy Hill in November of 2014 and at that time their builder relayed to them that the developer had certain limits to the lot and house size and sold us on Breezy Hill being a premiere level home neighborhood, the next step up from Stoney Creek and there would be a certain lot size and the price point ranges would be that of 350's to 500's so therefore felt good about making the decision to make the investment. Feels the developer changing it now is wrong and lacks integrity on their part.

Nancy Parks  
3718 Drewsbury Drive  
Rockwall, TX

Ms. Parks came forward and stated she is the wife of Mr. Parks that just spoke and she also is in opposition to the request. She is a real estate agent here in Rockwall and one of the things she can say is selling a house in Stone Creek versus selling a house in Breezy Hill, there is a quite a bit of a price difference. They came to Rockwall from New York and paid a premium to live in that neighborhood and would like to keep that neighborhood like it is and that is a premium neighborhood. Has no issue if they would like to go back to 60 foot lots.

Norm Fontan  
805 Calm Crest Drive  
Rockwall, TX

Mr. Fontane expressed his opposition to the request. He mentioned the earlier discussion about the used car lot and what kind of town we want Rockwall to be, feels the desire should be for it to be a town everyone is proud of and he is very proud to have moved here from Michigan. He would like for the lot sizes to stay the same or even bigger because it is beautiful there and by adding more smaller homes the character of the neighborhood would be lost urged the Commission to vote against the proposal.

Julli Cavalli  
721 Calm Crest Drive  
Rockwall, TX

Mrs. Cavalli came forward and stated her opposition of the request. She moved here from Georgia over a year ago and moved into a half acre in Breezy Hill and did so to get away from the feel of being so close to other properties and the sight of so much concrete. They looked into Stoney Creek at the start of their home search but felt the houses there were just too close together. She also feels it will affect the price value of her home and the look of her neighborhood. Feels the developer should stay with the original plan they had when they created Breezy Hill because that is what was sold to them and that should be honored.

David Cavalli  
721 Calm Crest Drive  
Rockwall, TX

Mr. Cavalli came forward and stated he is the spouse of Ms. Julli Cavalli who just spoke and he is also in opposition of the request and agrees with all the concerns his wife spoke of, but wanted to add that in looking at the 50 foot lots that are supposed to be transitional, the commercial and the rest of the neighborhood but in looking at that feels there is a big fault in their logic because half of the commercial is backed up to 60 foot lots and therefore is not really a transitional. He feels it is more about the product. Both Stone Creek and Breezy Hill are both beautiful developments for Rockwall but feels the developer is trying to get more for them, while taking away what was promised to the residents of Breezy Hill.

Chairman Renfro asked if there was anyone else wishing to come forward and speak, there being no one indicating such, Chairman Renfro closed the public hearing and asked the applicant to come back up for rebuttal.

Chairman Renfro asked Mr. Buczek if he could start from the beginning of the concerns and questions that were shared starting with the price points. Mr. Buczek began with the question concerning the average price on all lot sizes that is a statistic that is not really tracked cannot give a specific number but if he had to guess his prognostication would be that they are probably averaging somewhere around \$400,000 to \$525,000 somewhere in that range between all size houses.

Chairman Renfro asked concerning the value, minimum standards were 60 foot lots and question of those lots being harder to sell. Mr. Buczek stated they have been selling the 60 foot lots since 2009 in Stone Creek so the answer is no, there has not been a problem selling 60 foot lots and Windsor has floor plans that fit the customer can come in and pick a lot there are lots to choose from between both master plans.

Chairman Renfro asked about the question that came up concerning the minimal lot size on original plan being 60 foot and it was never disclosed to the residents of any plan for 50 foot lots when they made their purchase. Mr. Buczek stated that is correct because they never had a 50 foot lot type in Breezy Hill since day one going back to 2012. The comment that was made concerning why didn't the developer disclose that on a map during time of purchase, but at that time not being sure if that would be introduced, feels it is much easier to add something at a later time than retract something from the plan that was already offered. Markets, demands and cycles change and PD's are always subject to potentially re-opened and modified as the market conditions change when new market opportunities present themselves or go away.

Chairman Renfro asked why the sixty foot product would not work in this particular location. Mr. Buczek stated it would work in time, but it would come down to the loss they are taking by losing part of the commercial by turning it into residential and in turn losing profit, but feels that the market has spoken and with this commercial are sitting there the last three years with nothing coming in. They are trying to have a differentiated product because it is a differentiated price point and a differentiated product line and it's only 10 acres of land out of 400 acres, and although he does understand everyone's concerns he asks that the look at the price points of Windsor Homes on this product and can be assured that this price point with this square footage is not going to bring down values but instead will enhance the values for the 60 foot lots that are to the north of the site.

Mr. Buczek went on to state that after all the discussion and the concerns of the neighbors if it would appease the Commission and the neighbors to some degree to convert the lots that are on the north end edge of the ten acres to make those all 60's they would be willing to do that. If that is something that can be considered it is an option for them. What they are trying to do is to have the different product on a small piece of land that has no traffic circulation connectivity with any of the other phases of Breezy Hill. It will have its own dedicated entrance in and out, out of John King. It is like its own pod within the master plan neighborhood.

Commissioner Fishman expressed concern that the smaller lots to eventually turn into transitional properties especially when they're backed up to retail. And although that may be something that will happen in the very near future, it is still a concern. Mr. Buczek stated they would be willing to add a deed restriction for this lot type that would not allow a property to be rented for longer than a 12 month period.

Commissioner Logan asked concerning the j-swing garages versus the front entry garages that one resident that spoke had concerns about. Mr. Buczek stated the 60 foot wide lot does afford more options with a two in one garage floor plan. The 50 foot lot does not it is a front entry product like the Stone Creek 50 foot product but the visual simulation of these 50's will have zero impact on the visual streetscape of the rest of Breezy Hill because the only way you'll be driving through there is if you live there.

Chairman Renfro asked concerning the open space. Mr. Buczek stated the minimum was 20% and according to the concept plan they are exceeding the open space requirement.

There being no other questions for the applicant or staff, Chairman Renfro brought the item back to the Commission for discussion.

Commissioner Whitley point of clarification if the Commission denies the request, would it be a year before they can come back or can a motion to approve be made with the amendment that all the lots be 60 foot, how would that work. Mr. Miller stated that the options are to approve and that would go onto Council and require a simple majority for approval. If a motion was made to deny the request and that were to pass that would kick in the three quarter majority vote meaning a super majority would be needed to approve the case by Council. If a recommendation by the Commission be made to Council to incorporate 60's as the applicant offered on the northern part that would be a recommendation to approve with those additional recommendations.

Commissioner Whitley asked concerning the time frame the applicant would be required to wait before making another application if the request is denied. Mr. Miller explained that if Council denies the request, they're prohibited from bringing back the same request for a period of one year. However, the ordinance calls for a substantial change to be able to bring the request prior to the one year and the Planning and Zoning Commission is the body that makes the determination on whether or not it is a substantial change. If the applicant were to bring something back the Planning Director has the ability to allow that to come in, however typically it is brought to the Planning and Zoning Commission to make the determination if there is a substantial change.

Commissioner Lyons stated that he feels that the community would be best served in this situation by sticking with the 60's the reason being that that is what the plan has been on this portion of it and feels many of the residents did purchase their homes with that understanding that there was not going to be smaller lots and 60's was the standard. Feels it is not much of a difference from 50's to 60's and the developer would still make a good profit and remaining consistent to what they committed to the residents.

Commissioner Lyons made a motion to deny case Z2016-018. Chairman Renfro asked staff for clarification if the motion is to deny but Commissioner Lyons amends it to add the 60 foot lots, does he have to deny it. Mr. Miller explained if Commissioner Lyons denies the recommendation for the 60 foot lots can be made to City Council.

Commissioner Lyons made a motion to approve case Z2016-018 with the amendment to make the lots from 50 foot lots to 60 foot lots.

Commissioner Whitley asked for clarification if all would be 60 foot lots and not just the contiguous lots that the applicant discussed. Chairman Renfro clarified motion was to make all the lots 60 foot lots, there would be no 50's.

Commissioner McCutcheon commented on point of order as far as if the Commission makes this change and it's approved, what are City Councils options if they chose to approve it with 50's. Mr. Miller stated City Council could approve the request as presented, and it would require a simple majority vote.

Commissioner Logan commented on what the developer said concerning reason they are proposing the request is because they already have so many of the 60 foot lots and that only attracts a certain size of home owner and had concerns. Mr. Miller pointed out that a second motion was required before further discussion could take place.

Commissioner McCutcheon seconded the motion. Commissioner Logan expressed concern of tying down the developer with all 60's when they have so many 60's that have not been sold yet and that only attracts a certain income level and sees how they are interested in drawing different income levels for the entire neighborhood.

Chairman Renfro noted there was a motion on the table and called for a vote. The motion passed by a vote of 6-0, with Commissioner Trowbridge absent.

## V. ACTION ITEMS

### 8. MIS2016-008

Discuss and consider a request by Theresa and Ronald Briones for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, *General Residential District Standards*, of Article V, *District Development Standards*, of the Unified Development Code, for a 0.248-acre parcel of land identified as part of Lot 7, Block 5, Garner Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 905 N. Alamo Street/906 N. West Street, and take any action necessary.

Planner, Korey Brooks, gave explanation of request stating the applicant is requesting to construct a new home on the vacant lot at 905 N. Alamo Street and they want to utilize Hardy Plank or a similar siding material. The subject property is located just north of the intersection of Heath Street and N. Alamo Street and is zoned Single Family 10 District. According to the UDC, the minimum masonry requirement for exterior walls on structures that are 120 square feet or



greater is 80%; with a maximum of 50% of this masonry requirement being permitted to be Hardy Plank, stucco or a similar cementaceous material. Additionally, the code states that exceptions to these requirements may be permitted on a case-by-case basis by the City Council. The applicant did submit building elevations and photos of other homes in the neighborhood that have Hardy Board or similar siding.

Mr. Brooks further stated that additionally, the applicant has stated in a letter submitted to staff that the purpose of requesting the masonry exception is to match the materials and architectural style of the adjacent properties. Also something else to note is that the majority of the structures on the adjacent properties utilize vinyl/wood siding or a similar cementaceous lap siding material.

Mr. Brooks stated he has a sample of the product that is being proposed and has passed that around for the Commissions review and the applicant was present and available for questions, as well as staff.

Commissioner McCutcheon asked concerning sample if that was the actual color that would be used. Mr. Brooks stated he would refer that question to the applicant.

Chairman Renfro asked the applicant to come forward and speak.

Theresa Briones  
1401 Bayline  
Rockwall, TX

Ms. Briones came forward and answered Commissioner McCutcheon's question stating that the color sample presented is not the color that she plans on doing a light gray. She explained reason for request was to keep the same look of the existing neighborhood.

There being no further questions for the applicant or staff, Chairman Renfro brought the item back to the Commission for discussion.

Commissioner McCutcheon made a motion to pass MIS2016-008. Commissioner Whitley seconded the motion which passed by a vote of 6-0, with Commissioner Trowbridge absent.

#### 9. SP2015-018

Discuss and consider a request by Brad Williams of Winstead PC on behalf of RaceTrac for the approval of an amended site plan for a retail store with gasoline sales on a 2.46-acre parcel of land identified as Lots 1R & 2R of the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating the subject property is located on the southeast corner of Ridge Road and Yellow Jacket and stated as the Commission may recall the applicant was before the Commission in December of 2015 requesting an amendment to the site plan specifically to the elevations at that time, and part of that request was concerning the secondary materials to the building's elevations. At that time they had brought forward a material that was not only EIFS but also trek board. Mr. Gonzales passed around a sample of material for the Commissions review and noted reminded the Commission that after both the Architectural Review Board and the Planning Commission's approval it did go to City Council and the variance to that particular material and the allowance to the secondary material to exceed 10% was approved however, after having put up a mockup of the trex board they realized it did not work and now are coming forward with another material they are proposing which is a compact wood material that looks more like wood but is not a 100% wood product and will be considered secondary material. Mr. Gonzales provided a spec sheet of the material for the Commission's review as well as a calculation sheet.

Mr. Gonzales further noted that the purpose of the request is not only for the increase of the secondary material but also for a change in the elevation which includes the tower element has been removed however what the approved elevation of 2015 and the proposed elevation, the

change is a patio area that has been extended on the north side of the building they are including a roll of glass that will be an open air type patio which they can close in the winter. That changed required them to increase the secondary material and those percentages and numbers are shown on the calculation report provided to the Commission. Mr. Gonzales gave a brief breakdown of the numbers by explaining that staff essentially reviews elevations for each elevation and in this case the top portion of the calculation sheet indicates an average of secondary material of each elevation and that can be anywhere from 10% to 29% for an average of 21% however with the elevations that were brought forward in December, that elevation total was for the entire building and that was a 14%, the purpose of the calculation report was to compare the numbers of the new proposed numbers as opposed to those which were brought in December.

Mr. Gonzales stated the applicant was present and staff was available for questions.

Chairman Renfro asked the applicant to come forward.

Brad Williams  
2728 N. Harwood  
Dallas, TX

Mr. Williams came forward and stated he represents RaceTrac and provided a slide show that showed pictures of proposed perspectives and changes. The patio is what is driving the changes RaceTrac felt that adding the enclosed patio would be more useful for the customers for a year round use and one of the reasons to eliminate the tower was also to direct the customers to the front entrance. He further noted that the illustration provided helps show the change in materials. Looking at the old elevation and the new elevations there is a very small increase in the secondary materials. Mr. Williams went through a comparison of trex versus compact wood. He stated he is available for any questions.

Chairman Renfro asked concerning the difference in the years of warranty between the two materials. Mr. Williams explained that the trex is warrantied for ten years for its intended application as a deck and when taking the trex out of the deck and using it in the way that is being proposed the question was why that warranty wouldn't continue to apply, so it is a ten year as a deck, and the compact wood is warrantied for the proposed application interior as well as exterior.

Commissioner Logan expressed concern of compact wood not looking more like real wood than the trex asked staff if it was a variance to stone. Mr. Gonzales stated the trex board is simply a variance to allow for more than 10% of a secondary material and they do meet the stone requirement.

Commissioner McCutcheon asked staff concerning the stone increase appears there is more stone than what was shown initially. Mr. Gonzales state there is stone in the interior of the patio area and that is the reason for the increase and the interior wall is not part of the calculation.

Chairman Renfro asked for discussion or motions from the Commission.

Commissioner Fishman made a motion to approve the item with staff recommendations. Commissioner McCutcheon seconded the motion which passed by a vote of 6-0, with Commissioner Trowbridge absent.

10. SP2016-012

Discuss and consider a request by Chet Leugers, PE of Pacheco Koch on behalf of Michael Hampton of the Rockwall Economic Development Corporation for the approval of a site plan for a warehouse/manufacturing facility on a 30.6-acre portion of a larger 86.806-acre tract of land identified as Tract 1 of the H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northwest corner of Discovery Boulevard and Data Drive, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanations of request stating the subject property is located within the Rockwall Technology Park along Data Drive and Discovery Blvd. The applicant, Pratt Industries a Georgia-based packaging company, that is requesting to construct

389,500 SF warehouse/manufacturing facility and will be taking up a 30.6-acre tract of land, it is zoned Light Industrial there are three main points of access to the site.

Mr. Gonzales went on to explain that as discussed in the work session the parking for the site with it being 389,000 square feet facility does require 389 parking spots and that will be a variance they are requesting. With consideration to the site plan they do meet the elevations, landscape plan, treescape plan and photometric plan within the Unified Development Code for the Light Industrial District with the exception of the variances that are being requested. Concerning the treescape plan looking at the site it is a vacant tract of land and has quite a few trees on it, the applicant will be removing about 3,700 inches from the site but the majority of those are cedar trees and within the City's ordinance are mitigated at 50% of those trees that are over 11 inches and 2,600 of the trees are considered not protected. Also within the tree mitigation there are two elm trees that total 18 inches and for those removal does require Planning Commission's approval. Total mitigation will be 576 inches for the property, however they will be providing 192 3 inch calper trees minimum size trees for the entire site and that will clear out the balance for the mitigation and will have no trees owed.

Mr. Gonzales further noted that concerning the variances the applicant is requesting, since it is not in an Overlay District, they will require a simple majority vote by City Council. There are six variances to the Unified Development Code, starting with the parking. The UDC requires them to have 389 parking spaces but the applicant will be providing 132 spaces and that is based on the number of employees that will be on site and therefore are asking for the parking to be reduced. The next variance is for tilt wall construction and that is considered on a case by case basis through City Council and that leads to the material variance stone or brick is required but since it will be 100% tilt wall, 20% cultured stone is required on walls that are visible from a public street. They will also be requesting variances to the vertical and horizontal articulations as well as a variance to the detention base. Anytime an applicant comes in and they have on site detention as the applicant in this case does, they are required one tree per 750 square feet of dry detention area. In this case the applicant indicated that the detention area will be only temporary because the REDC has a regional detention that connects to the property, and this is to eliminate the need for the detention for this particular site.

Mr. Gonzales went on to note that all six variances that are being requested require a simple majority vote from City Council, and staff and applicant are available for questions.

Commissioner McCutcheon asked staff except for the parking and detention variances, did the existing Bimbo as well as neighboring properties ask for similar variances. Mr. Gonzales stated they have.

Commissioner Logan asked concerning the detention plan. Mr. Gonzales stated the applicant would be better fitted to answer that question.

Chairman Renfro asked the applicant to come forward.

Michael Hampton  
REDC  
2610 Observation Trail  
Rockwall, TX

Mr. Hampton came forward and gave brief summary of request stating this particular spot is referred to as Phase IV has about 95 acres of developable property that the REDC has been actively marketing out area. Pacheco Koch is the engineer on the project and REDC is working with them for the detention pond it is on the far northwest corner that will serve as a detention pond for these 95 acres have permission to utilize an existing lake in the Discovery Lakes subdivision. The temporary pond primarily is to serve the western half because their timeline is faster than that of the REDC although they are actively working on completing that. The applicant would prefer not to build the temporary pond only to have to fill it once the permanent one that is under way is completed.

Mr. Hampton went on to explain that the REDC goes through a lengthy process that is used to qualify prospects and part of that is understanding not only the company and their financials but also the quality of business they will run. There is several building in the surrounding area in



which variances similar to these have been approved. They will have very extensive landscaping plan to embellish the buildings overall look.

Chairman Renfro brought the item back to the Commission for discussion. There being no questions or discussion, Chairman Renfro made a motion to approve the item. Commissioner McCutcheon seconded the motion, which passed by a vote of 6-0, with Commissioner Trowbridge absent.

11. SP2016-013

Discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of the owner Tom R. Briscoe of Briscoe Oil, Inc. for the approval of a *PD Site Plan* for an urgent care facility on a 1.042-acre tract of land identified as Lots 1 & 2, Block A, Briscoe/Hillcrest Addition and Tract 41-2 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the *Summit Office Subdistrict* and the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of Horizon Road [FM3097] and the IH-30 frontage road, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating that on May 11, 2016, the applicant submitted an application for a PD site plan showing the proposed layout of a 6,235 SF urgent care facility on a 1.042-acre tract of land and is located directly east of Trend Tower adjacent to the IH-30 Frontage Road and Horizon Road and is zoned Planned Development District 32 and that PD Development Plan was approved in May of this year.

Mr. Gonzales went on to state that according to Ordinance No. 10-21, the proposed use is permitted by-right in the Summit Office Subdistrict, and will not require any additional approvals by the Planning and Zoning Commission. The submitted site plan, building elevations, landscape plan, and photometric plan conform to the technical requirements contained within the UDC and Planned Development District. The applicant is requesting a variance to the IH-30 Overlay District standards of the UDC and Mr. Gonzales added that as a note, approval of a variance request to the IH-30 OV requires passage of a 3/4 majority vote of City Council and the approval of a variance to the IH-30 OV is a discretionary decision for the City Council. The request for the masonry requirements according to the UDC, each exterior wall is required to be constructed of 90% masonry materials on walls visible from a public street or open space, including a minimum of 20% being natural or quarried stone. In this case, the proposed building will be comprised of 100% masonry materials with two of the facades incorporating a minimum of 35% natural chopped stone. The two remaining facades, the north and west elevations, do not meet the minimum 20% standard for stone. A variance to allow for not meeting the minimum stone standard requires a 3/4 majority vote by the City Council for approval.

Mr. Gonzales further stated that on May 31, 2016, the Architectural Review Board reviewed the proposed site plan and building elevations. Through internal discussion with the applicant, the ARB recommended removing the stone from the tower element adjacent to IH-30 and placing it on the southern elevation for the purpose of wrapping the chopped stone around the building from the southern elevation to eastern elevation. This will also have the effect of increasing the stone that faces onto Pinnacle Way Drive. In lieu of stone on the tower element the ARB recommended that the applicant utilize one of the two proposed brick materials. In addition, the ARB agreed with the applicant that the western elevation did not need to incorporate stone since it will face Trend Tower and not be visible from a public right-of-way. Finally, the ARB recommended that the applicant consider incorporating more adornments in the banding elements and trim the windows out in opposing materials for example if the wall is stone then what would be used is brick to frame the windows and vice-versa. The applicant agreed with the ARB's assessment and provided elevations demonstrating conformance to these recommendations.

Mr. Gonzales stated the applicant was present and staff is available for questions.

Chairman Renfro asked the applicant to come forward.

Greg Stoggner  
12720 Hillcrest Suite 650  
Dallas, TX



Mr. Stoggnier came forward and stated they met with the Architectural Review Board and received good suggestions from them north elevations were originally stone, the Board recommended those go to brick which they will do and the building will be 19.98% stone and is 100% masonry therefor he feels they meet the intent.

Chairman Renfro brought the item back to the Commission for discussion.

Commissioner Lyons made a motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion which passed by a vote of 6-0, with Commissioner Trowbridge absent.

12. SP2016-014

Discuss and consider a request by Ron Valk of Platinum Storage Rockwall, LLC on behalf of Shawn Valk of Platinum Construction for the approval of site plan for a multi-tenant office/warehouse facility on a 2.692-acre parcel of land identified as Lot 3, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the west side of T. L. Townsend Drive, south of the intersection of T. L. Townsend Drive and IH-30, and take any action necessary.

Chairman Renfro noted this item has been tabled until further notice.

VI. DISCUSSION ITEMS

13. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- ✓ P2016-021: Preliminary Plat for Lot 1, Block A, Rockwall CCA Addition [Approved]
- ✓ P2016-022: Preliminary Plat for Lot 1, Block 1, Dobbs Elementary Addition [Approved]
- ✓ P2016-026: Lot 6, Block M, Sanger Brothers Addition [Approved]
- ✓ SP2016-006: Variances for Service King Collision Repair [Approved]
- ✓ Z2016-012: SUP for Kroger Gas Station at 2901 Ridge Road (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-013: Terracina Estates (AG to PD) (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-014: Ridgecrest Subdivision (AG to PD) (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-015: Amendment to Planned Development District 79 (PD-79) (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-016: Text Amendment to Southside Residential Neighborhood Overlay (SRO) District (2<sup>nd</sup> Reading) [Approved]

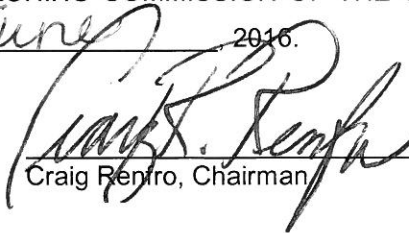
Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

Mr. Miller added that the Texas Chapter of the APA is providing a workshop and the Commission is welcome to attend, information regarding this will be sent via email.

VII. ADJOURNMENT

Chairman Renfro adjourned the meeting at 8:29 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 28 day of June, 2016.

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**June 28, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:00 p.m. Present were, Commissioners Johnny Lyons, Tracy Logan, Patrick Trowbridge, Sandra Whitley and John McCutcheon. Absent was Commissioner Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams and Civil Engineer, Jeremy White.

II. CONSENT AGENDA

1. Approval of Minutes for the June 14, 2016 Planning and Zoning Commission meeting.

Chairman Renfro made a motion to pass the consent agenda. Commissioner McCutcheon seconded the motion which passed by a vote of 6-0, with Commissioner Fishman absent.

III. APPOINTMENTS

2. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

The Architectural Review Board representative, Julian Meyrat, came forward and gave brief summary of recommendations pertaining to the item on the agenda that required architectural review.

IV. ACTION ITEMS

3. SP2016-014

Discuss and consider a request by Ron Valk of Platinum Storage Rockwall, LLC on behalf of Shawn Valk of Platinum Construction for the approval of site plan for a multi-tenant office/warehouse facility on a 2.692-acre parcel of land identified as Lot 3, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the west side of T. L. Townsend Drive, south of the intersection of T. L. Townsend Drive and IH-30, and take any action necessary.

Senior Planner, Korey Brooks, gave brief explanation of request stating this case was postponed in the last meeting in order for the applicant to address comments that the Architectural Review Board recommended. The applicant is requesting approval of a Site Plan for the purpose of constructing two office/warehouses builds of which one will be a 9,180 sq. ft. and the other 11,300 sq. ft. According to the Unified Development Code the proposed use, which will be an office/warehouse, is a permitted by right use and therefore will not require any additional approval by the Planning and Zoning Commission. The submitted site plan, landscape plan, and photometric plan all conform to the technical requirements stipulated in the UDC.

Mr. Brooks went on to state that with this site plan the applicant has requested some variances to the four sided architecture and according to the UDC, the Commercial buildings should be architecturally finished on all four sides and incorporate the same materials detailing, and features. The building elevations that the applicant submitted show that the south façade of the building will have loading doors along the entire length of the façade to allow for loading and unloading of materials. Also the applicant is requesting to utilize 2% natural or quarried stone on this elevation versus the 20%, in that the lack of stone and articulation does not meet the four sided architecture requirements and therefore are requesting a variance. Additionally on the south elevation the applicant is requesting to use 14% EIFS and in the UDC it states that it should not be less than 10% EIFS and therefore are also requesting a variance on this as well.

66 All variances pertaining to this case are referring to the south elevation, which the applicant has  
67 stated will incorporate loading docks and will not be visible from any major public street. On the  
68 north side there are some trees as well as some City owned property that will be shielding the  
69 view along Townsend. The variances will require a <sup>3</sup>/<sub>4</sub> majority vote by the City Council to be  
70 approved since the property is situated in the IH-30 Overlay District.  
71

72 Mr. Brooks further stated that the applicant met with the Architectural Review Board last month  
73 and they discussed this particular site plan and they requested for more articulation on the  
74 building and also suggested that they flip the north building to face the south building this  
75 would create a courtyard so that one building is not facing the back of another. The applicant  
76 made changes to the vertical structures by increasing the height of all the structures as well as  
77 providing some variation in some of the vertical structures to provide more depth to the  
78 building. The applicant decided not to make the suggested change of flipping the northern  
79 building so that it faces the southern building. The ARB's main concern with that was that the  
80 back of one building would be facing the front of the other and preferred the buildings face each  
81 other, however since this will be sheltered from public view, the applicant felt that was not a  
82 major issue.  
83

84 Mr. Brooks advised the Commission the applicant was present and available for questions as  
85 well as staff.  
86

87 Chairman Renfro asked although it is located in the IH-30 Overlay and it was noted that is it not  
88 visible from the freeway and the corridor what happens if a variance is approved within that IH-  
89 30 Overlay and another request comes in that the Commission does not want to approve, does  
90 by approving this particular one set a precedent that should be of concern or is it determined on  
91 a case by case basis. Mr. Brooks stated it is discretionary to the Planning and Zoning  
92 Commission and City Council on a case by case basis.  
93

94 Commissioner Trowbridge asked pertaining to the buildings facing each other as opposed to  
95 ARB's recommendation of the back of one building not facing the front of another. Mr. Brooks  
96 stated the southern building will look at the back of the northern building.  
97

98 Chairman Renfro asked if there were any further questions for staff or for the applicant. No  
99 further questions or discussion took place.  
100

101 Commissioner Trowbridge made a motion to approve the item with staff recommendations as  
102 well as variances. Commissioner McCutcheon seconded the motion which passed by a vote of  
103 6-0, with Commissioner Fishman absent.  
104

#### 105 V. DISCUSSION ITEMS 106 107

##### 108 4. Z2016-020

109 Hold a public hearing to discuss and consider a request by Sandra Peterson for the approval of a  
110 Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements  
111 stipulated by Section 2.1.2, *Residential and Lodging Use Conditions*, of Article IV, *Permissible Uses*, of  
112 the Unified Development Code [Ordinance No. 04-38] for a 0.231-acre parcel of land identified as Lot  
113 10, Block D of Northshore, Phase 2A Addition, City of Rockwall, Rockwall County, Texas, zoned Single  
114 Family 10 (SF-10) District, addressed as 509 Sunset Hill Drive, and take any action necessary  
115

116 Planner, Korey Brooks, stated the applicant was not present and would present the case on their  
117 behalf. He explained that the applicant is requesting to get an SUP for a carport. The subject  
118 property is located within an SF-10 District and they are proposing a 20x20 carport on the rear of  
119 their home. The carport will be attached to the home and extend off of the current garage. Mr.  
120 Brooks went on to explain that the purpose of bringing this request before the Commission is  
121 because according to the UDC in a Single Family 10 District the minimum depth of the rear  
122 setback should be 10 feet and the applicant is proposing an 8 feet setback instead, therefore  
123 need a variance of 2 feet. The carport will face an alley as it is in the rear of the home, and will  
124 not be visible from any public street.  
125  
126

Mr. Brooks provided pictures for the Commission to see where approximately what the rear of the building looked like and showed where the carport would be and stated he was available for questions.

Chairman Renfro asked if it did not meet the minimum setback requirements where would the carports posts be going because according to the pictures it appeared there was new concrete that was poured. Mr. Brooks stated the carport will be 20x20 and believes the posts will be on the four corners of the existing pad, believes the applicant will be removing existing concrete and pave it again. However there is an easement on one side of the driveway and therefore cannot go much further than the shown concrete.

Planning Director, Ryan Miller, added that a portion of the concrete is situated within the easement therefore the posts will have to be inside that easement, they cannot encroach the easement.

Commissioner McCutcheon expressed concern and questions as to how it will be placed with the actual driveway encouraged applicant to be present at the next meeting for those questions to be answered.

Commissioner Lyons asked why not go with an 18 foot instead of 20 and then they would be in compliance because they would have the 5 foot set back. Mr. Miller added that 20x20 is a typical carport size.

Commissioner Trowbridge asked if what was being waived is the idea that the will extend 2 feet into the 10 foot setback and if that is the single variance that is being requested. Mr. Brooks stated that was correct. Commissioner Trowbridge also asked if there was an HOA within this neighborhood with restrictions. Mr. Brooks stated there was not.

Chairman Renfro asked if a permit was needed to pour concrete over the easement. Mr. Miller stated that flat work is allowed within the easement however what is not permitted is vertical structures.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

#### 5. Z2016-021

Hold a public hearing to discuss and consider a request by Mike Hogue for the approval of a zoning amendment to Planned Development District 52 (PD-52) for the purpose of allowing townhomes on a 2.17-acre tract of land identified as Lot 1, Block 1, Allen Hogue Subdivision (0.7910-acres) and Lots 67 & 68, Block B, B. F. Boydston Addition (1.257-acres), City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) for Heavy Commercial (HC) District land uses, being addressed as 703, 705 & 709 E. Boydston Avenue, and take any action necessary.

Planning Director stated applicant was present and would be presenting the case.

Greg Wallace  
Mershaw Architects  
2303 Ridge Road  
Dallas, TX

Mr. Wallace came forward and gave brief explanation of request and provided pictures of a model that the request is being patterned on from an existing project the client liked. It will be 100% masonry, brick and stucco with some clay tile accents. The rear will be two car garages across the back on the first floor and the rear will be all brick construction and some stucco on it. The site plan itself will sit in front of a floodplain area which is heavily treed which will be retained and make a park area there. They will be privately owned townhouses and the project will be fire sprinkled. There will be some visitor parking off of the fire lane in the back as well as the 20 foot approach to each garage. Mr. Wallace went on to state that each unit on the first floor will have a two car garage stair up to the second floor to what will be called a bonus room that can be used as an office, guest bedroom or media room that would serve for a well use for the first floor. The second floor is open concept with a kitchen, dining, and living area as well as a small balcony in the front. The third floor will consist of two bedrooms the master and a



second large bedroom both with private bathrooms. The square footage will be 2258 per each unit air conditioned and total square footage is just under 3,000 square feet.

Mr. Wallace stated he is available for any questions and added that the property at this time is zoned Heavy Commercial with an amendment for metal buildings and therefore feels this proposal will certainly clean up that corner and will provide a much less density than that of a Heavy Commercial use.

Chairman Renfro asked concerning deed restrictions, what is in place to prevent these townhouses from going investor driven where a group comes in and buys several and then chooses to rent them out or it turn it into an income producing property that may result in ending up with a different design concept than that of which is being proposed.

Mr. Wallace stated it is early in the project and deed restrictions have not been considered as of yet, but the owner is present and can say whether or not he has given any thought to deed restrictions.

Mr. Wallace added that the property around the project is going to be maintained by other than the owners of the units, mainly the fire lane and the park area, and will be a quality project.

Chairman Renfro asked if there is a plan once the project is complete to secure the property from flipping into a rental opportunity.

General discussion took place concerning the risk of property becoming a multi-family property.

Chairman Renfro asked the applicant to come forward.

Michael Hogue  
1498 Hubbard Drive  
Forney, TX

Mr. Hogue came forward and stated he plans to have a Home Owner's Association in place that will make sure, through a contract , that when people buy or rent they are taking care of the property.

Commissioner Trowbridge asked if the Home Owner's Association would be controlled by residents in the project and/or the owner. Mr. Hogue stated he will be the one controlling the HOA until whoever buys it at which time that person will have to be the one in control because it will be responsible for maintaining the park that will be on site.

Commissioner Trowbridge asked if the intent is to have a standard HOA that will maintain as new ownership comes in. Mr. Hogue stated that he didn't know how exactly how it will work but it will be to where the property will be taken care of by the HOA.

Chairman Renfro asked if at the time case comes forward at the Public Hearing could that restriction for an HOA be put into the recommendations. Mr. Miller stated that it is not an enforceable zoning recommendation it would have to be something that the applicant would have to put in their deed restrictions and it is not something this Board can make a recommendation for or require them to do.

Commissioner Logan asked if request is approved will it be changed to Single Family High Density. Mr. Miller stated it would be changed to a Planned Development District allowing Townhomes, it will be through an ordinance much like is seen in a typical subdivision, however it will be tailored directly to what the applicant is proposing. The applicant is proposing to put them on individual lots however it will be addressed through the PD how those lots will be arranged because they won't have street frontage but staff will be bringing that PD at the Public Hearing.

Mr. Hogue added that the size of lots on the property are not high density, each lot is going to be over 10,000 feet.

Mr. Miller further added that according to the Comprehensive Plan it qualifies as medium density residential, it's not more than 5 units per acre because it is 2.17 acres which is right underneath the high density level which is 5 units per acre or more.

Commissioner Trowbridge asked if applicant has built a project like this before and where. Mr. Hogue stated he had in a project in Dallas and was larger than what is being proposed.

Commissioner Trowbridge also asked if the ratio discussed include the surrounding floodplain. Mr. Miller stated yes it is incorporated; density is done on the gross.

Commissioner Whitley asked staff concerning the list of surrounding home owners, when would notifications of this proposal be sent out to them. Mr. Miller stated those notifications were sent out last Friday and staff has at this time received a couple responses back and the complete list will be brought to the Commission at the Public Hearing.

Mr. Hogue added that they reached out to home owners in the area of which many expressed they were in favor.

Mr. Miller pointed out that on the property notification map, the notification areas is larger. This property is already in a Planned Development District which is tied to a zoning concept plan and because of that staff felt that it was necessary to notify not only everybody in the PD but also the typical 500 feet because it is a change to the concept plan which could affect adjacent properties.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

6. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- ✓ P2016-020: Final Plat for Fontanna Ranch, Phase II *[Approved]*
- ✓ P2016-028: Master Plat and Open Space Plan for the Ridgecrest Estates Subdivision *[Approved]*
- ✓ P2016-029: Preliminary Plat for the Ridgecrest Estates Subdivision *[Approved]*
- ✓ Z2016-013: Terracina Estates (AG to PD) (2<sup>nd</sup> Reading) *[Approved]*
- ✓ Z2016-017: Text Amendment for Used Motor Vehicle Sales *[Approved]*
- ✓ Z2016-018: Amendment to Planned Development District 74 (PD-74) (1<sup>st</sup> Reading) *[Approved]*
- ✓ MIS2016-008: Masonry Exception for 905 N. Alamo Street *[Approved]*
- ✓ SP2015-018: Variance to the Material Standards for RaceTrak Site Plan *[Approved]*
- ✓ SP2016-012: Variances for Pratt Site Plan *[Approved]*
- ✓ SP2016-013: Variance to the Material Standards for CareNow Site Plan *[Approved]*

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting.

Commissioner Trowbridge asked concerning the text amendment, asked for an explanation of what the process is for the unanimous approval to deny and the majority approval within Council for a first reading for text amendments. Mr. Miller explained that with text amendments they require only a simple majority vote, with a lot of the zoning cases that deal with real property the Planning and Zoning Board has the ability to approve a denial recommendation which would kick in a three quarter majority vote. The other way a three quarter majority vote would kick in in those cases is with a 20% protest from adjacent property owners; however text amendments while they are considered zoning cases, they do not have a protest option and therefore are not subject to the three quarter majority vote.

Commissioner Trowbridge asked if it is actually approved at the first reading or at the second meeting. Mr. Miller stated two readings are required for an ordinance therefore it is not approved until the second reading. Commissioner Trowbridge asked if a Public Hearing takes place at the second reading. Mr. Miller stated no one does not, the Public Hearing happens at the first reading of the ordinance. The second reading is either a consent or action item.

No further discussion took place concerning this agenda item.


VI. ADJOURNMENT

Chairman Renfro adjourned the meeting at 6:37 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 24 day of July, 2016.

  
\_\_\_\_\_  
Craig Renfro, Chairman

Attest:

  
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**July 26, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:02 p.m. Present were, Commissioners Johnny Lyons, Patrick Trowbridge, Sandra Whitley, Annie Fishman and John McCutcheon. Absent was Commissioner Tracey Logan. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, and Assistant City Engineer, Amy Williams.

II. CONSENT AGENDA

1. Approval of Minutes for the June 28, 2016 Planning and Zoning Commission meeting.

2. P2016-030

Discuss and consider a request by Clint Groomer of CBG Surveying, Inc. on behalf of Anusha Malineni of Sriven Vista, LLC for the approval of a replat for Lots 5 & 6, Block C, Sanger Bros. Addition being a 0.23-acre parcel of land currently identified as a portion of Lots 1 & 2, Block C, Sanger Bros. Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 703 Sam Houston Street, and take any action necessary.

3. P2016-031

Discuss and consider a request by Randy Helmberger of Our Lady of the Lake Catholic Church on behalf of Dr. Brad Helmer of Heritage Christian Academy for the approval of a replat for Lots 2 & 3, Block A, Heritage Christian Academy, Phase 2 being a 8.83-acre tract of land currently identified as Lot 1, Block A, Heritage Christian Academy, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 27 (PD-27) for Multi-Family 14 (MF-14) District, located west of the intersection of Damascus Road and SH-205 [*S. Goliad Street*], and take any action necessary.

4. P2016-032

Discuss and consider a request by Chet Leugers, PE of Pacheco Koch on behalf of Michael Hampton of the Rockwall Economic Development Corporation (REDC) for the approval of a final plat of Lot 1, Block B, Rockwall Technology Park, Phase IV being an 8.761-acre portion of a larger 9.73-acre tract of land identified as Tract 2-01-1 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549 Overlay (FM-549 OV) District, located at the northeast corner of the intersection of Corporate Crossing and Capital Boulevard, and take any action necessary.

5. P2016-033

Discuss and consider a request by Chet Leugers, PE of Pacheco Koch on behalf of Michael Hampton of the Rockwall Economic Development Corporation (REDC) for the approval of a final plat of Lot 1, Block A, Rockwall Technology Park, Phase IV being an 30.035-acre portion of a larger 49.85-acre tract of land identified as Tract 1, J. H. B. Jones Survey, Abstract 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Discovery Boulevard and Data Drive, and take any action necessary.

6. P2016-034

Discuss and consider a request by Jay Holman & Don Silverman of Rockwall 205-552, LLC for the approval of final plat for Lots 1-3, Block A, Dalton Goliad Addition being a 9.232-acre tract of land identified as Tract 4-1 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of SH-205 [*N. Goliad Street*] and FM-552, and take any action necessary.



Chairman Renfro made motion to approve the consent agenda. Commissioner McCutcheon seconded the motion which passed by a vote of 6-0, with Commissioner Logan absent.

### III. PUBLIC HEARINGS

#### 7. Z2016-020

Hold a public hearing to discuss and consider a request by Sandra Peterson for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements stipulated by Section 2.1.2, *Residential and Lodging Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] for a 0.231-acre parcel of land identified as Lot 10, Block D of Northshore, Phase 2A Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 509 Sunset Hill Drive, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of the item stating the applicant is requesting a Specific Use Permit to allow for a carport that does not meet the minimum rear yard setback requirements. According to the Unified Development Code the minimum depth of rear yard setback is ten feet for properties located in a Single Family 10 District. The applicant is proposing to construct the carport 8-feet from the street. According to Section 2.1.2, *Residential and Lodging Use Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code, carports that do not meet the minimum rear yard setbacks can apply for a Specific Use Permit to be approved by the City Council. The proposed carport will stand approximately ten feet in height and will have a building footprint of approximately 24-feet x 22-feet or 530 square feet. The carport will be located behind the main residential structure and attach to the existing home where the garage is located. The carport will be constructed of metal and will not be visible from the street.

Mr. Brooks went on to state that staff mailed 25 notices to property owners and occupants within 500-feet of the subject property and also notified the Preserve HOA, and additionally, staff posted a sign on the subject property. Staff received five notices returned in favor of the carport.

Chairman Renfro opened the public hearing and asked the applicant to come forward.

Bryce Peterson  
509 Sunset Hill Drive  
Rockwall, TX

Mr. Peterson came forward and stated his truck is 19 feet long and they are requesting the variance for the carport to add additional room in front of the truck to facilitate room to circulate in front of the truck.

Chairman Renfro asked if there was anyone wishing to speak to come forward and do so. There being no one indicating such, Chairman Renfro closed the public hearing.

Commissioner McCutcheon made motion to pass agenda item with staff recommendations. Commissioner Lyons seconded the motion which passed by a vote of 6-0, with Commissioner Logan absent.

#### 8. Z2016-021

Hold a public hearing to discuss and consider a request by Mike Hogue for the approval of a zoning amendment to Planned Development District 52 (PD-52) for the purpose of allowing townhomes on a 2.17-acre tract of land identified as Lot 1, Block 1, Allen Hogue Subdivision (0.7910-acres) and Lots 67 & 68, Block B, B. F. Boydston Addition (1.257-acres), City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) for Heavy Commercial (HC) District land uses, being addressed as 703, 705 & 709 E. Boydston Avenue, and take any action necessary.

Senior Planner, David Gonzales, advised that the applicants, Mike Hogue as well as a representative from Marshawn Architects are both present and stated the request is for a zoning amendment to Planned Development District 52 for the purpose of allowing Townhomes on a 2.048-acre tract of land. The development will consist of eleven single-family attached townhomes. The subject property has an underlying zoning of Heavy Commercial and is located at the intersection of E. Boydston Avenue and S. Clark Street.

Mr. Gonzales went on to explain that Mr. Hogue's property is located within Planned Development No. 52 District, which allows for Heavy Commercial land uses. Adjacent to and within the vicinity of his property are Commercial, Duplex Residential, and Single-Family Residential land uses. The Future Land Use Map contained within the Comprehensive Plan designates the subject property for Commercial/Industrial land uses. However, due to the adjacent land uses this property could be utilized as a transitional zone if approved by City Council. According to the Comprehensive Plan, high density residential uses should be used as a transitional use from commercial or existing retail use, or where it will serve as a logical extension of an existing high density development. The zoning change proposed by the applicant would require this designation to be amended to a High Density Residential designation and has been added as a condition of approval.

Mr. Gonzales further explained that after the previous work session the applicant has been working with staff and after listening to what the Commission had to say during the work session what the applicant intends to build is a three story, two bedroom townhomes consisting of 2,258 sq.-ft. of air conditioned space on each lot. The conceptual rendering provides a perspective of a traditional attached three story home site that will incorporate a mixture flat and pitched roofs with gabled elements, articulated entry features, and balconies. Each townhome will be identified as a separate unit. Anti-monotony standards have been incorporated within the ordinance. The overall minimum masonry requirement for this development will be calculated at 90% masonry materials, excluding windows and doors. Hardy Plank or a similar cementaceous material may be used up to 70 percent of the masonry requirement on units that do not have a material on the adjoining property façade. This will help maintain the traditional design and style the applicant is attempting to create. Each townhome will also have a two car garage located to the rear of each property. In addition, the applicant will provide a minimum of a 10-foot landscape buffer along S. Clark Street and Boydstun Avenue with large canopy trees planted at 50-ft intervals and additional landscaping for each property will be provided as well as a park in the rear of the property.

Mr. Gonzales also noted that in the previous work session some of the Commission's concerns as well as the phone calls staff received from citizens were concerning parking. The parking will be located to the rear and will have rear entry two car garages on each lot as well as provide additional parking in the rear for the park and the open space area.

Mr. Gonzales stated he provided the Commission Development Standards that staff was able to put together over the weekend that were provided to the applicant who in turn was able to review to put together the remainder of the draft ordinance. Some of the things that will be included in the ordinance are some controls for the property in order to allow for townhomes not only to include the anti-monotony standards, but also to have controls like you would see in a residential neighborhood such as fence standards, landscaping standards and an HOA. The HOA will maintain the private road, the open space and the park. Mr. Gonzales also pointed out that the ordinance that is being put in place will not affect any other properties that are within PD-52 it is only for this two acre portion.

Mr. Gonzales further stated that staff mailed 250 notices to property owners and residents within 500-feet of the subject property and emailed a notice to the Park Place Homeowner's Associations, which is the only HOA located within 1,500 feet of the subject property as well as posting a sign adjacent to the subject property along Boydstun Avenue and advertised the public hearings in the Rockwall Harold Banner as required by the UDC. Staff received six notices "in favor of" and four notices "opposed to" the request.

Mr. Gonzales advised he, as well as the applicant, are available for questions.

Commissioner Trowbridge asked in what year PD-52 was put in place. Mr. Gonzales stated it was put in place in 2002. Commissioner Trowbridge asked the year the zoning to the east SF-7 which is where Park Place is was established. Mr. Gonzales stated the Park Place Ordinance was put in place a few years after PD-52.

Commissioner Trowbridge asked if there is a minimum size that can be done for a PD, if it is a PD within a PD that is being proposed. Mr. Gonzales stated this is an amendment to this PD that is already established, the PD is not shrinking, the applicant is simply asking for the townhome use to be allowed within the PD-52.

Commissioner Trowbridge asked concerning the development standards that were just added that will be tied down to the ordinance is there something similar to a development standard that can be used as an example. Mr. Gonzales stated development standards that are put in place is that similar to any typical residential plan development, the only difference would be that these are townhomes and although they are still single family residential properties the only difference is that it is higher density.

Chairman Renfro asked what the minimum dwelling square footage was. Mr. Gonzales stated the applicant has indicated that the units will be minimum 2200 square feet.

Chairman Renfro opened the public hearing and asked the applicant to come forward.

Greg Wallace  
Mershaw Architects  
2313 Ridge Road  
Rockwall, TX

Mr. Wallace came forward and stated his client is very agreeable to taking input from the Commission as well as staff in making changes to the project and is very willing to do whatever he can to make this acceptable. He understands some of the opposition was due to parking; however feels that 11 units will not cause a tremendous additional parking for that area or for the street that it's on. He stated he is available for any questions the Commission may have.

Chairman Renfro asked anyone who wished to speak to come forward and do so.

Bill Bricker  
505 Westway  
Rockwall, TX

Mr. Bricker came forward and stated he represents the Park Place development and is also the President of the HOA for Park Place, although he is not here representing the HOA nor has any input from the HOA, but from a developers standpoint feels the subject property has not been the nicest property for some time and would like to see the best thing at the back entrance to Park Place. Mr. Bricker went on to state he is in favor of proposal feels these townhomes will be fine, and although he had a few concerns initially they have since been addressed. He does not want it to be reverted back to Commercial or Heavy Commercial use if it is approved for change wants it to stay changed. He added that he is in support because he has spent some time looking at these kinds of communities which are all over the metroplex and feels having a component of multi-family when done properly are not only compatible but desirable as well.

Alan Smith  
506 Kernoodle Drive  
Rockwall, TX

Mr. Smith came forward and stated his opposition to the proposal, he moved to Rockwall for the Old Towne Rockwall. Does not fit the old town Rockwall and does not fit the area. He stated he is in construction and is concerned that what they are showing as proposal is just a photo not the actual plan and feels photos and actual plans are totally different and believes before a decision is made actual documentation needs to be provided.

Chairman Renfro asked staff if plans have been provided. Mr. Gonzales stated that what has been provided and be attached to the ordinance will be the perspective applicant has provided, the anti-monotony will be included in the ordinance to assure that what the applicant is proposing is what will be the final product put on the ground.

Tyler Riddle  
307 Park Street  
Rockwall, TX

Mr. Riddle came forward and stated his opposition to the proposal. He stated his home was built in 1886 and the reason they bought and moved to Old Towne Historic District is because he knows what he has to go through to do any additions to his personal home which is go through long documentation, and feels that looking at the proposed homes they don't resemble his or



his neighbor's homes within the Historical District, but rather like a Greek development at Texas A&M University. Feels these homes do not add to the feel of keeping Old Towne looking historical but instead making it look modern and does not feel that is a good look to add.

Carol Crow  
504 Williams  
Rockwall, TX

Ms. Crow came forward and stated her opposition to the request, feels the drawings that were put up of proposal look good considering currently it is an awful looking property but does not conform to the Old Towne Historical District. Ms. Crow stated a year ago there was a proposal for high density townhomes and they had that defeated and is here again with another high density proposal and there is land surrounding the subject property that can keep developing into more high density development if this one is approved.

Jim Buttgen  
501 Kernoodle  
Rockwall, TX

Mr. Buttgen came forward and stated his opposition for the proposal feels a three story building is not the look the Old Towne community should have as an entrance. He moved into the Old Towne community in 1977 and was one of the first to start restoring the look of the historic district and feels if such homes need to come in possibly should be one story smaller homes but not three stories high densities that would not fit the look he wants to ensure is maintained.

Johnny Johnson  
303 N. Clark Street  
Rockwall, TX

Mr. Johnson came forward and stated his opposition to the proposal expressed concern of part of the property being on a floodplain. He stated he feels this proposal will impact surrounding school as well as traffic on Clark Street. Mr. Johnson also expressed concern on the removal of trees on the property and would those be replaced.

JoKay Harris Glass  
301 Meadowdale  
Rockwall, TX

Ms. Glass came forward and stated her family owns the homes from 507-607 S. Clark Street since 1949 and is concerned with flooding issues with an easement she believes should be maintained by the City and currently is not. Chairman Renfro advised Ms. Glass he would try and get those questions answered and referred her to Amy Williams, Assistant City Engineer, who would answer those questions after the meeting. Chairman Renfro asked Ms. Glass for clarification if she was generally opposed or in favor of the proposal. Ms. Glass stated she will be in support if the question of the flooding can be addressed and it wouldn't affect her properties.

Chairman Renfro closed the public hearing and asked the applicant to come forward for rebuttal.

Mr. Wallace came forward and addressed the concern with the water runoff first stating that they are out of the floodplain and any water generated on the property would be detained in a detention pond with slow release and there would not be any additional runoff that would go into the creek to cause problems downstream. Mr. Wallace went on to address the concern in regard to the trees stating that if they are allowed to develop they will have a tree mitigation plan and are retaining all the trees in the back of the property along the creek and the floodplain area as well as roughly 95% of the trees that run along the street.

Chairman Renfro asked staff to explain the tree mitigation plan. Mr. Gonzales reiterated what Mr. Wallace spoke of concerning not building on the floodplain stating there will be no construction on the floodplain and if proposal is approved it would go through site planning and during that phase staff would address the tree mitigation plan. Essentially what that involves is if any hardwoods are removed those are replaced inch per inch and anything that is oak, pecan or elm over a caliper size are replaced at two times the amount this alleviates the removal of some of



the larger trees, however there are standards in the ordinance that include additional landscape if the proposal is approved.

Mr. Wallace also added with concerns stated with proposal being the gateway to Old Towne stating that the subject property is zoned currently Heavy Commercial and allows a tremendous amount of uses that could be much less desirable than eleven townhome units and feels this proposal would be a good transitional project and much more pleasing than some of the heavy commercial uses.

Chairman Renfro closed the public hearing. After doing so a question arose from a citizen in attendance and Chairman Renfro asked for direction from staff as to what to do. Planning Director Ryan Miller advised Chairman Renfro it was at his discretion if he wished to allow question to be heard and allow the applicant to rebut. Chairman Renfro asked the citizen to come forward.

Whitney Abbott  
619 Renfro  
Rockwall, TX

Ms. Abbott came forward and asked what other possible uses applicant would consider implementing since it is already zoned Heavy Commercial if proposal is denied, would it be storage units or something similar.

Chairman Renfro asked staff to briefly explain what other uses fall into Heavy Commercial to show what an alternative may be.

Mr. Gonzales stated a Heavy Commercial is a more intense use, higher traffic, more noise, more vibration, odors things like that depending on the use that is there. It could be used for rental equipment, as an example the bus barn that is across the street would be one possible use. Mr. Gonzales added that a list of what uses Heavy Commercial allows is available online.

Chairman Renfro asked for the Engineering staff to answer the questions that arose concerning the grading and the floodplain.

Assistant Engineer, Amy Williams, explained that they will be required for detention and everything will be detained back to an existing residential condition and there will not be an increase in the floodplain in elevation or in the flow it will stay exactly the same and they are out of the floodplain and are not allowed to be in there without a study to prove differently. Ms. Williams added that she would be available to talk to Ms. Glass after the meeting with any other question.

Commissioner Whitley asked since subject property is already zoned for Heavy Commercial does that mean that whatever property owner wants to put in there for example a storage building, can be done without having to come before the Planning and Zoning Commission or City Council. Mr. Gonzales stated since the property is zoned Heavy Commercial there are uses by right that the applicant does have available to them but within that PD there are only a handful that are not allowed, but the majority of the uses are allowed by right.

Mr. Miller added that the current PD is Heavy Commercial with additional uses meaning that not only is it allowed to have all the uses Heavy Commercial currently does, but there are additional uses that were earmarked for these particular properties that are above and beyond what Heavy Commercial allows.

Commissioner Trowbridge asked if it would primarily be single family restrictions that would be required if it was a single family development there with the exception of height and specific densities. Mr. Gonzales stated that in a typical residential zoning district the height is 36 feet and in this case the maximum height is 39 feet. Commissioner Trowbridge asked concerning the masonry requirements. Mr. Gonzales stated in the general residential districts it's 80% but in this case it is 90% masonry required because of the representation that they had for the townhomes it is allowed to have up to 70% hardy plank or some kind of cementous material that would be like a neo traditional design therefore there is some variation in material that will allow individuality to be shown.

Commissioner Trowbridge asked for explanation of how percentages of material applied to what applicant is asking.

Mr. Miller added that variances have been approved in this area and the Old Town area for up to 100% cementous product because the lap siding is more indicative of the existing product in these areas therefore limiting it to 70% is just allowing the applicant to do more than what is typically allow in some of the more traditional housing areas where only 50% is allowed. Mr. Miller went on to state that the Commission does have the discretion to make a recommendation to increase the percentage if the Commission chooses to approve the proposal.

Chairman Renfro asked for any further discussion or motions from the Commission.

Chairman Renfro made motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion which passed by a vote of 4-2 with Commissioners Whitley and Trowbridge dissenting and Commissioner Logan absent.

#### IV. DISCUSSION ITEMS

##### 9. Z2016-019

Hold a public hearing to discuss and consider a request by Miller Sylvan of JPI on behalf of the owner Gene Lambreth of Pneuma Ventures, LTD for the approval of a zoning change from a Light Industrial (LI) District to a Planned Development District for a multi-family apartment complex on a 42.50-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery Boulevard and John King Boulevard, and take any action necessary.

Planning Director, Ryan Miller, stated applicant is present and available for questions.

Matt Brendall  
600 E. Las Colinas Blvd.  
Irving, TX

Mr. Brendall came forward and gave a brief explanation of the proposal by providing a power point which highlighted the background of JPI as well as main points of the proposal which included that JPI is locally headquartered in DFW in Irving and have been there for over 25 years, and are a fully integrated real estate team which only do luxury multi-family developments. One of the unique aspects of the organization is that they have their own in house construction group which allows for them to be involved throughout the design process and also allows helps control the quality of what is built to a higher degree.

Mr. Brendall expanded on the request stating that one of the things that make their product different from what is currently on the market is the high level of services that are on site such as double the typical amenity space, they deliver about 12,000 feet of amenity spaces and in addition to that, a management team would live on site to help establish a real community feel. Average rent will be \$1500. The power point went on to show similar developments JPI has built. Mr. Brendall then turned the presentation over to Mr. Miller Sylvan to discuss the specific site.

Miller Sylvan  
600 E. Las Colinas Blvd.  
Irving, TX

Mr. Sylvan came forward and gave brief explanation of the concept site plan of the proposal by providing a power point that included a conceptual plan that shows what is being proposed is two phases of multi-family, with each phase consisting of 3 story 360 units which will consist of 60% one bedrooms, 35% two bedrooms, and 5% three bedrooms with 20 to 30% of the units having tuck under private garages. Each phase will have a clubhouse which will be 8 to 10,000 square feet and include a fitness center, Wi-Fi lounge, coffee bar, billiards room, and a theater area. Each unit will have its own balcony, 10 foot high ceilings, stainless steel appliances, granite countertops as well as washer and dryer not just the connections.

Mr. Sylvan stated they have reached out to Lofland Farms and Meadow Creek communities which are south of the property and will be meeting with them in the next week to get feedback from them.

Mr. Miller stated staff provided a draft ordinance in the packet for the Commission to review that contains some of the things that the applicant has identified as zoning requirements as well as some of the City's standards and will bring the Commission something more finalized as the applicant finalizes the concept plan. If approved it will have to go through site plan and at that time it will go through the Parks Board for recommendation to City Council.

Chairman Renfro asked for discussion or questions for staff.

Commissioner Trowbridge asked if tucked under garages would have direct access to the units or to common areas and if hallways are open or air conditioned. Mr. Sylvan stated they would direct to common areas and hallways are open with no air condition.

Commissioner Trowbridge asked if JPI was typically a build and sell or build and hold. Mr. Sylvan stated it depended on the partner that they have, have done it both ways but more recently they have built leased up and sold however they pride themselves in being great developers and builders very good at leasing up properties and whatever management companies that manage before selling will manage it for the buyer, in the last few years with the market as it has been they have leased up and sold, but uncertain for this one will be sold.

Chairman Renfro asked why Rockwall was chosen for this proposal. Mr. Sylvan stated there is a lot of demand in Rockwall and believes what they are proposing is a high end community, high end product that will fit in Rockwall that is an affluent community with empty nesters, young professionals and such that are looking for such product.

Chairman Renfro asked concerning rent survey, if JPI felt that they may be pushing the envelope with the rent they are asking or do they think they are at or below market. Mr. Sylvan stated they typically are pushing the envelope because for what they build they are typically ten to fifteen cents per foot higher than what the next highest community would command but due to the fact they provide more services and amenities than other developments it has proven successful to do so because people are willing to pay for those services and amenities.

Chairman Renfro asked if they had done their due diligence with the Harbor PD-32 as there are 1,072 units that are slated to come in. Mr. Sylvan stated they have but feel this is a different part of town with a different product line.

Chairman Renfro asked what percentage of 1 bedrooms and what square footage they are. Mr. Sylvan stated 1 bedroom are going to take 60% and start at about 650 square feet and go up to 1,100 square feet with the 2 bedroom going to 1,700 square feet. Currently the unit mix is showing 1,000 square foot average and are in the process of doing a deep dive into the market by looking at all the unit types to define where the demand is, but will define that as the process moves forward.

Commissioner Trowbridge asked if the 60% one bedrooms is based on what is thought to be the demand Rockwall demographic supports. Mr. Sylvan stated it was, but currently waiting on the market study which will help refine and it may show that number needs to be bumped up and they will determine that once they analyze it when it they get it in, in a couple of weeks and will provide a copy to the Commission for them to review it as well.

General discussion took place concerning lot mix and density of surrounding areas.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

10. Z2016-022

Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Robert Reece of SPR Packaging, LLC for the approval of a Specific Use Permit (SUP) to allow for a structure that exceeds 60-feet in height in a Light Industrial (LI) District in conjunction with an existing manufacturing facility situated on 10.1893-acre parcel of land identified as Lot 2, Block A, SPR

Packaging Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1480 Justin Road, and take any action necessary

Senior Planner, David Gonzales, gave brief explanation of request stating applicant is requesting an SUP to allow for an extension on to their existing building which is located at the intersection of Justin Road and Industrial Blvd. They are proposing to install three high bay extensions which will be pre-engineered metal panels that will connect. The code requires an SUP for anything that is over 60 feet, after the expansion they will be at 70 feet.

Mr. Gonzales stated applicant was not present but staff is available for questions.

Chairman Renfro asked if

Commissioner McCutcheon asked if there was any direction the Commission could direct applicant to require the addition to blend in the building more as it appears what is being proposed does not fit existing buildings look. Mr. Gonzales stated it was his understanding that in 2006 it was a planned expansion and therefore that area that they are connecting to that is made for it to go up to allow for the expansion.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

Chairman Renfro called a ten minute recess at 7:35 p.m.

Chairman Renfro called the meeting back to order at 7:47 p.m.

11. Z2016-024

Hold a public hearing to discuss and consider a request by Kyle Vrla of Dynamic Engineering Consultants, PC on behalf of the owner Wilson Osee of Osee Properties, LLC for the approval of a zoning change from a Commercial (C) District to a Heavy Commercial (HC) District for a 6.588-acre portion of a larger 24.818-acre tract of land identified as Tract 3-13 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located south of the intersection of Sids Road and SH-205 [S. *Goliad Street*], and take any action necessary.

Planner, Korey Brooks, asked applicant to come forward and present the case.

Josh Edge  
1301 Central Expressway South  
Allen, TX

Mr. Edge came forward and stated he represents Dynamic Engineer and gave brief explanation of request stating currently subject property is undeveloped land and while they do represent the owner of the land it is Group One Automotive who represents Rockwall Ford who have a facility off of IH-30. The site is intended to be Rockwall Fords body shop facility; they will take the current body shop facility and move it to subject property to free up more space. The intent of the body and collision facility is not for public access and will be a secured and gated.

Chairman Renfro asked staff to provide a closer look of the map to show exact location to be able to determine if it falls within the 205 Overlay, and if it does what requirements will the applicant have to adhere to.

Mr. Edge added that they will have architectural features to the building to fit the 205 Overlay and fully anticipate meeting all requirements.

Mr. Brooks displayed the map and stated that the Future Land Use map does designate the area as Commercial or Industrial which is defined as intensive commercial industrial uses with large volume traffic therefore the proposed change of zoning does conform to the Future Land Use map.



Mr. Miller added that the requirements for the 205 Overlay are those of a typical overlay which will require a natural stone at 20%, four sided architectural features, 90% masonry, typical requirements that come in at the site plan stage.

Commissioner Lyons asked if all body work would be done indoors. Mr. Edge stated that was correct, all work will be done indoors.

Commissioner McCutcheon asked what type of screening would be provided. Mr. Edge stated they are open to what the Commission recommends, what is currently being discussed is a metal rod iron gate and increasing the landscaping in the front of the building to provide the screening requirements.

Commissioner McCutcheon asked if work would be done with doors open or closed as it may be a concern with the noise. Mr. Edge stated he did not have the answer to that, but would find out and answer the question at the next meeting.

Mr. Miller added that the public hearing for this case will be held the 9th of August.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

12. Z2016-025

Hold a public hearing to discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a PD Development Plan establishing a 245 unit, condo development situated on a 3.453-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the *Interior Subdistrict*, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

Planning Director, Ryan Miller, asked applicant to come forward and present the case.

Jason Lentz  
5339 Alpha Road  
Dallas, TX

Mr. Leitz came forward and stated he is the Senior Vice President of Development with Atticus Real Estate Services and would be giving a gave brief explanation of request and provided renderings to display. The request is for a 245 unit condo multi-family development in PD-32 consisting of efficiencies, one bedroom, and two bedroom units in a four story elevatored building that will be a wrap product that surrounds a garage in the middle. The unit mix will consist of 8% efficiency units, 60% one bedroom units, and 33% two bedroom two bath units, and no three bedroom units in this product. Will have five story parking structure it is anticipated to have amenity space including a pool on top of the deck that will serve the entire condo project.

Mr. Miller added that as it has been discussed in previous meeting Planned Development 32 is a unique PD in that it involves many different stake holders, several sub districts, all of which have their own uses and their own development challenges as well as their own development standards. This particular property is part of the interior sub district which allows by right the units, and the way the units were made for the entire PD-32 is creating a pool in all of the sub districts of 1162 units and as the developments come in they claim a certain number of those units. According to the Concept Plan, the interior sub district was intended to have apartments in this manner. What is kicking in what is called the PD Development Plan in this case is an interim between zoning because they already have entitlement for the use itself, but in between zoning and site plan, there is the PD Development Plan which gives the Commission discretionary approval, and staff notifies everybody within the property to check for conformance to the Plan. In this case, the use is permitted therefore the intent of the sub district is not being changed, but what is kicking in the Planned Development Plan is simply the roadway that's running which will be changed to a public roadway and that will connect thru, whereas currently there is a gap between property lines. In the Plan it is supposed to be a public roadway, but they are asking to basically to change the street cross section. The cross section

627 in the Plan calls for parallel parking along the side of the condominium buildings and they are  
628 requesting not to put in the parallel parking, just the two lanes of traffic.  
629

630 Mr. Miller went on to add that by allowing that, it actually does match what the City will be doing  
631 with the entry way onto Ridge Road. The applicant will need to present the cross section to the  
632 Commission at the next meeting and that will be part of the ordinance and staff will also provide  
633 a checklist of how it would conform to the overall PD.  
634

635 Chairman Renfro asked the applicant what their definition of condo was if they are going to be  
636 sold. Mr. Lentz stated they will have condo docs in place but although they are 245 individual  
637 units they can be owned by one owner and sublet to individual tenants. Mr. Miller added that  
638 what made them condos was that every unit is required to be individually metered.  
639

640 Commissioner Trowbridge asked if it was a for sale condominium project and would it be  
641 operated as multi-family. Mr. Lentz stated it was their plan not to immediately offer it for sale and  
642 it would be operated as multi-family and added that they are a long term holder.  
643

644 Commissioner Trowbridge asked if they have done such projects in the past and where. Mr.  
645 Lentz stated they have but would refer that question to Mark Humphreys who is the CEO of  
646 Atticus and Humphreys Architects.  
647

648 Chairman Renfro asked concerning how many 485 square foot units there would be. Mr. Lentz  
649 stated there would be 20 of the 245 units that would be 485 square feet. Chairman Renfro asked  
650 what the following size is. Mr. Lentz stated there would be 97 616 square feet one bedroom units  
651 with the 485 square feet units being efficiencies. Chairman Renfro asked if the majority would  
652 then be one bedroom units. Mr. Lentz stated that was correct.  
653

654 Chairman Renfro asked where the parking would be. Mr. Lentz stated parking would be located  
655 at the parking deck in the interior of the building.  
656

657 Chairman Renfro asked staff if there was a road that came out to Summer Lee to Ridge Road. Mr.  
658 Miller stated there is a roadway that extends around the building and their portion of it on their  
659 property extends from Summer Lee to the back southwest corner of the property, they also  
660 show the townhome development to the south and in between those two properties there is a  
661 property line that follows the roadway and that roadway will extend to their property line and  
662 eventually connect to a road system that will take that out to Ridge Road.  
663

664 Chairman Renfro asked how that roadway would get to Ridge Road. Mr. Miller stated the  
665 adjacent property will have a responsibility to build that portion of the roadway to the Hughes  
666 property and then the Hughes property to Ridge Road and a portion of it goes thru Glen Hill Way  
667 Road right of way.  
668

669 Commissioner Lyons asked concerning the lot mix, what is done to anticipate the need for the  
670 one bedroom and two bedroom units and no three bedroom units. Mr. Lentz stated they will  
671 conduct a market study.  
672

673 Chairman Renfro asked made comment that looking at the Comprehensive Plan, the request is  
674 asking for 245 units and what is allocated for that and is 315 currently. Mr. Miller stated there are  
675 1162 units permitted within PD-32, currently Marina Village claimed 399 of those, and the  
676 Summer Lee Condominiums which is directly west of this property and belongs to the same  
677 interior sub district, claimed 265, but there is no allocation within the sub district itself.  
678

679 General discussion took place concerning the allocation of the 1162 total units within the PD-32  
680 and how it is broken down.  
681

682 Commissioner Trowbridge asked if the hallways would be closed and air conditioned. Mr. Lentz  
683 stated they would be closed and air conditioned.  
684

685 Mr. Miller added that the public hearing for this case will be held the 9<sup>th</sup> of August.  
686  
687  
688  
689

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

13. Z2016-026

Hold a public hearing to discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a PD Development Plan establishing 36 townhomes on a 3.462-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the *Residential Subdistrict* and within the Scenic Overlay (SOV) District, located north of the intersection of Ridge Road [FM-740] and Glen Hill Way, and take any action necessary.

Planning Director, Ryan Miller, asked applicant to discuss the case.

Jason Lentz  
5339 Alpha Road  
Dallas, TX

Mr. Lentz gave brief explanation of request stating the concept plan currently shows zero lot line homes but the vision is to change that to an attached townhome concept, 36 with an average unit size of 1900 square feet with 1/1/ units going all the way up to 3/2 units. They have done a project similar to what is being proposed in Richardson with part of it being for sale product and some of it was a rental product and have seen success in such projects. Mr. Lentz provided elevations of the townhome product.

Chairman Renfro asked if it will be lease and hold and also sell. Mr. Lentz stated that the plan is for it to be a for sale product.

Mr. Miller added that this is not part of the interior sub district but rather enters into what is called the residential sub district which was intended to be 49 single family zero lot line homes. The use chart allows townhomes by specific use permit, but in order to get the townhomes the intent of the sub district needs to be changed. By going through the PD Development Plan to change the intent of the sub district they are essentially getting the discretionary approval that they need to move forward and therefor will only need to go thru a PD Development Plan.

Mr. Miller went on to add that going back to the 1162 units, the 49 single family zero lot line homes were not a part of the 1162 pool and therefor this would subtract 36 units from the 1162 because it would be changing it from the zero lot line homes product to the townhome product.

Commissioner Trowbridge asked how many of the 1/1 units would there be. Mr. Lentz stated there would be nine of those which will be 1600 square feet.

Mr. Miller added that the public hearing for this case will also be held the 9th of August.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

14. Z2016-027

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Section 2.1, *Agriculture (AG) District*; Section 3.3, *Single-Family Residential (SF-16) District*; and Section 3.4, *Single-Family Residential (SF-10) District*, of Article V, *District Development Standards*, of the Unified Development Code for the purpose of increasing the minimum square footage per dwelling unit in these zoning districts, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of item stating that on the July 5 City Council meeting after a work session was done at a previous meeting, City Council directed staff to propose a text amendment that would increase some of the minimum square footage sizes of single family home requirements in certain districts, specifically they were looking at the Single Family 10 and the Single Family 16 Districts. What was discussed was that a lot of the PD's have come thru and there were questions as to whether the housing size being required was large enough, but did give staff some clear direction in that they wanted staff to stipulate a Single Family 16, which is a 16,000 square foot lot as having a minimum of 2,400 square foot home and



the Single Family 10 District which has a 10,000 minimum foot square lot to have a minimum 2,200 square foot home.

Mr. Miller further explained that staff brought up the issue with the Agricultural District in the work session, that currently there is no minimum housing size in the Agricultural District and that has presented some issues in the past when people inquire what the minimum size is, therefore staff suggested that they stipulate of minimum size for that District as well and they did direct staff to prepare the text amendment with a 1,600 square foot minimum for that District.

Mr. Miller went on to explain that staff cataloged comparable city's zoning districts, and because everyone calls zoning districts something different and they all have different standards, it was done by minimum lot size and then charted what other cities minimum single family dwelling size was for each of those districts and put together a chart that shows what that was and then put together an average median and mode to show what those numbers are, and that is how staff derived some of the square footages that are being proposed. Mr. Miller added that staff also provided the Commission with a density and dimensional chart that show a breakdown of all of the single family requirements and how the changes being proposed would look in a side by side comparison of other single family residential districts.

Mr. Miller stated this is a discussion period to answer any questions and item will be coming back for a Public Hearing on the 9<sup>th</sup> of August.

Commissioner Trowbridge asked if by raising the minimums house sizes, would that make the floor density higher. Mr. Miller stated that the density is derived by the minimum lot size therefore a density of two units per acre isn't going to be changed based on the size of the house.

Mr. Miller added that what is being proposed does fit within the City's current guidelines which is a 65% lot coverage in most districts and most of the building permits that have come in have been, even on a 10,00 square foot lot, 2,200 square feet or larger very few have been built under the 2,200.

Commissioner McCutcheon asked if this is approved, how would it affect if a new construction would take place in an existing older neighborhood where a 2,200 square foot house would not fit with the existing look would there be a way around it. Mr. Miller stated the majority of the older areas in the City are zoned Single Family 7 and Single Family 10 and therefore only apply to a portion of them.

Mr. Miller added that to point out to Commissioner Trowbridge's point that looking at the various comparable cities, there are two strategies on minimum housing sizes, they're stipulating exact sizes, which the vast majority of cities do, and then there are some like Frisco that do a straight 800 across the board and let the developer, but what is being seen recently is more PD's come in and PD's end up creating their own zoning in a sense and they stipulate their own density and dimensional requirements. What staff uses the base zoning is to act as a guideline to present those standards at the onset of when the PD is being put together and give something to build from for the developer.

Commissioner McCutcheon expressed concern as to how this would affect those not in a PD but that are in the older areas that fall in Single Family 10 District.

Commissioner Lyons asked if it would only affect someone that may tear down an existing home and build a new one they would have to comply with the new minimum standard. Mr. Miller stated that was correct, if it was in a Single Family 10 District.

Chairman Renfro asked staff for clarification as to what Council is trying to accomplish with this amendment. Mr. Miller stated that it may be that due to the current market the City's housing size may be a bit small, the Single Family 10 is currently at 1,800 square feet and they are looking to adjust that to what they feel the direction of the City is calling for.

Commissioner Lyons asked what staff's findings were in the analysis conducted as far as comparing Rockwall to other cities, is the city on the low or high end. Mr. Miller stated Rockwall was a little above the middle to mid-high end.



Commissioner Lyons asked if the Commission could make their own recommendations if they felt 2,200 was too large. Mr. Miller stated that was correct, the Commission can pass along a different recommendation than what is being proposed.

Commissioner Whitley asked what the average size house that is being built in the last two or three years in this size lots, and is the proposal in alignment to what the market is bearing in Rockwall. Mr. Miller stated he did not have that information at hand, but would at the next meeting bring some hard numbers of what in the last couple of years what the average permit sizes are in certain districts as well as providing additional information concerning building permits issued.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

15. SP2016-015

Discuss and consider a request by Jerry Monk of Monk Consulting on behalf of Dr. Steve Arze of Zaph & Ath Properties, LLC for the approval of a site plan for an indoor recreation facility on a 4.88-acre tract of land identified as Tract 4-01 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located north of the intersection of Industrial Boulevard and Airport Road, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating the property is located across the street from Tuttle Field at the intersection of Airport and Industrial Blvd. This is a site plan where what will be looked at is the photometric plan, building elevations and landscape plan once those come and comments were submitted to the applicant and they have taken care of most of them, but there was one question that will need to be answered by the applicant and that is how the lot lays out, and if it is going to be a phasing plan involved with that or will there be some flag lots because where the lot is located and the other two lots that are there subject property being in the center lot and with one lot behind it, there is no frontage; therefore if there is a phasing plan it would not be a problem but if they are individually owned then frontage will be needed and until that question is resolved may see something different come back. Aside from that, they are minimum amounts of technical items that are required by the applicant to build and the only other thing would be the building elevations where there are several materials that they are using primarily being metal and that is going to take a recommendation from the Planning and Zoning Commission as well as City Council for an exception to the material standards.

Mr. Gonzales stated that the applicant was not present but staff is available for any questions.

Commissioner Lyons asked if this is the same facility as the baseball project that was brought to the Commission a few months back. Mr. Gonzales stated this is a separate project the baseball facility is east of this.

Commissioner Lyons asked what kind of facility this would be. Mr. Gonzales stated it was his understanding that it is going to be a climbing fitness type facility with zip lines and climbing walls and will also have a fencing academy.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

16. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

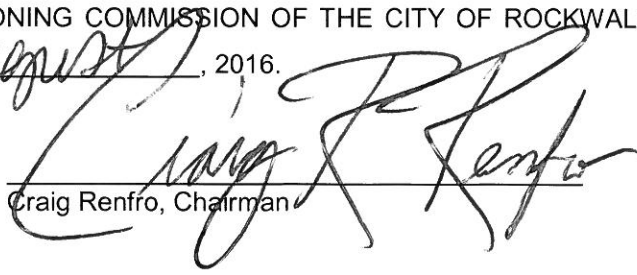
- ✓ Z2016-017: Text Amendment for Used Motor Vehicle Sales (2<sup>nd</sup> Reading) [Denied]
- ✓ Z2016-018: Amendment to Planned Development District 74 (PD-74) (2<sup>nd</sup> Reading) [Approved]
- ✓ SP2016-014: Variances for Platinum Self Storage Site Plan [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.


V. ADJOURNMENT

The meeting adjourned at 8:53 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 9 day of August, 2016.

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**August 9, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:01p.m. The Commissioners present at the meeting were, Commissioners Johnny Lyons, Patrick Trowbridge, Sandra Whitley, Annie Fishman, Tracy Logan and new Commissioner, Mark Moeller. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Fire Marshall, Ariana Hargrove, and Civil Engineer, Jeremy White.

II. CONSENT AGENDA

1. Approval of Minutes for the July 26, 2016 Planning and Zoning Commission meeting.

2. P2016-023

Discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (*R. & R. Hance Investments, LP*) for the approval of a master plat/open space plan for the Saddle Star South Subdivision containing 138 single-family residential lots on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

3. P2016-024

Discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (*R. & R. Hance Investments, LP*) for the approval of a preliminary plat for the Saddle Star South Subdivision containing 138 single-family residential lots on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

4. P2016-035

Discuss and consider a request by Matt Hibbitt of Spry Surveyors on behalf of the owner Racetrac Petroleum, Inc. for the approval of a final plat for Lot 1, Block 1, Carmel Carwash Addition being a 2.059-acre tract of land currently identified as Lot 1, Block 1, Crossings Addition (*i.e. 1.004-acres*) and a 1.052-acre portion of Lot 1, Block 1, Rockwall Business Park Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2003 S. Goliad Street, and take any action necessary.

**Commissioner Whitley made motion to approve the consent agenda. Commissioner Fishman seconded the motion, which passed by a vote of 7-0.**

III. PUBLIC HEARING ITEMS

5. Z2016-019

Hold a public hearing to discuss and consider a request by Miller Sylvan of JPI on behalf of the owner Gene Lambreth of Pneuma Ventures, LTD for the approval of a zoning change from a Light Industrial (LI) District to a Planned Development District for a multi-family apartment complex on a 42.50-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery Boulevard and John King Boulevard, and take any action necessary.

64 Planning Director, Ryan Miller, gave brief explanation of item stating the subject property is a  
65 42.5 acre parcel of land located east of the intersection of Discovery Blvd. and John King on the  
66 north side of Discovery. It is zoned Light Industrial District and the applicant is requesting to  
67 amend the zoning to a Planned Development District for a 750 unit multi-family apartment  
68 complex. The surrounding land uses are Rockwall Mini Storage and Park Place RV to the north  
69 of the subject property of which both are zoned Light Industrial District followed by IH-30. South  
70 of the property is Discovery Blvd followed by several tracts of land zoned Light Industrial  
71 District which also includes Peak Pediatric, directly east is the Rockwall Economic Development  
72 Corporation Technology Park, Phase I which also is zoned Light Industrial, and directly west of  
73 the subject property are Phases I and II of the Rockwall Downs Subdivision. Both of these  
74 parcels are zoned Planned Development District 10 for single family land uses.  
75

76 Mr. Miller went on to state that in looking at the applicants concept plan, they are proposing a  
77 750 unit development which will be broken down into two phases and each phase will consist of  
78 two 360 units, 6 separate residential buildings an 8,500 square foot clubhouse and pool area,  
79 and the total development will consist of 25-30% open space. Both phases show to have the  
80 same unit composition with the units ranging from about 680 square feet to 1,480 square feet  
81 and the overall average net unit use will be around 1,000 square feet. However, the applicant has  
82 incorporated language in the Planned Development District that allows them to reduce the  
83 overall average net unit area down to 950 square feet, as well, as reduce the unit's size for Phase  
84 II to 600 square feet. The applicant has stated that the reason is to allow some flexibility within  
85 the zoning ordinance to account for any changes in the market. The overall density being  
86 proposed is 17.64 units per acre and currently the City's highest multi-family zoning district is  
87 MF-14 District which only allows 14 units per acre; however this being a Planned Development  
88 District they can request the increased density, but that is a discretionary decision for the  
89 Planning and Zoning Commission and City Council.  
90

91 Mr. Miller went on to state that the other change that deviates from the Code is the applicants  
92 request for a parking requirement change. The Unified Development Code stipulates that one  
93 bedroom units require 1½ parking space per unit, two bedroom units require two parking spaces  
94 per unit, and three bedroom units require 2½ parking spaces per unit; however, the applicant is  
95 requesting that all units, despite the number of bedrooms, be parked at 1½ parking space per  
96 unit. This dictates a minimum of 540 parking spaces per phase. The applicant is showing a total  
97 of 458 surface parking spaces and 107 garage parking spaces for a total of 565 parking spaces  
98 and they have also included a requirement in the PD that 20% of the parking spaces will be  
99 covered. The applicant also has submitted conceptual building elevations, and although they  
100 are conceptual, they have been incorporated into the ordinance and general conformance to  
101 those elevations is considered to be a condition of approval. The Architectural Review Board will  
102 still need to make recommendations at the time of site plan if the case were to be approved.  
103

104 Mr. Miller added that in looking at the Comprehensive Plan, the Future Land Use map designates  
105 the property for Technology and Industrial uses, and what the applicant is proposing would  
106 require the property to be amended to a high density residential designation which is typically  
107 defined as anything that exceeds three units per acre, and goes on to state that the high density  
108 residential land use should be used as a transitional use from Commercial or where it serves as  
109 a logical extension of an existing high density development. In this case, it would be up to the  
110 Planning and Zoning Commission and City Council to decide if this would serve this transitional  
111 nature being in between the Tech Park and the Rockwall Downs Subdivision. The change to the  
112 Future Land Use map has been incorporated into the conditions of approval for the case, and  
113 therefore if Planning and Zoning and City Council approve, that change will take effect.  
114

115 Mr. Miller went on to state that staff sent out 22 notices on July 22<sup>nd</sup> to property owners and  
116 residents within 500-feet of the subject property as well as the Lofland Farms and Meadow Creek  
117 HOA's, and at the time the memo was drafted staff did not receive any responses in favor or in  
118 opposition to the request.  
119

120 Mr. Miller advised the Commission that the applicant was present and available for questions.  
121  
122  
123  
124  
125

Chairman Renfro asked if there were any questions for staff.



Commissioner Trowbridge asked for clarification of what was stated concerning the parking spaces exceeding the 1.5 requirement that is being proposed. Mr. Miller explained that the request is for one and a half parking spaces per unit and that is what was put into the PD; however their concept plan shows parking in excess of that at 458 surface parking and 107 garage spaces which totals 565 and exceeds the requirement by 25 spaces.

Commissioner Logan asked if City Council previously had approved the change of the Rockwall Downes from Light Industrial to Residential. Mr. Miller stated that that was the result of a settlement that was done in 2004, that zoning was determined by the settlement that was reached with the Cambridge Company.

Commissioner Lyons asked how much more land was still available for Light Industrial use within this area other than subject property. Mr. Miller stated he did not have the exact figure but added that the Light Industrial designation does extend currently to the other side of the Technology Park to Discovery Lakes with Rochelle Road being the divider. There is also Light Industrial land adjacent to IH-30 and north of that as well as along John King Blvd.

Chairman Renfro opened the public hearing and asked the applicant to come forward.

Matt Brendall  
600 E. Las Colinas Blvd.  
Irving, TX

Mr. Brendall came forward and stated he is the development partner for the Texas region of JPI and gave brief explanation of request. JPI is a local privately owned company headquartered in DFW for the last 25 years that only builds top of class multi-family communities that have a fully integrated team of professionals including in house construction team which helps control the quality of the product. Over the history of the company they have built over 300 communities throughout the country, and have been most active in the DFW area having built over 50 communities in the area.

Mr. Brendall stated that they pride themselves in delivering the best in class product to the submarkets that they serve and in most instances it's a new product to the markets that they deliver to. It is a combination of high quality finishes, both in the units and in the common areas, it's all a high level of services from the onsite staff, and typically have double the amenity space of the other communities in the sub markets and those amenities are highly programed with many events put on by the management team on site.

Mr. Brendall went on to provide a slide show that featured pictures of communities JPI has built to date in the DFW area. He spoke of choosing the City of Rockwall after doing quite a bit of research and when looking at the demographics they were very favorable for the product they deliver. In recent communities in the DFW area the rents have been about \$500 more than the submarkets that they serve, because of the product that is delivered to those markets. They also shopped the most recent multi-family communities that were delivered to the market and after speaking to management it looks to be that Rockwall's occupancy is over 97% occupied, and at looking at the Dallas Metro historical average is 93% putting Rockwall about 4% over the historical average.

Mr. Brendall stated he would give the presentation over to his colleague Miller Sylvan who would discuss the specific site and request.

Miller Sylvan  
600 E. Las Colinas Blvd.  
Irving, TX

Mr. Sylvan gave brief explanation of request and provided a slide presentation which showed the site plan on the property. He stated the subject property it is a total of about 42 acres with about 15 acres of floodplain mainly on the north side of the site, but cuts through in a few different areas and he feels that could be a deterrent to other uses. In the past they have tried to situate their buildings in areas that can look out onto that green space and in this case they can take advantage of the floodplain. He feels this area is well suited for multi-family, because there is

188 already a successful multi-family development just across on John King Blvd, it has easy access  
189 to IH-30 and he believes it is a very appropriate transition between the lighter intensity single  
190 family use to the west and the more intense Technology uses to the east.  
191

192 Mr. Sylvan went on to explain that it will consist of two phases, 360 units each, three story  
193 buildings, with approximately 30% garage parking that would be built one to two years apart.  
194 The first phase would be on the western side. They have situated the site plan to so that the  
195 buildings front Discovery, as well as, fronting the shared boulevard that would run through both  
196 phases. The main components they want to focus when site planning is fronting buildings on  
197 green space and focusing on an interconnected system of hike and bike trails. Approximately 70  
198 of the units will have private yards which will allow for residents with pets with this amenity that  
199 no other community currently provides. He went on to add that they pride themselves with  
200 providing amenities that are not currently on the market such as units with 10 foot ceilings,  
201 washer and dryers and side by side appliances, predominately masonry facades, oversized  
202 kitchen islands, and the amenity/clubhouse space between 8,000-10,000 square feet which is  
203 more than double than what is typically seen in the Rockwall market.  
204

205 Mr. Sylvan further stated that they appreciated the conversation that took place at the work  
206 session at the previous meeting where there was discussion and concern of the unit sizes and  
207 the unit mix that were being proposed at that time specifically the need for more two and three  
208 bedrooms was discussed, but now that the market study was completed and it was found that  
209 there should be a higher percentage of two and three bedrooms and a little bit bigger sizes, from  
210 what initially was proposed. He went on to explain that there are seven competitors that the  
211 market study identified, and the recommended unit mix from the external market mix is fifty five  
212 percent one bedroom, thirty five percent two bedrooms, and ten percent three bedrooms. From  
213 those seven competitors the average of those communities has sixty two percent one  
214 bedrooms, twenty nine percent two bedrooms and five percent three bedrooms. JPI will be  
215 providing fifty five one bedrooms, twenty nine two bedrooms, and ten percent three bedrooms  
216 keeping them more heavily weighted towards the two and three bedrooms and less heavily  
217 weighted on the one bedrooms as was the recommended unit mix from the market study. The  
218 recommended size was 765 square feet for the one bedroom, 950-1275 square feet for the two  
219 bedrooms, and 1350-1550 for the three bedrooms, which will be bigger than the average that  
220 current communities have.  
221

222 Chairman Renfro asked to what market is the analysis comparing them to. Mr. Sylvan stated that  
223 it is based on seven comparable properties within the Rowlett/Rockwall market that were built  
224 between 2008 to now.  
225

226 Chairman Renfro asked what the smallest unit will be. Mr. Sylvan stated the smallest will be 675  
227 square feet.  
228

229 Mr. Sylvan went on to describe what the building elevations would be, and provided a slide show  
230 showing renderings and different views of what community will look like. He spoke about how  
231 they feel the proposal complements surrounding land uses and embraces flood plain and other  
232 site constraints.  
233

234 Commissioner Whitley asked Mr. Sylvan to expand on the 97% lease rate and asked if he felt that  
235 percentage is sustainable with as many units as are being proposed. Mr. Sylvan stated he felt it  
236 would be sustainable considering if approved they would break ground middle part of 2017 and  
237 construction would take a couple years, by the time they would be fully leased would be about  
238 three years and that it wouldn't flooding the market with units all at once.  
239

240 Commissioner Whitley asked if the amenities would be built first to allow the initial tenants the  
241 benefit of those. Mr. Sylvan stated that was correct.  
242

243 Commissioner Whitley asked if JPI would maintain ownership of the property once construction  
244 was complete. Mr. Sylvan stated the communities they've built over the last five years JPI has  
245 maintained ownership for an average of about six years and follow the lead of their capital  
246 partners.  
247

248 Commissioner Lyons asked what an in house construction team consisted of. Mr. Brendall  
249 explained that a lot of developers use a third party construction group where they send in plans

and that company bids it and therefore the construction company is in it for the profit for them, but at JPI the construction team are JPI employees therefore the contract is with themselves making them the developer and the builder which allows them to control the projects more.

Commissioner Moeller expressed concern with the density, looking at 17 units per acre where the City's maximum is 14 units per acre. Mr. Sylvan asked Mr. Miller if he could clarify that some PD's due allow for higher density than the 14 units allowed in the multi-family ordinance. Mr. Miller explained that the Multi-Family 14 ordinance is a straight zoning district but there are some PD's that due incorporate higher densities, that and higher densities can be requested thru the Planned Development District but that is a discretionary call by Planning and Zoning Commission and City Council.

Commissioner Trowbridge asked if any capital partner had been chosen as of yet. Mr. Sylvan stated at this time a partner has not been decided on.

Commissioner Trowbridge asked what the basis is for requesting one and a half parking spaces. Mr. Sylvan stated typically they are one parking space per unit to ensure they have enough parking for all residents and an additional about .2 to .5 spaces per unit to allow for visitors. Feels there is sufficient parking for the use based on their experience, it didn't make sense for them to build more spaces and have them empty.

Chairman Renfro asked anyone who wished to speak concerning the case to come forward and do so, there being no one indicating such, Chairman Renfro asked the applicant to remain at the podium for further questions.

Chairman Renfro expressed concern with the amount of available parking, and was concerned if there isn't sufficient parking made available some of that may spill over to the neighboring streets. He asked how solid the decision to keep the requested ratio was. Mr. Sylvan stated they were flexible, currently they show 1.7 spaces on the plan. The data may have been incorrect on that but, they feel they're sufficiently parked and can bump that number to the City's requirement of 1.67 if needed. Mr. Miller added that comparing the numbers to what is being requested and what the City requires, it would be fifty five parking spaces higher than what is currently being projected.

Commissioner Whitley asked what would happen to the overall plan if the parking is changed. Mr. Miller stated that some of the green space would be narrowed.

General discussion took place concerning parking standard versus requested the City's requirement. Mr. Miller noted that Commission could make the recommendation that the City's parking requirement for multi-family uses be met and that could be incorporated into the ordinance.

Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Logan expressed concern and asked for discussion as to how much of the Comprehensive Plan would be changed by adding more multi-family development to the City.

Mr. Miller stated that was what was before the Planning and Zoning Commission, what is being proposed is a zoning change on a piece of property that was designated on the Future Land Use map as a Technology/Industrial property, but with that being said it is zoned Light Industrial and has not developed therefor that is something to weigh on both sides of the issue and that is the discretionary decision before the Commission.

Chairman Renfro commented on the fact that the property does have quite a bit of floodplain and in the past have tried to have other residential builders there but the topography was not suitable. He feels if this is a nice product it would serve as a nice buffer between the subdivision and the technology park.

Commissioner Fishman stated she felt the proposal is a beautiful well thought out plan, but is concerned whether or not Rockwall has the demographic and demand to fill a property of this size.



Commissioner Trowbridge stated he feels that the benefits of the proposal are that it will make a nice transitional use and will provide a nice buffer between the residential and tech park.

Commissioner Whitley asked if notices were sent out to the neighboring properties. Mr. Miller stated that notices were sent to all property owners on the tax roll provided by the Appraisal District and no notices were received back.

Commissioner Lyons made a motion to approve the item with staff recommendations as well as the requirement to meet the City's multi-family parking standard as outlined in the Unified Development Code. Commissioner Trowbridge seconded the motion, which passed by a vote of 6-1, with Commissioner Logan dissenting.

6. Z2016-022

Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Robert Reece of SPR Packaging, LLC for the approval of a Specific Use Permit (SUP) to allow for a structure that exceeds 60-feet in height in a Light Industrial (LI) District in conjunction with an existing manufacturing facility situated on 10.1893-acre parcel of land identified as Lot 2, Block A, SPR Packaging Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1480 Justin Road, and take any action necessary

Senior Planner, David Gonzales, gave brief explanation of request stating that the applicant is requesting a Specific Use Permit to allow for a structure that exceeds the maximum height requirements within a Light Industrial District for an existing manufacturing facility. The property is located at the intersection of Justin Road and Industrial Blvd. and is addressed as 1480 Justin Road.

Mr. Gonzales went on to state that the applicant has indicated that SPR Packaging plans to install three new high-bays for the purpose of placing new equipment extruders to meet its future manufacturing capabilities. Based on the site plan and the building elevations submitted, the extruders will be placed adjacent to the existing 60-ft height high-bay area, which is located on the north rear side of the building. The vertical expansion will be incorporated on top of the existing manufacturing facility, and will increase the height of this portion of the facility by approximately 35-ft. The newly constructed high-bay area will have an overall height of 71-ft. from grade, which will be approximately ten feet higher than the existing, adjacent metal high-bays. It should be noted that the facilities' existing roof structure was designed to extend upward to allow for the requested expansion. The addition will be comprised of pre-engineered metal panels that will match the existing structure. The vertical addition will exceed the 60-ft height limitation established in the Unified Development Code which states that the maximum building height for properties within the Light Industrial District is 120 feet, but any structure exceeding 60-ft shall require an SUP. In this case, the vertical expansion exceeds the 60-ft height limitation by 11-ft and requires an SUP.

Mr. Gonzales further stated that on July 22, 2015, staff mailed eleven notices to property owners within 500 feet of the subject property. Staff also sent an e-mail to the Park Place Home Owners Association and additionally, staff posted a sign on the property. No notices were received back in favor or in opposition of request.

Mr. Gonzales added that the applicant was present and is available for questions.

Chairman Renfro opened the public hearing and asked applicant to come forward.

Mark Cross  
5310 Harvest Hill Suite 180  
Dallas, TX

Mr. Cross of Cross Design Group came forward and stated he is the architect on the project. They did the original building for SPR in 2006, which was about 50,000-60,000 feet, had the original three high bayed extruders that were 60feet tall. In 2011 they did another expansion of about 120,000 feet and they have been steadily growing since then.



Mr. Cross went on to state that SPR is in the process of putting in \$23 million worth of new equipment in the building and the new extruders are higher because technology has improved and they need to go higher in order for the new equipment to fit. The exterior of the building will look exactly like the adjacent section of the building that is metal, everything else is tilt wall.

Commissioner Trowbridge asked reason as to why it needs to be higher than the last version. Mr. Cross stated the primary reason is due to technology and the new equipment that they're ordering requires a higher clear height.

Chairman Renfro asked if anyone wish to speak to come forward and do so, there being no one indicating such Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Lyons made a motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion, which passed by a vote of 7-0.

7. Z2016-024

Hold a public hearing to discuss and consider a request by Kyle Vrla of Dynamic Engineering Consultants, PC on behalf of the owner Wilson Osee of Osee Properties, LLC for the approval of a zoning change from a Commercial (C) District to a Heavy Commercial (HC) District for a 6.588-acre portion of a larger 24.818-acre tract of land identified as Tract 3-13 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located south of the intersection of Sids Road and SH-205 [S. Goliad Street], and take any action necessary.

Chairman Renfro stated the applicant made a request to withdraw the case and Planner, Korey Brooks explained a motion would have to be taken by the Commission for case to officially be considered withdrawn.

Chairman Renfro made a motion to withdraw the case. Commissioner Logan seconded the motion which passed by a vote of 7-0.

Chairman Renfro called for a ten minute break at 7:17 p.m.  
The meeting reconvened at 7:27 p.m.

8. Z2016-025

Hold a public hearing to discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a PD Development Plan establishing a 245 unit, condo development situated on a 3.453-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the *Interior Subdistrict*, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of request stating the subject property is located south of the intersection of Horizon Road and Summer Lee Drive it is a portion of a seven acre property and the actual subject property is about three and a half acres. It is located in Planned Development 32, and as it was discussed at the previous work session is a unique PD, which was established in 2010 by the City Council and is intended to be a form base code which essentially means that it is a code that creates predicable built results using physical building form as the driving principal of the code itself. This is opposed to using land use or separation of land uses such as the Unified Development Code. The PD was built around a concept plan, which was a vision for the entire area that showed how the area was set to develop. It also incorporated a street network plan and a master utility plan and that was to ensure that the infrastructure that was being put in was adequate to support the concept plan that was in place. Additionally a sub-district plan was put which divided the 78 acre Planned Development into ten sub-districts was adopted each of the sub-districts is like a zoning district having its own permitted set of uses allowed within them, they also have their own development standards in the form of a form based code. The sub-districts allow various uses; the Residential is built around the idea of having a pool of units consisting of 1,161 condominium and townhome units are allowed within Planned Development 32 and that number comes from allowing 15 units per acre within the District. Those units were never allocated to any one

individual sub-district rather the way it is structured is if the use allows condominiums or townhomes they can pull from those units on a first come first serve basis. Currently two developments have been approved, Marina Village who was allocated 399 of those units, and Summer Lee Condominiums which was allocated 265 of those units leaving a balance of 497 units.

Mr. Miller went on to explain that the subject property is in what is called an interior sub-district which according to the PD Ordinance is intended to provide an area that can function as either office/residential or senior living. Looking at the use chart the permitted uses within this sub-district the urban residential condominium units only land use is a permitted by right use and with there being a balance of 497 units and the applicant is only requesting 245 units, the use and the number of units is not in question because it is allowed by right which means if a site plan is submitted and all the criteria is met, they would be allowed to proceed. The reason the proposal is before the Commission is tied to the street network, it is tied to the street that runs from Summer Lee to the south western corner of the subject property. Mr. Miller then provided a slide show showing a map of the entire District and included the renderings and street network plan that is in question as well as the streetscape plan that is tied to the district.

Mr. Miller further stated that the Streetscape Plan contained in Ordinance No. 10-21 calls for a Street Type G, which is intended to serve an edge to the open space areas of the sub-district and connect Summer Lee Drive and Ridge Road. Specifically this street section consists of two-way traffic on a 24-foot wide street with eight foot parallel parking spaces along the western side of the roadway, adjacent to the condominium project, an eight foot parkway, and eight foot sidewalks on both sides of the street. The total right-of-way width of this street cross section is 60-feet. In lieu of this, the applicant is proposing a modified street cross section that will consist of two-way traffic on a 24-foot wide street with five foot sidewalks on either side of the street, and a one to two foot parkway. The total right-of-way width of the proposed road section will be 36-feet; however, one foot of the sidewalk will be situated outside of the right-of-way. This means that either the right-of-way width will need to be increase to 37-feet or the additional one foot will need to be put into a Pedestrian Access Easement at the time of platting and that has been included as a condition of approval.

Mr. Miller went on to explain that in reviewing this request, staff has identified an additional waiver to building placement, which will be required to be approved along with the applicant's request. Specifically, the Interior Sub-district requires a minimum of a five foot building setback and an average of a 20-foot setback along the Street Type 'G', which the applicant is proposing to modify. In this case, the applicant would be requesting a minimum of a one to two foot building setback along this modified street section. Since a waiver to building placement is specifically identified in Section 9.C, Waivers of Design Standards, of Ordinance No. 10-21, it could be granted at the time of site plan approval by the City Council; however, since the modified street section is causing the PD Development Plan it has been included in the request as a condition in the draft ordinance. Also, when considering waivers and amendments to Planned Development 32 the City Council, followed by a recommendation from the Planning and Zoning Commission is requested to weigh the request based on three criteria which are 1) does it meet the general intent of the PD District or Sub-district in which the property is located 2) will it result in an improved project which will be an attractive contribution to the PD District or Sub-district; and 3) will the request prevent the implementation of the intent of this PD District.

Mr. Miller further stated that the applicant has provided staff with building elevations for the condominiums which have been tied down to the Planned Development District ordinance and the purpose of putting them in the ordinance and making it a general condition of approval for the site plan is to ensure that what is being proposed with the street cross section is what will be turned in at time of site plan.

Also, Mr. Miller added that on July 22, 2016, staff mailed 84 notices to property owners and residents within 500-feet of the subject property and also emailed notices to the Lakeside Village, Lago Vista and Signal Ridge Homeowner's Associations and additionally, staff posted a sign on the subject property along Summer Lee Drive. Out of the 84 notices sent out two responses in favor of the request and three responses opposed to the request were received by staff.

Mr. Miller stated the applicant is present and available for questions.

Chairman Renfro asked for questions for staff from the Commission.

Commissioner Whitley asked of the notices that were opposed to the request if it appears as if those are not in favor of the project as a whole, but asked if that was something that they were considering or are they just looking to make recommendation of the specific waivers not the project as a whole. Mr. Miller stated that was correct, not the project as a whole.

Chairman Renfro made a general comment stating that he felt the intent and design as it was presented to the Commission several years ago was to provide an environment by the Harbor where vehicles would not be the main circular drive but instead have more pedestrian traffic and he is concerned with narrowing the sidewalks as was the intent of the original design when PD32 was drafted.

Commissioner Logan asked what the ADA requirement for sidewalks was. Mr. Miller stated ADA requirements are 5 foot.

Chairman Renfro asked if the original as it was presented was to have 8 foot sidewalks with an 8 foot parking easement for parallel parking where would the 8 foot sidewalk be located. Mr. Miller brought up a map and explained that it is an 8 foot sidewalk starting at the center of the development, followed by an 8 foot parallel parking on the building side, then a 24 foot street to allow two- way traffic and then an 8 foot parkway followed by an 8 foot sidewalk. And what is being proposed is a 5 foot sidewalk followed by a 2 foot parkway followed by a 24 foot two way traffic street, followed by a 1 foot parkway and a 5 foot sidewalk with one of those feet being outside of the right of way, which has been conditioned for a pedestrian access easement to be put in. What it would be is a 36 foot right of way versus a 60 foot right of way making it a 24 foot difference.

Commissioner Whitley asked by eliminating all of the parallel parking where would those vehicles be parking. Mr. Miller stated they are building a structured parking garage and they will have some head in on street parking as well.

Commissioner Lyons expressed concern that there would not be a landscape buffer between the streets and the buildings.

Chairman Renfro opened the public hearing and asked the applicant to come forward.

Jason Lentz  
5339 Alpha Road  
Dallas, TX

Mr. Lentz came forward and Chairman Renfro asked what the existing rendering of the sidewalk is as opposed to what is being proposed. Mr. Lentz provided a site plan to show renderings and explained that it had to be done this way because not doing so would require getting onto neighboring property, would be willing to consider other options perhaps a wider sidewalk on the building side to provide more room between the building and the road but pointed out that it is driven by the fact that the site has somewhat of an unusual width.

Chairman Renfro asked if they would be willing to increase the size of the sidewalks. Mr. Lentz stated that they would be willing if there was sufficient room to accommodate that request, but there is not.

Commissioner Whitley asked what the intent of the street in question was since it's coming off of Summer Lee and therefor is not a main road. Is the intent for it to dead end, or is that for future development. Mr. Lentz explained that the plan is to provide access through the townhome development so it will come all the way. Mr. Miller brought up the concept plan summary slide to provide a visual of how that roadway will come through there and how it will provide access and also pointed out to a road that was part of another development as part of the Summer Lee Condominiums, when that was waived the roadway alignment to connect to Ridge Road is required to connect to Ridge Road and the they are putting in a public road that will complete that alignment.



Michael Smith  
Humphry's and Partners Architects  
5339 Alpha Road  
Dallas, TX

Mr. Smith came forward and explained that the reason the building is on the southwest property line is because that is as far as it can go per the fire code which requires to remain at least ten feet off of that property line because they have no control over who builds next to them, and with the building's windows looking in that direction in order to have all that glass for the residents to have the view of the lake it has to be set back off of that property line a certain distance. Mr. Smith also noted that they are proposing a 36 foot right of way and as the building and the site plan have been laid out that is what the maximum that can be done in a public right of way in this location.

Chairman Renfro asked if that 36 foot right of way included two lanes of traffic and how many feet of would those two lanes take. Mr. Smith stated that was correct, and the two lanes would take 24 of the 36 feet. Mr. Smith added that because one side of the building is completely lined up against the creek they would not be opposed to shifting the sidewalk where there would be more on one side of the road than the other, if they could get rid of the sidewalk all together on one side then they could put 12 feet of sidewalk and buffer on the one side of the road, they could move the roadway within the 36 feet. Chairman Renfro asked if they were willing to do that and if it was done, how it would be determined what the best side would be. Mr. Smith stated he felt the best side would be on the pedestrian side against the building and they would be open to make that change and added that 36 feet is worst case scenario where the area curves around the road, there are portions where it will be wider with landscape buffer.

Commissioner Lyons made comment of liking the idea of consolidating the sidewalk to one side.

Commissioner Moeller stated his concern was with the areas that have fewer sidewalks especially in the areas where it curves, how narrow it would be may pose a problem therefor also likes the idea of moving the sidewalk as a safety precaution to the pedestrians.

Commissioner Logan expressed concern at not necessarily how narrow the sidewalk would be but the concern is how narrow the road would be, if a fire truck would be able to get by. Mr. Miller explained that Fire would use both Summer Lee and this roadway that is being proposed as fire lane; the fire truck itself would not be accessing the garage.

Chairman Renfro asked the applicant if making the change of moving the road to create more of a buffer on the other side is something they felt could be done. Mr. Smith stated the change was feasible.

Chairman Renfro asked if there was anyone wishing to speak to come forward and do so.

David Stubblefield  
1550 Anna Cade Dr.  
Rockwall, TX

Mr. Stubblefield came forward and stated he represents and is present on behalf of the adjoining property owners to the northeast. He stated Mr. Lentz made mention the reason why they have to narrow the right of way and eliminate the parallel parking and narrow the sidewalks was by not doing so would cause him to go onto adjoining property, but after representing the individuals that own that property he was not aware of that and those adjoining property owners would be willing to sell or dedicate the additional property to allow the full width of the street. Mr. Stubblefield went on to state that the adjoining property owners are in favor of the request and support both the condominium and the townhome proposals however pointed out that the sole access into the residential sub-district will be via this road and the now private easement that will go into the rear townhome portion of the property. Mr. Stubblefield showed via the slide on the screen where the cross access portion is the entire residential sub-district and the rear portion is the vast majority but there is between four and five acres of land on either side and the adjoining property owners own the property that is on the northeast side and were previous owners of the property of the southwest side and still hold papers to that and would like to see both of those developed, but there are no public roads now as it is proposed to be a private



easement. Feels a single ordinance can do both amendments to the PD and feels that if it is done that way then the developer would be required to put in streets that would allow for access for the entire residential sub-district and is here tonight to urge on that specific concern.

Mr. Miller added there would be further discussion concerning the cross access during the discussion for the townhome proposal.

Chad Cain  
P.O. Box 2345  
Rowlett, TX

Mr. Cain came forward and expressed his opposition to the request. He was against the whole development itself originally, and feels should not bend to the will of people that want to develop by making changes to the original plan and does not feel they should be given this deviation. He feels that there is no reason to change from what the original plan for this area was and is highly opposed and urged the Commission to vote against it.

Chairman Renfro asked if there was anyone else who wished to speak to come forward, there being no one indicating such Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

General discussion took place concerning Mr. Cain's concerns and questions.

Mr. Miller advised the Commission a motion could be made to continue the public hearing to allow the applicant more time to address the Commission's concerns.

Chairman Renfro made motion to continue the public hearing to the next scheduled meeting which will take place on August 29<sup>th</sup>. Commissioner Trowbridge seconded the motion, which passed by a vote of 7-0.

9. Z2016-026

Hold a public hearing to discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a PD Development Plan establishing 36 townhomes on a 3.462-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the *Residential Subdistrict* and within the Scenic Overlay (SOV) District, located north of the intersection of Ridge Road [FM-740] and Glen Hill Way, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of request stating that the subject property is directly southeast of the previous case and is located in a different sub-district it is called the residential sub-district and according to the PD ordinance it is reserved for zero lot line single family residential housing due to lower volume of traffic, the ordinance also states that the Harbor District due to a lower volume of traffic makes this ideal for single family uses. In this case the applicant is proposing a 36 unit townhouse development on the 3 ½ subject property. According to the use charts, in the residential sub-district the townhouse use requires a Specific Use Permit, however since the proposed product is a front entry product on potentially private streets that could change the access within the District staff requested that the applicant submit a PD Development Plan which will change the intent of the sub-district and has the same discretionary approval as the Specific Use Permit regard to land use. However, approving the Planned Development Plan will negate the need for the Specific Use Permit and that would be added to the draft ordinance. Looking at the specific development, it will incorporate front entry garages in rows of four to five townhomes which will be a minimum of 1,622 square feet to 2,163 square feet which creates an average size of 1,863 square feet if all the townhomes are taken into account.

Mr. Miller went on to state that Ordinance 10-21 does not establish minimum units sizes or establish design standards for townhouses, however the Comprehensive Plan states that townhouses should have rear entry drives, in this case the applicant is proposing based on the building elevations to offset one of the keystone properties to make it a side entry approach, but the majority of the project will incorporate front entry garages. Additionally the Comprehensive

Plan states that townhomes should have a different appearance through the use of varied details, trim, materials, architecture and setback. However in this case the applicant is proposing an enclosed community and as a result is proposing more of a uniformed design scheme. Concept building elevations have been included in the draft ordinance and conformance to those elevations is considered to be a condition of approval. With regard to the any amendment or waiver to the Planned Development Plan, in this case what's being looked at is the intent of the sub-district and what the Commission is being asked to consider is three criteria which is; if it meets the general intent of the PD District, if it will provide an improved project with an attractive contribution to the District and that it will not prevent the implementation of the intent of the PD District.

Mr. Miller then displayed the site plan for the townhome project on screen and explained that as Mr. Stubblefield referred to during the previous case; staff has made the recommendation to the applicant that they find a way to incorporate access to the adjacent property. It is not a private easement but rather a public access easement that staff has requested the applicant place and it extends from the potential public roadway down in a southeastern direction to a stub out to the adjacent property and that is in an effort to provide access in a similar location as shown on the Concept Plan and to provide an additional point of access to the adjacent property.

Mr. Miller further stated that if the request is approved, the Architectural Review Board would need to review any elevations submitted, however this is a discretionary request for the Planning and Zoning Commission and City Council. Staff mailed 52 notices to property owners and residents within 500-feet of the subject property and emailed notices to the Lago Vista Homeowner's Associations as well as posted a sign on the subject property along Summer Lee Drive. Of the 52 notices mailed out staff received 3 responses in favor and 1 response in opposition.

Mr. Miller provided a map on screen that showed how the project will be laid out in relation to existing developments in the District and stated he as well as the applicant is available for questions.

Chairman Renfro asked for questions for staff from the Commission.

Commissioner Moeller asked if there is an alley along the development, and was the original intent to have rear entry through and alley and now what is being proposed is to get rid of the alley and go front entry. Mr. Miller stated that was correct, the original intent of the residential sub-district was to incorporate 49 zero lot line single family homes that were alley fed, and that plan incorporated two different street types, street type "N" being the alley and street type "M", the applicant is requesting to change the intent of the sub-district to townhomes with front entry garages.

Chairman Renfro asked staff to explain further on what applicant is proposing concerning the building elevations as it appears there is some monotony as being presented. Mr. Miller stated that in this case the applicant is using a more uniformed design scheme because it is an enclosed area, but they are using varying roof pitches, chimney placements that provide some relief in the façade.

Chairman Renfro opened the public hearing and asked the applicant to come forward.

Jason Lentz  
5339 Alpha Road  
Dallas, TX

Mr. Lentz came forward and stated the purpose of the request is for a 36 townhome development where the PD currently calls for 49 zero lot line single family homes. Explained that they have built this product in the past and have seen a lot of success in this type of development and feels it lends itself well in this area and will serve its intent going from 49 units to 36 units this would lessen the density and would give the area a more community/neighborhood feel. There will be nine one bedroom one bath units that will also include a powder bath and the remaining twenty seven would be two bedroom units, some with a full bath and powder bath and some with two full bathrooms with an average square footage of 1,900 square feet. Mr. Lentz then provided

a color rendering of the elevations on screen that showed a four unit building where some units would have two windows bays and other units would have three window bays anywhere from 24 to 28 feet wide per unit.

Chairman Renfro asked if the garages would be in the rear. Mr. Lentz stated the garages are being placed to where they are facing out to the roadways, not having set alleys for the garages. The front elevations is what they call the side without the garages there would still be a public front door from the side of the building which is what would be the units fenced in front yard.

Chairman Renfro asked what the approximate rent is estimated to be at. Mr. Lentz stated this will be a for sale product.

Commissioner Moeller asked staff if there were front entry garages in place in any development in the City. Mr. Miller stated there were some in PD-10, Stone Creek, as well as in some of the older areas that have front entry garages.

Chairman Renfro asked if anyone wish to speak to come forward and do so.

Chad Cain  
PO Box 2345  
Rowlett, TX

Mr. Cain came forward came forward and expressed his opposition to the request. Feels the only area of PD-32 slated for residential single family homes does not need to change to a townhome use. Does not think front entry garages are a good fit because of all the vehicles that is all that could be seen when stepping outside one's home instead of a nice landscape. Mr. Cain further expressed his strong opposition of losing the only part set aside for single family homes to allow townhomes and urged the Commission to vote against it.

David Stubblefield  
1550 Anna Code Road  
Rockwall, TX

Mr. Stubblefield came forward and stated he represents the adjoining property owners who own the property northeast of the subject property and the problem his clients have is that it is a very long slender property. They would like to sell or develop the property but the issue is with the access.

Chairman Renfro asked the applicant to come forward to offer rebuttal.

Mr. Lentz came forward and stated that what they are proposing as opposed to what originally was laid out, is a better fit as it will create less density and a more residential/community feel and feels it will have the same success as others they've built.

Commissioner Trowbridge asked if the land has already been purchased or is it under contract to be developed. Mr. Lentz stated they own a portion of it and under contract with the rest.

Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Chairman Renfro expressed concern that the previous case for the condominiums and the current case run in conjunction with each other and felt that this item should possibly be continued as well to allow the applicant additional time to go over the Commissions concerns.

General discussion took place among the Commission concerning questions that arose concerning the roadway and as to whether or not item should be continued until the next meeting to allow the Commission as well as the applicant additional time to review the information presented and for the applicant to review the Commissions concerns.

Commissioner Trowbridge made a motion to continue the public hearing for item Z2016-026 to the next meeting which will take place on August 30<sup>th</sup>. Commissioner Lyons seconded the motion, which passed by a vote of 7-0.

10. Z2016-027

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Section 2.1, *Agriculture (AG) District*; Section 3.3, *Single-Family Residential (SF-16) District*; and Section 3.4, *Single-Family Residential (SF-10) District*, of Article V, *District Development Standards*, of the Unified Development Code for the purpose of increasing the minimum square footage per dwelling unit in these zoning districts, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of item stating that as discussed in the previous meeting, the City Council directed staff to prepare a text amendment to increase the minimum square footage requirement for dwelling units in a Single Family 10 and a Single Family 16 District. In addition they have also directed staff to establish a minimum square footage size for an Agricultural District specifically the information in the ordinance that was provided is to make a change to the Single Family 16 District to a 2,400 square foot minimum dwelling unit and for Single Family 10 District to a 2,200 square foot unit minimum and in an Agricultural District it would establish a 1,600 square foot minimum. At the last meeting when it was initially brought up there were some questions about building permits and staff has since put together a summary of all building permits issued from January 1, 2011 to July 27, 2016 but the building permit information that is taken in contains all areas under roof, whereas the UDC requirement in question is just air condition space that is being taken into account. Staff also provided the Commission a report that was prepared of comparable cities square footage requirements that details zoning districts residential dwelling unit requirements as well as a summary of all residential zoning district density and dimensional requirements.

Mr. Miller went on to state that staff was bringing this forward for the Commission's recommendation to the City Council.

Chairman Renfro asked for any questions for staff from the Commission.

Commissioner Trowbridge asked if what was being proposed is to make the minimum square foot increase on a parcel of land that is not changing, for example a 7,000 square foot lot or a 10,000 square foot lot or go from a smaller house to a larger house. Mr. Miller stated that was correct.

Chairman Renfro opened the public hearing asked if anyone wished to come forward and do so, there being no one indicating such, Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Trowbridge expressed concern of putting a bigger house on a same size lot.

Commissioner Trowbridge made motion to deny the item. Motion failed to pass due to there being no second. Chairman Renfro made motion to approve the item with staff recommendations. Commissioner Lyons seconded the motion, which passed by a vote of 6-1 with Commissioner Trowbridge dissenting.

#### IV. ACTION ITEMS

11. SP2016-015

Discuss and consider a request by Jerry Monk of Monk Consulting on behalf of Dr. Steve Arze of Zaph & Ath Properties, LLC for the approval of a site plan for an indoor recreation facility on a 4.88-acre tract of land identified as Tract 4-01 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located north of the intersection of Industrial Boulevard and Airport Road, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating that the subject property is north of Industrial Blvd and Airport Road just east of Washington Street and is zoned for Commercial use. The applicant is requesting a site plan approval for a 12,500 square foot indoor recreation facility, which will include rock climbing and a fencing academy. The development is going to involve 4.88 acres and will be three lots that will all eventually have some development on it; the indoor recreation facility will be lot 2 in the center. Mr. Gonzales



pointed out that at time of plating the other two lots, which will be lot 1 and lot 3 meet the requirements for the Commercial District Development Standards.

Mr. Gonzales went on to state concerning the density and dimension requirements, when looking at the site plan, landscape plan and the photometric plan, all those meet the general technical requirements as far as site plan is concerned, however, there are two exceptions to the building elevations that the applicant is requesting. Both have to do with Article V for the General Commercial Districts Standards, one being that the building is required to have 90% masonry construction throughout the building and the other a minimum of 20% stone. On one of the exceptions they are requesting the allowance of metal wall panels that exceed the 10% secondary material requirement and that will be for three elevation sides, they have 14% metal panels, 60% is located on the east, and 38% on the west. The other exception would be for the stone requirement, the applicant is using a ledge stone but the elevations do not meet the 20% requirement, therefore they are asking for the exception to that. The request is to for the south elevations to be 16% the east 17% and the west 13%. The exceptions require recommendation from the Planning and Zoning Commission as well as City Council.

Mr. Gonzales advised the Commission that the applicant was present and available for questions.

Chairman Renfro asked the Commission for questions for staff or the applicant.

Commissioner Whitley expressed concern of a possible problem with glare off of the building as some building in Dallas have had, asked if there would be any potential glare issue with this building. Mr. Gonzales stated there would not be they meet the UDC photometric requirements.

Commissioner Lyons asked if any sample material was provided for the Commission to look at. Mr. Gonzales provided a sample board the applicant submitted.

Stan Crowmardy  
Arkon Architects  
814 Hall  
Seabrook, TX

Commissioner Lyons asked what kind of warranty the stone they would be using would have, and was it real stone. Mr. Crowmardy stated they would be using a combination of cementitious product and brick masonry and believes the warranty to be five years minimum, but added that the product wears just like stone and masonry.

Commissioner Logan asked if the item would be going to Architectural Review Board for review. Mr. Gonzales stated it would not as it is in a Straight Zone District and not within an Overlay District.

Commissioner Whitley made a motion to approve the request with staff recommendations. Commissioner Logan seconded the motion, which passed by a vote of 7-0.

## V. DISCUSSION ITEMS

12. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).

- ✓ P2016-030: Replat for Lots 5 & 6, Block C, Sanger Bros. Addition [Approved]
- ✓ P2016-031: Replat for Lots 2 & 3, Block A, Heritage Christian Academy, Phase 2 [Approved]
- ✓ P2016-032: Final Plat for Lot 1, Block B, Rockwall Technology Park, Phase IV [Approved]
- ✓ P2016-033: Final Plat for Lot 1, Block A, Rockwall Technology Park, Phase IV [Approved]
- ✓ P2016-034: Final Plat for Lots 1-3, Block A, Dalton Goliad Addition [Approved]
- ✓ Z2016-020: SUP for a Carport at 509 Sunset Hill Drive (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-021: Zoning Amendment to PD-52 for Townhomes (1<sup>st</sup> Reading) [Approved]

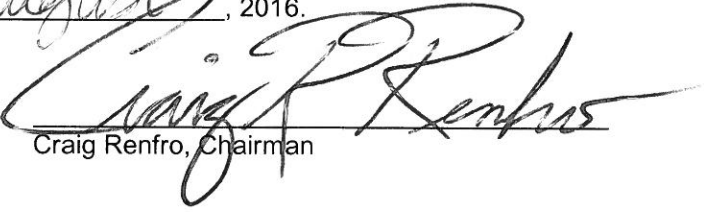
Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

931  
932 Mr. Miller welcomed new Commissioner Mark Moeller.  
933  
934

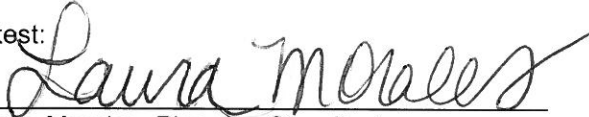
935 VI. ADJOURNMENT  
936

937 The meeting adjourned at 9:44 p.m.  
938  
939  
940  
941

942 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
943 Texas, this 30 day of August, 2016.  
944

945  
946   
947 Craig Renfro, Chairman  
948

949 Attest:

950   
951 Laura Morales, Planning Coordinator  
952  
953  
954

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**August 30, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:15p.m. The Commissioners present at the meeting were, Commissioners Johnny Lyons, Patrick Trowbridge, Sandra Whitley and Tracey Logan. Commissioners absent were Annie Fishman, and Mark Moeller. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales and Civil Engineer, Jeremy White.

II. CONSENT AGENDA

1. Approval of Minutes for the August 9, 2016 Planning and Zoning Commission meeting.

2. P2016-036

Discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of Saint George Partners, LTD for the approval of a final plat for Lot 1, Block A, Service King IH-30 Addition being a 3.293-acre tract of land currently described as Tract 7-01 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, located at 1780 E IH-30, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

3. P2016-037

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of D. R. Horton for the approval of an amending plat Lakeview Summit, Phase IV for the purpose of adding utility easements to the 93 residential lots proposed for the 38.056-acre subdivision situated within the J. H. B. Jones Survey, Abstract No. 124 and the Nathan Butler Survey, Abstract No. 21, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 29 (PD-29) for Single-Family 10 (SF-10) District land uses, located north of the intersection of Petaluma Drive and N. Lakeshore Drive, and take any action necessary.

**Chairman Renfro made a motion to pass the consent agenda. Commissioner Lyons seconded the motion which passed by a vote of 5-0, with Commissioners Moeller and Fishman absent.**

III. APPOINTMENTS

4. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

**The Architectural Review Board representative, Jimmy Strohmeyer, came forward and gave brief summary of recommendations pertaining to the item on the agenda that required architectural review.**

IV. ACTION ITEMS

5. Hold an election to elect a Vice-Chairman for the Planning and Zoning Commission.

**Chairman Renfro noted this item would be moved to the end of the agenda.**

V. PUBLIC HEARINGS

6. Z2016-025

Hold a public hearing to discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a PD Development Plan establishing a 245 unit, condo development situated on a 3.453-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated

66 within the *Interior Subdistrict*, located adjacent to Summer Lee Drive southwest of the intersection of  
67 Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.  
68

69 Planning Director, Ryan Miller, gave brief summary of item stating that this case was returning  
70 from the last meeting where the public hearing was held and continued by the Planning and  
71 Zoning Commission. The property is located in what is called the interior sub-district of Planned  
72 Development 32 which does allow condominium buildings by right as well as the number of  
73 units being proposed. The issue as was discussed at the previous meeting is the roadway and  
74 the proposed cross section. Specifically according to Planned Development District 32 a street  
75 type G is required which is defined as a street type that has 8 foot sidewalks and parkways on  
76 both sides, parallel parking and a 24 foot travel lane on the interior. An updated submittal was  
77 received from the applicant showing an increase to a 40 foot right of way from the 36 foot right  
78 of way originally proposed. They also originally had a 24 foot travel lane down the middle but  
79 now are bringing back the parallel parking. Also from what the Planning and Zoning Commission  
80 recommended in the previous meeting they have moved all the parkway and sidewalk to the side  
81 adjacent to the building. Mr. Miller pointed out that they decreased the number of units from 245  
82 units to 228 units due to the building style being changed from a wrap product to a podium build  
83 which decreased the footprint size of the building to allow for the increased right of way. The  
84 change will not affect the architectural style and the proposed elevations are still being tied  
85 down to the draft ordinance.  
86

87 Mr. Miller further stated that on July 22, 2016, staff mailed 84 notices to property owners and  
88 residents within 500-feet of the subject property and emailed notices to the Lakeside Village,  
89 Lago Vista and Signal Ridge Homeowner's Associations. Staff received two responses in favor  
90 of the request, four in opposition and the majority of the opposition was relating to the use and  
91 not the roadway.  
92

93 Mr. Miller advised the Commission the applicant was present and available for questions.  
94

95 Chairman Renfro asked the Commission for questions for staff.  
96

97 Commissioner Trowbridge asked for clarification that what is being approved is just the cross  
98 section of the roadway. Mr. Miller stated that was correct and added that it is a Planned  
99 Development Plan but the manner in which PD 32 is structured it allows for the Commission to  
100 consider changes to the road section through that Planned Development Plan.  
101

102 Chairman Renfro asked the applicant to come forward.  
103

104 Jason Lentz  
105 5339 Alpha Road Suite 300  
106 Dallas, TX  
107

108 Mr. Lentz came forward and stated that after hearing the comments from the Commission at the  
109 last meeting their focus was on doing all that they could to integrate all of the comments to  
110 come up with a design that they felt worked best not only for them but for the City. After taking  
111 the Commissions comments into consideration they came up with a new scheme and made a lot  
112 of changes that had not been considered previously. He explained that they are going from a  
113 wrapped product with a garage in the middle to a significantly more expensive podium product  
114 which has two stories of parking underneath the four stories of apartments. Also the number of  
115 units has been decreased from 245 units to 228 units, which allowed the footprint size of the  
116 building to decrease allowing for the increasing of the right of way and stay within the way the  
117 existing creek sits now, shift the sidewalk over to the building side and bring back the 8 feet of  
118 parallel parking which will continue throughout the entire right of way. Mr. Lentz pointed out that  
119 there had been some discussion concerning how close the road was to the building. There are  
120 555 linear feet of road and the right of way is only within 5 feet of the building for 140 feet of  
121 those 555 feet. The right of way does not hug the building the entire way and that is dictated  
122 where the line of the creek bed is.  
123

124 Mr. Lentz went on to state that those changes were done to address the concerns the  
125 Commission had and feels after exploring other options that this scheme is the best suited for a  
126 condominium project on this property.  
127



Chairman Renfro expressed concern with the original Planned Development Plan calling for two 8 foot sidewalks as opposed to what is being proposed which is a 6 foot sidewalk on one side and 2 foot on the other making it 10 feet deficient from what the original plan was. He feels it is a walking district therefore the sidewalks are extremely important when it comes to the flow and movement of people and the safety of the citizens. He asked staff if that was what needed to be considered.

Mr. Miller stated what was to be considered is a roadway cross section that does not conform.

Commissioner Lyons asked the applicant concerning 2 foot sidewalk if there would be concrete. Mr. Lentz stated it is a 2 foot buffer parkway not a poured concrete sidewalk. Commissioner Lyons asked if the only walkable sidewalk would be the 6 foot sidewalk on the building side. Mr. Lentz stated that was correct.

Commissioner Whitley asked if there is 6 feet on one side and two on the other of which is not walkable could those two feet be added to the 6 feet to have 8 feet on the side of the building since it is not usable on the other side. Mr. Lentz stated they could make that change.

Commissioner Logan asked what change was done to the cross section from original proposal to what is being brought now. Mr. Miller stated that what they've done is put in the same amount of pavement as the original cross section with the same travel lanes and parallel parking what has changed is the parkways and the sidewalks.

Chairman Renfro opened the public hearing and asked anyone who wished to speak to come forward and do so.

David Stubblefield  
1550 Ana Cade  
Rockwall, TX

Mr. Stubblefield came forward and stated he is the representative of the property to the north of the subject property and is generally in favor of the proposal but is concerned with the connectivity issues it presents to the surrounding property. He has had several people wanting to develop his client's property to the north as well as the property on the south and each time the City has said that they required a road that connects from Summer Lee up to Ridge Road. Mr. Stubblefield provided a map that showed how the original plan of connectivity would be.

Mr. Miller showed a slide of the Master Plan and stated that the Cemetery Road alignment was what originally was talked about when PD 32 came in couldn't be used because it would cut down the middle of a cemetery and showed on the map what the correct alignment of the roadway is which mirrors the roadway alignment that is being projected by the applicants plans. The issue when Summer Lee Condominiums came in was that it wasn't known where that roadway alignment was going to be at that time and had the applicant for that development indicate generally on the site plan that there would be right of way dedicated, but nothing has been dedicated because that property has not been final platted as of yet.

Mr. Stubblefield asked staff what was the plan for the two properties to connect. Mr. Miller stated once the roadway alignment for street type G comes into play when the property is platted those two points will be connected.

Chad Cain  
PO Box 2345  
Rowlett, TX

Mr. Cain came forward and expressed his strong opposition to the request. His concerns are with the high density these condominiums will create, shortening the sidewalks, and the connectivity issues it presents that will affect his property. He urged the Commission to vote against it.

Jimmy Strohmeyer  
2701 Sunset Ridge  
Rockwall, TX

191 Mr. Strohmeyer came forward and stated he is one of the architects for the Summer Lee  
192 Condominiums and one of their concerns looking at the proposed plan is where the road is  
193 going because it is coming into a 24 foot dead end fire lane on their site that has a 20 foot  
194 retaining wall against the creek. They were aware that a road would come in there eventually but  
195 they have are finished engineering and have already submitted engineering plans. He stated that  
196 looking at their proposed master they were aware the road would shift some but based it off of  
197 City's Master Thoroughfare Plan. He stated he is not for or against the request but is concerned  
198 with having a road that goes nowhere.  
199

200 Chairman Renfro asked staff to address the comments given to help better understand.  
201

202 Mr. Miller stated when the Summer Lee condominiums came in the City did require them to show  
203 future roadway however it was indicated to them that a facilities agreement would be put in  
204 place at the time of platting to establish the alignment of that roadway as well as the timing of  
205 the roadway which was being tied to when the applicant of that case developed the back side of  
206 that property or the adjacent property developed and that was indicated in that cases project  
207 comments. The idea was always to establish the alignment when the adjacent properties  
208 developed because even though everything is tied down to the Concept Plan, PD32 has many  
209 moving parts and there is flexibility of Planning and Zoning and City Council to move those  
210 parts in PD Development Plans. It was unsure what development was coming in or when it was  
211 coming in and in order to allow flexibility at that time it was felt that in the best interest in all  
212 involved to handle things in that manner.  
213

214 Commissioner Lyons asked for clarification as roadway is built out over time and this request is  
215 approved and Summer Lee goes in is the plan to get that back out to Ridge Road to where it is  
216 not a dead end. Mr. Miller stated that was correct. Commissioner Lyons asked as other  
217 developments come in would they be responsible to build the roadway until it goes out onto  
218 Ridge Road. Mr. Miller stated that was correct that roadway would be connected until it generally  
219 meets the alignment.  
220

221 Mr. Miller added that this is a PD Development Plan establishing a roadway crossway, not a site  
222 plan. The applicant is only asking for the road section at this time they have not engineered. It is  
223 not setting the alignment in stone it is setting the cross section for that roadway. They will need  
224 to demonstrate that they are not dead ending a roadway into a retaining wall.  
225

226 Chairman Renfro noted that Commissioner Moeller arrived at the meeting at 7:12 p.m.  
227

228 Russell Phillips  
229 2701 Sunset Ridge Drive  
230 Rockwall, TX  
231

232 Mr. Phillips came forward and gave some background stating he is a developer and part owner  
233 for Trend Tower and the land next to the Cinemark was purchased for development for condos.  
234 He feels that whatever plan is put into place it need to be taken into consideration the  
235 surrounding property owners to make sure the roadway works to tie them all together.  
236

237 General discussion took place took place concerning what the original intent of PD32's  
238 allocation of units for condominium/townhomes.  
239

240 Chairman Renfro asked if anyone else wished to come forward to speak, there being no one  
241 indicating such, Chairman Renfro closed the public hearing and asked the applicant to come  
242 forward for rebuttal.  
243

244 Chairman Renfro expressed concern of traffic concerns if condos/townhomes are all allocated to  
245 one area.  
246

247 Mr. Lentz came forward and stated they were given a set of criteria and concerns at the previous  
248 meeting and those concerns have since been addressed. With concern of whether or not it can  
249 handle the traffic he feels the road as it relates to the right of way was two lanes, the actual  
250 traffic lanes in the right of way was always 24 feet of cars and 8 feet of parallel parking and that  
251 has not changed. He stated he believes they have shown a willingness to address the concerns  
252 and will continue to work with anyone in any manner that is needed.  
253

Commissioner Lyons expressed concern of moving forward with the request without more knowledge of how it would affect the overall original intent of PD32 and felt the two developers could possibly work together.

Bruce Myers  
5339 Alpha Road  
Dallas, TX

Mr. Myers came forward and pointed out they are currently only asking for a variance to change the roadway from the original 60 foot to a 40 foot. He stated he understands there is more work to be done but are just seeking approval to move forward with the understanding that given the constraint of where that creek aligns that they be allowed to take away some sidewalk in order to accomplish that.

Commissioner Lyons asked when townhomes are built would they be crossing the creek. Mr. Myers stated they would have to.

Commissioner Trowbridge noted that it comes down to cross section G which was outlined in a PD that was established years ago and the decision the Commission has to make is whether or not the 60 foot sidewalk that was established within the PD can be achieved as proposed by the developer with 40 feet.

Chairman Renfro expressed concern with losing the walkability feel the original intent of the PD established by losing the 20 feet of sidewalk.

Commissioner Lyons expressed concern for safety by making the sidewalk smaller along a creek. He feels that although the developer has made changes to the original proposal taking from the Commissioners concerns at the last meeting he still would like to see more changes with applying the rules the original PD established and is leaning at saying no to the proposal at this time.

Commissioner Logan made comment that if public streets have to be built according to ADA requirements for sidewalks which is 4 feet, but if it appears to be a path it requires a sidewalk would that rule apply to City streets. Mr. Miller stated they would technically meet that by having the sidewalk on one side.

Commissioner Whitley expressed concern that although the Commission does see each case on a case by case individual basis, they are all a piece of a bigger part of the City and although the cases that come forward need to be considered individually, it needs to be thought out how each case will interact and affect each other.

Commissioner Moeller expressed concern of losing the walkability feel that the intent of the original PD32 established for this area.

General discussion took place concerning what direction should be taken.

Commissioner Trowbridge made motion to approve the item. Motion failed to pass due to there being no second. Commissioner Lyons made a motion to continue the public hearing for the next scheduled hearing. Chairman Renfro seconded the motion.

Mr. Miller clarified that according to the UDC action needs to be taken within 60 days of the first public hearing date or the application will be considered withdrawn.

Commissioner Lyons made motion to deny the request. Commissioner Trowbridge seconded the motion which passed by a vote of 4-2, with Commissioner Trowbridge and Logan dissenting and Commissioner Fishman absent.

#### 7. Z2016-026

Hold a public hearing to discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a PD Development Plan establishing 36 townhomes on a 3.462-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall

County, Texas, zoned Planned Development District 32 (PD-32), situated within the *Residential Subdistrict* and within the Scenic Overlay (SOV) District, located north of the intersection of Ridge Road [FM-740] and Glen Hill Way, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of request stating the public hearing on this case was continued from the last meeting based on the alignment of the roadway on case Z2016-025. The subject property is a 3 ½ acre tract of land located within the residential sub-district, which according to what the applicant is proposing which is 36 townhomes the land use charts contained within Ordinance 1021 do allow a townhome use through a Specific Use Permit; however the intent of the residential sub-district is for 49 single family zero lot line homes with rear entry garages and public streets. In light of what the applicant submitted staff felt a PD Development Plan route would be more prudent to what is being proposed since it does not conform to the intent of the residential sub-district. The applicant is proposing 36 townhomes that will range in size from 1,600 square feet to 2,500 square feet. They will be accessible off a to be determined roadway and will extend through the site through a public or private roadway. They will need to provide access to the property directly to the northeast of them. In making that decision it is a discretionary decision to the Planning and Zoning Commission and when looking at granting a PD Development Plan the ordinance requests that the certain criteria be met which are that 1) meets the general intent of the PD District; and, 2) will result in an improved project which will be an attractive contribution to the PD District; and, 3) will not prevent the implementation of the intent of this PD District. Taking that into consideration the Specific Use Permit process is discretionary as well as the PD Development Plan which means the Commission has discretion on the use that is being requested. Should it be approved it will be required to go to the Architectural Review Board and Planning and Zoning Commission during the site plan process.

Mr. Miller went on to state that on July 22, 2016, staff mailed 52 notices to property owners and residents within 500-feet of the subject property and also emailed notices to the Lago Vista Homeowner's Associations which is the only HOA's located within 1,500-feet of the subject property. Staff received three responses in favor of the request and one response opposed to the request was received by staff. Mr. Miller noted that there were no changes from the previous case and the draft ordinance provided remains the same.

Chairman Renfro asked for questions for staff.

Commissioner Logan asked if the property to the northeast would be getting land locked except for the driveway that is on the subject property. Mr. Miller stated they would not be land locked they have the ability to request access off of Summer Lee Drive.

Chairman Renfro asked the applicant to come forward.

Jason Lentz  
5339 Alpha Road  
Dallas, TX

Mr. Lentz came forward and stated the layout to the townhome portion adjacent to the condos has not changed significantly from the last presentation at the previous meeting. They are still requesting the variance from 49 zero lot line single family homes to 36 townhomes in clusters of 4 to 6 homes each with front entry garages and will range from 1,600 square feet to 2,600 square feet in size. He stated one of the keys is that they are lowering the density of this space where there were 49 homes approved previously to the 36 that are being requested. He believes this product serves this site in a better way. Access will come off of the to be determined roadway and propose to cross the creek for access and run down through the townhome development providing access to the site north.

Chairman Renfro opened the public hearing and asked anyone who wished to speak to come forward.

Chad Cain  
PO Box 2345  
Rowlett, TX



Mr. Cain came forward and expressed his strong opposition to the request. Stated by approving this request it would be setting a precedent for other similar requests to come forward. He feels the original intent of single family zero lot line homes with rear entry garages should not be changed. He urged the Commission to deny the request.

Chairman Renfro asked the applicant to come forward for rebuttal.

Bruce Myers  
5339 Alpha Road  
Dallas, TX

Mr. Myers came forward and stated that the original intent of the residential subdivision was to provide single family residences and noted that a townhome is a single family residence. The only differentiation from the original intent is that the townhomes touch one another, where a single family lot has a five foot gap between them. He feels as a development a townhome is a much more attractive look. They are requesting front entry garages which will allow for a yard.

Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Chairman Renfro asked if the townhomes will be sold individually. Mr. Myers stated they would be sold individually.

Commissioner Trowbridge asked if zero lot line homes have a height restriction or is it simply the concept of how it sits on the land. Mr. Miller stated that in the straight zero lot line zoning district it is restricted to 36 feet.

Commissioner Lyons asked how big the front yards would be. Mr. Myers stated it would be approximately 25 feet there would be a driveway with the landscape islands in between the driveways which will be anywhere from 6-12 feet depending on how the garages are spread out. Mr. Myers provided a picture of what it would look like.

Commissioner Whitley asked if there would be an HOA established. Mr. Myers stated there will be a Home Owners Association because there will be common areas.

Commissioner Lyons asked what kind of garage doors they will be utilizing. Mr. Myers stated they have not made a decision on that as of yet.

Commissioner Trowbridge made motion to approve the item. Commissioner Logan seconded the motion, which passed with a by a vote of 4-2 with Commissioner Lyons and Chairman Trowbridge dissenting and Commissioner Fishman absent.

Chairman Renfro called a ten minute recess at 8:30 p.m.

Chairman Renfro called the meeting back to order at 8:47 p.m.

## VI. DISCUSSION ITEMS

### 8. Z2016-023

Hold a public hearing to discuss and consider a request by Kevin Dale Wommack & Pamela McCollum for the approval of an amendment to *Specific Use Permit (SUP) No. S-118 [Ordinance No. 14-02]* to allow for an accessory building that exceeds the maximum size requirements as stipulated by Article IV, Permissible Uses, of the Unified Development Code for a 1.4952-acre tract of land identified as Lot 17, Block B, Sterling Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, addressed as 1970 Copper Ridge Circle, and take any action necessary.

Planner, Korey Brooks, advised the Commission the applicant was present to answer any questions.

Dale Wommack  
1970 Copper Ridge Circle  
Rockwall, TX

Mr. Wommack came forward and showed picture of existing metal building that is 22x31 feet and stated he would like to continue the length of the building the same size that it is just double the size with an open air pavilion in front of the building.

Commissioner Trowbridge asked if it would be double. Mr. Wommack stated it would be instead of 22x31 feet it will be 22x62 feet.

Chairman Renfro made comment of applicant asking for an SUP therefore a precedent would not be set as it is a case by case basis in requests such as these. Mr. Wommack stated there is an existing SUP for the existing building he requesting to amend it.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

9. Z2016-028

Hold a public hearing to discuss and consider a request by Susan Gamez for the approval of a zoning change from an Agricultural (AG) District to Commercial (C) District on a 0.478-acre tract of land identified as Tract 7 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Scenic Overlay (SOV) District, addressed as 2001 Ridge Road, and take any action necessary.

Planning Director, Ryan Miller, stated applicant was present and available for questions.

Susan Gamez  
602 Laurence  
Heath, TX

Ms. Gamez came forward and stated her current business Everybody Massage is located at 1024 Ridge Road and she has been at that location for eleven years. She is asking to have the zoning change to allow her to move her business to this new property which is double the size of her current business and would allow her room to grow. She currently has five therapists, five massage rooms and five clients and going at any given time but only has eight parking spaces. She stated she has been looking for years for a property that would be suitable to move and had not been successful in her search until this property became available which she feels is ideal because on one side it is already commercial, it is double the size and also because it maintains a Ridge Road address as her current business has a Ridge Road address.

Chairman Renfro asked if she was unable to move the business without making the zoning change to Commercial.

Mr. Miller stated that the applicant is required to re-zone the property, currently the Future Land Use Map is set up calls out this property as being a Single Family 7 in the future, however the applicant does have commercial adjacencies. Alternatively the Commission could make a recommendation to Council to have it be something more restrictive such as a Residential Office, which that designation would still allow her business.

Commissioner Trowbridge asked the applicant if she will be purchasing the property if it is currently being uses as someone's home. Ms. Gamez stated she has already purchased the property and is currently vacant.

Mr. Miller added that he would be providing the Commission with the zoning requirements for this use on this property for them to review if the zoning is appropriate or if there is another zoning designation that they may want to consider.

Commissioner Whitley asked staff if due to it being secluded what signage would be allowed to draw in the Ridge Road traffic. Mr. Miller stated the applicant would be subject to the City's sign requirements and currently there is not a process nor is off site signage allowed. A sign would be allowed but it would have to be on her property and those requirements have already been discussed with the applicant.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

10. Z2016-029

Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects on behalf of D. W. Bobst of J-BR2, LLC for the approval of a Specific Use Permit (SUP) to allow a retail store with more than 2 gasoline dispensers on a 2.59-acre tract of land being a portion of a larger 7.32-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated at the southwest corner of the intersection of SH-205 [S. Goliad Street] and FM-549, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating that the applicant is requesting a SUP for the eight gasoline dispensers on the corner of SH-20 and FM-549 and added that the applicant was present to answer any question.

Jimmy Strohmeyer  
2701 Sunset Hill  
Rockwall, TX

Mr. Strohmeyer came forward and gave brief explanation of request stating that the property has been re-platted and have sectioned it off and the corner piece is where they are requesting to put the gas station. He feels it is an ideal location for a convenient/gas station at the corner of SH-205 and FM-549. The reason for the SUP is they are requesting eight dispensers rather than the two dispensers that are rarely seen anymore.

Commissioner Trowbridge asked if it was only limited to the two dispensers and what zoning allowed for more than the two dispensers. Mr. Gonzales stated that within the General Retail Zoning District which is a less intense use it is limited to two dispensers unless a Specific Use Permit is given. Commercial District has no restrictions unless it is within a Planned Development.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

11. P2016-038

Discuss and consider a request by Billy & Autumn Quinton for the approval of a final plat of Lots 1 & 2, Block A, Autumn Addition being a replat of a 0.35-acre tract of land identified as Lot 120, Block F of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 601 E. Rusk Street, and take any action necessary.

Planner Korey Brooks gave brief explanation of request stating that the applicant is proposing to subdivide one tract of land into two parcels. The reason this is coming before the Commission and not on the consent agenda is because this plat will need to go before the Parks Board on September 7<sup>th</sup> and once the Parks Board send over their recommendation it will be on the consent agenda at the next Planning and Zoning meeting.

Commissioner Trowbridge asked what the Parks Board would be approving. Mr. Brooks stated the Parks Board is going to establish the Parks fees associated with splitting the lot.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

12. P2016-039

Discuss and consider a request by Jay Maddox of Maddox Survey on behalf of Casey & Andrea Burke for the approval of a final plat of Lots 1 & 2, Block A, Burke Addition being a 2.970-acre tract of land identified as Tract 19 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1406 Ridge Road, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of request stating that as mentioned with the previous plat this item also will need to go before the Parks Board for their recommendation of

568 park fees, and will be on the consent agenda at the next scheduled Planning and Zoning meeting  
569 on September 13th.

570  
571 There being no further questions Chairman Renfro indicated the case will return to the  
572 Commission for action at the next scheduled meeting.

573  
574  
575 13. SP2016-016

576 Discuss and consider a request by Tim Seymore of Seymore Custom Homes, LLC on behalf of James  
577 & Robin Meade for the approval of a site plan for the construction of a commercial/industrial building on  
578 an existing 2.02-acre commercial/industrial facility identified as Tract 2-22 of the J. R. Johnson Survey,  
579 Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District,  
580 addressed as 496 National Drive, and take any action necessary.

581  
582 Senior Planner, David Gonzales, gave brief description of request stating that the subject  
583 property is zoned Heavy Commercial and applicant is proposing to have an additional 3,600  
584 square building which is more than half the size of the existing building. Mr. Gonzales advised  
585 the Commission the applicant was present and could further explain request and answer any  
586 questions.

587  
588 Tim Seymore  
589 205 Rushcreek  
590 Heath, TX

591  
592 Mr. Seymore came forward and stated the sole purpose to build the storage building is to store  
593 equipment from their erosion control business.

594  
595 There being no questions, Chairman Renfro indicated the case will return to the Commission for  
596 action at the next scheduled meeting.

597  
598  
599 14. SP2016-017

600 Discuss and consider a request by Rex Walker of Life Springs Church for the approval of an amended  
601 site plan for a church on a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract  
602 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned  
603 Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District,  
604 located on the north side of John King Boulevard east of the intersection of John King Boulevard and  
605 SH-205, and take any action necessary.

606  
607  
608 Senior Planner, David Gonzales, gave a brief overview of request stating that Life Spring Church  
609 has an approved site plan that came before the Commission a year ago at which time the site  
610 plan as well as building elevations was approved. At that time the site plan called for a 25,000  
611 square foot building and it went through the Architectural Review Board and had variances  
612 approved for articulation to the building. Since then the applicant is currently requesting to  
613 amend the building elevations. Mr. Gonzales provided pictures to compare and contrast of what  
614 was approved and what the applicant is currently requesting. The Architectural Review Board  
615 met with the applicant earlier in the evening and provided comments. Mr. Gonzales advised the  
616 Commission the applicant was present to answer any questions.

617 Kelly Horak  
618 516 Equestrian  
619 Rockwall, TX

620  
621 Mr. Horak came forward and stated he is present on behalf of Life Spring Church as a  
622 consultant. He stated the original project as it was approved was for a 25,000 square foot  
623 building but due to budgetary constraints, Mr. Walker and his congregation decided to reduce  
624 the size of the building to 16,839 square feet by doing away with the gymnasium in the building.  
625 Now that the building has been reduced in size they would like to request to do away with the  
626 double slope roof and do a single slope. The future addition of the gymnasium will be a  
627 standalone offset higher set building away from the main building that will be screened in the  
628 back.



There being no questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

Chairman Renfro brought item number 5 back and asked for discussion or motions for electing a Vice-Chairman and asked if anyone wished to nominate someone or nominate themselves to do so. Commissioners Trowbridge and Lyons both expressed desire to be nominated.

Chairman Renfro made a motion to nominate Commissioner Lyons. Commissioner Logan seconded the motion, which passed by a vote of 6-0, with Commissioner Fishman absent.

15. Director's Report of post Council meeting outcomes of Planning & Zoning cases.


- ✓ P2016-023: Master Plat for the Saddle Star South Subdivision [Approved]
- ✓ P2016-024: Preliminary Plat for the Saddle Star South Subdivision [Approved]
- ✓ P2016-035: Lot 1, Block 1, Carmel Carwash Addition [Approved]
- ✓ SP2016-015: Exception to the Masonry Requirements for Adventure Sports [Approved]
- ✓ Z2016-019: Planned Development District for Multi-Family Apartment Complex [Denied]
- ✓ Z2016-020: SUP for a Carport at 509 Sunset Hill Drive (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-021: Zoning Amendment to PD-52 for Townhomes (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-022: SUP for SPR Packaging, LLC (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-027: Amendment to Sec. 2.1, 3.3 & 3.4 of Article V of the UDC (1<sup>st</sup> Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

VII. ADJOURNMENT

The meeting adjourned at 9:24 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 13 day of September 2016.

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**September 13, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Vice-Chairman Johnny Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Sandra Whitley, Tracey Logan, Annie Fishman, and Mark Moeller. Commissioners absent were Chairman Craig Renfro. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

II. CONSENT AGENDA

1. Approval of Minutes for the *August 30, 2016* Planning and Zoning Commission meeting.

2. P2016-038

Discuss and consider a request by Billy & Autumn Quinton for the approval of a final plat of Lots 1 & 2, Block A, Autumn Addition being a replat of a 0.35-acre tract of land identified as Lot 120, Block F of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 601 E. Rusk Street, and take any action necessary.

3. P2016-039

Discuss and consider a request by Jay Maddox of Maddox Survey on behalf of Casey & Andrea Burke for the approval of a final plat of Lots 1 & 2, Block A, Burke Addition being a 2.970-acre tract of land identified as Tract 19 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1406 Ridge Road, and take any action necessary.

**Commissioner Trowbridge made a motion to approve the consent agenda. Commissioner Logan seconded the motion, which passed by a vote of 6-0, with Chairman Renfro absent.**

III. APPOINTMENTS

4. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

**Vice-Chairman Lyons noted this item would be discussed at the time the case comes up on the agenda.**

IV. PUBLIC HEARING ITEMS

5. Z2016-025

Hold a public hearing to discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a PD Development Plan establishing a 228 unit, condo development situated on a 3.453-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the *Interior Subdistrict*, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the last City Council meeting the applicant proposed a 50 foot cross section in lieu of the 40 foot that the Planning and Zoning Commission voted on August 30<sup>th</sup> to deny. In light of the change the City Council chose to remand the case back to the Planning and Zoning Commission to review the 50 foot cross section. The applicant is requesting a PD Development Plan for the purpose of changing the street cross section for the street type G that is required by Ordinance 10-21.

Mr. Miller provided a power point slide which showed a side by side comparison of the proposed cross section and that of the City's street type G that is required by the Ordinance. Street type G is composed of an 8 foot sidewalk and parkway, 24 foot travel lane, 8 foot parallel parking lane and 60 feet of right of way. The proposed cross section proposes an 8 foot sidewalk, 2 foot parkway on the northern western side of the roadway, a 24 foot travel lane, 8 foot parallel parking lane and a 50 foot of right of way. In the City Council meeting the applicant stated that after surveying the property they found that they were able to fit a 50 foot section in and that was what they proposed at City Council, however in the applicant's opinion as was stated at that meeting they believe the proposed road section meets the intent of the Ordinance because the creek adjacent to the roadway will be preserved as open space which mitigates the inability to provide a wider parkway. Mr. Miller went on to explain that as was previously discussed when looking at waivers to the plan, Ordinance 10-21 states it is a discretionary decision for the Planning and Zoning Commission and City Council to consider whether or not the waiver meets the general intent of the PD District in which the property is located, if the proposed project will result in an improvement which will be an attractive contribution to the PD District or Sub-district, and will not prevent the implementation of the intent of this PD District.

Mr. Miller added that staff was available for questions and the applicant was present and available for questions as well.

Vice-Chairman Lyons asked the applicant to come forward.

Jason Lentz  
5339 Alpha Road  
Dallas, TX

Mr. Lentz came forward and stated that after what they heard at the previous two meetings, the two main objections to the proposed plan was one, the walkability was being decreased by the fact that there was not an 8 foot sidewalk on each side, although an 8 foot sidewalk had been proposed on one side, but would have only a buffer on the other and in addition to that the road did not connect at the correct point to the road to the adjacent property. Once they received the final surveying data they realized they could push the property a little more and had a little more room between the properties boundary and the creek which allowed them to offer a 50 foot right of way versus the 40 foot right of way that was presented previously which was denied. Mr. Lentz provided a slide showing what they are requesting, which is a variance to the landscape buffers within the 60 feet between the building and the outside edge, and instead go to the 50 feet that will still have two 8 foot sidewalks, 8 feet of parallel parking, 24 feet of drive isle and the additional space will be in the preserve natural buffer in the creek. The right of way will fall within the proposed retaining wall and will not be the City's duty to maintain. Also in a discussion with one of the adjacent property owners it was discussed where the road needed to connect and that has since been addressed.

Mr. Lentz went on to state that it is their opinion that they have addressed all of the concerns brought forth by the Commission as previously discussed, the condominiums as they sit are a by right development and the only thing that they are seeking a variance on is related to the right of way and they feel they have maintained the outlook of what was expected when street type G was put together. He added that by proposing 50 feet they have maintained all the intended uses, preserved the walkability of the site, and the overall expectation of the Street type G of PD32.

Vice-Chairman Lyons opened the public hearing and asked anyone who wished to speak to come forward and do so, there being no one indicating such Vice-Chairman Lyons closed the public hearing and brought the item back to the Commission for questions/discussion.

Vice-Chairman Lyons asked Mr. Lentz to come forward for any additional comments or questions from the Commission.

Vice-Chairman Lyons asked concerning the portion that goes into the creek, how many feet is the drop off. Mr. Lentz stated he does not have exact measurements but it is an approximation of the slope, they have hired wetlands consultants who will survey the creek. The slope steeper than what is actually out there; it is more of a gully than it is a deep creek. They do not feel it will

be that deep, the water is jurisdictional but they will do all that is needed to address that it is left alone and preserved.

Mr. Miller added that would be addressed at time of engineering to ensure that proper drainage and detention is provided.

Vice-Chairman Lyons made a motion to approve the item with staff recommendations. Commissioner Trowbridge seconded the motion which passed by a vote of 6-0, with Chairman Renfro absent.

6. Z2016-023

Hold a public hearing to discuss and consider a request by Kevin Dale Wommack & Pamela McCollum for the approval of an amendment to *Specific Use Permit (SUP) No. S-118 [Ordinance No. 14-02]* to allow for an accessory building that exceeds the maximum size requirements as stipulated by Article IV, Permissible Uses, of the Unified Development Code for a 1.4952-acre tract of land identified as Lot 17, Block B, Sterling Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, addressed as 1970 Copper Ridge Circle, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of request stating the applicant is requesting to amend an existing Specific Use Permit to allow for an accessory building that exceeds the maximum size requirements specified in the UDC. In December of 2013 the applicants requested an SUP for an accessory building, and the City Council approved that request for a building that does not meet the exterior material requirements to the Single Family Estate 1.5 District. The current metal building is 22-feet by 31-feet or approximately 682 sq. ft. The applicants are proposing to expand their current metal building by approximately 30-feet for a building footprint that is 22-feet x 62-feet or 1,364 sq. ft. With the expansion, the accessory building will be approximately 114 sq. ft. larger than the maximum size allowed in a SFE-1.5 District.

Mr. Brooks went on to state that on August 19, 2016 staff mailed 36 notices to property owners and occupants within 500-feet of the subject property and also notified the Lofland Farms and Timber Creek Estates Home Owners Associations. Staff received one notice in favor and none opposed.

Mr. Brooks added that staff was available for questions and the applicant was present and available for questions as well.

Vice-Chairman Lyons asked the applicant to come forward.

Dale Wommack  
1970 Copper Ridge Circle  
Rockwall, TX

Mr. Wommack came forward stating he wants to put an open air awning and use it for storage and put his smoker in there instead of having it on his patio.

Commissioner Trowbridge asked if a business would be running out of the building. Mr. Wommack stated there would not.

Vice-Chairman Lyons opened the public hearing and asked anyone who wished to speak to come forward and do so, there being no one indicating such Vice-Chair Lyons closed the public hearing and brought the item back to the Commission for discussion/questions.

Commissioner Whitley made a motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion which passed by a vote of 6-0, with Chairman Renfro absent.

7. Z2016-028

Hold a public hearing to discuss and consider a request by Susan Gamez for the approval of a zoning change from an Agricultural (AG) District to Commercial (C) District on a 0.478-acre tract of land identified as Tract 7 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas,



zoned Agricultural (AG) District, situated within the Scenic Overlay (SOV) District, addressed as 2001 Ridge Road, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation of the request stating the subject property is about a half an acre zoned Agricultural District and is located behind a commercial retail center that is zoned Commercial. It was annexed into the City in the 1960's and currently has an existing single family home situated on it. Directly north of the subject property is an agricultural property followed by another agricultural property with a single family home, to the south is a commercial retail center followed by the intersection of Ride Road and Yellow Jacket. Directly north of the subject property is a vacant tract of land as well as the commercial parking area for the commercial shopping center and directly south is the Independent School Districts parking for the Spring Sports Complex. The applicant is requesting to rezone the property to a Commercial District and according to the Unified Development Code; Commercial Districts are intended for major retail and intensive commercial uses with large volumes of retail traffic. The UDC also states that this designation is appropriate for properties that are situated on major collectors and arterials and should be adequately buffered from residential areas.

Mr. Miller went on to state that staff recommended to the applicant to consider the Residential Office District as a possible alternative to the Commercial Districts since the property is set back off of Old County Road off of Ridge Road and is not on a major collector nor is the existing residential structure appropriate for high volume traffic retail uses. The proposed use is allowed in all Commercial Districts, Residential-Office, Neighborhood Service, General Retail, Heavy Commercial, and Downtown Districts. There has been some success in converting single family homes using Residential Office development standards. The applicant has showed a willingness to have a Residential Office designation if approved by the Planning and Zoning Commission and City Council.

Mr. Miller further stated that on August 19, 2016, staff mailed 13 notices to property owners and residents within 500-feet of the subject property and also sent a notice to the Turtle Cove and Waterstone Homeowner's Associations. Staff did not receive any notices in favor or opposed to the request. The Comprehensive Plan designates the three properties as medium densities residential in the future, therefore should the Commission chose to recommend to City Council that the zoning either Residential Office or Commercial be approved it would change the Future Land Use Map to a Commercial District designation.

Mr. Miller added that staff was available for questions and the applicant was present and available for questions as well.

Vice-Chairman Lyons asked the applicant to come forward.

Susan Gamez  
602 Laurence Drive  
Heath, TX

Ms. Gamez came forward and stated she feels the recommendation for Residential Office designation fits as the business she currently owns off of Ridge Road is in a Residential Office and is already familiar with all the requirements involved.

Vice-Chairman Lyons opened the public hearing and asked if there was anyone wishing to speak to come forward and do so.

RD Vanderslice  
1408 S. Lakeshore Drive  
Rockwall, TX

Mr. Vanderslice came forward and stated he has been a resident of Rockwall for 42 years and owns several commercial buildings along Ridge Road similar to that of Ms. Gamez. He feels the changing of these properties to commercial has been met with little or no opposition and has improved the properties. He stated he knows Ms. Gamez and believes she runs a good business for over ten years and he feels as a fellow business owner and property owner is in favor of the approval of the request.

Vice-Chairman Lyons closed the public hearing and stated he felt the proposal for a Residential Office designation is a perfect fit for that area rather than Commercial.

Commissioner Fishman made a motion to approve the item with a designation of Residential Office and with staff recommendations. Vice-Chairman Lyons seconded the motion which passed by a vote of 6-0, with Chairman Renfro absent.

8. Z2016-029

Hold a public hearing to discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects on behalf of D. W. Bobst of J-BR2, LLC for the approval of a Specific Use Permit (SUP) to allow a retail store with more than 2 gasoline dispensers on a 2.59-acre tract of land being a portion of a larger 7.32-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated at the southwest corner of the intersection of SH-205 [S. Goliad Street] and FM-549, and take any action necessary.

Senior Planner, David Gonzales, gave a brief explanation of the case stating that Mr. Jimmy Strohmeyer with Strohmeyer Architects is present to represent the property owner and is requesting a Specific Use Permit for the subject property which is located at the southwest corner of FM-549 and Goliad. The current zoning on the property is General Retail for General Retail land uses. The Specific Use Permit being requested is for a retail operation with more than two gasoline dispensers. Mr. Gonzales provided a slide of the conceptual plan of the site that was submitted by the applicant indicating that they want to have eight dispensers on site which would equate to a maximum of sixteen vehicles that could be serviced at any one time. It will have two points of entry off of FM-549 and SH-205. There will be a slight change to the current concept plan for the entrances that will be moved as they don't currently meet the distance requirements for the City or TXDOT and that will be tied to the Ordinance if the request is approved.

Mr. Gonzales went on to state that staff sent out 11 notices to property owners and residents within 500 feet of the subject property and also notified one HOA, Oaks of Buffalo Way that is within 1,500 feet of the subject property. Staff received four notices back against the proposal.

Mr. Gonzales added that staff was available for questions and the applicant was present and available for questions as well.

Vice-Chairman Lyons asked the applicant to come forth and speak.

Jimmy Strohmeyer  
2701 Sunset Ridge  
Rockwall, TX

Mr. Strohmeyer came forward and stated FM-549 and SH-205 is a major intersection that is going to be rerouted in the future and feels that this retail store is needed at this corner and is the ideal corner for it and will fit by the traffic that the street improvement will generate at that intersection. This is planning for the future as FM-549 gets rerouted and as this area develops will be a major intersection.

Mr. Gonzales added that the Future Land Use map shows TXDOT will be adding a four lane divided on FM-549.

Vice-Chairman Lyons asked for clarification of how many vehicles per pump. Mr. Strohmeyer stated in the past one pump had only one dispenser whereas now each pump has two dispensers and they are requesting eight pumps, sixteen dispensers that will allow sixteen cars.

Commissioner Trowbridge asked staff what the Future Land Use map designates the subject property and what the use for the adjacent property. Mr. Gonzales stated the subject property is zoned General Retail and the adjacent property is an office use.

Commissioner Moeller asked when the change of the concept plan for the distance of the driveways would be made. Mr. Gonzales stated that those corrections would be done at the time of site plan and they will be involved with engineering to get the proper distances.

Vice-Chairman Lyons asked engineering staff when the projected date for TXDOT to begin that expansion was. Assistant City Engineer Amy Williams stated there was not a set date, but should be about four or five years out.

Vice-Chairman Lyons opened up the public hearing and asked for anyone who wished to speak to come forward and do so, there being no one indicating such Vice-Chairman Lyons closed the public hearing and brought the item back to the Commission for discussion/questions.

Vice-Chairman Lyons asked the reason for asking for the eight pumps. Mr. Strohmeyer they are planning for the future expansion of the road and the need he feels that major intersection will call for.

Vice-Chairman Lyons asked Engineering staff if there was a designated date for when TXDOT

Commissioner Logan expressed concern of going from an estate lots to this use, does not feel it is the right direction for this corner.

Mr. Gonzales added this went from originally being Agriculture to General Retail in 2010 and that was based on the Future Land Use Map and has since evolved.

Commissioner Whitley asked for clarification if it is already zoned General Retail if the issue is simply the number of dispensers that are being requested. Mr. Gonzales stated that by right they can have a General Retail store with two dispensers serving four vehicles. What they are asking for is for the ability to put eight on the property.

Commissioner Whitley asked if the expansion of FM-449 would continue through SH-205 making it a major four corner intersection. Mr. Gonzales stated that was correct.

Commissioner Trowbridge made a motion to approve the item with staff recommendations. Commissioner Whitley seconded the motion which passed by a vote of 6-0, with Chairman Renfro absent.

#### V. ACTION ITEMS

##### 9. SP2016-016

Discuss and consider a request by Tim Seymore of Seymore Custom Homes, LLC on behalf of James & Robin Meade for the approval of a site plan for the construction of a commercial/industrial building on an existing 2.02-acre commercial/industrial facility identified as Tract 2-22 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 496 National Drive, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating the applicant is requesting an amendment to the site plan is required due to the proposed building exceeding 50% of the size of the existing building. The applicant is proposing the new facility to be constructed with 100% metal panels on the exterior. This will require approval of an exception to the exterior material requirements and has been added as a condition of approval. The property is a 2.02-acre parcel of land that is zoned Heavy Commercial District and is addressed as 496 National Drive. The proposed storage facility is permitted by right on the subject property. The existing site has a total of 12 parking spaces and requires one additional space. The applicant is requesting a variance to allow for the 12 existing spaces rather than provide an additional space due to the buildings' use as a storage facility. The applicant has stated that the owner is not expanding their existing work force, which eliminates the need for the additional parking space. This variance has also been included as a condition of approval.

Mr. Gonzales went on to add that aside from the exterior material exceptions, the variance to the parking standards, and the conditions listed in the recommendations shown in the Commissioners report, the submitted site plan and building elevations are in substantial compliance with the technical requirements contained within the Unified Development Code.

Mr. Gonzales stated the applicant is present and is available for questions.

Vice-Chairman Lyons asked the applicant to come forward.

James Meade  
2965 Misty Ridge Lane  
Rockwall, TX

Mr. Meade came forward and stated he needs additional storage space and is the reason for his request. The building will not have electricity and will only be used for storage. He does not plan on hiring any additional employees.

Vice-Chairman Lyons opened for any discussion or questions from the Commission.

Vice-Chairman Lyons made a motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion which passed by a vote of 6-0, with Chairman Renfro absent.

10. SP2016-017

Discuss and consider a request by Rex Walker of Life Springs Church for the approval of an amended site plan for a church on a seven (7) acre portion of a larger 28.881-acre tract of land identified as Tract 15-01 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Corridor Overlay (SH 205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and SH-205, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating that the applicant is requesting approval of an amended site plan for the purpose of revising the approved elevations by reducing the 25,433 sq. ft. building to a 16,839 sq. ft. building. The applicant will be modifying the exterior appearance of the rear east elevation by reducing the massing of the tower elements and by changing the roof to slope towards the rear of the property for drainage purposes. Also, the applicant is proposing to change the front (west) elevation by replacing the standing seam metal roof element atop the facility with a stucco parapet wall. If approved, the site plan will indicate the 6,000 sq. ft. vacated area as future expansion of the Church facility.

Mr. Gonzales went on to state the Architectural Review Board met with the applicant two weeks ago at the previous meeting and discussed the elevations they had submitted on the original site plan and this evening met with the ARB again with some changes and the Board gave a little more direction although they like what was brought in they would like to see some minor changes and the applicant has agreed to what the ARB is recommending. The ARB wants the stone on the north and south elevations to wrap around, that way it blends in and they also want symmetry as shown on the previous elevations that were approved. The applicant will be making those adjustments. Since there are changes to the horizontal articulation from the originally approved site plan that both Planning and Zoning Commission and City Council approved it will require the horizontal articulation to be approved for them to move forward. Approval is for both to amend the site plan and for the variance to the horizontal articulation. They will send changes to staff if it requires ARB to review they can do so.

Mr. Gonzales stated the applicant was present and available for questions as well as staff.

Vice-Chairman Lyons asked for discussion or questions from the Commission for staff.

Commissioner Logan asked when site plan was approved a year ago was there was a variance that was approved for natural vegetation landscaping rather than fencing. Mr. Gonzales stated that was correct the applicant had requested to use live vegetation to screen and that was approved and those trees have since been planted and are now providing some screening along that rear side that face the properties of Breezy Hill.

Vice-Chairman Lyons asked the applicant to come forward.



Rex Walker  
2105 Berkdale  
Rockwall, TX

Mr. Walker came forward and stated that due to financial restraints they had to do the building in two phases instead of how it was originally proposed building the gymnasium center at a future date. He stated they want to have a nice building that will be nice for the community.

Vice-Chairman Lyons brought the item back to the Commission for discussion or questions. No further questions or discussion took place for this item

Vice-Chairman Lyons made motion to approve the item with staff recommendations. Commissioner Logan seconded the motion which passed by a vote of 6-0, with Chairman Renfro absent.

VI. DISCUSSION ITEMS

11. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- ✓ P2016-036: Final Plat for Lot 1, Block A, Service King Addition [Approved]
- ✓ P2016-037: Amending Plat for Lakeview Summit, Phase IV [Approved]
- ✓ Z2016-022: SUP for SPR Packaging (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-025: Harbor Urban Center Condominiums (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-027: Zoning Amendment to Article V of the UDC (2<sup>nd</sup> Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

VII. ADJOURNMENT

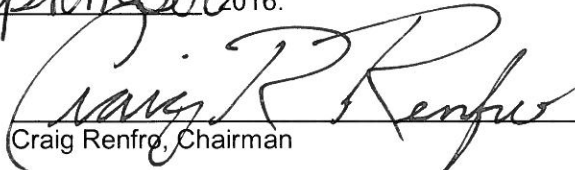
The meeting adjourned at 7.08 p.m.

VIII. TRAINING SESSION


12. *Planning and Zoning Commission Training Session*

A work session will be held in the City Council meeting room immediately following the adjournment of the September 13, 2016 Planning and Zoning Commission work session meeting. The agenda for the training session will include a presentation from staff over Planned Development District 32 (PD-32).

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 27 day of September 2016.

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**September 27, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Chairman Craig Renfro called the meeting to order at 6:12 p.m. The Commissioners present at the meeting were, Johnny Lyons, Patrick Trowbridge, and Annie Fishman. Commissioners absent were Mark Moeller, Sandra Whitley, and Tracey Logan. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

**II. CONSENT AGENDA**

1. Approval of Minutes for the September 13, 2016 Planning and Zoning Commission meeting.

2. P2016-042

Discuss and consider a request by Greg Helsel of Spiars Engineering on behalf of the owner Will Shaddock of Master Developers-SNB, LLC for the approval of an amended plat for Phase 1 of the Preserve Subdivision, containing 132 single-family residential lots on a 52.545-acre tract of land identified as the Preserve, Phase 1 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single Family 10 (SF-10) District land uses, located at the southeast at corner of the intersection of Highland Drive and East Fork Drive, and take any action necessary.

3. SP2016-018

Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of Natalee Davenport for the approval of a site plan for the purpose of converting an existing single-family home into an office building on a 0.24-acre parcel of land identified as a part of Lot 1, Austin Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 902 N. Goliad Street, and take any action necessary.

Chairman Renfro made a motion to approve the consent agenda. Commissioner Lyons seconded the motion which passed by a vote of 4-0, with Commissioners Whitley, Logan and Moeller absent.

**III. APPOINTMENTS**

4. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

Chairman Renfro stated the item would be discussed at the time site plans that were reviewed by the Architectural Review Board come up.

**IV. DISCUSSION ITEMS**

5. Z2016-030

Hold a public hearing to discuss and consider a request by James Shaw for the approval of a Specific Use Permit (SUP) to allow for an accessory building that does not meet the minimum requirements as stipulated by Article IV, Permissible Uses, of the Unified Development Code for a 1.4692-acre parcel of land identified as Lot 14, Block B, Sterling Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, addressed as 1910 Copper Ridge Circle, and take any action necessary.

Planner Korey Brooks stated that applicant was present.

Chairman Renfro asked the applicant to come forward.

James Shaw  
1910 Copper Ridge Circle  
Rockwall, TX

Mr. Shaw came forward and stated the reason for the request is to allow him to store quite a bit of equipment he has and also to have a place to work on.

Chairman Renfro asked for questions for the applicant from the Commission.

Chairman Renfro asked what he would be storing. Mr. Shaw stated he would be storing a boat, several trailers and work equipment.

Commissioner Trowbridge asked if there would be a business run out of the building. Mr. Shaw stated there would not.

Mr. Brooks added that the reason for the SUP is because it does not meet the masonry requirements. He is not using the masonry of the main home; it is going to be a metal building.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

6. Z2016-031

Hold a public hearing to discuss and consider a request by Kasey Weadon of New Craft Brewing, LLC on behalf of the owner Benbrooke Ridge Partners, LP for the approval of an amendment to Planned Development District 1 (PD-1) for the purpose of allowing the *Brewery or Distillery (Excluding Brew Pub)* land use in the Planned Development District, being identified as ~39.5249-acre tract of land situated in the B. J. T. Lewis Survey, Abstract No. 255 and the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, situated within the Scenic Overlay (SOV) District, located on the eastside of Ridge Road south of the intersection of Ridge Road [FM-740] and SH-205, and take any action necessary.

Planning Director, Ryan Miller, stated the applicant was present.

Chairman Renfro asked the applicant to come forward.

Kasey Weadon  
1201 Ridge Road  
Rockwall, TX

Mr. Weadon came forward and stated they are seeking to open and establish a microbrewery which they will be selling and distributing less than fifteen thousand barrels of beer per year. They will be a production brewery which classifies as not a brew pub and will not be manufacturing or selling food from the location.

Chairman Renfro asked Mr. Weadon if this was his first brewery and what got him in this line of business. Mr. Weadon stated it was his first brewery and his parents have owned restaurants throughout his life as well as a brother in law in production brewery. While he was an undergraduate student began house brewing and striking up a business plan.

Commissioner Trowbridge asked will they be selling for retail. Mr. Weadon stated they will be selling in what is called a tap room where they will sell their own beer which is the only one they are legally allowed to sell and produce on site. They will also be offering tours of the brewery.

Commissioner Trowbridge asked what square footage would be for the retail portion for customers walking in. Mr. Weadon stated the tap room will be about 4,000 square feet of space and would be sealed off by fire walls and sectioned off.

Commissioner Trowbridge asked if in the business plan was there a projection of how much would be retail versus how much would be wholesale that would be sold. Mr. Weadon stated that due to how the market is and also because it depends on the location, it is difficult to say. They are looking a big influx when they first open; they are looking to be very involved with the

community by running different events and having a grand opening and those will create different influxes of sales.

Commissioner Lyons asked what the hours of operation would be. Mr. Weadon stated they are looking at being open Wednesday thru Sunday. On weekdays it would be 5:00-10:00 p.m. and on the weekends the hours would be extended to possibly noon to midnight or 11:00 but no later than midnight. They will be doing tours as most typical breweries do and that is the reason for opening earlier on the weekends when those will take place.

Commissioner Lyons asked Mr. Miller that with this location being zoned Commercial, for a microbrewery that is more for a Light Industrial; it does require the change and therefore the reason why the proposal needed to come before the Commission. Mr. Miller explained that the Cities ordinances and codes were written before the big shift in the Texas Alcoholic Beverage Code. Breweries have changed in the way they operate, especially microbreweries in the last few years. The Code treats breweries more like an industrial type use. There are other breweries in the city one of which went in at a Light Industrial area which is allowed by right. This area is zoned PD-1 it is one of the first PD's of the City which was zoned for shopping centers which is no longer a use and is tied to the General Retail District standard. Mr. Miller went on to explain that the brewery use has really changed, if one looks at Dallas some of the other areas they are integrating to Commercial Retail areas pretty successfully.

Mr. Miller clarified the request by stating that right now the Commission is just looking to inserting this use to Planned Development District 1. The entire PD did have to be opened up, but it will only affect Area 1 as that's the area regulated by Ordinance No. 7202, which is the original PD Ordinance. What that will do is allow that use, right now it is being proposed as a by right use. In comments given to the applicant it was suggested to potentially look at a Specific Use Permit because of the adjacencies and also it gives the Planning and Zoning Commission and City Council some discretion with future uses moving forward. That will be brought back at the following public hearing meeting in an ordinance format.

Chairman Renfro expressed that to be the direction he was looking at because of the proximity to the residential areas, through a Specific Use Permit it would allow to for some control to be included. Chairman Renfro asked the applicant if that would be something they would consider doing. Mr. Weadon stated that it would be something they would consider.

Mr. Miller added that right now the zoning for all of PD-1 is being opened and all three areas that make up PD-1 were notified within 500 feet. If this was an allowed by right use, should the zoning be approved, the applicant would then move straight to the Certificate of Occupancy portion of the process; however if the Commission requires a Specific Use Permit the applicant would be required to come back in. SUP's add additional constraints based on individual locations and the specific lease area would be tied down in an ordinance with regulations associated with the use and the property and would be a two stage zoning process.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

7. Z2016-032

Hold a public hearing to discuss and consider a request by Noah Flabiano of the Skorburg Company on behalf of BH Balance IV, LLC for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and for the purpose of incorporating changes to the development standards contained in Exhibit 'C' of *Ordinance No. 14-26* for a 405.184-acre tract of land identified as the Breezy Hill Subdivision and situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

Planning Director, Ryan Miller, stated his applicant was present.

Noah Flabiano  
8214 Westchester suite 710  
Dallas, TX



191 Mr. Flabiano came forward and gave a brief summary and provided a power point outlining the  
192 request which is to have 40 units with 60 foot lots with the option of some having front entry  
193 garages.  
194  
195

196 Mr. Miller added that this request came before the Commission as 50's previously and the  
197 Planning and Zoning Commission made a recommendation that it be 60's as opposed to 50's  
198 and that carried to Council and it was approved at first reading that way; however the applicant  
199 requested to withdraw the case in order to bring it back in its current format adding front entry.  
200 The only thing that is changing in the ordinance beside the lot E type being added in is the  
201 ability to do a mixture of front entry and j-swing whereas previously, had it been approved at  
202 second reading it would have just been j-swing only in one pod.  
203

204 Chairman Renfro asked the applicant to clarify how the option for the front entry would be.  
205

206 Adam Buzcek  
207 8214 Westchester suite 710  
208 Dallas, TX  
209

210 Mr. Buzcek came forward and stated concerning the front entry option they would like to have  
211 the ability to have some front entry mix of product in this area that will back up the commercial  
212 area going with the 60 foot lot size. They are having customers that would like a bigger backyard  
213 and the front entry provides about 20 feet of extra backyard with the same size house. It is  
214 basically market driven and would like to have more options. Concerning how many will be front  
215 entry, it will be inner mixed.  
216

217 Chairman Renfro expressed concern of not having a certain allocation for how many front entry  
218 there will be from the beginning and asked the applicant if they would be willing to do an  
219 allocation. Mr. Buzcek stated they would and will discuss it with staff.  
220

221 Commissioner Lyons made comment on also wanting some allocation and does like the idea of  
222 variety but by allocating it will provide some control of that variety staying intact.  
223

224 Commissioner Trowbridge asked if the PD has the anti-monotony requirements. Mr. Miller stated  
225 that the anti-monotony requirements don't currently pertain to garage swing because the  
226 existing PD just incorporated the two garage swings required by the UDC the swing of the  
227 driveway was not addressed in the anti-monotony requirement in the same manner.  
228

229 There being no further questions, Chairman Renfro indicated the case will return to the  
230 Commission for action at the next scheduled meeting.  
231

232 8. P2016-040

233 Discuss and consider a request by Chad & Lindsay Hudson for the approval of a replat for Lots 7 & 8,  
234 Block A, Independence Pass Addition being a replat of a 1.4-acre parcel of land identified as Lot 5,  
235 Block A, Independence Pass Addition, City of Rockwall, Rockwall County, Texas, zoned Planned  
236 Development District 8 (PD-8) for single family land uses, addressed as 107 Independence Place, and  
237 take any action necessary.  
238

239 Planner Korey Brooks gave brief explanation of the request stating the plat does meet the  
240 technical requirements and is coming before the Commission because it is a residential replat  
241 where the applicant is adding an additional lot and therefore one notification was sent out.  
242 Applicant is subdividing the lot because he is going to build a house on each lot.  
243

244 Commissioner Trowbridge asked if there would be access for a street between lot 7 and lot 8.  
245 Mr. Brooks stated there will be shared access for both lots from the cul-de-sac and would be a  
246 private road.  
247

248 There being no further questions, Chairman Renfro indicated the case will return to the  
249 Commission for action at the next scheduled meeting.  
250

251 9. P2016-043

252 Discuss and consider a request by Jay Webb of Dalrock Homes, LLC for the approval of a final plat for  
253 Lots 1-10, Block A, Estates on the Ridge Subdivision, containing ten (10) single-family residential lots

on an 18.84-acre tract of land identified as Tract 7-04 & 23 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located at the northwest corner of the intersection of FM-3549 and Cornelius Road, and take any action necessary.

Senior Planner, David Gonzales, stated the applicant was present.

Chairman Renfro asked the applicant to come forward.

Jay Webb  
912 Hamilton Court  
McClendon Chism, TX

Mr. Webb came forward and stated the subject property is a 19 acre tract in the ETJ and has it divided into 10 individual lots of 1 ½ -2 acre tracts. He received some comments from the County that it needed to be an acre and a half net of ponds. They have met with TXDOT concerning the lots that face FM3549 and they've approved.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

10. SP2016-019

Discuss and consider a request by Kevin Patel, P. E. on behalf of William Shaddock of Master Developers-SNB, LLC for the approval of a site plan for a daycare facility on a 2.960-acre tract of land identified as Lot 1, Block S, Preserve, Phase 3 Addition and Tract 12 [1.4376-acres], A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) and Single Family 10 (SF-10) District, addressed as 1292 East Fork Drive, and take any action necessary.

Planner, Korey Brooks, stated the applicant was present.

Chairman Renfro asked the applicant to come forward.

Kevin Patel  
1503 Istoria Drive  
Allen, TX

Mr. Patel came forward and stated they are proposing a 13,000 square foot daycare facility and is available for any question from the Commission.

Chairman Renfro asked if this area is already zoned for daycare facilities.

Mr. Brooks stated it is and added that a few years ago the City Council approved an SUP for daycare facilities with certain conditions which are that for the landscape plan a ten foot landscape buffer will need to be in place along North Lakeshore and Old Alamo Road which is East Fork at least one evergreen canopy tree per thirty linear feet, along with a combination of berms, shrubs and accent trees to ensure appropriate screening of the parking areas from adjacent residential uses. That all permanent free standing signs shall be limited to monument signs not exceeding five feet in height or a maximum of sixty square feet in area per sign face. That in addition to the requirements of the outdoor lighting ordinance, no light pole including base or wall-mounted light fixture shall exceed fifteen feet in height, and all lighting fixtures shall focus light downward and be contained entirely on the site. That any daycare constructed on this site shall be limited to single story, and shall be designed with a pitched roof system. That all outdoor play areas shall be located towards the rear of the building as depicted on the conceptual site plan. The existing prescriptive right-of-way of the original Alamo Road shall be corrected prior to or concurrently with the final replat of the subject property.

Chairman Renfro asked for questions for staff or the applicant.

Commissioner Trowbridge asked for clarification of what City Council had approved the site for, asked what the Commission is approving. Mr. Brooks stated the Commission is only approving

the site plan. The original SUP had certain guidelines the applicant had to follow and they have done so.

Mr. Brooks added that staff and the applicant met with the Architectural Review Board earlier and they approved the building elevations that were submitted.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

11. SP2016-020

Discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of Cindy Paris of Rockwall Regional Hospital, LLC for the approval of a site plan for a medical office building on a 5.75-acre portion of a larger 17.8321-acre parcel of land being identified as Lot 15, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located east of the intersection of Summer Lee Drive and Rockwall Parkway, and take any action necessary.

Planner, Korey Brooks, stated the applicant was present.

Chairman Renfro asked the applicant to come forward.

Matt Moore  
1903 Central Drive  
Bedford, TX

Mr. Moore came forward and stated they are proposing a 55,000 square foot medical office building adjacent to the existing medical office building and hospital. It will have roughly about 280 parking spaces; the architecture of the building is matching the first medical office building and will mimic the same landscape features.

Chairman Renfro made comment of the building ties to what already exists and asked the Commission if there were any questions.

Chairman Renfro asked if the Architectural Review Board review the item. Mr. Brooks stated that part of the original site plan outlined that there would be a future expansion and the masonry variance that was approved would apply for this building as well as long as it matches the existing building and they have done that.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

12. SP2016-021

Discuss and consider a request by Vinod Sharma of Little Genius of Texas, LLC for the approval of a site plan for a private pre-school facility on a 2.28-acre tract of land identified as Tract 2-3 of the W. T. Deweese Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses, located at the southeast corner of the intersection of FM-552 and Stone Creek Drive, and take any action necessary.

Planner, Korey Brooks, stated the applicant was present.

Chairman Renfro asked the applicant to come forward.

Charles Voight  
(No address given)

Mr. Voight came forward and stated he was representing Mr. Sharma and he gave brief explanation of request stating it is a 12,000 square feet one story private school with about 200 students and ten classrooms. He met with the Architectural Review Board earlier in the evening and they had several recommendations concerning the front elevation, add more stone in a few areas and increase the dormers and they will be addressing those for the next meeting.

Mr. Brooks added that the ARB also recommended that on the north elevation that faces FM-552 on the middle wall that there be more landscaping and stone. Mr. Brooks stated this use is allowed by right in this PD.

Commissioner Trowbridge asked what the land use for PD-70 which is across the street was. Mr. Brooks stated that it is residential. Mr. Miller added that the subject property is in PD-70 which is mixed uses and incorporates the retail at the hard corner of FM-552 and SH-205.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

13. SP2016-022

Discuss and consider a request by Dub Doupbrate of Doupbrate & Associates, Inc. on behalf of Gerald Houser of Colin-G Properties, LTD for the approval of a site plan for the expansion of an existing industrial facility on a 6.19-acre parcel of land identified as Lot 1, Block A, Houser Addition, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, situated within the SH-276 Corridor Overlay (SH-276 OV) District, addressed as 1611 SH-276, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating the subject property is zoned Heavy Commercial and has been there for quite some time and there are associated variances and exceptions that are being proposed. Those were discussed earlier with the Architectural Review Board and they made a recommendation for approval of the variances associated with what the applicant plans on doing, however there is one item that the Commission will have to consider and that is the parking of the facility which is nine spaces short.

Chairman Renfro asked the applicant to come forward.

Gerald Houser  
1108 Aspen Court  
Rockwall, TX

Mr. Houser came forward and stated the subject property is on an industrial site and they plan to build two buildings. He is requesting to keep it at the existing 19 parking spaces, there are 10 employees.

Chairman Renfro asked what would be needed to meet the parking requirements. Mr. Gonzales stated it is 1 per 300 square feet.

Commissioner Fishman asked if aside from employees would there be any additional traffic generated. Mr. Houser stated there would not be any additional traffic.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

14. SP2016-023

Discuss and consider a request by Worth Williams of Moore Worth Investments, LLC for the approval of a site plan for a multi-tenant commercial/retail building on a 1.56-acre tract of land being a portion of a larger 6.1091-acre tract of land identified as Tract 8-4 of the J. H. B. Jones Survey, Abstract No. 8-4, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the southwest corner of Quail Run Road and N. Goliad Street [SH-205], and take any action necessary.

Senior Planner, David Gonzales, stated the Architectural Review Board made a recommendation to the applicant and what they are going to do is revise their elevations and bring those back for the ARB to review the revised elevations at the next scheduled meeting. Mr. Gonzales provided a sample bard and stated that the subject property being located within PD-65 and on an Overlay District requires natural or quarried stone and the applicant is providing a cultured stone.



Commissioner Trowbridge asked if the concern is that the applicant is requesting to use manufactured stone instead of natural stone. Mr. Gonzales stated that was correct.

Commissioner Trowbridge asked if the 20% stone requirement would apply. Mr. Gonzales stated 20% would be required and looking at the elevations they are providing more stone on four of the elevations however on the front elevation they are not up to the 20% and that will be a variance to the Overlay District.

Chairman Renfro asked if the ARB had approved the material. Mr. Gonzales stated the applicant will be bringing back revised elevations and the ARB will be looking at a manufactured cut sheet to ensure that the materials meet the high quality standards outlined in the ordinance.

Chairman Renfro asked the applicant to come forward.

Worth Williams  
700 Eastern Ave.  
Dallas, TX

Mr. Williams came forward and stated they will work with staff as well as the Architectural Review Board and bring back the revised elevations they are asking for.

Commissioner Trowbridge asked how many tenants space would allow for and were there any pre-leasing to date. Mr. Williams stated there will probably be six tenants and they have about 60 percent pre-leased.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

15. Director's Report of post Council meeting outcomes of Planning & Zoning cases.


- ✓ P2016-038: Lots 1 & 2, Block A, Autumn Addition [Approved]
- ✓ P2016-039: Lots 1 & 2, Block A, Burke Addition [Approved]
- ✓ SP2016-016: Exception and Variance at 496 National Drive [Approved]
- ✓ SP2016-017: Variance to the Articulations Requirements for Life Springs Church [Approved]
- ✓ Z2016-026: PD Development Plan for Townhomes in PD-32 (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-023: Amendment to S-118 for 1970 Copper Ridge Circle (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-025: PD Development Plan for Condominiums in PD-32 (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-028: Zoning Change for 2001 Ridge Road (AG to RO) (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-029: SUP for a Gas Station at the SWC of SH-205 & FM-549 (1<sup>st</sup> Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.


#### V. ADJOURNMENT

The meeting adjourned at 7:16 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 11 day of October, 2016.

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**October 11, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Chairman Craig Renfro called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Johnny Lyons, Patrick Trowbridge, Annie Fishman, Mark Moeller, Sandra Whitley, and Tracey Logan. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

**II. CONSENT AGENDA**

1. Approval of Minutes for the September 27, 2016 Planning and Zoning Commission meeting.

2. P2016-043

Discuss and consider a request by Jay Webb of Dalrock Homes, LLC for the approval of a final plat for Lots 1-10, Block A, Estates on the Ridge Subdivision, containing ten (10) single-family residential lots on an 18.84-acre tract of land identified as Tract 7-04 & 23 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located at the northwest corner of the intersection of FM-3549 and Cornelius Road, and take any action necessary.

**Commissioner Lyons made a motion to approve the consent agenda. Commissioner Trowbridge seconded the motion which passed by a vote of 7-0.**

**III. APPOINTMENTS**

3. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

**Chairman Renfro stated the item would be discussed at the time site plans that were reviewed by the Architectural Review Board come up on the agenda.**

**IV. PUBLIC HEARING ITEMS**

4. Z2016-030

Hold a public hearing to discuss and consider a request by James Shaw for the approval of a Specific Use Permit (SUP) to allow for an accessory building that does not meet the minimum requirements as stipulated by Article IV, Permissible Uses, of the Unified Development Code for a 1.4692-acre parcel of land identified as Lot 14, Block B, Sterling Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, addressed as 1910 Copper Ridge Circle, and take any action necessary.

**Planner, Korey Brooks, gave brief explanation of request stating the applicant is requesting the approval of a Specific Use Permit to allow for an accessory building that does not meet the minimum requirements as stipulated by the UDC. The applicant is proposing to construct a metal building that that will be 30-feet by 40-feet or approximately 1,200 sq. ft. According to the UDC, in an SFE/1.5 District, a single accessory building no larger than 1,250 sq. ft. and 15-feet in height or less, provided the exterior materials contains the same materials as found on the main structure is allowed; in this case the main structure is clad in brick. The proposed accessory building conforms to the size requirement, however, the applicant is requesting an exception to the height requirement to allow for an accessory building that is 20-feet in height, approximately 5-feet taller than the allowed maximum height in an SFE/1.5 District, as well as the masonry requirement to construct an accessory building out of a steel building system with a standing**

seam metal roof. Additionally, the accessory building will be located behind the main structure and not visible from the street.

Mr. Brooks went on to state that staff mailed 33 notices to property owners and occupants within 500-feet of the subject property as well as the Lofland Farms and Timber Creek Estates HOA's. Staff received one notice in favor of the request.

Chairman Renfro asked the applicant if he had anything additional to add or wished to speak, the applicant indicated he did not.

Chairman Renfro opened up the public hearing and asked if anyone who wished to speak to come forward and do so, there being no one indicating such, Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Lyons made a motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion which passed by a vote of 7-0.

5. Z2016-031

Hold a public hearing to discuss and consider a request by Kasey Weadon of New Craft Brewing, LLC on behalf of the owner Benbrooke Ridge Partners, LP for the approval of an amendment to Planned Development District 1 (PD-1) for the purpose of allowing the *Brewery or Distillery (Excluding Brew Pub)* land use in the Planned Development District, being identified as ~39.5249-acre tract of land situated in the B. J. T. Lewis Survey, Abstract No. 255 and the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, situated within the Scenic Overlay (SOV) District, located on the eastside of Ridge Road south of the intersection of Ridge Road [FM-740] and SH-205, and take any action necessary.

Planning Director, Ryan Miller, gave brief description of request stating that the Planned Development District 1, which is south of the intersection of Ridge Road and South Goliad, has been around since 1971 and was originally approved for General Retail District Land Uses, however it wasn't adopted to the Unified Development Code until January 3, 1972. Since then it had updates in 1983, 2002 and 2012 and as of today it allows for a mixed commercial and residential uses. It is broken into three pieces and the piece that is being discussed is called Area 1 and includes the old Brookshire's it is the Ridge Road Shopping Center. Kasey Weadon of New Craft Brewing is requesting to amend this area of Planned Development District 1, specifically to add the brewery or distillery land use but does exclude brew pubs. That is the only change that is being considered. They are proposing to allow this by a Specific Use Permit and currently the use is only allowed by right in the Light Industrial and Heavy Industrial Districts and this is pretty typical of the use, until recently it was considered to be more of a manufacturing type of use however with changes from the Texas Alcohol Beverage Commission over the last couple of years, the use has somewhat changed. What is being considered is to add this use into the General Retail District. It will not allow any other uses or will it be making any other changes to the Code it would only be allowing this use to be included into Planned Development District 1.

Mr. Miller went on to explain that changes that the TABC put forward allow craft breweries the ability to open up a tasting room or tap room which is essentially used in the same manner that a vineyard would use a tasting room. It also set up limitations to the hours of operation. It allows these businesses to operate between 8 am and 12am Monday thru Saturday and 10am to 12 am on Sundays which does match the City's current ordinance for alcohol related businesses. In addition by allowing it by a Specific Use Permit, it gives the Planning and Zoning Commission and City Council the ability to review these requests on a case by case basis. What that means for the applicant is that if the City Council approves the request, he will be required to submit a Specific Use Permit for his specific use on this property.

Mr. Miller added that on September 30, 2016, staff mailed 176 notices to property owners and residents within 500-feet of Planned Development District 1 and also emailed notices to the Turtle Cove and Waterstone Estates Homeowner's Associations and the Southside Residential Neighborhood Organization, which are the only neighborhood groups located within 1,500 feet of the subject property. Of the 176 notices sent, staff has received 2 responses in favor of the request.

Chairman Renfro asked for questions from the Commission for staff.

Commissioner Fishman asked if there was going to be a time limit determined on the Specific Use Permit, or would that come at a later time. Mr. Miller stated that the Specific Use Permit will allow the Commission to set operational conditions for the specific use, at this time the only thing that is being decided is whether to allow the use in Planned Development District 1 by Specific Use Permit.

Chairman Renfro asked if regulating hours would be something the Commission would do at this time. Mr. Miller stated it would not, that would be done during the Specific Use Permit request.

Chairman Renfro asked the applicant to come forward.

Kasey Weadon  
1201 Ridge Road  
Rockwall, TX

Commissioner Lyons asked if they would be manufacturing and distributing the product. Mr. Weadon stated they would be manufacturing and distributing. They have a loading dock in the back. In the tasting room is where people would be able to sample what they are seeing manufactured.

Commissioner Lyons asked what the reason behind choosing the location since it would be between a fitness gym and an MMA Dojo. Mr. Weadon stated the footprint fits to what they are looking to use it for.

Commissioner Trowbridge asked how much retail versus wholesale. Mr. Weadon stated it would not be much retail, as they are mainly manufacturing the product.

Commissioner Lyons asked concerning safety would there be any risk of anything being combustible. Mr. Weadon stated there are safety measures in place with their equipment to avoid that.

Commissioner Whitley asked about their market plan since they are not selling the product there how does it impact the community in terms of sales. Mr. Weadon stated their product will be in restaurants in Rockwall where beer on tap is sold.

Chairman Renfro opened the public hearing and asked if anyone wished to speak to come forward and do so. There being no one indicating such, Chairman Renfro closed the public hearing and brought the item back for discussion.

Commissioner Lyons expressed concern of allowing this use at this location.

Commissioner Trowbridge made a motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion, which passed by a vote of 6-1 with Commissioner Lyons dissenting.

6. Z2016-032

Hold a public hearing to discuss and consider a request by Noah Flabiano of the Skorburg Company on behalf of BH Balance IV, LLC for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-family residential lots and for the purpose of incorporating changes to the development standards contained in Exhibit 'C' of *Ordinance No. 14-26* for a 405.184-acre tract of land identified as the Breezy Hill Subdivision and situated within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

Planning Director, Ryan Miller, provided a slide summary of location and gave brief explanation of request stating this is an amendment to PD-74 which is identified as the Breezy Hill Subdivision located on the northeast corner of John King and FM552. Currently the Planned Development District allows for 33.7 acres of retail, the applicant has submitted an application



requesting to amend Planned Development District 74 to approve an alternate concept plan and development standards. Specifically, the applicant is requesting to reduce the number of acres designated for retail land uses from 33.7-acres to 19.44-acres for the purpose incorporating an additional residential phase that will be composed of 60' x 120' lots. The applicant did propose 50 foot lots earlier this year and that did go through the process with Planning and Zoning's recommendation of 60 foot lots and it did go up to City Council but the applicant requested to withdraw the case. They have now brought the request back with 60 foot lots the proposed new lot type and the proposed changes to the lot mix, the total number of single-family lots will be increased from 742 to 776. That will have a net effect on the overall lot types. Mr. Miller referenced page two of the Commission's packet that shows the proposed lot mixes. Lot type A which is the 60 foot lots will be decreased by 20. Those 20 lots are moving to Lot type E and increased by another 20. The applicant is also proposing to increase lot type B which is the 7x120 by 5 lots and Lot type D which is the larger lot 100x200 by 9 lots. This has an added effect on the overall density increasing it from 2.0 units per acre to 2.02 units per acre.

Mr. Miller went on to state that in looking at the Comprehensive Plan, should the Commission chose to send this forward, the Commission would also be sending forward a recommendation to change the Comprehensive Plan designation from a Commercial Designation to a Low Density Residential and that has been added as a condition of approval.

Mr. Miller added that staff mailed 363 notices to property owners and residents within 500-feet of the subject property and also emailed a notice to the Stoney Hollow and Breezy Hill Homeowner's Associations, which are the only HOA's located within 1,500 feet of the subject property. At the time this case memo was drafted staff received five responses against the request.

Mr. Miller stated the applicant was present and staff was available for questions.

Chairman Renfro asked for questions from the Commission for staff.

Commissioner Trowbridge asked concerning PD80 that is depicted on the map, if that is a Single Family development or a Commercial Development. Mr. Miller stated that is a Single Family Development.

Mr. Miller further added that the applicant is requesting a front entry product and at the previous work session the Commission asked the applicant to come back at this meeting with a certain percentage of front entry and j-swing. The applicant is proposing a 50/50 split that would be 20 lots with the ability to have j-swing and 20 lots with the ability to have front entry.

Chairman Renfro made mention of a comment on one of the letters that were received in opposition of the request that expressed concern of a meeting that took place with the developer and builder. Mr. Miller referred that question to the applicant to answer and or explain.

Chairman Renfro asked the applicant to come forward and speak.

Noah Flabiano  
Skorburg Company  
8214 Westchester Suite 710  
Dallas, TX

Mr. Flabiano came forward and gave a brief summary of the request and provided a power point that gave a brief history of the subdivision and the development. In 2007 there was the 212 Agreement in place that had some entitlement power the same 2.0 units per acre, 20% open zoned Single Family for this particular subject property which per the agreement allowed for 810 units. In 2009 the 55 acres, per Councils direction was for commercial. In 2012 the school site was removed and the zoning was changed to Single Family where the school was set to be. In 2014 26 acres on the east side of the commercial tract was rezoned leaving 33.7 acres which is what they are looking to reduce to 19.44 acres to incorporate the additional residential phase for forty 60x120 foot lots. They feel they have owned this commercial tract for quite some time and are looking to sell. He went on to show slides of product types and lot mixes. They are requesting for up to 50% of the lots to be front entry only. At this time it is not decided the amount that would be front entry it is just up to 50% it may be less than that. They also have put

in a prevision after a neighborhood meeting last week that no two houses on the same side of the street can have front entry. They feel the commercial squared off will be more efficient.

Chairman Renfro asked the Commission for questions or discussion.

Commissioner Logan asked for better understanding concerning the amount of lots that were allowed per the 212 agreement and how that number has changed.

Adam Buzcek  
Skorburg Company  
8214 Westchester Suite 710  
Dallas, TX

Mr. Buzcek came forward and stated he could better answer since he was here during that time. He stated the 212 agreement established 2 units per acre density on the overall tract. He added that at Council's direction the 55 acres were zoned commercial with the understanding that if the market did not end up warranting that much commercial it could be rezoned to decrease the size of the commercial. It would be 10 acres in the back which is an off piece and would square off what would be left of the commercial.

Commissioner Trowbridge asked if Skorborg Company develops commercial property or do will it be sold. Mr. Buzcek stated they have developed some over the years, but have not done any vertical commercial in the last 14 years that he has been with the company; essentially they are a single family development company and will be selling to a third party commercial developer.

Chairman Renfro opened the public hearing and asked anyone who wished to come forward to speak to come forward.

Bruce Clark  
313 Shenandoah Lane  
Rockwall, TX

Mr. Clark came forward and stated details concerning his career, which he stated he was a planner for close to 50 years and therefore feels he is familiar with the planning process. He stated that his property abuts part of the Skorburg property further down on John King Blvd. He feels that most of the commercial development has occurred near FM 552 and SH-205 and therefore there is not really a need for a big commercial at this location. He added that he is in favor of the request and feels it is a good move to reduce the commercial in favor of more residential lots and they produce a good product and will be an added asset for the area.

Stan Parks  
998 Calm Crest  
Rockwall, TX

Mr. Parks came forward and stated there was HOA meeting that took place with the developer last week and in his opinion as well as others that attended that meeting there was a support for the effort to switch from commercial to single family homes. The opposition from mainly all in attendance at the meeting was specific to the front entry drive. He feels it will take up most of the front yard and won't allow for much of a yard. That type entry depicts more of a townhome development rather than a single family home. And although there will be the provision of not having two homes on the same side of the street with front entry still feels the final product will be ending up with one side of the development completely different than the other. He is in opposition of the three front entry drives, although he is in support of the reduction in commercial to add the additional residential.

Bob Wacker  
806 Mira Mar Drive  
Rockwall, TX

Mr. Wacker came forward and stated he is in favor of the request. He feels the market is calling for the 60 foot lot product and feels there is already enough commercial in that area. Although he questions if 3 front entry can be built on 60 foot lots.

Chairman Renfro asked the applicant to come forward for rebuttal and any additional comments they wish to make.

Mr. Buzcek came forward and added that they will be able to build the 3 front entry on the 60 foot lots.

Commissioner Lyons asked how big the front yards will be on the 60 foot lots with the 3 front entry garages. Mr. Buzcek stated it will be the same setback the building will be the same as at they are building now with a 20 foot front setback, the only difference will be instead of it having to be the side of the garage it can be a/c square footage area. The actual streetscape in terms of where the building will be will be the same setback.

Commissioner Whitley asked for clarification if only 50% are front access, would the other 50% be j-swing and would that mean they all will have the driveway in the front. Mr. Buzcek stated the 50% that's not only front entry will be identical to category A. Mr. Miller added that in addition to j-swing they're allowed to have a garage that's recessed 20 feet behind the front façade of the house. They can have a forward facing garage, it just has to be recessed and the reason that is required is to require an additional 20 feet of setback between the garage and the street.

Commissioner Logan asked would there be any 3 bay wide in the combination of j-swing and front entry. Mr. Buzcek stated they have plans where there could be 3 or a 2 and 1 with 2 doors facing the garage and provided slide pictures showing the different options.

Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Trowbridge expressed concern of the economic impact of the land use.

Commissioner Moeller expressed concern with changing the land use map.

General discussion took place concerning if it would be a good fit to the area and pros and cons.

Commissioner Moeller made motion to approve with staff recommendations. Commissioner Fishman seconded the motion, which passed by a vote of 7-0.

#### 7. P2016-040

Hold a public hearing to discuss and consider a request by Chad & Lindsay Hudson for the approval of a replat for Lots 7 & 8, Block A, Independence Pass Addition being a replat of a 1.4-acre parcel of land identified as Lot 5, Block A, Independence Pass Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 107 Independence Place, and take any action necessary.

Planner, Korey Brooks, advised the Commission that they were given an amended case memo, a letter from the applicant and photos of the property. He stated that the applicant is requesting to replat one 1.4-acre lot into two 0.70-acre lots for the purpose of subdividing one lot into two lots to build a single family home on each lot. The applicant currently has a play set as a standalone structure on one of the lots and has provided a letter indicating that on March 21, 2016 the property was granted a variance by the Chandlers Landing Community Association to allow for the play set as a stand-alone structure on a lot with the condition that the foundation slab for the residence must be in place within one year of the Board Meeting. Additionally the applicant is proposing a front yard fence and according to the UDC it states that no fence shall be constructed in the required front yard of a residentially zoned area without first being granted a special permit by the City Council. The City Council approved a request on April 2, 2012 for a 48-inch, wrought iron fence to be constructed in the front yard of the property located at 107 Independence Place. However, at time of approval, the subject property contained all 1.42-acres. Should the Planning and Zoning Commission and City Council approve the replat as submitted, this would essentially approve a front yard fence on two properties, 107 Independence Place and 108 Independence Place therefore this issue makes the approval of this replat a discretionary decision for the Planning and Zoning Commission and City Council.

Mr. Brooks added that on October 1, 2016, staff mailed one notice to property owners and occupants within 200 feet of the subject property and located within the Independence Pass Subdivision. Staff did not receive any notices returned.

Chairman Renfro asked the applicant to come forward.

Chad Hudson  
422 Colombia Drive  
Rockwall, TX

Mr. Hudson came forward and stated he has been a resident of Rockwall since 2000 and has lived in Chandlers Landing since 2003 and has owned the subject property since 2006. He and his wife planned on building on it, and initially subdivided it into three lots. The private security fence goes around the entire project and they tied into Chandlers Landing existing fence. The front yard fence was installed in 2012 and a shared access is in place. After designing the house Mr. Hudson and his wife decided they will live at 107, there are already three water meters in place, and they want to take up two of the lots. It is 1.4 acres and they would like to keep the shared driveway, have .7 for their house and .7 for an additional house at some point. He is asking for a variance for the front yard fence.

Mr. Miller added that all front yard fences in the City of Rockwall are required to go to the City Council for approval. City Council did approve a front yard fence in 2012 for this property as one lot, one property. However, now that the applicant is replatting the property, and although the plat meets the technical requirements, what makes it discretionary to the Planning and Zoning Commission and City Council is that he would be subdividing it creating two lots with two front yard fences.

Chairman Renfro asked what the pros/cons would be for them to consider the variance, is it visual appeal or a safety issue. Mr. Miller stated that the reason the ordinance is in place is to review front yard fences on a case by case basis based on the area they're in, adjacent properties, visual appeal and those are discretionary to the City Council.

Commissioner Lyons asked what is changing from going from one lot to two since the fence is already in place and wouldn't look any different whether it would be on one or two lots. Mr. Hudson stated the fence would not look any different even if three houses were built on the lot.

Mr. Hudson added that the accessory building, play set, was put there for their two daughters to play while he and his wife worked on the property. Initially Chandlers did have a problem with it, but after appealing to them the Board just asked that they put a slab in place and they will have a foundation within a year.

Chairman Renfro asked staff if that would be part of the request. Mr. Miller stated that is between the HOA and the applicant and is not part of the replat request.

Chairman Renfro opened up the public hearing and asked if anyone who wished to speak to come forward and do so, there being no one indicating such, Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Lyons made a motion to approve the item with staff recommendations. Commissioner Logan seconded the item by a vote of 7-0.

#### V. ACTION ITEMS

##### 8. P2016-044

Discuss and consider a request by Chris Cuny, P.E. of FC Cuny Corporation for the approval of a reinstatement request for the preliminary plat for the Fontanna Ranch Addition in accordance with *Section 38-8(f)* of the Subdivision Ordinance contained in the Municipal Code of Ordinances, and being an 27.89-acre tract of land, zoned Planned Development District 67 (PD-67), take any action necessary.

Senior planner David Gonzales gave brief explanation of request stating that this was approved by City Council in 2006 as a preliminary plat, and generally what happens after that is the



434 developer submits a final plat or engineering plans for any portion of the overall tract, and  
435 continues to submit subsequent plans for additional phases of the development and they have  
436 one year to get that done. However, in this case that did not happen and that is the reason for  
437 the request. Phase III of the Fontanna Ranch represents the final phase for the Fontanna Ranch  
438 Subdivision and essentially they have not changed anything as far as the general layout of the  
439 preliminary plat and because of that and the concept plan that was approved with the PD, staff  
440 would recommend the approval of the reinstatement for the one year to allow them to submit  
441 engineering and final plat for the property and begin development.  
442

443 Mr. Gonzales advised the Commission the applicant was not present but staff was available for  
444 questions.  
445

446 Chairman Renfro asked for questions or discussion from the Commission.  
447

448 Commissioner Moeller made a motion to approve the item with staff recommendations.  
449 Commissioner Lyons seconded the motion which passed by a vote of 7-0.  
450

451  
452 9. SP2016-019

453 Discuss and consider a request by Kevin Patel, P. E. on behalf of William Shaddock of Master  
454 Developers-SNB, LLC for the approval of a site plan for a daycare facility on a 2.960-acre tract of land  
455 identified as Lot 1, Block S, Preserve, Phase 3 Addition and Tract 12 [1.4376-acres], A. Hanna Survey,  
456 Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41  
457 (PD-41) and Single Family 10 (SF-10) District, addressed as 1292 East Fork Drive, and take any action  
458 necessary.  
459

460 Planner, Korey Brooks, gave brief explanation of request stating that in 2008, the City Council  
461 approved a Specific Use Permit to allow for a Daycare on the subject property. The applicant is  
462 requesting approval of a Site Plan to construct a 13,342 sq. ft. daycare facility. The proposed  
463 daycare is situated on two tracts of land. One tract is 1.511-acres and is zoned Planned  
464 Development District 41 and the other tract of land is 1.4376-acres and is zoned Single Family 10  
465 District. The submitted site plan, landscape plan, photometric plan, and building elevations do  
466 conform to the technical requirements contained within the approved SUP as well as the UDC.  
467

468 Mr. Brooks went on to state that the ARB met with the applicant at the last Planning and Zoning  
469 Commission meeting and they did approved the site plan as submitted and there were no  
470 additional requirements from the ARB. Mr. Brooks provided the Commission slide pictures  
471 showing the approved elevations as well as pictures northeast and west view of the site.  
472

473 Mr. Brooks advised the Commission that staff as well as the applicant were available for  
474 questions.  
475

476 Chairman Renfro brought the item back for discussion/questions.  
477

478 Commissioner Trowbridge asked if PD41 incorporated mostly single family or is it split between  
479 commercial and single family and would this use align with the PD. Mr. Brooks stated it is a mix-  
480 use, General Retail as well as Single Family.  
481

482 Commissioner Trowbridge made a motion to approve the item with staff recommendations.  
483 Commissioner Lyons seconded the motion, which passed by a vote of 7-0.  
484

485  
486 10. SP2016-020

487 Discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of Cindy Paris  
488 of Rockwall Regional Hospital, LLC for the approval of a site plan for a medical office building on a 5.75-  
489 acre portion of a larger 17.8321-acre parcel of land being identified as Lot 15, Block A, Presbyterian  
490 Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development  
491 District 9 (PD-9) for General Retail (GR) District land uses, located east of the intersection of Summer  
492 Lee Drive and Rockwall Parkway, and take any action necessary.  
493

494 Planner, Korey Brooks, advised the Commission he provided them with a revised case memo  
495 and went on to state that the applicant is requesting approval of a Site Plan for the purpose of  
496 constructing a 55,827 sq. ft. medical office building facility. The proposed medical office

building is situated on a 5.75-acre portion of a larger 17.8321-acre parcel of land that was originally intended for two medical office buildings to be constructed. The first one was approved on 2008 and this request is for the second of the two buildings. On January 22, 2008 the City Council approved variances to the stone requirements, rooftop screening of mechanical equipment, and vertical articulation requirements. The submitted site plan is for MOB #2; and therefore will not require additional variances pending conformance with the 2008 site plan case.

Mr. Brooks went on to state that the submitted site plan, landscape plan, photometric plan, and building elevations conform to the technical requirements contained within the UDC. As with the last case, ARB did recommend approval as long as this site plan conforms to the 2008 approved MOB site plan.

Mr. Brooks advised the Commission that staff as well as the applicant were available for questions.

Chairman Renfro made motion to approve with staff recommendations. Commissioner Trowbridge seconded the motion which passed by a vote of 7-0.

11. SP2016-021

Discuss and consider a request by Vinod Sharma of Little Genius of Texas, LLC for the approval of a site plan for a private pre-school facility on a 2.28-acre tract of land identified as Tract 2-3 of the W. T. Deweese Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses, located at the southeast corner of the intersection of FM-552 and Stone Creek Drive, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of request stating the applicant is requesting approval of a Site Plan for the purpose of constructing an 11,834 sq. ft. private pre-school facility. The proposed preschool is situated 2.28-acre tract of land and is zoned Planned Development District 70 for General Retail District land uses. The submitted site plan, landscape plan, photometric plan, and building elevations do conform to the technical requirements contained within the UDC.

Mr. Brooks went on to state that at the previous meeting the applicant met with ARB and the Board asked the applicant to make revisions to the symmetry of the building, add more detail to the vertical elements on the West Elevation, to add landscaping to provide screening to the North Elevation, and to widen the columns on the West Elevation. The applicant agreed to make revisions and submitted those changes, and ARB did recommend approval at their earlier held meeting.

Mr. Brooks advised the Commission that staff as well as the applicant were available for questions.

Chairman Renfro asked for questions or discussion.

Commissioner Lyons made a motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion which passed by a vote of 7-0.

12. SP2016-022

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Gerald Houser of Colin-G Properties, LTD for the approval of a site plan for the expansion of an existing industrial facility on a 6.19-acre parcel of land identified as Lot 1, Block A, Houser Addition, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, situated within the SH-276 Corridor Overlay (SH-276 OV) District, addressed as 1611 SH-276, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating the applicant is seeking approval for a site plan for the expansion of an existing industrial facility on a 6.19-acre parcel of land. The subject property is zoned Heavy Commercial and the properties to the east and south are zoned PD10 and Light Industrial; there are a couple properties in front that are Commercial and one that is a Single Family Residential. The applicant is requesting approval of a site plan for the purpose of expanding an existing heavy commercial operation by constructing two additional buildings. The Architectural Review Board took into consideration when it reviewed this particular request that this property has been here since 1984 it's a concrete



560 mixing facility. Mr. Gonzales provided pictures of the property and of the site plan that showed  
561 the two building that the applicant is requesting to expand. The two buildings that are going on  
562 the site exceed the 50% of the size of the existing buildings area and due to the nature of the  
563 buildings there are some variances and exceptions that the applicant is requesting.

564  
565 Mr. Gonzales went on to state that when ARB looked at the elevations, they considered the  
566 location and the age of the property. Based on what is there now, the applicant is providing  
567 buildings that are similar to what is currently there to keep in with what is on the ground. He is  
568 building an office building that is going to be located right adjacent to behind the existing office  
569 building as well as the other new facility which will be the lab which will be west of that. In  
570 looking at the lab facility building elevations, when ARB met with the applicant at the previous  
571 meeting the applicant showed that a building on site that has split face CMU, and new building  
572 will be right next to the current building and would be split CMU as well. However the applicant  
573 has since changed that and he is now proposing a brick that will be on the exterior of the  
574 building and will match the office building and since the building will be up front it will be more  
575 in line with what is present at the front of the property.

576  
577 Mr. Gonzales further stated that the ARB in their deliberations, recommended the applicant plant  
578 trees along the southern and eastern property boundary in order to screen the use from the  
579 surrounding properties.

580  
581 Mr. Gonzales also added that the existing site has a total of five parking spaces located adjacent  
582 to the existing office building; however, based on the total square footage of the additional two  
583 buildings, an additional 25 parking spaces are required. The applicant's proposed site plan  
584 indicates the addition of 16 parking spaces and is requesting a variance to allow for less than  
585 the required 25 spaces. This is due to the sites building #2 being used as a laboratory rather  
586 than a traditional office use. This variance request has also been included as a condition of  
587 approval. Aside from the exceptions and variances requested for the tow (2) building's exterior  
588 facades, the variance to the parking standards, and the conditions listed in the  
589 Recommendations section of this report, the submitted site plan and building elevations are in  
590 substantial compliance with the technical requirements contained within the SH-276 OV and the  
591 UDC. The ARB made a motion to recommend approval of the elevations for both buildings with  
592 staff conditions. The motion also included the planting of trees along the southern and eastern  
593 property lines for screening purposes.

594  
595 Mr. Gonzales advised the Commission that staff as well as the applicant were available for  
596 questions.

597  
598 Chairman Renfro asked for clarification of what is being approved if it is for approval for a site  
599 plan for the expansion of an existing industrial facility, simply the site plan. Mr. Gonzales state  
600 the approval would be for the site plan; however the recommendation as well would be  
601 forwarded to City Council for the variances and exceptions.

602  
603 Chairman Renfro asked for questions or discussion.

604  
605 Chairman Renfro made a motion to approve with staff recommendations. Commissioner Lyons  
606 seconded the motion which passed by a vote of 7-0.

607  
608  
609 13. SP2016-023 **POSTPONED TO THE 10-25-2016 P&Z MEETING**

610 Discuss and consider a request by Worth Williams of Moore Worth Investments, LLC for the approval of  
611 a site plan for a multi-tenant commercial/retail building on a 1.56-acre tract of land being a portion of a  
612 larger 6.1091-acre tract of land identified as Tract 8-4 of the J. H. B. Jones Survey, Abstract No. 8-4,  
613 City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General  
614 Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located  
615 at the southwest corner of Quail Run Road and N. Goliad Street [SH-205], and take any action  
616 necessary.

617  
618 Senior Planner, David Gonzales, advised the applicant asked the item to be postponed.

619  
620  
621 14. MIS2016-009

Discuss and consider a request by Noah Flabiano of the Skorburg Company on behalf of the owner Lakeside Church of Christ of Rockwall for the approval of a *Tree Mitigation Plan* in conjunction with an approved Planned Development (PD-81) for the Ridgecrest Subdivision being a 29.541-acre tract of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District No. 81 (PD-81) and located on the north side of Airport Road, west of the intersection of Airport Road and FM3549, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of request has submitted a Tree Mitigation Plan for a planned subdivision (Ridgecrest Subdivision) being a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 and located on the north side of Airport Road, west of the intersection of Airport Road and FM3549.

Mr. Brooks further explained that the applicant has provided a tree survey identifying a total of 51 trees, totaling 468.4-caliper inches that require removal in order to develop the property. All of the trees identified are considered to be protected trees and require mitigation. Of the trees being removed, 5 of the trees, totaling 32.65 caliper-inches, are Cedar trees. According to the UDC Cedar trees that are 11 inches dbh or larger, shall be replaced at fifty 50 percent the total caliper inches being removed; therefore, the applicant is only required to mitigate for 16.325-caliper inches of Cedar trees. According to the UDC feature trees may not be removed without the approval of the Planning and Zoning Commission and are to be replaced on inch-for-inch bases. Feature trees are identified as any pecan, oak, or elm that has a dbh of 4 inches or greater or any tree that has a dbh of 30 inches or greater. The submitted tree mitigation plan identifies 3 feature trees, totaling 31.2-caliper inches that will be removed and require the Planning and Zoning Commission's approval.

Mr. Brooks went on to state that the total required mitigation balance, totaling 435.75-caliper inches or 142.25 3-inch caliper trees, will be satisfied at the time of development of the site. It should be noted that the approval of the applicant's request is a discretionary decision for the Planning and Zoning Commission.

Commissioner Trowbridge asked if the request complies with the mitigation plan. Mr. Brooks stated it does.

Commissioner Trowbridge made a motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion which passed by a vote of 7-0.

#### VI. DISCUSSION ITEMS

15. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- ✓ P2016-042: Amending Plat for the Preserve, Phase 1 Addition [Approved]
- ✓ Z2016-023: SUP for 1970 Copper Ridge Circle (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-025: Harbor Urban Center Condominiums (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-028: Zoning Change AG to RO (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-029: SUP for a Gas Station (2<sup>nd</sup> Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

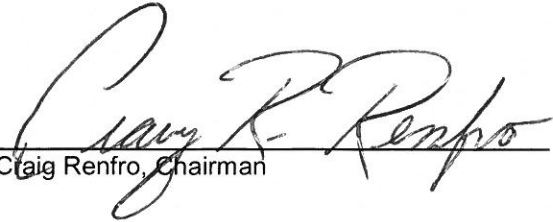
#### VII. ADJOURNMENT

Meeting adjourned at 8:06 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 15 day of November, 2016.



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Craig Renfro, Chairman

Attest

  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**October 25, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Vice-Chairman Johnny Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Sandra Whitley, Tracey Logan, Annie Fishman, and Mark Moeller. Absent were Chairman Craig Renfro and Commissioner Patrick Trowbridge. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

**II. APPOINTMENTS**

1. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

Architectural Review Board representative Jerry Welch gave brief explanation of agenda item that was discussed at the ARB meeting.

No further discussion took place concerning this agenda item.

**III. ACTION ITEMS**

2. SP2016-023

Discuss and consider a request by Worth Williams of Moore Worth Investments, LLC for the approval of a site plan for a multi-tenant commercial/retail building on a 1.56-acre tract of land being a portion of a larger 6.1091-acre tract of land identified as Tract 8-4 of the J. H. B. Jones Survey, Abstract No. 8-4, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the southwest corner of Quail Run Road and N. Goliad Street [SH-205], and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating the applicant the applicant is requesting approval of a Site Plan for the purpose of constructing a 9,862 sq. ft. retail facility that will house three uses, retail, restaurant, and medical office. The site will be comprised of a 1.56-acre tract of land being a portion of larger 6.1091-acre tract of land. The proposed retail facility is a use permitted by right on the subject property. A preliminary plat was approved in April of this year and indicates a total of four lots available for development for this intersection. The preliminary plat also indicates one primary drive that connects all four lots and has entrance/exit points along SH-205 and North Lakeshore Drive. The primary access for the subject property will be from North Lakeshore Drive. The subject property will incorporate a total of 57 parking spaces for the retail development.

Mr. Gonzales further stated that, the applicant provided a Tree Mitigation Plan earlier this year indicating a total mitigation balance due of 731 caliper inches. The Planning and Zoning Commission approved the mitigation plan that would allow the applicant to satisfy the mitigation balance at the time of development of the 6.1091-acre site. The landscape plan for the subject property indicates a total of 16 trees being added to the site with each tree being a minimum of 4 caliper inches for a total of 64 inches. The mitigation balance will be adjusted to indicate a total of 667 inches due at the time of future development.

Mr. Gonzales went on to state that concerning variances and exceptions for the request, the Architectural Review Board did consider the cultured stone and approved it. The cultured stone is something that has been incorporated into the Overlay District requirements that allows for the Planning Commission to be able to review the cultured stone product as long as meets a certain criteria. Also, part of the variance to the site plan on the north elevation the applicant is

requesting a variance to allow for a reduction in the amount that is required. The Overlay District requires a minimum of 20% stone for all facades. They exceed that on the remaining facades; however on the north elevation facing Lakeshore Blvd that is less than 20% stone, it is approximately 16% on that elevation. They are seeking a variance for that and the Commission would forward a recommendation to City Council for their next scheduled meeting. Other comments are outlined in the staff report that was provided to the Commission.

Mr. Gonzales stated staff was available for questions and the applicant was present and available for questions as well.

Vice-Chairman Lyons asked the Commission for any questions or discussion.

Commissioner Fishman asked concerning one of the requirements for cultured stone that is for it to have a minimum warranty of 75 years and the requested cultured stone shows to be only 50 years, would that need to be looked at as an exception. Mr. Gonzales stated it would be something the Commission would need to take a look at and consider. There have been two other cases that have come before the Commission where the issue of warranty has been discussed. When the ordinance was originally brought to the Commission, the 75 year warranty is something that is hard to achieve, there are only a handful of companies that offer that warranty therefore it limits the amount of cultured stone that a developer can go out and find for their project.

Vice-Chairman Lyons asked the applicant to come forward.

Worth Williams  
7700 Eastern Avenue  
Dallas, TX

Mr. Williams came forward and stated that in looking for the stone they wanted a product that would "pop" and create a lot of interest for the shopping center to compliment the balance of what they have proposed for the three lots.

Vice-Chairman Lyons asked the Commission for any questions or discussion.

Commissioner Moeller made a motion to approve the agenda item with staff recommendations. Commissioner Fishman seconded the motion which passed by a vote of 5-2, with Chairman Renfro and Commissioner Trowbridge absent.

#### IV. DISCUSSION ITEMS

##### 3. Z2016-033

Hold a public hearing and consider a request by Philip Craddock of Craddock Architecture, PLLC on behalf of the owner Pastem Corporation for the approval of a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial (C) District that exceeds 36-feet in height in the Scenic Overlay (SOV) District for a 1.74-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.

Planner, Corey Brooks, advised the Commission the applicant was present.

Vice-Chairman Lyons asked the applicant to come forward.

Phillip Craddock  
Craddock Architecture  
750 E. IH-30 Suite 160  
Rockwall, TX

Mr. Craddock came forward and gave a brief explanation of the request and provided a power point showing different view of what it will look like overall inside and outside. It will be in a highly visible site and the intention is to bring a high end hotel that will focus more on the executive upscale community. It will have a nice look of the lake from the second thru the fifth

128 floor of the building. It will have 24 hour operation, full complimentary breakfast, a fitness center  
129 and indoor pool. The mix of the hotel is going to be 50% studios and four mini suites that have  
130 one bedroom. It will be modern and upscale and they will meet the ordinance with the beam and  
131 stone. It will be a Best Western Plus/ Executive Residency. It will have a roof deck which will  
132 provide a nice view of the lake. The rooms will not have a separate dining room or a full range.  
133 They will be entered through a shared wall.  
134

135 Mr. Brooks added that when the request originally came in the applicant was not proposing to  
136 do a Residence Hotel but subsequently after speaking with him, it was decided it would probably  
137 be best to allow for a Residence Hotel with the condition that no more than 50% of the rooms  
138 would offer an extended stay option.  
139

140 Mr. Miller further added that they reviewed that before the meeting, there are four suits that do  
141 meet the definition of a Residency Hotel where they incorporate a full size fridge in a kitchenette  
142 and allow for a longer stay.  
143

144 Mr. Craddock further clarified by stating that there will only be four of the suits that would be  
145 considered a residency type and they would be willing to put that on the ordinance. There will be  
146 a total of 77 rooms. The suites will be located in the corners most likely in the upper floor. The  
147 slide show he provided showed different views of the rooms what the suites would have in them  
148 as well as the view of the lake from the upper floors. He went on to add that the intent is to  
149 provide a nice upscale hotel experience for the guests. They will be asking for a variance for the  
150 60 foot height.  
151

152 Vice-Chairman Lyons asked what the allowed height was. Mr. Brooks stated that the current  
153 SUP for this property allows for a building that is 58 feet in height the request is for 60 feet.  
154

155 Commissioner Logan asked staff if the height variance is the only variance being requested and  
156 if the residence hotel is allowed because it is zoned Commercial. Mr. Brooks stated it was the  
157 only variance being requested and the use was allowed with a Specific Use Permit.  
158

159 Commissioner Logan expressed concern with a residence hotel, and the Best Western not  
160 typically what is considered upscale. Mr. Craddock responded that the Best Western brand is  
161 changing and has changed significantly in the last few years than what it may have been  
162 considered some years ago and also the location is going to be a key part.  
163

164 Commissioner Whitley asked if the pool would be screened and will there be any meeting rooms.  
165 Mr. Craddock stated the pool would be screened and the conference room would accommodate  
166 approximately 40-50 people.  
167

168 Commissioner Moeller expressed concern with the naming of residence hotels, asked staff if  
169 there could be a different terminology that could be used such as what was mentioned executive  
170 stay would be more appealing. Mr. Miller stated the brand is Executive Stay and the term  
171 Executive Residence could be used.  
172

173 Vice-Chairman asked what the signage would say. Mr. Craddock stated it would be Best Western  
174 Plus/ Executive Residency.  
175

176 Commissioner Fishman asked if the company retains long term ownership. Mr. Craddock stated  
177 they would be maintaining it long term. To further explain the answer he asked his colleague to  
178 add.  
179

180 Clark Staggs  
181 1601 Seascape  
182 Rockwall, TX  
183

184 Mr. Staggs came forward and stated that the Best Western that is currently in Rockwall has been  
185 owned by the same owner for the last six years and within that time has made substantial  
186 improvements every year and is currently making renovations to the lobby. He added that the  
187 price range for the rooms will start at minimum \$100 a night; it is an expensive proposition as  
188 opposed to what is sometimes thought of with an extended stay.  
189



There being no further questions, Vice-Chairman Lyons indicated the case will return to the Commission for action at the next scheduled meeting.

4. Z2016-034

Hold a public hearing to discuss and consider a request by David Palmer of Cencor Acquisition Co., Inc on behalf of Hossain Makvandi of Home Boy Enterprises, Inc. for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 7.1692-acre tract of land identified as Tract 10-1 of the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of FM-549 and S. Goliad Street [SH-205], and take any action necessary.

Senior Planner, David Gonzales, advised the Commission that the applicant was present.

Vice-Chairman Lyons asked the applicant to come forward.

David Palmer  
3102 Maple Avenue Suite 500  
Dallas, TX

Mr. Palmer came forward and stated he is a partner with Cencor Realty; Cencor Acquisition is their purchasing entity. They are purchasing this property and are seeking to have it zoned so they can determine what direction they will proceed with it in terms of marketing. They intend to develop it for a retail shopping center.

Vice-Chairman Lyons asked the Commission for any questions or discussions. There being no questions or discussion, Vice-Chairman Lyons indicated the case will return to the Commission for action at the next scheduled meeting.

5. Z2016-035

Hold a public hearing to discuss and consider a request by Robert A. Howman of Glenn Engineering Corp. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) for the purpose of allowing a *Public School* in an Agricultural (AG) District for a 24.209-acre portion of a larger 173.0-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Bypass Corridor Overlay (205 BY-OV) District, located directly east of the intersection of John King Boulevard and Trail View Drive, and take any action necessary.

Senior Planner, David Gonzales, advised the Commission that the applicant was present.

Vice-Chairman Lyons asked the applicant to come forward.

Jimmy Strohmeyer  
2701 Sunset Ridge  
Rockwall, TX

Mr. Strohmeyer came forward and stated that this is a tract of land that the school district owns and the request is for an SUP for the purpose of building a College and Career Academy.

Commissioner Moeller asked in looking at the layout of the school were the access points only showing to be off of John King with an alley way going through a side street. Mr. Strohmeyer stated that was correct. Commissioner Moeller expressed concern over peak times of drop off and pick up and the traffic issue it may cause. Mr. Strohmeyer clarified that it would be older kids and that would not pose a problem.

There being no further questions, Vice-Chairman Lyons indicated the case will return to the Commission for action at the next scheduled meeting.

6. Z2016-036

Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (R. & R. Hance Investments, LP) for the approval of a zoning amendment to Planned Development District 79 (PD-79) [Ordinance

No. 16-07] for the purpose of amending the development standards to allow front entry garages on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

Senior Planner, David Gonzales, advised the Commission that the applicant was present.

Vice-Chairman Lyons asked the applicant to come forward.

Pat Atkins  
3076 Hays Lane  
Rockwall, TX

Mr. Atkins came forward and gave brief explanation of the request. This subject property has come before the Commission in the past and during the zoning process they had not committed to a builder team; however Highland Homes and David Weekly Homes, which are one of the best builders in the metroplex, have committed to the building of this development Saddle Star South. In the contract discussions and negotiations they have had with the builders the concern with regard to garage orientation came up, and that poses an issue with the commitment they will make. He is coming forward with the direction of these builders in asking to allow flexibility with their design and how they accommodate to the market.

Vice-Chairman Lyons asked the Commission for any questions or discussion.

Vice-Chairman Lyons asked for clarification of request, is it to allow all of the development to be front entry. Mr. Atkins stated the desire of both builders is to let the market tell them what they need to provide. The non-monotony clause gives them the design element of mixing up product and how it's constructed. The desire it to allow the builder the flexibility to allow to decide as the market and the buyer calls.

Mr. Gonzales added that currently how the ordinance reads that for the 138 homes in that PD, 50% minimum must be j-swing drive with the remaining lots can be just 20 foot setback from the property line where the entire façade would be a flat façade where you can have the front entry. That is what is being considered, to see how many j-swing will be there and/or will it include more of the other product type where there wouldn't have the recessed garage.

Mr. Miller clarified that it would allow for 100% flat front entry if that were to be their request.

Vice-Chairman Lyons asked if the builders expressed that the deal was dependent on this condition. Mr. Atkins stated their contractual requirement is that they be allowed to do front entry. Vice-Chairman Lyons stated he feels the Commissioners that are not present may also have some concerns because typically what is preferred is to have some diversity, asked if they would be open to asking for a different percentage instead of 100%. Mr. Atkins stated he will discuss that with the builders.

Mr. Miller added that staff could also work with the applicant through the process before the public hearing to touch on that question and address the Commissions concerns.

Commissioner Whitley expressed concern that both potential builders are seeking total flexibility and are not willing to work with the City when other builders have. She stated concern with the lack of diversity.

There being no further questions, Vice-Chairman Lyons indicated the case will return to the Commission for action at the next scheduled meeting.

#### 7. Z2016-037

Hold a public hearing to discuss and consider a request by Douglas F. DeMarco on behalf of John G. Robertson for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 23.27-acre tract of land identified as Tract 2-28 of the J. R. Johnson Survey, Abstract No. 128, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205

Overlay (SH-205 OV) District, addressed as 2922 S. Goliad Street [SH-205], and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request and stated that staff met with the applicant a few weeks ago when they were looking into pulling a building permit for the RISE which is an athletic complex that includes a baseball diamond. They have indicated to staff that years ago it had lighting on the field and those were destroyed at some point due to a storm. The lighting ordinance does not accommodate this; it accommodates commercial properties, retail properties where there are lighting poles that go up 20 or maximum 30 feet in height. For a sporting complex 30 feet would create blinding lights for those playing on the fields and that is what the applicant pointed out to staff. What staff indicated to them in order to move forward it would have to go through an SUP process. Since the property is zoned Agriculture District they have to go through the zoning process first in order to rezone to a commercial use and if that goes through it would then go through the SUP to establish the lighting standards within the SUP.

Vice-Chairman asked if it would only be one ballfield. Mr. Gonzales stated they have only indicated it would be one and when the SUP comes forward they would provide the lighting plan.

Commissioner Logan stated she was unaware that the building was in the City. Mr. Gonzales stated it was an existing building at the time of annexation and because of that they have a non-conforming use on the property.

Commissioner Logan asked if by requesting the SUP would they be required to be conforming. Mr. Gonzales stated once the SUP goes through it establishes zoning on the property and anything new that would come in would then have to meet the City's code standards.

Commissioner Whitley asked what the neighboring area to the north was. Mr. Gonzales stated it is zoned Heavy Commercial.

Commissioner Moeller asked for clarification of how many ballfields there are because in the packet they reviewed it showed two, he would like to know which one of the two will have the lighting. Mr. Gonzales stated that at the time they met with the applicant they indicated it would only be for one, but if they would want to put lighting on both it would be a request they can ask for during the SUP process and it then would be a discretionary approval.

There being no further questions, Vice-Chairman Lyons indicated the case will return to the Commission for action at the next scheduled meeting.

#### 8. P2016-045

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of Ridgecrest SF, LTD. for the approval of a final plat for the Ridgecrest Subdivision creating 45 single-family residential lots on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81), located on the north side of Airport Road, west of the intersection of Airport Road and FM-3549, and take any action necessary.

Vice-Chairman Lyons stated agenda items #8 and #10 would be combined and discussed together.

Planner, Korey Brooks, gave brief explanation of the request and stated that both the site plan and final plat are for the purpose of creating 45 single family residential lots. The site plan and final plat both meet the technical requirements and will be going to the Park Board on November 1<sup>st</sup> to have park fees assessed and will be on the consent agenda at the Commission's next scheduled meeting.

Vice-Chairman Lyons asked the Commission for any questions or discussion.

Commissioner Moeller asked for clarification of the street layout of where street D would that end up as it appears it dead ends to the church property. Mr. Brooks stated it will be a stub out connecting the church property to the subject property.

379 There being no further questions, Vice-Chairman Lyons indicated the case will return to the  
380 Commission for action at the next scheduled meeting.  
381

382 9. P2016-046

383 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of  
384 BH Balance I LLC for the approval of a final plat for Breezy Hill, Phase VII creating 10 single-family  
385 residential lots on 6.802-acres of land identified as Tract 7-10 of the J. Strickland Survey, Abstract No.  
386 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for  
387 Single Family 10 (SF-10) District land uses, situated within the 205 By-Pass Corridor Overlay (205 BY-  
388 OV) District, located at the northeast corner of N. John King Boulevard and Cozy View Drive, and take  
389 any action necessary.  
390

391 Planner, Korey Brooks gave brief explanation of request stating it is a request to final plat 10 lots  
392 for single family residential homes. It does meet the technical requirements and will be going to  
393 the Park Board on November 1<sup>st</sup> to have park fees accessed and will be on the consent agenda  
394 at the Commissions next scheduled meeting.  
395

396 Vice-Chairman Lyons asked the Commission for any questions or discussions. There being no  
397 questions, Vice-Chairman Lyons indicated the case will return to the Commission for action at  
398 the next scheduled meeting.  
399

400  
401 10. SP2016-024

402 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of  
403 Ridgecrest SF, LTD. for the approval of a site plan for the Ridgecrest Subdivision containing 45 single-  
404 family residential lots on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A,  
405 Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned  
406 Development District 81 (PD-81), located on the north side of Airport Road, west of the intersection of  
407 Airport Road and FM-3549, and take any action necessary.  
408

409 Vice-Chairman Lyons stated agenda items #8 and #10 would be combined and discussed  
410 together.  
411

412  
413 11. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).  
414

- 415 ✓ P2016-043: Lots 1-10, Block A, Estates on the Ridge Subdivision [Approved]
- 416 ✓ P2016-040: Lots 7 & 8, Block A, Independence Pass Addition [Approved]
- 417 ✓ SP2016-022: Exceptions and Variances at 1611 SH-276 [Approved]
- 418 ✓ Z2016-030: SUP for 1910 Copper Ridge Circle (1<sup>st</sup> Reading) [Approved]
- 419 ✓ Z2016-031: Amendment to PD-1 for a Brewery (1<sup>st</sup> Reading) [Tabled to the November 7<sup>th</sup> Meeting]
- 420 ✓ Z2016-032: Amendment to PD-74 (1<sup>st</sup> Reading) [Approved]
- 421

422 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
423 referenced case at the City Council meeting. No discussion took place concerning this agenda  
424 item.  
425

426  
427 V. ADJOURNMENT  
428

429 The meeting adjourned at 7:12 p.m.  
430

431 VI. TRAINING SESSION  
432


433 12. *Planning and Zoning Commission Training Session*

434 A work session with the GIS Department will be held in the City Council meeting room immediately  
435 following the adjournment of the October 25, 2016 Planning and Zoning Commission work session  
436 meeting.  
437

438 Mr. Miller advised noted that the training session would be postponed until the next scheduled  
439 meeting.  
440  
441



PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 15 day of November, 2016.

  
Craig Renfro, Chairman

Attest:  
  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**November 15, 2016**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Sandra Whitley, Tracey Logan, Annie Fishman, and Mark Moeller. Absent was Commissioner Johnny Lyons. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

II. CONSENT AGENDA

1. Approval of Minutes for the October 11, 2016 Planning and Zoning Commission meeting.

2. Approval of Minutes for the October 25, 2016 Planning and Zoning Commission meeting.

3. P2016-045

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of Ridgecrest SF, LTD. for the approval of a final plat for the Ridgecrest Subdivision creating 45 single-family residential lots on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81), located on the north side of Airport Road, west of the intersection of Airport Road and FM-3549, and take any action necessary.

4. P2016-046

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a final plat for Breezy Hill, Phase VII creating 10 single-family residential lots on 6.802-acres of land identified as Tract 7-10 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of N. John King Boulevard and Cozy View Drive, and take any action necessary.

5. P2016-047

Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a preliminary plat for Phase 1 of the Somerset Park Subdivision, containing 144 single-family residential lots on a 56.276-acre tract of land being a portion of a larger 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

6. P2016-048

Discuss and consider a request by Eric Morff of Cole on behalf of the owner 2804 Ridge, LLC for the approval of a replat for Lot 3 of Road Runner Addition being a 0.93-acre parcel of land identified as Lot 2, Road Runner Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 2804 S. Goliad Street, and take any action necessary.

7. P2016-049

Discuss and consider a request by Matt Moore, PE of Claymoore Engineering, Inc. on behalf of the owner Cindy Paris of Rockwall Regional Hospital, LLP for the approval of a replat for Lot 22, Block A, Presbyterian Hospital Addition being a 18.867-acre parcel of land identified as Lot 15, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located east of the intersection of Summer Lee Drive and Rockwall Parkway, and take any action necessary.

Commissioner Trowbridge made motion to approve the item. Commissioner Whitley seconded the motion which passed by a vote of 6-0, with Commissioner Lyons absent.

III. PUBLIC HEARING ITEMS

8. Z2016-033

Hold a public hearing to discuss and consider a request by Philip Craddock of Craddock Architecture, PLLC on behalf of the owner Pastem Corporation for the approval of a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial (C) District that exceeds 36-feet in height in the Scenic Overlay (SOV) District for a 1.74-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of item stating that in 2008 the City Council approved a Specific Use Permit to allow for a hotel in a Commercial District and at that time Specific Use Permit limited the height to 58 feet and also prohibited a Residence Hotel and that the building elevations had to strictly adhere to the proposed elevation in that SUP ordinance. Since that time, the new applicant is requesting some changes to the SUP; the first is to allow a residence hotel with the provision that four of the suites be residence suites and the remaining to be standard rooms that do not have a kitchen facility. The next change the applicant is proposing is to go 65 feet in height whereas the original SUP is limited to 58 feet, and lastly the applicant would like to propose different building elevations, therefore the provision that the building elevations strictly adhere would be changed that the building elevations would generally conform to the proposed elevations at the time of site plan. With the exception of the proposed suited, the request does conform to all applicable requirements, however an SUP is discretionary decision to City Council. Should this SUP be approved, the applicant will be required to submit a site plan and at that time it would also go to ARB to review the building elevations, which do generally conform.

Mr. Brooks went on to state that all the surrounding properties are all commercial properties. North of the subject property there are two restaurants, a Culvers and Popeye's. West there is a McDonalds and a Chevron gas station and beyond that is Ridge Road. Directly south there are some automotive uses and beyond that there is IH-30 and east there is a Rockwall Town Center.

Mr. Brooks further added that on October, 27, 2016, and sent 35 notices to property owners/residents within 500-feet of the subject property. Staff also mailed notices to the Lakeside Village and Turtle Cove HOA's. One notice was received in opposition of the request.

Mr. Brooks stated the applicant was present and staff is available for questions.

Chairman Renfro asked the Commission for questions for staff.

Commissioner Trowbridge asked if the request is to modify the original SUP form 2008. Mr. Brooks stated that was correct, it would modify the height from 58 to 65, the use of a residence limited to four suites and instead of strictly adhering to the old elevations the ordinance would change to state they generally conform to the new proposed elevations should they be approved by ARB.

Chairman Renfro asked if procedurally if they wanted to tie the elevations, subject to change by the Architectural Review Board, in a motion, when that would be done. Mr. Brooks stated that that would need to be added to the motion.

Commissioner Fishman asked if the applicant changed the proposed height change from the previous meeting. Mr. Brooks stated the applicant did increase the height since the previous meeting and the applicant can elaborate further.

Chairman Renfro asked the applicant to come forward.

Phillip Craddock  
Craddock Architecture  
750 E. IH-30 Suite 160

Rockwall, TX

Mr. Craddock came forward and provided a power point and stated it the proposal is based on a new prototype of the brand of Best Western. The look and the corporate structure is changing, it is being brought up to a higher scale, executive type hotels from what it may have been known in the past. He provided pictures of the new elevations. It will be an all brick façade which would meet the requirements of the ordinance. He further spoke of what the hotel will provide such as nice looks of the lake from the third floor up, a lounge on the fifth floor, meeting rooms. The minimum room rates will be \$100 per night. The four suites will have a full size refrigerator, dishwasher, the cooktop and a microwave.

Mr. Craddock went on to explain that the intention is to provide a very nice hotel and a nice experience for the guests and be a nice addition to Rockwall. The owner of this hotel also owns the Best Western currently in Rockwall and resides in the City as well.

Chairman Renfro asked the Commission for questions for the applicant.

Commissioner Logan asked if the number of suites could be changed to add any additional ones if for example the applicant decided a standard room would be converted to a suite, what would prevent that from happening. Mr. Brooks stated the SUP limits it to only four, if the applicant would want to change that he would need to come back before the Commission and Council.

Commissioner Trowbridge asked why they decided to change from 58 feet to 65 feet, was it an architectural thing. Mr. Craddock stated it was an architectural decision to give it more punch in some of the levels and angles. Commissioner Trowbridge asked what the thought behind four residency suites. Mr. Craddock stated it was meant to provide for the executive clientele.

Chairman Renfro asked why it had to be classified residency was it just because they are larger. Mr. Craddock stated it was due to having a kitchen.

Commissioner Fishman asked if the owner would retain long term ownership of the property. Mr. Craddock stated that was the intent to keep both the one he owns now and this one should it be approved.

Chairman Renfro asked what the purpose of the 36 foot height limit. Mr. Miller stated that the subject property is sandwiched in between two of the Overlay Districts. Ridge Road has an Overlay District that tries to preserve the views of the lake that is the Scenic Overlay that caps the height for all uses at 36 feet with the ability to get an SUP to go higher. It is also within the IH30 Overlay District and as depicted on the aerial the applicant provided, it is more within the IH30 Overlay than the Scenic Overlay but since it crosses both, it is subject to both Overlays restrictions. The thinking behind the 36 feet was to allow all views from the lake from the Ridge Road area.

Chairman Renfro opened the public hearing and asked anyone who wished to speak to come forward and do so. There being no one indicating such, Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Trowbridge expressed concern over changing the original Specific Use Permit as well as this being a Residence Hotel which is making a long term land use decision not a short term marketing decision.

Commissioner Logan expressed concern with it being a Residence Suites and how it will work in the long term. She also expressed concern with the height, with it being one of the first views as you travel into Rockwall that is seen.

Commissioner Trowbridge made motion to deny the item. Commissioner Logan seconded the motion, which passed with a vote of 5-1, with Commissioner Whitley dissenting and Commissioner Lyons absent.

9. Z2016-034

Hold a public hearing to discuss and consider a request by David Palmer of Cencor Acquisition Co., Inc on behalf of Hossain Makvandi of Home Boy Enterprises, Inc. for the approval of a zoning change from



an Agricultural (AG) District to a Commercial (C) District for a 7.1692-acre tract of land identified as Tract 10-1 of the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of FM-549 and S. Goliad Street [SH-205], and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating subject property is located at the northwest corner of FM549 and 205 and is currently zoned Agricultural District. Taking a look at the property to the south of the subject property that is zoned General Retail District, east is zoned Commercial and to the north of it that is Agricultural District as well. There are a couple of existing homes and the Oaks of Buffalo Way that is to the west and adjacent to the subject property. The applicant is requesting to rezone the property to a Commercial zoning and in looking at the Comprehensive Plan, the Future Land Use Map shows that this particular property would be a Commercial land use therefore the applicant is requesting to rezone that to the Commercial land use with it being in conformance with the Comprehensive Plan.

Mr. Gonzales went on to state that On October 27, 2016, staff mailed 17 notices to property owners and residents within 500-feet of the subject property and also sent a notice to the Oaks of Buffalo Way Homeowner's Associations. Two notices were received in opposition of the request.

Mr. Gonzales stated the applicant was present and staff available for questions.

Chairman Renfro asked if rather than going to a Commercial designation could it go to General Retail instead and how would General Retail restrict the applicant from doing what they wish to do. Mr. Gonzales stated the applicant is requesting Commercial land use; however the General Retail use is less intense than that of a Commercial use. For example building heights, on a Commercial it is 60 feet in height without an SUP but on General Retail it is 36 feet in height without an SUP.

Mr. Gonzales added that the applicant is seeking entitlement to the property, and currently there is no site plan and staff does not at this point know what the use will be.

Planning Director, Ryan Miller, added that the General Retail use would still conform to the Future Land Use map it is under the Commercial designation it would represent a more restrictive zoning than the Commercial.

Chairman Renfro asked the applicant to come forward.

David Palmer  
Cencor Realty Services  
3102 Maple Ave  
Dallas, TX

Mr. Palmer came forward and stated they are a retail development, shopping center ownership company and brokerage company. They have this land under contract to purchase it not for what it is today but for where it's going to be at the rather critical commercial intersection in the future when the State brings FM 549 thru the adjacent property to the east. The request today is to have the property zoned in conformance with the City's Comp Plan and land use plan. They do not intend on developing the property in the near future, but would like it entitled consistent with the land use and comp plan in order to market the property. Cencor Realty Partnerships are approximately 200 retail centers in the four major Texas markets and are retail developers. It will be a retail center, the shape and intensity of which will depend on the market in the future. They are not asking for any exceptions other than it be zoned according to the Comp Plan and land use plan.

Chairman Renfro asked the Commission for any questions.

Commissioner Trowbridge asked if they will be selling or developing. Mr. Palmer stated they will only develop and it will be a retail center, restaurant, with some garden medical uses.

Commissioner Whitley asked what the reason for going Commercial instead of General Retail. Mr. Gonzales stated the applicant is who is requesting Commercial, the General Retail was a

question brought up by the Chairman. Also, the Future Land Use map designates that for Commercial land uses.

Mr. Palmer added that the 45 acres across the street which the extension of SH 205 will split, is also commercial. He believes Council considered this to be a commercial intersection when they did the Land Use plan.

Chairman Renfro opened the public hearing and asked anyone who wished to speak to come forward.

Matt Scott  
4925 Bear Claw Lane  
Rockwall, TX

Mr. Scott came forward and stated he lives in the Oaks of Buffalo Way although not directly behind the subject property since 2002 and knows it was always expected that particular corner would develop in some form or fashion and would not mind a 7-11. He stated his concerns is when there is AG it allows all the flexibility for someone to come in wanting to change it instantly to Commercial and they don't have a project that causes concern by not knowing what will be coming. If there is going to be any blanket rezone he would like to see the Commission ask for it to be zoned General Retail rather than Commercial. He also expressed concern of there not being any information available for the company Home Boy Enterprises believes the goal is to turn this into a bigger plan than what was discussed by the applicant. His biggest concern is giving someone a Commercial designation when there is no information as to what will be going in. He rather it stay AG until a use is known.

Greg Shockley  
5155 Bear Claw Lane  
Rockwall, TX

Mr. Shockley came forward and stated his property abuts the subject property and every property that abuts it are all families with young children. He stated his concerns are safety, noise, and traffic. Believes a gas station is a horrible idea, in looking at every direction down surrounding 205 it is all residential. He along with five other families that he is speaking for do not want a 7-11, a Walmart or anything similar. He agrees with the previous speaker to leave it AG until something positive for all the families that live in the area is brought up.

Steve Romo  
2230 Arrowhead Court  
Rockwall, TX

Mr. Romo came forward and stated his opposition to the request and agrees with the previous two speakers. The CORE that is the General Retail that is across the street that is something they would welcome something similar to that. Feels it is not good to go from AG to full blown Commercial will create a traffic and safety problem. He is also concerned with the environmental issues that would be created by the drainage that goes thru the property. He would like the City to develop that as a City Park for that side of the City.

Chairman Renfro asked how many lanes will the road be when completed. Mr. Gonzales stated it will be four lanes divided. Chairman Renfro added that is something that should be taken into consideration as well.

Michael Pollock  
1885 Broken Lance  
Rockwall, TX

Mr. Pollock came forward and stated he lives in the neighborhood and is president of the HOA and has received many emails. There are differing opinions as to what should go in there and therefore it is hard to represent the neighborhood overall as there is not one shared solution but the neighborhood does want to be involved in what does go in there. By going straight commercial the neighborhood feels it loses any connection to any decision making or having input with those types of decisions going forward. They would like to see its intended use in

316 whatever format that may be prior to the approval to allow some sort of input by the  
317 neighborhood.  
318

319 Chairman Renfro asked if there was anyone else who wished to speak, there being no one  
320 indicating such; Chairman Renfro closed the public hearing and asked the applicant to come  
321 forward for rebuttal.

322 Mr. Palmer came forward and stated they are a large retail developer and shopping center owner  
323 and do that because they build first class retail centers and build them to own them. They work  
324 with neighborhoods all over the metroplex when they develop. He went on to state he was not  
325 sure it was the province of the Commission to say a property cannot be rezoned for what is  
326 consistent with a Comp Plan and Land Use Plan. They need the rezoning in order to market the  
327 property, and the subject property will not fit a Walmart or a large retail shopping center of that  
328 sort but rather a smaller grocer such as a Whole Foods or a Trader Joe's. Most likely it will be  
329 retail and restaurants, free standing buildings. They will meet the requirements of the City and  
330 build projects to own indefinitely and will shield the center from residences as is required by the  
331 ordinances.  
332

333 Chairman Renfro brought the item back to the Commission for discussion.  
334

335 Commissioner Trowbridge made a motion to deny the item. There being no second, the motion  
336 failed to pass and Chairman Renfro brought the item back for discussion.  
337

338 Commissioner Logan how long the Comprehensive Plan would have shown that the future use  
339 of this land would be commercial, where someone new moving into the City would have had the  
340 opportunity to know before moving into this area that the future use would be commercial. Mr.  
341 Gonzales stated he did not know the specific answer to that, but it would have been at least  
342 since 2010. Mr. Miller stated it has been on the Future Land Use map as a commercial  
343 designation for some time and that roadway FM 549 is expected to eventually meet up and  
344 create a four way intersection at the southeast corner of this property.  
345

346 Commissioner Fishman asked for clarification of the process involved in terms of the ordinance  
347 by allowing a rezoning of commercial without knowing what will be going in there, is that  
348 something that is typical. Mr. Gonzales stated the applicant has indicated he does not have a  
349 plan at this point nor does he have a site plan. Mr. Gonzales added when a developer comes in  
350 and wants to rezone a property and the Comp Plan designates is for commercial land uses it  
351 then is up to the Commission to make that decision whether they want to allow that or not.  
352

353 Commissioner Moeller expressed concern with going straight to commercial within a residential  
354 area without knowing what will be developed.  
355

356 Commissioner Whitley also expressed concerned with going only commercial, feels the citizens  
357 need to be heard as they are the ones that are building their lives in our communities and is not  
358 unreasonable for the citizens to be kept in the process.  
359

360 Chairman Renfro made a motion to approve the item with a General Retail designation.  
361 Commissioner Trowbridge seconded the motion which passed by a vote of 6-0, with  
362 Commissioner Lyons absent.  
363  
364

365 10. Z2016-035

366 Hold a public hearing to discuss and consider a request by Robert A. Howman of Glenn Engineering  
367 Corp. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of  
368 a Specific Use Permit (SUP) for the purpose of allowing a *Public School* in an Agricultural (AG) District  
369 for a 24.209-acre portion of a larger 173.0-acre tract of land identified as Tract 7-1 of the W. H. Baird  
370 Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,  
371 situated within the SH-205 Bypass Corridor Overlay (205 BY-OV) District, located directly east of the  
372 intersection of John King Boulevard and Trail View Drive, and take any action necessary.  
373

374 Senior Planner, David Gonzales, gave brief explanation of request stating that the applicant is  
375 requesting an SUP to allow for a public school, college and career academy, for this particular  
376 location located on a 24.209-acre portion of a larger 173.0-acre tract of land that is situated  
377 within the SH-205 By-Pass Corridor Overlay. Staff discussed with the applicant that although  
378 the Future Land Use map designates it as Low Density Residential, however by taking a look at

what's required on that it would have to be rezoned to a Low Density Residential and they would still have to come in for a Specific Use Permit, therefore the applicant is requesting to a Specific Use Permit and keep the property AG and that will allow for the CCA to be constructed if approved. They have submitted a conceptual site plan and if the SUP is approved, a site plan as well as platting will be brought forward to the Commission.

Mr. Gonzales added that staff mailed 102 notices to property owners and residents within 500feet of the subject property and did not receive any notices for or against the request.

Chairman Renfro asked the applicant to come forward

Robert Helman  
Glenn Engineering  
(No address given)

Mr. Helman came forward and stated he is present on behalf of the Rockwall Independent School District to bring the Career and Technology center forward and respectfully asking for approval.

Chairman Renfro opened the public hearing and asked anyone who wished to speak to come forward and do so.

Jennifer Jeffus  
1669 Westbury  
Rockwall, TX

Ms. Jeffus came forward and stated she lives in Meadowcreek Estates as well as her parents and wants clarification as to what exactly will be in the Career and Technology Center. She stated she is an educator and is all for schools, but would like to know exactly what will be going in and is generally in favor of the request.

Chairman Renfro asked if there was anyone else who wished to speak, there being no one indicating such; Chairman Renfro closed the public hearing and asked the applicant to come forward for rebuttal.

Mr. Helman came forward and stated the building will be separated into several different buildings which will include a studio for teaching of radio, and law offices as well as a college section where evening classes will be offered. As the students' progress they will be able to get college credit. It is a sublet to all the high schools and is more of a vocational and trade type training that will be offered.

Chairman asked for questions or discussions from the Commission.

Commissioner Fishman asked if the evening classes would be available to other than high school students. Mr. Heldman stated they would be and they are working with the community college to house classes in the alternate wing.

Commissioner Trowbridge made a motion to approve the item with staff recommendations. Commissioner Whitley seconded the motion which passed by a vote of 6-0, with Commissioner Lyons absent.

11. Z2016-036

Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (R. & R. Hance Investments, LP) for the approval of a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-07] for the purpose of amending the development standards to allow front entry garages on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.



441 Senior Planner, David Gonzales, gave brief explanation of the request stating that the applicant  
442 earlier in the year came before the Commission and rezoned the subject property from AG to PD  
443 and it became PD-79 and incorporated some 45 plus acres and established 113 single family lots  
444 and in May of this year voluntarily annexed additional 11.121-acre tract of land and amended PD-  
445 79, incorporating this property into the subdivision. The annexation created a 55.413-acre tract  
446 of land for the Saddle Star Estates South development. The amendment to PD-79 increased the  
447 lot count from 113 to 138 lots. At the time of this proceeding, the applicant requested and was  
448 granted a maximum of 50% of the garages to be oriented in a front entry configuration, allowing  
449 the garage to be flush with the front façade of the primary structure.  
450

451 Mr. Gonzales went on to state that in the October 25, 2016 work session the applicant indicated  
452 that David Weekly and Highland Homes will be the builders for the subdivision and indicated  
453 that the builders do not have a traditional swing or j-swing product and because of this he was  
454 requesting 100% front entry configuration. Since this meeting, the applicant has modified his  
455 request to allow for a minimum of 20% of the garages to be oriented in a traditional swing, or j-  
456 swing configuration, thereby allowing for up to 80% front entry garage configuration, flush with  
457 the front façade or optional 5-foot off-set of the primary structure. The purpose of the garage  
458 orientation requirements in the UDC which is a 20-ft setback from the front façade is intended to  
459 provide variation and articulation to the front façade of the proposed home where the  
460 development is not alley served. It should be noted that if approved, the remainder of the PD  
461 ordinance will not be affected by this request; however, it is at the discretion of the Planning and  
462 Zoning Commission and City Council to approve the applicant's request.  
463

464 Mr. Gonzales added that staff mailed three notices to property owners and one staff received  
465 one notice from the Skorburg Companies comprising two properties that are opposed to the  
466 zoning change request. The notice constitutes a protest from more than 20% of the property  
467 owners within 200-ft of the proposed property and will require a super-majority vote by the City  
468 Council for approval of the PD Amendment.  
469

470 Mr. Gonzales advised the applicant was present and staff was available for questions.  
471

472 Commissioner Trowbridge asked if it was originally approved for 50 percent. Mr. Gonzales  
473 stated the original PD allowed for 50 percent j-swing drives and 50 percent front entry.  
474

475 Commissioner Moeller asked for clarification if it will be locked down to 80/20. Mr. Gonzales  
476 stated that it is the purpose of the ordinance to lock that down where the developer cannot have  
477 more than 80% front entry drives and 20% is a minimum for j-swing.  
478

479 Commissioner Whitley asked for clarification of what the previous request was for 100% front  
480 entry and came back with a compromise of 80% front entry and 20% j-swing but is the  
481 surrounding neighborhood, Stone Creek, is 50/50. Mr. Gonzales stated that Stone Creek is less  
482 than 20% front entry and the Gideon tract that is just to the east requires j-swing but allows for  
483 front entry but the garage needs to be setback 20 feet.  
484

485 General discussion took place concerning the percentages and setback requirements.  
486

487 Chairman Renfro asked the applicant to come forward.  
488

489 Pat Atkins  
490 3076 Hays Lane  
491 Rockwall, TX  
492

493 Mr. Atkins came forward and stated in the previous meeting the Commission asked he go back  
494 to the builders, David Weekly and Highland Homes, and after discussion both came back with a  
495 compromise request to allow of 80/20 % as they feel that is what the market dictates, and would  
496 like to have that flexibility. They are respectfully asking for approval.  
497

498 Chairman Renfro opened the public hearing and asked anyone who wished to speak to come  
499 forward and do so. There being no one indicating such, Chairman Renfro closed the public  
500 hearing and brought the item back for discussion.  
501

Commissioner Trowbridge asked if the builder does not have enough floor plans. Mr. Atkins stated that they have a variation of floor plans, but have stated that the market is dictating this articulation of front entry.

Commissioner Logan expressed concern with the opposition that was received of the surrounding properties, if it's being requested to waiver from the original plan there should be some uniformity to what has been agreed in another neighborhood.

Commissioner Moeller expressed concern from it being quite a leap from the 50% compromise and now are up to requesting 80% the market may dictate it but it is risky to end up with that much front entry.

Commissioner Whitley expressed concern that other builders have been able to work within the parameters of the City and would like to see 50% front entry.

General discussion took place as to what an appropriate percentage would be that would allow the builder flexibility but not compromise City standards.

Chairman Renfro asked the Commission for any additional comments or questions.

Commissioner Trowbridge made a motion to approve with a minimum of 35% j-swing garages to be constructed within the development. Chairman Renfro seconded the motion, which passed by a vote 6-0, with Commissioner Lyons absent.

12. Z2016-037

Hold a public hearing to discuss and consider a request by Douglas F. DeMarco on behalf of John G. Robertson for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 23.27-acre tract of land identified as Tract 2-28 of the J. R. Johnson Survey, Abstract No. 128, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2922 S. Goliad Street [SH-205], and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating that the applicant is requesting to change the zoning of the subject property from an Agricultural District to a Commercial District for the purpose of installing light poles adequate to serve the outdoor baseball complex for usage at night. They used to have lights some years ago but a storm damaged them. Since they are zoned Agriculture they would need to be rezoned to Commercial and if that change is approved they will then come back with an SUP and the lights will be looked at during that time.

Mr. Gonzales further stated that staff mailed 56 notices to property owners and residents within 500-feet of the subject property and also sent a notice to the Hickory Ridge and Hickory Ridge East Homeowner's Associations. Staff received one notice in favor of the request.

Mr. Gonzales added the applicant was present and staff is available for questions.

Chairman Renfro asked the applicant to come forward.

Cher DeMarco  
2922 S. Goliad  
Rockwall, TX

Mrs. DeMarco came forward and stated she is the owner of the RISE. A customer approached them a few months ago and wants to donate the lights. They feel it is going to be a great asset to the community.

Chairman Renfro opened up the public hearing and asked anyone who wished to speak to come forward

Kyle Burke  
401 E. Boydston  
Rockwall, TX

Mr. Burke came forward and stated he is the baseball director for the RISE. They have started a program to outreach to the community. The RISE itself does not have teams, but they do lessons and have teams that use the facility and many teams want to use the field. Currently during the winter months the field is of no use. He feels allowing the request will be very beneficial to the community.

Chairman Renfro asked if the request is to light only the existing field. Mr. Burke stated it would that was correct and there are currently lights there but are inoperable. Chairman Renfro asked what the height of the lights would be. Mr. Burke stated currently with the zoning being Agriculture the requirement is 36 feet but the Commercial would be 60 feet. Chairman Renfro asked if they can go higher than the 60 feet. Mr. Gonzales stated that when the SUP comes forward it would be able to establish standards of heights of the poles and the lighting standards. The current request is only for the zoning change.

Chairman Renfro closed the public hearing and brought the item back to the Commission.

Commissioner Trowbridge expressed concern with how the surrounding neighborhoods may be affected by the lights and therefore could it possibly be zoned something lighter than Commercial. Mr. Miller added that the Future Land Use map designates this property to be Heavy Commercial and therefore the Commercial would be a lighter use than what is planned.

Commissioner Trowbridge made a motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion, which passed by a motion of 6-0, with Commissioner Lyons absent.

#### IV. ACTION ITEMS

##### 13. SP2016-024

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of Ridgecrest SF, LTD. for the approval of a site plan for the Ridgecrest Subdivision containing 45 single-family residential lots on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81), located on the north side of Airport Road, west of the intersection of Airport Road and FM-3549, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of request stating the property came before the Commission in May of this year when it went through the Planned Development phase and at the previous meeting the tree mitigation plan was approved. The subdivision will include 45 single family lots and will also include a rural street cross-section and larger front yard setback to give it a more rural feel and will be 80 foot lots. The submitted site plan conforms to the technical requirements contained in the UDC for properties located in Planned Development District 81. The maximum permissible density for the property should not exceed 1.52 dwelling units per gross acre of land and also the development should not exceed 45 units.

Mr. Brooks went on to state that with the proposed site plan the applicant has indicated that approximately six acres will be open space that will be maintained by the HOA and therefore that satisfies the park land dedication for the development. It went before the Park Board November 1<sup>st</sup> and the recommendations were that developer pay pro-rata equipment fees cash-in-lieu of land fees. Also on the site plan there is a shading structure towards the middle of the property and the Park Board recommended that that be changed into a play structure.

Chairman Renfro asked the Commission for any questions or discussion.

Commissioner Fishman approved the item. Commissioner Moeller seconded the motion which passed by a vote of 6-0, with Commissioner Lyons absent.

#### V. DISCUSSION ITEMS

##### 14. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- ✓ SP2016-023: Variance for Lakeshore Commons [Approved]
- ✓ Z2016-030: SUP for 1910 Copper Ridge Circle (2<sup>nd</sup> Reading) [Approved]

- ✓ Z2016-031: Amendment to PD-1 for a Brewery (1<sup>st</sup> Reading) [Approved]  
✓ Z2016-032: Amendment to PD-74 (2<sup>nd</sup> Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

VI. ADJOURNMENT

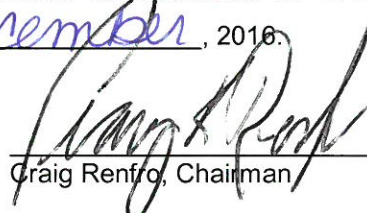
Chairman Renfro adjourned the meeting at 8:02 p.m.

VII. TRAINING SESSION

15. *Planning and Zoning Commission Training Session*

A work session with the GIS Department will be held in the City Council meeting room immediately following the adjournment of the November 15, 2016 Planning and Zoning Commission work session meeting.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 13 day of December, 2016.

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator



**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**November 29, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Chairman Renfro called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Sandra Whitley, Tracey Logan, Annie Fishman, and Mark Moeller. Absent was Commissioner Johnny Lyons. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

**II. CONSENT AGENDA**

**1. P2016-050**

Discuss and consider a request by Joel Wells on behalf of Tom Walker for the approval of a replat for Lots 3 & 4, Block A, Walker Addition being a 1.10-acre tract of land currently identified as Lot 1, Block A, Walker Addition and Tract 28 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 53 (PD-53) & Single Family 10 (SF-10) District, addressed as 1301 S. Alamo Road and 1020 Ridge Road, and take any action necessary.

**2. P2016-051**

Discuss and consider a request by Annalyse Olson on behalf of Ronald Valk for the approval of a replat for Lots 4 & 5, Block A, Platinum Storage Addition being a 5.549-acre tract of land currently identified as Lots 2 & 3, Block A, Platinum Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1450 T. L. Townsend Drive, and take any action necessary.

**Commissioner Trowbridge made a motion to approve the consent agenda. Commissioner Fishman seconded the motion which passed by a vote of 6-0, with Commissioner Lyons absent.**

**III. APPOINTMENTS**

- 3. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.**

**Commissioner Lyons arrived at the meeting at 6:04 p.m.**

**Architectural Review Board representative gave brief explanation of agenda item that was discussed at the ARB meeting.**

- 4. Appointment with Terry W. Gwin of SWBC Real Estate, LLC to consider a request to submit a new zoning application for a zoning change from a Light Industrial (LI) District to a Planned Development District for a multi-family apartment complex on a 42.50-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code, and take any action necessary.**

**Planning Director, Ryan Miller, gave brief explanation of request stating that on August 15, 2016 the City Council denied a request to change a 42.50 parcel of land from Light Industrial to a Planned Development District for a multi-family development. Since the case was denied without an indication of prejudice it is considered to be denied with prejudice and therefore no similar application can be submitted for up to a year. However the Planning and Zoning Commission is able to look over submittals that are similar and make the determination if it is one, a more restrictive or less intense use or development and two, if there is an actual change in conditions relating to the zoning principles of the tract or parcel of land or the property that surrounds it. Staff provided a comparison in the Commissions packet showing the denied project compared**

64 to the proposed project and in this case staff felt there was a substantial enough change to  
65 bring it forward to the Commission for a ruling. Mr. Miller advised the Commission Mr. LaCroix  
66 and Mr. Gwen were present to further elaborate.

67  
68 Robert LaCroix  
69 4517 Scenic Drive  
70 Rowlett, TX

71  
72 Terry Gwen  
73 6114 Royalton  
74 Dallas, TX

75  
76 Mr. LaCroix stated Mr. Gwen would be giving brief background of the company and then they  
77 would be discussing the substantial changes to the new application.

78  
79 Mr. Gwen gave brief background of the company's history stating that SWBC is a forty year old  
80 company out of San Antonio of which he is the president and CEO of the real estate group  
81 whose home office is Dallas. The company does mortgages, insurance, back office, work for  
82 major institutions, payroll, and are a well-known commodity in the San Antonio business  
83 community.

84  
85 Mr. LaCroix provided the Commission brochures of the company and went on to talk about the  
86 substantial difference in the proposed application. One of the prior issues that the Council  
87 expressed was with density and the question was raised by Council when it was denied was that  
88 it wasn't the land use, because they recognize that this particular property is one of the  
89 properties in the City that this particular land use would fit in. It is essentially not suitable for  
90 industrial development even though it was zoned that way primarily because there is a  
91 substantial amount of floodplain on the property and there is some issues with a user of that  
92 nature being able to utilize that property in that capacity. The merit of the property also offers a  
93 substantial buffer essentially a land use transition from the single family that has been built to  
94 the west. One of the physical factors of the property is that there is a 50 foot gas easement that  
95 runs through that offers a buffer, as well as the flood plain that has a substantial amount of trees  
96 that will offer a buffer as well. Mr. LaCroix went on to state that the main concern Council had  
97 was it there was an ability of the prior developer to lower the density. They were close to 18 units  
98 per acre and 750 units. This new proposed plan has made a substantial dent in that density level  
99 by lowering it to a 15.5 units per acre with a maximum number of units of 650. It will be in two  
100 phases, which is what the prior project was but this will be two phases that will be identical in  
101 the sense that they will not be varying any differential between the unit sizes from one phase to  
102 the other. There was concern when the other applicant asked for the possibility of flexibility in  
103 unit size by lowering the unit size in phase two. This application is not about that, it would be to  
104 keep both phases absolutely the same only to have two phases.

105  
106 Mr. La Croix went on to state that the other substantial change was that the prior applicant was  
107 offering a single amenity center for both phases. This project will offer two amenity areas and  
108 will offer a substantial amount of amenity as opposed to what was being offered with the other  
109 project. Two other things that they feel are significant are that they are representing a different  
110 architectural style and they are configuring the open space differently. Mr. LaCroix respectfully  
111 asked that the Commission approve for the application to move forward and come back to  
112 public hearings.

113  
114 Chairman Renfro asked what the original gross number of units. Mr. LaCroix stated it was 750  
115 and will now be 650.

116  
117 Chairman Renfro asked concerning the amenities, how is that being defined. Mr. Gwen stated  
118 each phase will have a large custom clubhouse and leasing center, gated with remote control  
119 access, fitness center, resort type pool with premium outdoor furniture, pool side cabana with  
120 outdoor fireplaces and grilling stations, game room, resident coffee bar, tenant business center  
121 with computers and printers, fenced in dog park area, onsite car wash, laundry facility, twenty  
122 four hour on call maintenance, car ports, attached garages and detached garages, separate  
123 storage units, valet trash pickup, and extreme landscaping. Mr. Gwen stated with there is a high  
124 possibility that there will be walking trails on the floodplain.

Chairman Renfro asked if the difference from all the listed amenities is that the previous application offered all of that but only one. Mr. Gwen stated all the amenities he mentioned will be provided one for each phase separately.

Chairman Renfro asked why a new architectural structure was chosen. Mr. Gwen stated it was a different style that they preferred.

Commissioner Trowbridge asked if they would do their own equity internally or do they do third party institutional. Mr. Gwen stated they do both. Commissioner Trowbridge asked how they reached the new density, is it a new different firm from the previous application. Mr. Gwen stated it was a ground up completely different architect and construction company, layout, and they have had no contact with the other firm.

Commissioner Trowbridge asked staff if the approval was to determine if there was substantial change to the application to allow the new application to be reconsidered. Mr. Miller stated all that is being ruled on is whether or not there is substantial change to the request that was denied to allow for a new application.

General discussion took place between the Commission concerning what percentage would be considered substantial.

Commissioner Trowbridge made a motion to allow the applicant to move forward with submitting a new application. Chairman Renfro seconded the motion, which passed by a vote of 7-0.

#### IV. ACTION ITEMS

##### 5. MIS2016-010

Discuss and consider a request by Marc Camacho for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, *General Residential District Standards*, of Article V, *District Development Standards*, of the Unified Development Code, for a 0.259-acre parcel of land identified as Lot 14, Block C, Harbor Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family land uses, addressed as 306 Harborview Drive, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of request stating that the subject property is in Planned Development District 8 which is the Chandlers Landing subdivision. The applicant is proposing to construct a new single family house that will be 4,999 square feet and is requesting a variance to the masonry requirement. According to the Code 80% masonry is required on single family with 50% of this masonry requirement being permitted to be Hardy Plank, stucco or a similar cementaceous material. In this case the applicant is proposing to do 74% cement fiberboard, 12% stone masonry, 9% concrete panels and 5% clear red cedar. The code does allow the Planning and Zoning and City Council to consider masonry requests on a case by case basis pending the applicant submits a rendering or a drawing of the proposal which the applicant has done. The applicant has also submitted a letter that states he has approached the Chandler's Landing HOA and has been approved for the proposed elevations.

Mr. Miller stated the applicant is not present and staff is available for questions.

Commissioner Fishman asked if notifications were sent out. Mr. Miller stated notices are not required with exceptions.

Commissioner Lyons asked if there was anything in Chandlers Landing currently that has a similar look with materials being requested. Mr. Miller stated a previous applicant had a similar request and there was a rendering that showed similarities.

Commissioner Trowbridge made a motion to approve the item with staff recommendations. Commissioner Whitley seconded the motion, which passed by a vote of 7-0.

V. DISCUSSION ITEMS

6. Z2016-038

Hold a public hearing to discuss and consider a request by Michael Scott for the approval of a Specific Use Permit (SUP) to allow for an accessory building that does not meet the minimum requirements as stipulated by Article IV, Permissible Uses, of the Unified Development Code for a 1.4947-acre parcel of land identified as Lot 16, Block B, Sterling Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, addressed as 1950 Copper Ridge Circle, and take any action necessary.

Senior Planner, David Gonzales, stated the applicant was present.

Michael Scott  
1950 Copper Ridge  
Rockwall, TX

Mr. Scott gave brief description of his request stating he would like to add an accessory building which is a detached garage which he will be using for used for storage of an antique vehicle he routinely works on as a hobby as well as yard equipment.

Commissioner Trowbridge asked if there would a business be ran out of the building. Mr. Scott stated he would not.

Mr. Gonzales added that this is an SUP request and being that it is 1200 square feet the Single Family Estate District allows for only one accessory building that is that size on the property and currently there is another accessory building that will be removed and will be a condition of approval.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

7. Z2016-039

Hold a public hearing to discuss and consider a request by Worth Williams of Moore Worth Investments, LLC on behalf of the owner Mark S. Keldorf of Arkoma Development, LLC for the approval of an amendment to Planned Development District 65 (PD-65) being a 49.35-acre tract of land situated within the S. King Survey, Abstract No. 131 and the J. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65), situated within the North SH-205 Overlay (N. SH-205 OV) District, located on the west side of N. Goliad Street [N. SH-205] and N. Lakeshore Drive, and take any action necessary.

Planning Director, Ryan Miller, stated the applicant was present.

Amy Sumners  
GSO Architects  
5310 Harvest Hill Suite 226  
Dallas, TX

Ms. Sumners came forward and stated she was present due to Mr. Worth being unable to attend but Mr. Worth would be present at the public hearing. She gave brief explanation of request of the request stating there are pad sites going in and in order to keep their branding one of the amendments that they are wanting to do to the PD is to omit pitched roofs for buildings under 6,000 square feet and also are swapping the fuel pump user from parcel 3 to parcel 5.

Mr. Miller added that what is driving this request is when the PD was originally approved the Overlay District requirements were inserted into the Planned Development District, however a variance process was never inserted to those requirements which means everything would be required to have a pitched roof with no exception unless the ordinance is amended. With this request there are several tenants that the applicant has outlined that have brand identity, specifically a Chick Fila, Starbucks and a 7-11. They have a brand identity and are unable to meet the pitched roof requirements because of corporate. The Commission has heard similar requests from other buildings that have brand identity. The applicant is looking to remove the Overlay requirement from the ordinance which won't be a problem because those requirements will still remain within the Overlay District and they'll have to still get a variance from Council for



those requirements. Also, on parcel 5 they are currently allowed to have a gas station and they're looking to move that entitlement to parcel 3 they are not adding any additional ability to have an additional gas station they are just moving that use from parcel 5 to parcel 3.

Commissioner Trowbridge asked for further clarification. Mr. Miller explained that the Overlay District has a boundary which does not extend into the entire area in question and right now since the Overlay District requirements have been inserted into the Planned Development District with no variance process every parcel within the District has to meet those requirements. It is to allow for a variance to be requested.

Commissioner Logan asked if there would be more in detail information provided to review for the next meeting. Mr. Miller stated he would provide a case memo that would go more in detail.

Commissioner Lyons asked if the variance would cover all the buildings that are in the parcel as far as not having to have the pitched roofs. Mr. Miller stated they are asking to remove that requirement from the PD; it doesn't remove the requirement from the parcel because the Overlay District still has that requirement.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

8. Z2016-040

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of the owner East Shore Joint Venture for the approval of an amendment to allow 47 single-family homes in Planned Development District 68 (PD-68) being a 25.45-acre tract of land identified as Lots 1-7, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68), situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of S. Goliad Street [S. SH-205] north of the intersection of S. Goliad Street and Justin Road, and take any action necessary.

Planning Director, Ryan Miller, stated the applicant was present.

Bill Haney  
861 Willowgate Dr.  
Prosper, TX

Mr. Haney gave brief explanation of the request stating what they are requesting is a deed restricted community for 55 and older in an excellent location for that age group of people to serve that demographic for those who would like to have a single family home. They are proposing a product specifically for that age group. It would be all Energy Star construction and would be much smaller, which is a need for older people who want to remain in Rockwall but are looking to downsize and to live somewhere that is more in keeping with their age group and the style of life they want at that age.

Mr. Haney went on to explain that the HOA would maintain not only the common property but also the back and front yards. The homes are built as a very specific product for that age group. There will be hike and bike trails to allow the residents to walk their dogs.

Planning Director, Ryan Miller, added that the Comprehensive Plan currently indicates the area as being a commercial designation and that would change if the request is approved. Also it will be a front entry product and asked Mr. Haney to explain further on the type of garage it will be.

Mr. Haney added that one of the issues that has been encountered with this age group is that the typical 16 foot door is difficult for older people to get in and out of particularly if they use a walker or cane. Therefore they developed a tandem that would allow the resident to have storage at the ground level at the end of the garage and still have room to put two vehicles. It would be a 12 foot garage with a 10 foot door that would allow more convenience to have the additional width.

Chairman Renfro asked if it would be a two side by side garage. Mr. Haney stated it would be one single 12 foot bay with a 10x8 foot door. The depth of it runs thru the entire depth of the foundation which allows for room for two vehicles, plus storage on the other end.

Chairman Renfro asked what the price points for the houses would be. Mr. Haney stated it would be between \$300,000-350,000.

Commissioner Lyons asked what the HVAC manufacturer would be. Mr. Haney stated it would be Carrier.

Commissioner Trowbridge asked if they would be zero lot lines and would they be managed by a master Home Owner's Association. Mr. stated they would be single family managed by a Home Owner's Association.

Commissioner Trowbridge asked if there have been other projects they have worked on. Mr. Haney stated they have worked on three, and this will be their fourth project.

Mr. Lyons asked how will it restricted and limited to only seniors. Mr. Haney stated it would be deed restricted to only 55 and older.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

9. Z2016-041

Hold a public hearing to discuss and consider a request by Tony Austin of TAC, Inc. on behalf of the owner Cameron & Cameron for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for a multi-family apartment complex on a 12.59-acre tract of land identified as Tract 8 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the west side of T. L. Townsend Drive south of Justin Road, and take any action necessary.

Planning Director, Ryan Miller, advised the Commission that a representative of the applicant was present.

Eric Earnshaw  
4202 Beltway Road  
Addison, TX

Mr. Earnshaw gave brief explanation of request stating they are requesting a zoning change from Agriculture to Planned Development for 213 multi-family dwellings three story construction. They are aligning the PD request with the MF-14 zoning that Rockwall is currently under and following everything MF-14 in lieu of density, they are asking for a slight density increase from the 14 units per acre to 16.9 units per acre which would be just under 3 units to the acre increase to get to the 213 proposed units. He went on to state that they feel the subject property is a good location for this development due to the adjacency to existing commercial to the north and the subject property is Agricultural land and they believe multi-family would be a good fit in this area. The project is going to be targeted for empty nesters and seniors therefore the overall amenities will be set that direction as well. They will meet the open space requirement for MF-14; the amenities are geared towards empty nesters such as walkable areas within the development, multiple courtyards, a pool, a fitness center, lounge indoor and outdoor areas, dog park area for residents with pets.

Mr. Earnshaw further explained they will be meeting the MF-14 requirements other than the density meaning they meet all the parking requirements. They will have interior garages to the buildings, direct access into the corridors; some will have direct access to second floor units. Mr. Earnshaw provided the Commission a chart detailing how they align to the MF-14 and how they are slightly above the requirements.

Commissioner Logan asked for clarification of how they would be "targeting" empty nesters and seniors. Mr. Earnshaw stated that the demographics his client has researched shows that there is a desire from people that are older for this type of product. The amenities and mix of units would allow would be geared for older individuals. The client will be retaining ownership.

Commissioner Logan asked concerning the apartments that are north of the subject property if those are specifically senior citizen apartments and if that is what this project would be like. Mr. Earnshaw stated those apartments were for senior citizens of the next age group more of 70's

plus, where they are gearing toward a maybe 50's plus resident that are moving out for the first time as empty nesters, downsizing perhaps and those that would like to remain in Rockwall but no longer own a home.

Commissioner Logan expressed concern with the concept of targeting this age group being only an "idea" but with no real way of being sure it will turn out to be an apartment complex only for that age group. Mr. Earnshaw stated there would not be no deed restrictions or anything that would mandate it, but with the information they have and which they've seen in other developments when it is a smaller community such as this the amenities can be controlled as to what type of resident to focus on. And in this case it would be geared to older residents.

Commissioner Lyons asked what plan they have to attract that older age group to want to lease at this apartment complex if there is no deed restriction, how it would be marketed if there is nothing in the name "Rockwall Lofts" that indicates it is specifically gearing towards that demographic. Mr. Earnshaw stated it would be by the size and type of atmosphere that would be portrayed in the development, marketing and atmosphere as well as social media that would market the "target" demographic of people they believe will be drawn to this type of development.

Commissioner Lyons expressed concern with the amount of traffic the development will create in an area that already is highly congested.

Commissioner Trowbridge commented on Rockwall how Rockwall in general according to the last census has about 13% as opposed to the average of 24% of apartment units in its overall housing mix which shows that Rockwall is selective and is not sure that changing a use from Agriculture to Multi-family at this location would be the best fit. Commissioner Trowbridge also made comment on his belief that marketing works as the applicant has indicated but asked how it will be marketed to the older demographic with the property across the street from a middle school. Mr. Earnshaw stated that is not something he has say so as the architect and it would be more a question for the developer, but believes that with the land use being AG currently seems to lend itself well for this type development.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

10. Z2016-042

Hold a public hearing to discuss and consider a request by Fred Hazel of Davis Development on behalf of Jim Kirby of Rockway Partners, LLC for the approval of a zoning change from a Commercial (C) District to a Planned Development District for a multi-family apartment complex on a 17.60-acre tract of land identified as Lots 6-11, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located east of the intersection of Laguna Drive and La Jolla Pointe Drive, and take any action necessary.

Planning Director, Ryan Miller, advised the Commission the applicant was present.

Sal Villasana  
809 Village Green Drive  
Rockwall, TX

Gene Babb  
Davis Development  
17304 Preston Road  
Dallas, TX

Mr. Villasana came forward and stated the request came before the Commission about eight months ago and the owner feels that at that time they did not do a very good job of connecting with the community, talking to the citizens of Rockwall, about what they really needed in particular the surrounding neighborhoods of Lakeside Village and Turtle Cove. They have since met with both the Turtle Cove HOA and will meet with the Lakeside Village HOA next week in an effort to get their feedback. He went on to state it is currently zoned Commercial and the request is for Multi-Family. The developer has also since the previous request has had another project in

Fairview Texas that has many similarities to the project being requested for Rockwall and have taken out some Rockwall residents to view that property which is so similar to the Rockwall site which is somewhat difficult with its topography. He went on to state they are looking to get better feedback from the community, and they are looking to address a real need for this very high end type of rental unit.

Mr. Babb came forward and stated it was their goal to get the residents, Commissioners and Council members out to see the product to allow them to see the finished product and get an idea of what type of development is being proposed. Mr. Babb went on to give a quick overview with a slide show presentation of the Davis Development Company which included elevations, product pictures and amenities as well as pictures of the Fairview project.

Mr. Miller added that as Mr. Villasana indicated this request did come before the Commission earlier in the year and it was withdrawn at Council which allowed for them to resubmit an application at any time. As with the original request, they are still requesting to abandon a portion of Carmel Circle, currently it is dedicated right of way, however there is no roadway, therefore if the ordinance that is being proposed is approved that would abandon that right of way.

Commissioner Trowbridge asked if there was any material change or density change since the first submittal and was there any changes made. Mr. Babb stated there were no material or density changes but the difference from the last submittal was that there has been the opportunity for residents to see the Fairview project which allows them to see a finished product of the upscale community they are proposing since the Fairview property has many similarities to the Rockwall site.

Commissioner Trowbridge also expressed concern with the impact it would have on traffic.

Commissioner Logan asked if a variance would be needed for the height of the fourth floor units. Mr. Miller added it would not be a variance it would be an exception.

Commissioner Lyons asked how the feedback went with the HOA's they met with. Mr. Babb stated it went as well as anticipated with citizens' concerns being with apartments in general.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

#### 11. SP2016-025

Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a site plan for Phase 1 of the Somerset Park Subdivision, containing 144 single-family residential lots on a 56.276-acre tract of land being a portion of a larger 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

Planner, Korey Brooks, gave brief explanation of request stating the site plan is for 144 single family residential homes, it is Phase I of a larger subdivision. The site plan does meet the technical requirements and the site plan would go to the Park Board on December 6<sup>th</sup> to establish the necessary park fees and will return to the Commission at the next scheduled meeting for action. Mr. Brooks added that the applicant was present to answer any questions.

Will Gietema  
3500 Maple Ave.  
Dallas, TX

Mr. Gietema came forward and gave brief explanation of request. They will have an active open space with natural ground cover and natural wildflower mix for it not to be monotonous.



There being no questions from the Commission, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

12. SP2016-026

Discuss and consider a request by Tim Seymore of Seymore Custom Homes, LLC on behalf of James & Robin Meade for the approval of a site plan for the construction of a commercial/industrial building on an existing 1.5-acre commercial/industrial facility identified as Tract 2-20 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 242 National Drive, and take any action necessary.

Senior Planner, David Gonzales, stated the applicant was present.

Tim Seymore  
205 Rushcreek  
Heath, TX

Mr. Seymore came forward and stated there is a building already on the property that he uses for his own business and he is requesting to add another building on the right side of the lot that will look like the existing metal building. He is asking for a variance to the masonry requirements and allow for it to be metal.

Chairman Renfro asked if the majority of the surrounding buildings on the street were metal. Mr. Seymore stated they are all metal.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

13. SP2016-027

Discuss and consider a request by William Baker of Jones Baker on behalf of Elias Pope of 8020 Restaurants, LLC for the approval of amended site plan for a restaurant on a 0.90-acre parcel of land identified as Lot 3, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.

Senior Planner, David Gonzales, stated the applicant met with the ARB and was present to answer any question.

William Baker  
1200 Main Street  
Dallas, TX

Mr. Baker came forward and stated they came before the Planning and Zoning Commission last year and the site plan was approved, however there were some minor site plan changes to move a dumpster enclosure out of an easement, and moved 88 parking spaces to allow an accessible slope to the front door of the building. Some changes were done to the interior which caused them to make some changes to the exterior of the building. They met with the Architectural Review Board and they recommended that some wood be added as the previous elevations, and mix up the materials a little bit more to add more warmth to the two facades that have a high percentage of the gray masonry. Those changes will be made and be resubmitted next week for their review.

Chairman Renfro asked what architectural changes were made in looking at both renderings. Mr. Baker stated they are all the same materials; the biggest change is where the kitchen was placed which is the northeast corner.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

14. SP2016-028

Discuss and consider a request by Rick Bates of RLK Engineering, Inc. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a site plan for a public school on a 18.407-acre tract of land identified as Rockwall School Addition No. 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 901 Nash Street, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating the building they are proposing will be highly articulated and meets all of the standards, however the applicant will be submitting new elevations and at that time it will be determined if they meet the material requirements.

There being no questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

15. SP2016-029

Discuss and consider a request by Robert A. Howman of Glenn Engineering Corp. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a site plan for a public school on a 24.209-acre portion of a larger 173.0-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Bypass Corridor Overlay (205 BY-OV) District, located directly east of the intersection of John King Boulevard and Trail View Drive, and take any action necessary.

Senior Planner, David Gonzales, stated the applicant was approved for an SUP a few weeks back and was approved by City Council at first reading and will go to second reading December 5<sup>th</sup>. He advised the applicant was present to answer any question.

Robert Howman  
105 Decker Court Suite 910  
Irving,

Jimmy Strohmeyer  
2701 Sunset Ridge  
Rockwall, TX

Mr. Howman came forward and stated they are present on behalf of the Rockwall Independent School District to bring the Technology School forward and are advised they are available for any questions the Commission may have.

Chairman Renfro asked how many students the facility would hold. Mr. Strohmeyer stated it is designed for 800 students but not all will be there all at once, some will start in the morning some in the evening.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

16. SP2016-030

Discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a site plan for a 245 unit, condo development situated on a 3.453-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

Senior Planner, David Gonzales, stated both agenda items #16 and #17 could be discussed together as they are adjoining properties. He added that the applicant will be submitting new elevations and they will be provided by the next meeting.

Jason Lentz  
5339 Alpha Road  
Dallas, TX

Mr. Lentz came forward and stated they are seeking approval for the site plans. They will be making some revisions to the elevations as they have changed a little bit from what was originally submitted. They are also working on the tree mitigation and landscape plan. He further added that the site plan has not changed from the last time they were before the Commission. It remains at 228 units in a four story stick built condo arrangement over a 2 story podium. There were changes that were necessitated because of the creek that runs through it; they had to change it from a wrap product to a podium product to get all of the units on the site. Mr. Lentz added that he was available for any questions the Commission may have.

Commissioner Trowbridge asked concerning the elevations that staff had provided and were showing on the screen. Mr. Lentz provided picture of the new elevations. He added that the ARB recommended more of a pitched roof as well as adding more vertical elements. They will incorporate what they were told by the ARB

Chairman Renfro asked to see the slide pictures for the townhomes. Mr. Lentz provided slide pictures of the project which he stated has not changed significantly.

Mr. Gonzales added that the purpose of the ARB discussion was that the ordinances that were approved for this project and how those elevations were attached to the ordinance that was the purpose of changing some of the elevations and generally meeting the conditions of the ordinance.

Chairman Lyons asked concerning the color scheme they chose. Mr. Lentz stated they are trying to tie to the Rockwall design guidelines and are going for a Tuscan look.

There being no further questions, Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

#### 17. SP2016-031

Discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a site plan for 36 townhomes on a 3.462-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Residential Subdistrict and within the Scenic Overlay (SOV) District, located north of the intersection of Ridge Road [FM-740] and Glen Hill Way, and take any action necessary.

This agenda item was combined with item #16.

#### 18. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- ✓ P2016-045: Final Plat for the Ridgecrest Subdivision [Approved]
- ✓ P2016-046: Final Plat for Breezy Hill, PH VII [Approved]
- ✓ P2016-047: Final Plat for Somerset Park Subdivision [Approved]
- ✓ P2016-048: Final Plat for Lot 3, Road Runner Addition [Approved]
- ✓ P2016-049: Final Plat for Lot 22, Block A, Presbyterian Hospital Addition [Approved]
- ✓ Z2016-033: SUP for a Residency Hotel on Vigor Way (1<sup>st</sup> Reading) [Postponed]
- ✓ Z2016-034: Zoning Change (AG to C) FM-549 & SH-205 (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-035: SUP for the CCA (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-036: Amendment to PD-79 (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-037: Zoning Change (AG to C) 2922 S. Goliad Street (1<sup>st</sup> Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

## VI. ADJOURNMENT

Chairman Renfro adjourned the meeting at 8:01 p.m.

694 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
695 Texas, this 04 day of December, 2016.

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Craig Renfro, Chairman

Attest:

  
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Laura Morales, Planning Coordinator



**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**December 13, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Chairman Renfro called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Tracey Logan, Annie Fishman, and Johnny Lyons. Absent were Commissioner Mark Moeller and Sandra Whitley. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

**II. CONSENT AGENDA**

1. Approval of Minutes for the November 15, 2016 Planning and Zoning Commission meeting.

2. SP2016-025

Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a site plan for Phase 1 of the Somerset Park Subdivision, containing 144 single-family residential lots on a 56.276-acre tract of land being a portion of a larger 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

3. MIS2016-012

Discuss and consider a request by John Arnold of BH Balance I LLC for the approval of a tree mitigation plan for Breezy Hill, Phase VI being 79 single-family residential lots on 32.020-acre portion of a larger 61.528-acre tract of land identified as Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, generally located northeast of the intersection of N. John King Boulevard and Life Springs Drive, and take any action necessary.

**Commissioner Fishman made a motion to approve the consent agenda. Commissioner Lyons seconded the motion, which passed by a vote of 5-0, with Commissioners Whitley and Moeller absent.**

**III. APPOINTMENTS**

4. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

**Architectural Review Board representative gave brief explanation of agenda items that were discussed at the ARB meeting.**

**IV. PUBLIC HEARING ITEMS**

5. Z2016-038

Hold a public hearing to discuss and consider a request by Michael Scott for the approval of a Specific Use Permit (SUP) to allow for an accessory building that does not meet the minimum requirements as stipulated by Article IV, Permissible Uses, of the Unified Development Code for a 1.4947-acre parcel of land identified as Lot 16, Block B, Sterling Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, addressed as 1950 Copper Ridge Circle, and take any action necessary.

63 Senior Planner, David Gonzales, gave brief explanation of request stating that the applicant  
64 Michael Scott is requesting the approval of a Specific Use Permit to allow for an accessory  
65 building that does not meet the minimum requirements stipulated by the Unified Development  
66 Code. Specifically, the applicant is proposing to construct a metal building that will be 30-feet  
67 by 40-feet, or approximately 1,200 sq. ft. in area. And according to the UDC, in an SFE/1.5  
68 District, a property can have a maximum of two accessory structures as long as each structure  
69 does not exceed 625 sq. ft. or a single accessory building no larger than 1,250 sq. ft. and 15-feet  
70 in height, or less, provided the exterior materials contains the same materials as found on the  
71 main structure. In this case the main structure is brick and the proposed accessory building will  
72 be 100% metal panel.  
73

74 Mr. Gonzales added that the accessory building does conform to the size and height  
75 requirements of the UDC. The applicant has also included a letter indicating the removal of an  
76 existing accessory building located in the rear yard, this will bring the property into compliance  
77 with the UDC's requirements regarding the number of accessory structures to be located on one  
78 SFE/1.5 lot. This will be added as a condition of approval. Additionally, the accessory building  
79 will be located behind the main structure and should not be visible from the street. A request for  
80 an SUP is a discretionary decision for the Planning and Zoning Commission and the City  
81 Council.  
82

83 Mr. Gonzales further stated that on November 29, 2016, staff mailed 35 notices to property  
84 owners and occupants within 500-feet of the subject property and also notified the Loveland  
85 Farms and Timber Creek Estates HOAs, which are the only HOA's/Neighborhood Organizations  
86 that are within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject  
87 property as required by the UDC. Staff received one notice in favor of the request.  
88

89 Chairman Renfro opened the public hearing and asked the applicant to come forward.  
90

91 Michael Scott  
92 1950 Copper Ridge Circle  
93 Rockwall, TX  
94

95 Mr. Scott came forward and stated he is requesting approval of the accessory building and did  
96 not have much more to add from what Mr. Gonzales stated.  
97

98 Chairman Renfro asked for questions for the applicant from the Commission.  
99

100 Commissioner Trowbridge asked if there would be a business ran out of the building. Mr. Scott  
101 stated there would not.  
102

103 Chairman Renfro asked if anyone wished to speak to come forward and do so, there being no  
104 one indicating such closed the public hearing and brought the item back for discussion.  
105

106 Commissioner Trowbridge made a motion to approve Z2016-038 with staff recommendations.  
107 Commissioner Fishman seconded the motion which passed by a vote of 5-0, with  
108 Commissioners Whitley and Moeller absent.  
109

110  
111 6. Z2016-039

112 Hold a public hearing to discuss and consider a request by Worth Williams of Moore Worth Investments,  
113 LLC on behalf of the owner Mark S. Kelldorf of Arkoma Development, LLC for the approval of an  
114 amendment to Planned Development District 65 (PD-65) being a 49.35-acre tract of land situated within  
115 the S. King Survey, Abstract No. 131 and the J. B. Jones Survey, Abstract No. 124, City of Rockwall,  
116 Rockwall County, Texas, zoned Planned Development District 65 (PD-65), situated within the North SH-  
117 205 Overlay (N. SH-205 OV) District, located on the west side of N. Goliad Street [N. SH-205] and N.  
118 Lakeshore Drive, and take any action necessary.  
119

120 Planning Director, Ryan Miller, provided a parcel map of subject property and gave brief  
121 explanation of request stating that the subject property is all of Planned Development 65 which  
122 is zoned for General Retail and Assisted Living Uses and was approved in 2006. At the time of  
123 approval the applicant incorporated a concept plan that laid out a development for the area,  
124 specifically it broke it up into five parcels. The original plan showed that parcels 3, 4 and 5 which  
125 were adjacent to 205 would have General Retail Commercial type uses and parcels 1A and 1B

would be a church which is closest to the neighborhood, and then an Assisted Living Facility on Parcel 3. At that time the PD allowed for a retail store with gasoline sales limited to six dispensers on Parcel 4 which is currently where the Walgreens and Urgent Care Center are located. The PD was amended in 2008 to change the height permitted for Parcels 3, 4 and 5 from 28 feet to 36 feet and moved the gas station from Parcel 4 to Parcel 5 which is currently the portion at the southwest corner of North Lakeshore and SH-205. An application was received from the applicant requesting to amend the PD again. The applicant is first requesting to remove some standards out of the Planned Development District. When the PD was originally approved in 2006, staff was in the process of ratifying the North SH-205 Overlay District, and the standards that were eventually approved and currently regulate property within that Overlay District were incorporated into the Planned Development District Ordinance; however no section was approved that would allow Council to grant a variance, making the standards obligatory for development moving forward. What the applicant would like to do is remove those standards in order to allow Council to grant variances to the Overlay District Standards, the standards however would still be in effect because the properties are in the Overlay District themselves, and all that is being requested is for the ability for future development to come through and request variances to things such as the pitched roof requirement for properties under 6,000 square feet, the minimum masonry requirements most things that have come before the Commission in previous cases. The second request the applicant is asking for is to move the gas station entitlement. Originally the gas station entitlement was on Parcel 4 that was then moved to Parcel 5, and now the applicant is requesting to move that entitlement to Parcel 3, which is the area that includes the Children's Lighthouse. This request would not leave the gas station on Parcel 5, it would remove it therefore not increasing the entitlement it would simply shift it from Parcel 5 to Parcel 3.

Mr. Miller went on to state that this request does not have an effect on the Comprehensive Plan and therefore does not change the conformity of the request; however it is a discretionary decision for both the Planning and Zoning Commission as well as City Council.

Mr. Miller further stated that on November 23 staff mailed 36 notices to all properties within 500 feet of the subject property. At the time the packets were sent staff has received 3 notices and 6 emails in opposition of the request since that time staff has received several others which were placed before the Commission for review. The majority of the opposition appears to be to the gas station changing location.

Chairman Renfro asked the Commission for questions for staff.

Commissioner Trowbridge asked for clarification if by removing the variances from the PD, would they still be subject to the SH-205 Overlay restrictions. Mr. Miller stated that was correct.

Chairman Renfro opened the public hearing and asked the applicant to come forward.

Worth Williams  
7700 Eastern Avenue  
Dallas, TX

Mr. Williams came forward and stated he was primarily present on behalf of Chick-fila-A, Starbucks, and 7-11 all buildings are less than 6,000 square foot buildings and want to be consistent and in conformity with other architecture in the area, they would like to have the pitched roof provision waived. As far as moving the pumps from Parcel 5 to Parcel 3 that is the request from 7-11 due to it being a commercial corridor and they would not asking for any additional uses aside from what is already provided under the zoning.

Chairman Renfro asked if 7-11 offered any insight as to why they wanted to relocate the gas station from Parcel 5 to Parcel 3. Mr. Williams stated they are considering Parcel 3 because there is not enough room on Parcel 5 because of Chick-fila-A, Starbucks and two other retail centers they are proposing.

Commissioner Lyons asked if it would be possible for 7-11 to ask Chick-fil-A and Starbucks to switch places if the wanted the gas station on Parcel 5 or is that they just simply want it on Parcel 3. Mr. Williams stated they have already made commitments on Parcel 5 to those other retailers and there is not enough room to accommodate them there.

Chairman Lyons expressed concern of not having the gas station on a hard corner due to traffic issues it may pose.

Chairman Renfro opened the public hearing and asked for anyone who wished to speak to come forward and do so.

Michael Hunter  
220 W. Quail Run Road  
Rockwall, TX

Mr. Hunter came forward and stated he resides behind where the 7-11 is being proposed to be built. He was involved in the creation of the PD representing the surrounding neighborhoods and there was a reason why it was made with a hard and fast rule at the time on not allowing changes. At the time it was created that it was agreed upon to put a filling station where the Walgreens is currently is because it would be on a hard corner and would have access to two thoroughfares and at that time there was no indication there would be any other filling stations near the community. When it was changed to Parcel 5 it would still be meet the hard corner criteria. Mr. Hunter generally went on to express his opposition to the request not so much for the variance they are asking on the pitch roof but for changing the location of the gas station because of the traffic problems it will cause to the surrounding communities.

Bob Wacker  
806 Mira Mar Drive  
Rockwall, TX

Mr. Wacker came forward and stated his opposition of the request with the concern that 60 foot buildings would be allowed as well as lighting that is not currently allowed and mainly that the Architectural Review Board would no longer be involved in development coming in.

Mr. Miller clarified that those requirements would not be removed they would still be subject to all of the requirements that are contained in the Overlay District.

Mr. Wacker went on to state he lives in Stone Creek Estates and there is a floodplain and is concerned what impact that would have. He is also concerned with the traffic problem adding the gas station will have.

Mary Puckett  
1605 Plumber Drive  
Rockwall, TX

Ms. Puckett came forward and stated her opposition of the request; she believes building a gas station next to a daycare would not work. She agrees with the previous speakers points of opposition as well and urged the Commission to vote against the request.

Gary Jackson  
1885 Creekside Drive  
Rockwall, TX

Mr. Jackson came forward and stated he is in opposition of the request agreeing with the reasons the previous speakers gave.

Chairman Renfro asked if there was anyone else who wished to speak to come forward and do so, there being no one indicating such; Chairman Renfro asked the applicant to come forward to offer any rebuttal.

Mr. Williams came forward and stated concerning the question of the floodplain situation, there is approximately 2.56 acres of gross land area on Parcel 3 of which they are proposing to develop approximately 1.5 acres. The detention that has been created, is on lot 2 Block A, is a retention pond that is servicing not only Parcel 3 but the Children's Lighthouse as well therefore that issue has been addressed. Mr. Williams went on to state it is a Commercial corridor and unfortunately there is a lot of traffic, but TXDOT will be widening SH-205 ultimately and 7-11 feels that there is a need to service the community from this location and that is the reason for the request.



Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Lyons asked staff what the rule was for how far a school could be away from an underground storage tank for a fuel facility. Mr. Miller stated there was no proximity requirement. Commissioner Lyons asked if alcohol sales would be permitted due to the proximity of the daycare. Mr. Miller stated that the daycare does not currently meet the States requirement for a private school which is to have an enrollment of 100 kids with a defined curriculum ; however they are constructing just north of them a private school that has not received a Certificate of Occupancy and would depend on when the 7-11 came in.

Commissioner Logan asked if the plan was still to widen SH-205 or were there other options. Assistant City Engineer, Amy Williams, stated other options are still being looked at however SH-205 will eventually have to be widened whether the State or City do it that is still being discussed.

Commissioner Trowbridge asked staff if when making a motion could the two requests be considered separately. Mr. Miller stated the Commission could approve the removal of the Overlay District requirements without approving the gas station. Commissioner Trowbridge added that it appeared from the residents comments there did not seem to be as much opposition regarding the architectural requirements as there was to having the Parcels for the gas station moved.

Commissioner Trowbridge made a motion to approve item Z2016-039 in regards to only the standards that are repeated in the Overlay District, but not approving the moving of the gas station from Parcel 5 to Parcel 3. Commissioner Lyons seconded the motion, which passed by a vote of 5-0, with Commissioner Whitley and Moeller absent.

#### 7. Z2016-040

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of the owner East Shore Joint Venture for the approval of an amendment to allow 47 single-family homes in Planned Development District 68 (PD-68) being a 25.45-acre tract of land identified as Lots 1-7, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68), situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of S. Goliad Street [S. SH-205] north of the intersection of S. Goliad Street and Justin Road, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of request stating the subject property is Planned Development District 68 which was originally approved in 2006 and included entitlements for an Assisted Living Facility, an Independent Active Senior Living Community, an office/commercial/medical development, and four retail pad sites. Mr. Miller provided a slide that showed the concept plan that was originally approved which showed the four retail sites and an acre and a half of park and detention area. Also in 2006 a site plan was approved which allowed for a 141 unit age restricted senior living facility, and age restricted implies 55 years or older.

Mr. Miller went on to state the applicants request only deals with about 14 ½ acres of the total Planned Development District; however they are amending the PD as a whole. The applicant is proposing 46 lot single family residential development that is age restricted; the 46 lots will be a minimum of 65x82 feet and will incorporate dwellings that are a minimum of 1300 square feet with a minimum lot size 5, 330 square feet. The design that the applicant is looking at is a one story house that incorporates a tandem garage, which means from the front of the house it will look like a one stall garage however the garage will be 46 feet deep allowing cars to park in a forward to back format as opposed to the typical two car garage which is a side to side format. The other aspect to the development is that all exterior areas will be maintained by the HOA, the idea being to provide a retirement community. The applicant has submitted proposed building elevations depicting four product types all of which will be single story homes. The exteriors will be a combination of brick and stone and will contain 100% masonry materials. Of the four building elevations, the applicant has stated that four variations of each building elevation exist. This creates 16 different possibilities of housing design which will meet the City's minimum anti-monotony restrictions contained in the Unified Development Code. There is a slight issue with the garage, the Comprehensive Plan, Unified Development Code, and Engineering Standards of Design require alley served developments, however there has not been an alley served

development approved since 2007-2008. The Unified Development Code also allows J-swing or recessed garages, recessed being behind the front façade of the home twenty feet. In this case the applicant is proposing a narrow wide lot which makes it difficult for him to recess the garage since it is 46 feet long; therefore what the applicant is requesting to be approved through the Planned Development District is a flat front or a garage that extends 5 feet beyond the front façade towards the street.

Mr. Miller further noted that staff made a couple of recommendations to the applicant concerning the Comprehensive Plan, but the request does meet the majority of the guidelines and policies of the Comprehensive Plan; in addition, the Future Land Use Map contained within the Comprehensive Plan, designates the subject property for commercial land uses and since the applicant is proposing a development that would require a 3.6 units per gross acre that is considered a High Density Residential development which according to the Comprehensive Plan should be used as transitional uses from Commercial uses or where it serves as a logical extension of an existing high density development. In this case to the east is Evergreen which is currently 21 ½ units per acre; therefore if the Commission chooses to recommend approval to the City Council, staff has included a condition of approval that would recommend making the change from a Commercial designation to a High Density Residential designation.

Mr. Miller further noted that staff mailed 76 notices to property owners and residents within 500-feet of the subject property and also emailed the Waterstone Homeowner's Association. Of the notices sent out staff received 1 notification in opposition to the request.

Chairman Renfro opened up the public hearing asked the applicant to come forward.

Dub Douphrate  
Douphrate & Associates  
2235 Ridge Road Suite 200  
Rockwall, TX

Mr. Douphrate came forward and stated he is representing his client Mr. Bill Haney with Fireside Custom Homes and both he and Mr. Haney are available to answer any questions regarding the housing.

Chairman Renfro opened the public hearing and asked anyone who wished to speak concerning the case to come forward and do so. There being no one indicating such, Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Logan asked how the senior citizen designation would be maintained. Mr. Miller stated it would not be maintained by the City, it would be inserted by the applicant into the zoning ordinance, but it is staffs understanding that it will be enforced through the deed restriction established on the property which are the private covenants of the property owner and the owner of the land that is selling it.

Commissioner Logan asked how that could be subject to change that. Mr. Miller stated it would be difficult to change without changing the deed restrictions on the property itself which would probably take the entire neighborhood agreeing to any change in the documentation.

Chairman Renfro asked if in the Comprehensive Plan this request which is a high density buffer, is it one of the best transitions to have rather than commercial, does this meet the criteria of the Comprehensive Plan. Mr. Miller stated anything over 3 units per acre is considered high density in the current Comprehensive Plan.

Chairman Renfro asked for anyone who wished to speak to come forward and do so, there being no one indicating such, Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Trowbridge made a motion to approve the Z2016-040 with staff recommendations. Commissioner Fishman seconded the motion which passed with a vote of 4-0 with Commissioner Lyons dissenting and Commissioners Moeller and Whitley absent.

8. Z2016-041

Hold a public hearing to discuss and consider a request by Tony Austin of TAC, Inc. on behalf of the owner Cameron & Cameron for the approval of a zoning change from an Agricultural (AG) and Commercial (C) District to a Planned Development District for a multi-family apartment complex on a 12.59-acre tract of land identified as Tract 8 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the west side of T. L. Townsend Drive south of Justin Road, and take any action necessary.

Planning Director, Ryan Miller, provided the Commission a memo from the applicant asking to postpone the case to the January 10<sup>th</sup> Planning and Zoning Commission meeting due to an unexpected family emergency.

Mr. Miller further stated that because it was an advertised public hearing, the Commission would have to take action to accept the postponement.

Chairman Renfro made a motion to accept the applicant's request to postpone. Commissioner Lyons seconded the motion which passed by a vote of 5-0, with Commissioners Moeller and Whitley absent.

9. Z2016-042

Hold a public hearing to discuss and consider a request by Fred Hazel of Davis Development on behalf of Jim Kirby of Rockway Partners, LLC for the approval of a zoning change from a Commercial (C) District to a Planned Development District for a multi-family apartment complex on a 17.60-acre tract of land identified as Lots 6-11, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located east of the intersection of Laguna Drive and La Jolla Pointe Drive, and take any action necessary.

Planning Director, Ryan Miller, gave a background of the case stating that earlier this year there was an application to rezone this 17 ½ acre tract of land from a Commercial District to a Planned Development District for a multi-family apartment complex that consisted of 272 units. That request was denied by the Planning and Zoning Commission on April 12<sup>th</sup> and the applicant was granted a withdrawal by City Council on April 18<sup>th</sup> since no action was taken on the case the applicant was permitted to resubmit an application requesting the same thing that was requested on March 11<sup>th</sup>. The subject property was annexed into the City in 1960 and was platted in 2003 and then replatted in 2007 in its current configuration. Mr. Miller provided in a power point that showed that there is an area that is currently public right of way which was dedicated as part of the 2007 replat and should the case be approved that right of way will have to be abandoned and will have to be purchased by the applicant. The applicant has resubmitted the Concept Plan shows that the applicant is proposing a 272 unit apartment complex that will consist of eight buildings that will range in height from 3 to 4 stories and contain 24 to 36 units in each building and will also have an amenity center that will have an exterior pool adjacent to it.

Mr. Miller went on to state that the 272 units will consist of units that range in size from 667 square feet to 1,445 square feet and have an average size of 1,032 square feet. The applicant is requesting 15.45 units per acre which is a gross density that exceeds the current High Density Residential District which is the Multi-Family 14 District which allows for 14 units per acre. In this case the applicant is requesting a Planned Development District which allows both Planning and Zoning and City Council to consider densities higher than Multi-Family 14 District. As part of the request that was submitted on March 11<sup>th</sup> staff asked the applicant to perform a traffic impact analysis which was provided.

Mr. Miller further stated that looking at the Future Land Use Map, contained within the Comprehensive Plan; it designates the subject property for Commercial land uses. The proposed development would require this designation to be changed to a High Density Residential designation, which according to the Comprehensive Plan is defined as any use that exceeds three units per acre. In addition, the Comprehensive Plan states that high density residential should be used as a transitional use from commercial use, or where it will serve as a logical extension of an existing high density development. In this case, the proposed subject property and zoning change does appear to conform to the majority of the Comprehensive



Plan's policies and guidelines with regard to High Density Residential designation. The density being proposed and any change to the Future Land Use Map is a discretionary decision for the City Council. Should the City Council approve the applicant's request, staff has included a condition of approval that would amend the Future Land Use Map to reflect the proposed change in land use from a Commercial designation to a High Density Residential designation.

Mr. Miller added that on November 23, 2016 and on December 2, 2016 for the purpose of correcting the caption in the original notice, staff mailed 95 notices to property owners and residents within 500-feet of the subject property and also emailed notices to the Lakeside Village and Turtle Cove Homeowner's Associations, which are the only HOA's located within 1,500 feet of the subject property. Of the 95 notices sent out staff did receive 1 notice in support of the request, 11 owner notices in opposition, 131 on non-City forms in opposition, 119 emails in opposition and two letters in opposition of the request.

Mr. Miller advised the Commission the applicant was present and both he and staff were available for questions.

Chairman Renfro asked for questions for staff.

Commissioner Logan asked what the previous vote the Commission took on the original submittal. Mr. Miller stated that vote had been 6-1 to recommend the request be denied.

Chairman Renfro opened the public hearing and asked the applicant and any representatives to come forward.

Sal Villasana  
809 Village Green Drive  
Rockwall, TX

Mr. Villasana stated he is the representative for the land owners and advised the Commission that present were the property owner, Gene Babb with Davis Development and David English who is the real estate broker. He went on to introduce the property owners Mr. John Hammerback and Jim Kirby.

John Hammerback  
(No address given)

Mr. Hamberback came forward and stated he is the general partner for Rockway Partners and the property was purchased from a previous developer in 2002 and it came with a pre-approved engineering that that previous developer had intended to do. At that time they came to the City with that engineering and worked with the City because they did not feel that the retention ponds were big enough or that the streets were quite big enough to fit their needs and ended up modifying the retention ponds almost double to comply with the City's issue and created what at the time was a 100 year flood plan for those retention ponds. Mr. Hammerback further stated that they built Laguna Point and La Jolla Drive that were not there at the time and where Ridge Road was accessed there used to be a car wash which they bought and tore down to come up with a more comprehensive entry to the property that was initially a small boulevard area to allow an in and out access. When that was done, they knew at that time that a traffic light would have to be put there, it was never envisioned to have access to the property through Lakeshore Drive. Mr. Hammerback went on to state that ten years ago before the recession they had a signed contract with a regional developer for a Sam's Wholesale, that contract fell through. He explained that one of the reasons the signs and website were put up was to try to illustrate to the people in the area the difference between what a commercial development in that property could mean versus a high end multi-family residential.

Gene Babb  
1220 Blue Bell Court  
Celina, TX

Mr. Babb came forward and gave brief explanation of request and provided a slide show that provided background information about the company and about the proposal. He stated the company is based in Georgia and are vertically integrated; they are the construction company, manager as well as the developer. The equity comes from one source and that would be from Mr.



504 Davis. The slide show provided pictures of developments they have built including one in  
505 Fairview that will be very similar to the proposed request due to the topography of that one  
506 being very similar to the subject property. Mr. Babb stated they met with Turtle Cove and  
507 Lakeside Village and they understand their concerns but added that there is not much that could  
508 be done about the traffic concerns, feels that traffic is an issue in all areas. The standards that  
509 will be placed on this development will be unequal to any other product or project in Rockwall  
510 and they feel this proposal would be a great fit to the community.

511  
512 Chairman Renfro asked if there were any questions from the Commission.

513  
514 Commissioner Trowbridge asked if there were any changes done to the proposal from the  
515 original submittal. Mr. Babb stated there were not, when they were before the Commission  
516 during the last proposal there were no real requests to make any material changes, the common  
517 denominator was the traffic issue but if the traffic study showed a traffic light would help they  
518 would be more than willing to assist with that.

519  
520 Chairman Renfro asked the applicant concerning traffic what have they found from their other  
521 similar developments what impact has it been on traffic with these projects versus what could  
522 go in there. Mr. Babb stated that any use will generate traffic, but the traffic studies tell that  
523 multi-family will generate less traffic than a retail or a commercial use.

524  
525 Mr. Babb added that he felt a concern surrounding residents have was if the property were to be  
526 sold could it be possible it may become Section 8 Housing and that could not because there are  
527 laws in place to prevent that.

528  
529 Mr. Villanueva came forward and added that they met with both Lakeside Village and Turtle Cove  
530 Homeowners Association and the main concern they expressed was the traffic matter. But they  
531 believe a commercial office, which is allowed by right, would generate double the daily traffic as  
532 opposed to what a multi-family use would generate and that is why they are respectfully asking  
533 that the request be approved.

534  
535 Chairman Renfro opened the public hearing and asked anyone who wished to speak to come  
536 forward and do so.

537  
538 Sally Meek  
539 939 Briarbrook  
540 Rockwall, TX  
541

542 Ms. Meek came forward and stated her opposition of the request for the reason that she believes  
543 it is contrary to the public interest of the citizens of Rockwall; the rationale is that conversion  
544 from commercial to residential forever precludes the collection of sales tax from businesses that  
545 would likely build on that land and from living in the neighborhood she would like to see retail.  
546 She strongly recommends the request be denied by the Commission.

547  
548 Tom Galli  
549 645 Stafford Circle  
550 Rockwall, TX  
551

552 Mr. Galli came forward and expressed his strong opposition to the request. He spoke of  
553 conflicting information Davis Development provided which does not go with the City's  
554 Comprehensive Plan and urged the Commission to vote against approval.

555  
556 Nick Hastings  
557 664 Turtle Cove  
558 Rockwall, TX  
559

560 Mr. Hastings came forward and stated his opposition to the request. He is an army officer  
561 serving with the Texas Army National Guard and as such he works with topographical maps. The  
562 City's Comprehensive Plan cautions against the developing of high building footprints and large  
563 parking areas in areas of land with steep or rolling topography, such as what the subject  
564 property is. He feels the topography of this land is not suitable for a massive high density  
565 apartment complex and urged the Commission to vote against approval.  
566

Barry Clinger  
608 Cliffview Court  
Rockwall, TX

Mr. Clinger came forward expressed his opposition of the request. He feels child safety and welfare concerns will be created by this development with 153 multi bedroom units proposed which suggests children would reside there. The steep slopes are not suitable for outdoor play areas and noted that there is no oriented park in the development. His concern is stemmed from the high compact nature of the high density development because much of the 17 plus acres of the land is unusable because of the steep slopes and the existing rain water detention ponds. He believes this development belongs somewhere else and strongly recommends the Commission not approve the request.

Mary Puckett  
1605 Plummer Drive  
Rockwall, TX

Ms. Puckett came forward and stated she is in opposition of the request.

Dick Clark  
2917 Saratoga Drive  
Rockwall, TX

Mr. Clark came forward and stated his opposition of the request due to the increased traffic, drainage issues, lowering property values, and the impact it will have on the schools. He urged the Commission to vote against the proposal.

David Lindsay  
931 Lexington Drive  
Rockwall, TX

Mr. Lindsay came forward and stated his opposition of the request. He spoke of how the Davis Developments architectural design is all very similar and this proposal will not be unique to Rockwall. He also spoke of concern with the development being built and then sold the consequence that will bring. He urged the Commission to not approve the request.

Brett Garfield  
677 Channel Ridge  
Rockwall, TX

Mr. Garfield came forward and stated his opposition to the request. He is concerned with what social economic effect a multi-family will bring to the area. He is also concerned with the impact it will have on traffic. He urged the Commission to vote against the proposal

David Nelson  
3104 Lakeside Drive  
Rockwall, TX

Mr. Nelson came forward and stated his strong opposition to the request. He is concerned with the amount of traffic it will cause.

Pam Griffin  
3324 Augusta Blvd.  
Rockwall, TX

Ms. Griffin came forward and stated her opposition of the request. She is a former educator and feels the schools are already over- crowded and adding multi-family will only add to that issue. She is also concerned with the property values will be impacted in a negative way. She is a former board member of the HOA of Lakeside Village and has seen that there is a problem with trespassing on their amenities she is concerned with an apartment complex right next door it will add to the problem. She strongly urged the Commission to vote against the proposal.

Kristen Minth  
3406 Lakeside Drive  
Rockwall, TX

Ms. Minth came forward and stated her strong opposition to the request. She spoke on behalf of residents of Lakeside Village who share many of the same concerns previous residents spoke about. She urged the Commission to not approve.

Eric Johnson  
2025 Pontchatrain  
Rockwall, TX

Mr. Johnson came forward and stated his opposition of the request. His concern is with the major impact this development will have on traffic. He asked the Commission to please vote no.

John McCutcheon  
1817 Bayhill Drive  
Rockwall, TX

Mr. McCutcheon came forward and stated his opposition to the request. He served as a Commissioner on the Planning and Zoning Commission when the original submittal came before the Commission and at that time voted against the proposal and since that time they have not changed anything or added anything to the proposal to change his mind and therefore the vote should remain not to approve the request.

Chairman Renfro asked the applicant to come forward for rebuttal.

Mr. Babb came forward and stated there were no material changes because at the initial request there were no comments as to changes being needed, they were not asked to make any changes to the product. He added that as a developer there was never any promise that they would be building a bridge or an onramp, it was brought to their attention that an onramp would be built at some point in time, but it was not something they committed to do.

Mr. Hammerback came forward and stated they are currently in negotiations with a 50,000 square foot box type development although there is not a signed contract at this time he wanted to make the residents aware that it may be something that will be developed in the near future.

Mr. Villasana came forward and addressed the concern of the overcrowding of the schools adding that several of the schools are not currently at capacity. He asked the Commission to weigh the options and added that they feel this development is the best use for this land, respectfully asked the Commission to approve.

Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Chairman Renfro asked concerning the allotted number of units that are in process in PD32. Mr. Miller stated there are 1161 units entitled in PD32 consisting of about 78 acres. Chairman Renfro asked what the Comprehensive Plan says concerning rooftops versus apartment rooftops. Mr. Miller stated that is not currently addressed in the Comprehensive Plan.

Commissioner Trowbridge expressed concern with adding more multi-family when there has been approval for units that have already been allotted for, feels that although the site may be ideal for this type of development it is not suited for Rockwall.

Commissioner Lyons expressed that his position has not changed from the previous request when he voted against the request.

Commissioner Fishman stated her position has not changed since the previous request which was against, feels the responsibility of the Commission is to listen to the residents.

Chairman Renfro added that the property is currently commercial and asked staff to give examples of what Commercial by right uses could be allowed. Mr. Miller stated any type of commercial retail use.

General discussion took place concerning what uses would be allowed by right to give the residents an idea of what could be allowed with the current zoning.

Commissioner Lyons made a motion to deny Z2016-042. Commissioner Trowbridge seconded the motion which passed by a vote of 5-0, with Commissioners Moeller and Whitley absent.

Chairman Renfro called a recess at 8:25 p.m.

Chairman Renfro called the meeting back to order at 8:39 p.m.

V. ACTION ITEMS

10. SP2016-026

Discuss and consider a request by Tim Seymore of Seymore Custom Homes, LLC on behalf of Tim & Ray Seymore for the approval of a site plan for the construction of a commercial/industrial building on an existing 1.5-acre commercial/industrial facility identified as Tract 2-20 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 242 National Drive, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating the applicant is looking to expand his operation by adding a 4,900 square foot building that will serve as an additional building for office space and storage space and the reason why the request is before the Commission is because the building will consist of 100% metal exterior, thereby not meeting the exterior material requirements of the Unified Development Code which calls for 90% masonry and stone.

Mr. Gonzales went on to state that the applicant will be extending the use of a septic system for the entire site, which includes the new building; however, Rockwall's County Health Coordinator, Ron Merritt, has indicated there would be no issue with both buildings using the same system as long as the buildings were not sold separately or the property not being subdivided and this has been added as a condition of approval and will be added as a note on the final plat.

Mr. Gonzales advised the Commission the applicant was present and he and staff were available for questions.

Chairman Renfro asked the Commission for any questions.

Commissioner Logan asked if there was currently City sewer available in that area and if there is not when would that be put in. Mr. Gonzales stated currently there is no City sewer and there is no estimated date as to when that will happen.

Commissioner Trowbridge made a motion to approve SP2016-026 with staff recommendations. Commissioner Fishman seconded the motion which passed by a vote of 5-0, with Commissioners Whitley and Moeller absent.

11. SP2016-027

Discuss and consider a request by William Baker of Jones Baker on behalf of Elias Pope of 8020 Restaurants, LLC for the approval of amended site plan for a restaurant on a 0.90-acre parcel of land identified as Lot 3, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating that on July 20, 2015; a site plan was approved showing the proposed layout of a 6,800 SF restaurant on a 0.90-acre parcel of land. At that time, the applicant was granted variances to the masonry and stone requirements. The purpose of this application is to amend the building elevations for this site. It should be noted that the changes the applicant is requesting does not increase the variances that were originally approved in July of 2015; therefore, the prior approval is considered to remain in effect. The Architectural Review Board took a look at the site plan on November 29<sup>th</sup> and expressed concern with the changes made from the originally approved 2015 elevations, and more specifically with the north and east elevations as being to monochromatic and



requested to see more detail with the overall appearance of these two elevations. To address these concerns the ARB recommended that the applicant extend the lateral wood screen wall elements through the entire north elevation and include additional contrasting elements on both elevations. The applicant has since made the changes that ARB recommended.

Chairman Renfro made motion to approve SP2016-027 with staff recommendations. Commissioner Lyons seconded the motion which passed by a vote of 5-0, with Commissioners Whitley and Moeller absent.

#### 12. SP2016-028

Discuss and consider a request by Rick Bates of RLK Engineering, Inc. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a site plan for a public school on a 18.407-acre tract of land identified as Rockwall School Addition No. 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 901 Nash Street, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating the reason it is before the Commission is due to the location of the dumpster, in looking at the site plan they have the dumpster that is located at the front of the building and the Unified Development Code requires that it be located towards the back to be able to have access, however, being where the location of that is, what they have done is reorient the dumpster in a 45 degree angle to have less visibility from the street. That will take approval of the Planning and Zoning Commission.

Mr. Gonzales further noted that three trees that they are removing on the site that are elms within a detention area require P&Z approval in order to be removed.

Chairman Renfro asked if there was anything that could be mitigated without removing the trees. Mr. Gonzales stated that they have satisfied the mitigation by 135 inches that they removed and they are providing 136 inches aside from those three trees that require P&Z approval for removal.

Commissioner Lyons asked if by the trees being in the detention area, what makes them need to be removed. Mr. Gonzales stated they will be within a detention pond and probably would not survive in the detention area.

Commissioner Lyons made a motion to approve SP2016-028 with staff recommendations. Commissioner Trowbridge seconded the vote, which passed by a vote of 5-0, with Commissioners Moeller and Whitley absent.

#### 13. SP2016-029

Discuss and consider a request by Robert A. Howman of Glenn Engineering Corp. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a site plan for a public school on a 24.209-acre portion of a larger 173.0-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Bypass Corridor Overlay (205 BY-OV) District, located directly east of the intersection of John King Boulevard and Trail View Drive, and take any action necessary.

Senior Planner, David Gonzales, gave brief explanation of request stating that the applicant is requesting approval of a site plan for the purpose of constructing a two-story, 150,848 sq. ft. public school facility, a College and Career Academy. The CCA will be located on a 24.209-acre portion of a larger 173.0-acre tract of land zoned Agricultural District. A Specific Use Permit to allow for the public school was approved by the City Council on December 6, 2016. The submitted site plan, building elevations, landscape plan, and photometric plan are in substantial compliance and conform to the technical requirements contained within the Unified Development Code, with the exception of the elevations which ARB was unable to make a recommendation to forward to the Commission this evening however the what applicant will be seeking at this time for this property is variances to the stone requirements on the north elevation as well as to the secondary material requirements.

Mr. Gonzales stated the applicant was present and he as and staff were available for questions.

Commissioner Trowbridge asked what the fire coverage variance was. Mr. Gonzales stated what the applicant is requesting is to extend the fire lane and they have indicated the building will be fully sprinkled. Fire Marshall, Arianna Hargrove, added that there is not a waiver, the fire codes have changed recently going from the 2009 to the 2015 when that was done some of the amendments changed, what the school is asking is to be able to utilize the fire code as written.

No further discussion took place concerning this agenda item.

Commissioner Trowbridge made a motion to approve SP2016-029 with staff recommendations. Commissioner Lyons seconded the motion which passed by a vote of 5-0, with Commissioners Moeller and Whitley absent.

#### 14. SP2016-030

Discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a site plan for a 228 unit, condo development situated on a 2.87-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

Senior Planner, David Gonzales, gave a brief explanation of the request stating that he applicant is requesting approval for a site plan of a 228-unit condominium development on the 2.87-acre tract of land being a portion of a larger 6.915-acre tract of land and is situated within the Interior Sub-district, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road and Summer Lee Drive, and is zoned Planned Development District 32.

Mr. Gonzales further stated that the applicant has provided a treescape plan indicating a total of 3,561 caliper inches of trees will be removed from the subject property and will require mitigation. Cedar and Hackberry trees that are 11 inches dbh or larger, shall be replaced at 50 percent of the total caliper inches being removed; however, Cedar and Hackberry trees that are less than 11 inches dbh shall not be considered a protected tree. Also being removed from the site are 126 feature trees that are considered to be protected and those trees may not be removed without the approval of the Planning and Zoning Commission. Feature trees are mitigated on an inch-for-inch basis. It should be noted that credit is being applied to the mitigation balance for a 36-inch pecan that is being saved. Taking into account the protected and feature trees being removed, the amount of landscaping to be installed, and the credit applied being for the saved tree, the total mitigation due for the site is 2,529 caliper inches. The total mitigation balance due has been added as a condition of approval. The applicant will go before the Parks Board for their review of the hardscape plan and that will take place December 14<sup>th</sup>.

Mr. Gonzales went on to discuss the building elevations stating that in the packets prepared for the Commission a side by side comparison of elevations was provided of what was brought before the ARB two weeks ago and ARB's recommendation. Mr. Gonzales provided picture of the two options the applicant has brought forward. Option 2 has a roof element as opposed to the option 1 which is a flat roof. ARB took a look at the changes and they made a recommendation of approval for option 2 which is the one with the roof element, however Mr. Lentz has indicated they want to come forward to P&Z and provide some options that they were not able to provide to ARB.

Mr. Gonzales advised the Commission the applicant was present and he as well as staff were available for questions.

Jason Lentz  
5339 Alpha  
Dallas, TX

Mr. Lentz came forward and stated they are seeking site plan approval and discussed elevation options. The ARB met and did approve one of the options but they want to get thoughts from the Commission on the alternate elevation option which they have provided. He introduced Michael Smith who is on the architecture team to further elaborate.

Michael Smith  
5339 Alpha Road  
Dallas, TX

Mr. Smith came forward and provided a rendering of the option that they have which is just the roof element. He stated the option that they prefer is the flat roof compared to the option that the ARB recommended which has the pitched roof. He stated there are two main reasons they prefer the flat roof, the first being that in their opinion with the pitched roof it looks like a more massive apartment building and that is not the look they are looking to achieve. What they are going for as far as what their inspiration for the project is the city of Florence in Italy and their desire is to have a Tuscan look. Although they prefer that option they will move forward with whichever the Commission chooses, they are just seeking approval.

Chairman Renfro noted that the Architectural Review Board had the opportunity to review both renderings and chose the one with the softer roof line and asked staff what was approved thru the PD 32 concerning roof lines. Mr. Miller explained that what originally came through with the PD Development Plan incorporated a sloped roof and that sloped roof would meet what was approved with PD Development Plan more so than the flat roof, however what the applicant is requesting is for the Commission to look at it and determine if it generally conforms to what was approved.

Chairman Renfro commented that the area of expertise falls on the Architectural Review Board and if they reviewed both options and made their recommendation, would it at this point be a matter of preference.

General discussion took place between the Commission concerning how each option would be a better fit as well as cost involved between the two.

Commissioner Lyons made a motion to approve SP2016-030 with staff recommendations and incorporating the flat roof (option 1). Commissioner Fishman seconded the motion which passed by a vote of 4-1 with Chairman Renfro dissenting and Commissioners Moeller and Whitley absent.

15. SP2016-031

Discuss and consider a request by Jason Lentz of Atticus Rockwall, LLC for the approval of a site plan for 36 townhomes on a 4.03-acre portion of a larger 6.915-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Residential Subdistrict and within the Scenic Overlay (SOV) District, located north of the intersection of Ridge Road [FM-740] and Glen Hill Way, and take any action necessary.

Senior Planner, David Gonzales, stated this project ties in with the item the agenda item that was just discussed (SP2016-030) the only difference being that these will be townhomes. There will be 36 townhomes directly behind where the condominiums will be. As with the previous case they do meet all the criteria within the Planned Development that they are required to, other than ARB reviewing on a side by side basis and in this case looking at the stone that was presented at the previous ARB meeting two weeks ago. However the applicant forwarded changes today and now is in compliance with the ordinance and ARB did approve unanimously.

Mr. Gonzales advised the Commission the applicant was present and he as well as staff was available for questions.

Michael Smith  
5339 Alpha Road  
Dallas, TX

Mr. Smith came forward and stated as they were going thru the design on the condominiums they felt they needed to fit with that product and it will be a for sale product and felt it needed to be as nice as possible and fit in with the whole Master Plan Development and respectfully are requesting approval.

Chairman Renfro asked the Commission for any questions, discussion or action.

Commissioner Lyons made a motion to approve SP2016-031 with staff recommendations. Commissioner Fishman seconded the motion which passed by a vote of 5-0, with Commissioners Whitley and Moeller absent.

VI. DISCUSSION ITEMS

16. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

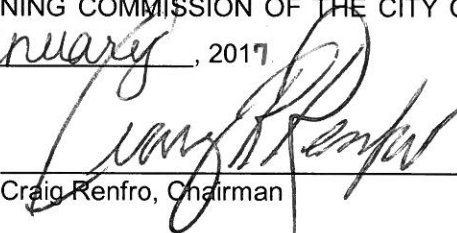
- ✓ P2016-050: Lots 3 & 4, Block A, Walker Addition [Approved]
- ✓ P2016-051: Lots 4 & 5, Block A, Platinum Storage Addition [Approved]
- ✓ MIS2016-010: Masonry Exception for 306 Harborview Drive [Approved]
- ✓ Z2016-034: NWC of FM-549 & SH-205 (AG to C) (2<sup>nd</sup> Reading) [Approved; General Retail (GR) District]
- ✓ Z2016-035: SUP for the CCA (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-036: Amendment to PD-79 (1<sup>st</sup> Reading) [Denied]
- ✓ Z2016-037: The RISE (AG to C) (2<sup>nd</sup> Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

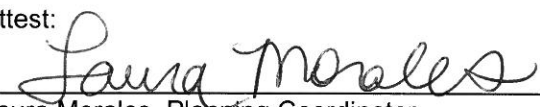
ADJOURNMENT

Chairman Renfro adjourned the meeting at 9:21 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 10 day of January, 2017

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator



**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**December 27, 2016**  
**6:00 P.M.**

**I. CALL TO ORDER**

Chairman Renfro called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Sandra Whitley, and Mark Moeller. Absent were Commissioner Johnny Lyons, Annie Fishman and Tracey Logan. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

**II. CONSENT AGENDA**

1. Approval of Minutes for the November 29, 2016 Planning and Zoning Commission meeting.

Commissioner Whitley made a motion to approve the consent agenda. Commissioner Trowbridge seconded the motion, which passed by a vote of 4-0, with Commissioners Lyons, Fishman and Logan absent.

**III. APPOINTMENTS**

2. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

Planning Director, Ryan Miller, advised the Commission the ARB meeting was canceled due to no quorum being met, but staff will field the responses to the site plans and distribute those to the applicants to allow them to address comments at the next scheduled meeting.

**IV. ACTION ITEMS**

3. MIS2016-011

Discuss and consider a request by Billy and Autumn Quinton for the approval of an exception to the minimum masonry requirements stipulated in Section 3.1, *General Residential District Standards*, of Article V, *District Development Standards*, of the Unified Development Code, for a 0.17-acre parcel of land identified as Lot 2, Block A, Autumn Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Historic Overlay District and the Old Town Rockwall (OTR) Historic District, addressed as 102 N. Tyler Street, and take any action necessary.

Planner, Korey Brooks gave brief explanation of request stating that the applicants are proposing to construct a 2,946 SF single-family home on the subject property located at 102 N. Tyler Street. According to the applicant's the proposed home will utilize an architectural style and exterior materials that are similar to homes adjacent to the subject property and throughout the district. Specifically, the house will be constructed utilizing a blend of brick and HardiBoard siding. It will be two stories in height and incorporate architectural features such as shaker siding under the eaves, porch and window overhangs, wooden carriage garage doors, bay windows, and a front porch with spandrels across the front of the house, and a masonry chimney with cap. According to the Unified Development Code the minimum masonry requirement which would be considered to be brick, stone, natural, cast or cultured for exterior walls on structures that are 120 square feet or greater must be 80%; with a maximum of 50% of this masonry requirement being permitted to be Hardy Plank, stucco or a similar cementaceous material. In this case, the applicant is proposing HardiBoard in the following percentages: 86% on the south elevation, 76% on the east elevation, 72% on the north elevation, and 53% on the west elevation. Because those percentages exceed 50% the applicant is before the Commission seeking approval.

Mr. Brooks went on to state that on December 15, 2016, the Historic Preservation Advisory Board's motion to recommend approval of a Certificate of Approval to allow the construction of a new single-family home which passed by a vote of 4 to 0. Mr. Brooks advised the Commission the applicants were present and they as well as staff were available for questions.

Chairman Renfro asked applicant to come forward.

Autumn Quinton  
601 E. Rusk St.  
Rockwall, TX

Ms. Quinton came forward and added that the actual living area will only be 2,000 square feet and she feels everyone will be pleased with it once it's complete.

Commissioner Trowbridge asked if it would be their primary residence and would they be moving in once built. Ms. Quinton stated that was correct, they are currently living in the front house which was built by her grandparents and once the new house is complete they will be moving into that one.

There being no further discussion, Chairman Renfro brought the item back for the Commission for discussion or action.

Commissioner Trowbridge made a motion to approve MIS2016-011 with staff recommendations. Commissioner Whitley seconded the item which passed by a vote of 5-0, with Commissioners Logan and Fishman absent.

Commissioner Lyons arrived at the meeting at 6:06 p.m.

#### V. DISCUSSION ITEMS

##### 4. Z2016-044

Hold a public hearing to discuss and consider a request by Robert Miklos of Miklos Law, PLLC on behalf of Hacienda Car Wash, Inc. for the approval of a Specific Use Permit (SUP) for a carwash within the Scenic Overlay (SOV) District on a 2.008-acre tract of land being identified as Lots 1 & 2-01, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located south of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

Planning Director, Ryan Miller, advised the Commission the applicant was present.

Robert Miklos  
1800 Valley View Lane Suite 360  
Farmers Branch, TX

Mr. Miklos came forward and stated he is representing the applicant, Hacienda Car Wash. They are seeking to obtain a Specific Use Permit for a car wash. The underlying zoning is commercial but the reason it needs an SUP is because it falls within the Scenic Overlay District.

Chairman Renfro asked the Commission for any questions for the applicant.

Commissioner Whitley asked if the plan was to move the existing Hacienda Car Wash to the new proposed location. The applicant stated the plan is to move the existing car wash to the new location.

Commissioner Trowbridge asked if it would be only the carwash or would there be a café included in the new proposal. The applicant stated it would be both the carwash and the cafe moving, he added that they are running out of room at their existing location.

There being no further questions Chairman Renfro indicated the case will be back for action at the next scheduled meeting.

126 5. Z2016-045

127 Hold a public hearing to discuss and consider a request by Tom Kirkland of TEKMAK Development  
128 Company on behalf of Randall Noe of Rockwall Rental Properties, LP for the approval of a Specific Use  
129 Permit (SUP) for a Hotel, Residence in a Commercial (C) District on an approximately 3.0-acre tract of  
130 land be a portion of a larger 8.613-acre tract of land Tract 4 of the J. D. McFarland Survey, Abstract No.  
131 145, and Lot 1, Block B, Goldencrest Addition, City of Rockwall, Rockwall County, Texas, zoned  
132 Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the  
133 intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.

134  
135 Planner, Korey Brooks, stated the applicant was present.

136  
137 Tom Kirkland  
138 613 Willowsprings  
139 Heath, TX  
140

141 Mr. Kirkland came forward and stated the proposal is for an extended stay and he gave brief  
142 definition of the concept of the "extended stay". This particular hotel would be 100% extended  
143 stay product but according to statistics approximately only 40% of its occupancy is defined as  
144 an extended stay. In the industry extended stay is defined as any stay that lasts longer than five  
145 days. The majority of the guest in this type of hotel will stay less than five days and the clientele  
146 that usually stay are professionals that may be in town for training or meetings, families that  
147 may stay for leisure, most are within the business level as well as people that are looking to  
148 relocate and need somewhere to stay while they search for a home. Currently Rockwall only  
149 offers one extended stay which is the Value Place and therefore they feel this type of product is  
150 needed. Mr. Kirkland spoke of the different types of hotels within the industry that have  
151 extended stay product and what type of clientele each may offer if they do not have brand  
152 mandated upkeep and as the property deteriorate the price per room deteriorates as well. This is  
153 not a problem that would happen with the Marriott which does have a brand mandated upkeep  
154 that has to be maintained every six to eight years. He spoke of different properties they  
155 currently have which they are renovating as well as new construction; he stressed the difference  
156 in the product they offer and they feel it will be a good fit to this area as Rockwall continues to  
157 grow.  
158

159 Chairman Renfro asked the Commission for any questions for the applicant.  
160

161 Commissioner Trowbridge asked if it will be subject to a long term franchise agreement, and if  
162 so, for how long. Mr. Kirkland stated it would be a twenty year franchise agreement.  
163

164 Commissioner Trowbridge asked what kind of clientele they were looking to attract and what the  
165 average room rate will be. Mr. Kirkland stated he felt it would be driven towards people that are  
166 looking to relocate into the community, professionals that are on assignment locally, with the  
167 average room rate at over \$100 a night.  
168

169 Commissioner Trowbridge asked for reasoning behind the location, since it is behind a high  
170 school. Mr. Kirkland stated their desire is to focus on the surrounding restaurants and  
171 businesses nearby, and the clients usually leave early in the morning and do not return until the  
172 evening which is when school is in session.  
173

174 Commissioner Moeller asked how many rooms there would be. Mr. Kirkland stated it would be  
175 approximately 100 rooms and will be a four story building. Commissioner Moeller asked if there  
176 had been any thoughts as to making it a Residence Inn as opposed to a Towneplace Suites. Mr.  
177 Kirkland stated that a Residence Inn is a little pricier for this particular market, but only having to  
178 do with room rates, not with the finishes and construction. It is almost as expensive to build a  
179 TownePlace Suites as it is a Residence Inn. Commissioner Moeller asked what percentage of the  
180 rooms would be considered to be "extended stay". Mr. Kirkland stated the rooms are  
181 predominantly rent for either extended stay or overnight stay, but 100% are extended stay.  
182 About 60% of the guest rooms in this location will be what is called studios, which is geared for  
183 one to two occupants. And about 25-30% that will be one bedroom.  
184

185 Chairman Renfro made comment on when a Specific Use Permit is issued it allows the ability to  
186 go back and review the SUP on a yearly basis and if it does not perform to what was originally  
187 committed to the City does have the right, after a public hearing, to revoke the Specific Use  
188 Permit.

189 Planning Director, Ryan Miller, clarified that in order to revoke a Specific Use Permit, the  
190 applicant would have to go back through the zoning process, hold two public hearings and be  
191 approved through an ordinance.  
192

193 Commissioner Lyons asked if there would be any type of screening from the high school. Mr.  
194 Kirkland stated there would be an outdoor area that would be enclosed along the rear of the  
195 building.  
196

197 There being no further questions Chairman Renfro indicated the case will be back for action at  
198 the next scheduled meeting.  
199

200 6. Z2016-046

201 Hold a public hearing to discuss and consider a request by Sarah Williamson of Kimley-Horn and  
202 Associates on behalf of Stone Creek SF LTD & Stone Creek Balance LTD for the approval of a PD  
203 Development Plan for a grocery store on 7.46-acre identified as a portion of as a portion of a larger  
204 164.812-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall,  
205 Rockwall County, Texas, being zoned Planned Development District 70 (PD-70), situated within the  
206 North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the  
207 intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary.  
208

209 Planning Director, Ryan Miller stated this agenda item and agenda item #11 would be discussed  
210 in unison because they are essentially the same property. Mr. Miller went on to state that  
211 Planned Development District 70 specifically allows a grocery store up to 80,000 square feet on  
212 the subject property but requires a PD Development Plan. The purpose of the Planned  
213 Development Plan in this case is to ensure pedestrian cross access between the adjacent  
214 subdivision and the retail development as well as to examine the screening. Mr. Miller went on to  
215 state that per the ordinance they are allowed to run the PD site plan at the same time, which is  
216 the typical process that the Commission looks at and approves and sends variances over to City  
217 Council.  
218

219 Mr. Miller advised the Commission the applicant was present and available for questions.  
220

221 Peyton McGee  
222 1857 Swan  
223 Dallas, TX  
224

225 Mr. McGee came forward and stated he was available for any questions.  
226

227 Commissioner Moeller asked if they had considered the proximity of the Kroger and Tom Thumb  
228 in adding another grocery store in the same area. Mr. McGee stated that the owner is looking at  
229 sites throughout DFW for their store and being new to the market they are trying to play into the  
230 same market those grocery stores and trying to compete.  
231

232 Commissioner Moeller asked what if any of the property was in the floodplain and would any of  
233 that be developed, specifically the west side closest to SH-205. Mr. Miller stated there is a  
234 floodplain running through the property and that is where the floodplain runs through the  
235 property. Commissioner Moeller asked if the access would come through the driveway that  
236 goes into CVS or coming in from Quail Run. Mr. McGee stated it would be.  
237

238 Mr. Miller asked the applicant to discuss the screening plans that would be put in place to the  
239 adjacent properties as well as the pedestrian elements that will be added to the plan to meet the  
240 intent of the ordinance. Mr. McGee provided picture showing what they were proposing and  
241 stated that for the pedestrian access they have a sidewalk from the front of the building out to  
242 Quail Run Road. The screening will be plantings along Quail Run Road, as well as the masonry  
243 screen walls that are required for the dumpster and loading docks. Mr. Miller added that the  
244 loading zone will require a variance because it fronts onto a public street.  
245

246 Commissioner Trowbridge asked what the primary access would be. Mr. McGee stated the  
247 intention is for Quail Run to be the main entrance.  
248

249 Commissioner Moeller asked concerning traffic dynamics with the Kroger having just opened it  
250 would have significantly changed since they first looked at planning on the site. Mr. McGee  
251 stated he did not believe they have looked at any traffic impacts for the site as of yet.



Mr. Miller added that concerning the site plan, they will be seeking variances, for not meeting the 20% natural stone requirement of the Overlay District and that will be a three quarter majority vote for approval and they will also be requiring a variance to the amount of stucco used on the building in excess of 50% of some of the wall phases and that too will be a three quarter majority vote. They will also be require a variance to the four sided architecture.

Mr. McGee advised the Commission they would be providing additional information at the next meeting that will better answer the questions that were brought up at tonight's meeting.

There being no further questions Chairman Renfro indicated the case will be back for action at the next scheduled meeting.

7. P2016-053

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a final plat for Breezy Hill, Phase VI containing 77 single-family residential lots on 31.254-acre portion of a larger 61.528-acre tract of land identified as Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, generally located northeast of the intersection of N. John King Boulevard and Life Springs Drive, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of request stating it is the final plat of Phase VI of Breezy Hill that consists of 77 single family homes. The plat does meet the technical requirements of the UDC. It will be going to the Park Board next week to establish the necessary park fees and will come back on the consent agenda at the next scheduled Planning and Zoning meeting.

Chairman Renfro asked the applicant to come forward.

Wes Dorough  
204 Jeffrey Road  
Palmer, TX

Mr. Dorough came forward and stated he is the representative for Breezy Hill Phase VI and is available for any questions.

There being no questions Chairman Renfro indicated the case will be back for action at the next scheduled meeting.

8. P2016-054

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH 60's POD, LTD for the approval of a preliminary plat for Breezy Hill, Phase X containing 79 single-family residential lots on 19.784-acre portion of a larger 29.181-acre tract of land identified as Tract 7-05 of the J. Strickland Survey, Abstract No. 187; the J. Simmons Survey, Abstract No. 190; and the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated with the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located northeast of the intersection of N. John King Boulevard and FM-552, and take any action necessary.

Planner, Korey Brooks, gave brief explanation of the request stating this is a preliminary plat for Phase X which will consist of 79 single family homes. It does meet the technical requirements of the UDC and will be going to the Parks Board next week to establish necessary park fees and will come back on the consent agenda at the next scheduled Planning and Zoning meeting.

There being no questions Chairman Renfro indicated the case will be back for action at the next scheduled meeting.

9. SP2016-032

Discuss and consider a request by John Wardell of Lake Pointe Church for the approval of a site plan for a worship and education building for an existing church on a 2.55-acre portion of a larger 34.46-acre parcel of land identified as Lot 1, Block A, Lake Pointe Baptist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located east of the intersection of FM-740 and the IH-30 Frontage Road, and take any action necessary.

Planner, Corey Brooks, gave brief explanation of request stating the applicant is requesting approval of a site plan for the purpose of building an expansion that will be located behind an existing garage and will not have visibility from IH-30 or Ralph Hall Parkway. The proposed elevations will require variances for exceeding secondary materials used on a façade of a building such as EIFS which exceeds 10% along with the aluminum and cast stone. Also, the proposed elevations do not meet the 20% stone requirement. The ARB will review the proposal at the next scheduled meeting and will send recommendations. Mr. Brooks provided a sample Board for the Commission to review.

There being no questions Chairman Renfro indicated the case will be back for action at the next scheduled meeting.

10. SP2016-033

Discuss and consider a request by Lizandro Oemeno for the approval of a site plan converting an existing single-family home into an office building on a 1.24-acre tract of land identified as Tract 3 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 69 (PD-69) for Residential Office (RO) District land uses, situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northwest corner of the intersection of Los Altos Drive and N. Goliad Street [N. SH-205], addressed as 1201 N. Goliad Street, and take any action necessary.

Planning Director, Ryan Miller, stated the applicant was present and available for any questions.

Chairman Renfro asked the applicant to come forward.

Lizandro Oemeno  
(No address given)

Mr. Oemeno came forward and stated Mr. Nigo would be presenting proposal on his behalf.

Daniel Nigo  
2902 Saturn Road  
Garland, TX

Mr. Nigo came forward and stated what is being proposed is a request from residential to a retail site. He was recently asked by Mr. Oemeno to assist him in the request and therefore does not have too many details, he has looked at what Mr. Oemeno is proposing to do but by looking at it feels it may not work. He apologized for not having too much information but offered to answer any questions.

Mr. Miller added that the subject property is in a Residential Office District as with many of the Residential Office Districts, what tries to be done is take areas that could potentially transition and give those an option to incorporate other uses other than residential. The subject property in particular is pretty restrictive and only allows general office less than 5,000 square feet and a couple other studio type uses relating to art and photography. This Planned Development District requires the parking to be located at the rear of the property. The property has an existing drive but is not a commercial drive and the major issue is that there is a floodplain that runs thru the front of the property, meaning that any drive that would be added would require an engineer to do a flood study.

Mr. Miller went on to state that the reason it may have been drawn the way it is being proposed by the applicant may be to provide an alternative way to enter the site from SH-205. The position of the drive now through Los Altos Drive runs through property owned by the HOA of the adjacent neighborhood and therefore would be a developmental issue that would have to be

worked out prior to full approval of request and can be incorporated as a condition of approval. Another issue with the drive location is the proximity to SH-205 and that would require a variance from the City Council. The ordinance currently requires cross access to be provided across the property to facilitate the flow of traffic.

Mr. Miller went on to state that staff is working with the applicant.

General discussion took place concerning access and screening as it pertains to the properties to the north of the subject property.

Commissioner Trowbridge asked the applicant if he owned the property and what kind of business he would be running. Mr. Oemeno stated he does own the property and he will open a real estate business.

There being no further questions Chairman Renfro indicated the case will be back for action at the next scheduled meeting.

11. SP2016-034

Discuss and consider a request by Sarah Williamson of Kimley-Horn and Associates on behalf of Stone Creek SF LTD & Stone Creek Balance LTD for the approval of a PD site plan for a grocery store on 7.46-acre identified as a portion of as a portion of a larger 164.812-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary.

This agenda item was discussed during discussion of agenda item # 5.

12. SP2016-036

Discuss and consider a request by Cameron Slown of F. C. Cuny on behalf of the owner N & H Legacy for the approval of a site plan for a multi-tenant retail building on a 2.22-acre portion of land being identified as Lots 8 & 11, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, situated at the southeast corner of the intersection of Andrews Drive and Horizon Road (FM-3097), and take any action necessary.

Planning Director, Ryan Miller gave brief explanation of the request stating that the subject property is located within Planned Development District 57, and will be required to have more landscaping in the front as well as some architectural features. The building does meet the majority of the requirements and there are no variances. Mr. Miller added the applicant was unable to attend the meeting but staff is available for any question.

Chairman Renfro asked if they would look similar to the buildings across the street. Mr. Miller stated that what the applicant has relayed to staff is that they would not and provided elevations showing what the applicant is proposing which is elements of those existing buildings, specifically the Austin stone to try and tie a development scheme in from the building to the north and then transitioning to the two office buildings with the green roof and the Austin stone.

Chairman Renfro asked for questions from the Commission for staff.

There being no further questions Chairman Renfro indicated the case will be back for action at the next scheduled meeting.

13. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- ✓ SP2016-026: Masonry Exception for 242 National Drive [Approved]
- ✓ SP2016-029: Variances for the CCA School for the RISD [Approved]
- ✓ Z2016-033: SUP for a Residency Hotel on Vigor Way (1<sup>st</sup> Reading) [Postponed]
- ✓ Z2016-038: SUP for an Accessory Building at 1950 Copper Ridge Circle (1<sup>st</sup> Reading) [Approved]
- ✓ Z2016-039: Amendment PD-65 (1<sup>st</sup> Reading) [Approved]

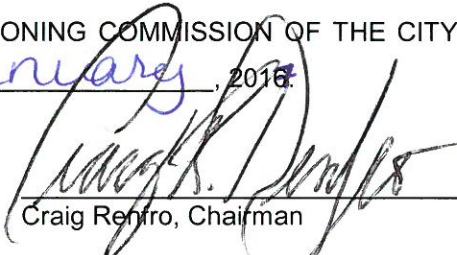
- ✓ Z2016-040: Amendment to PD-68 (1<sup>st</sup> Reading) [Postponed]  
✓ Z2016-041: Zoning Change (AG & C to PD for an Apartment Complex) [Postponed]  
✓ Z2016-042: Zoning Change (C to PD for an Apartment Complex) [Denied]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

VI. ADJOURNMENT

Chairman Renfro adjourned the meeting at 7:14 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 31 day of January, 2016.

  
Craig Renfro, Chairman

Attest:

  
Laura Morales, Planning Coordinator