

2 **MINUTES**
4 **PLANNING AND ZONING COMMISSION PUBLIC HEARING**
6 **City Hall, 385 South Goliad, Rockwall, Texas**
8 **Council Chambers**
10 **January 14, 2014**
12 **6:00 P.M.**

14 I. CALL TO ORDER

16 The meeting was called to order by Chairman Renfro at 6:00 p.m. with the following members
18 present: Wendi Conley, Connie Jackson, Johnnie Lyons, Kristen Minth, and Matthew Nielsen.
20 John McCutcheon arrived late at 6:12 pm.

22 The following staff members from the Planning Department were present: Robert LaCroix, Ryan
24 Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff member,
26 Tim Tumulty, was in attendance.

28 II. CONSENT AGENDA ITEMS

30 1. Approval of Minutes for the October 29, 2013 Planning and Zoning Commission meeting.

32 2. Approval of Minutes for the November 12, 2013 Planning and Zoning Commission meeting.

34 3. P2013-042

36 Discuss and consider a request by Drew Colon of Greener City Groups, Inc. for the approval of a
38 final plat of Lots 1-14, Block 1, Shady Dale Estates Addition being a 4.32-acre tract of land
40 identified as Tracts 4-13 & 4-14 of the Edward Teal Survey, Abstract 207, City of Rockwall,
42 Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single Family
44 Residential uses, located east of the intersection of Ridge Road [FM-740] and Shady Dale Lane,
46 and take any action necessary.

48 4. P2013-043

50 Discuss and consider a request by Mushtak Khatri of the Tabani Group on behalf of T. Rockwall
52 Phase 2, LLC for the approval of a final plat for Lot 5, Block A, Rockwall Commons Addition being
54 a 3.802-acre parcel of land currently recognized as a one (1) acre parcel of land identified as Lot
56 1, Block 1, Independent Community Financial Corporation Addition and a 2.802-acre tract of land
identified as Tract 6-2 of the B. J. T. Lewis Survey, Abstract No. 255 and the D. Atkins Survey,
Abstract No. 1, both properties being zoned Planned Development District 1 (PD-1) for mixed use
development, generally located on Ridge Road [FM-740] south of Summit Ridge Drive, and take
any action necessary.

58 5. P2013-044

60 Discuss and consider a request by Jay Bedford of the A. J. Bedford Group, Inc. on behalf of BDC
62 Family Limited Partnership for the approval of a replat for Lot 13, Block 1, Rockwall Centre
64 Corners Addition being a 2.644-acre parcel of land currently identified as Lot 12, Block 1,
66 Rockwall Centre Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial
68 (C) District, situated within the IH-30 Overlay (IH-30 OV) District, the SH-205 (SH-205 OV) District
70 and SH-276 (SH-276) District, and located at the northeast corner of the intersection of S. Goliad
72 Street (SH-205) and SH-276, and take any action necessary.

74 Commissioner Minth pulled Item #1 from the Consent Agenda.

76 Commissioner Jackson made a motion to approve the minutes from October 29, 2013.

78 Commissioner Nielsen seconded the motion.

2 A vote was taken and the motion passed 5-0, with Minth abstaining.

4 Commissioner Jackson made a motion to approve Items #2 through #5 on the Consent Agenda.

6 Commissioner Minth seconded the motion.

8 A vote was taken and the motion passed 6-0.

10 III. ACTION ITEMS

12 6. SP2013-031

14 Discuss and consider a request by Gerald Monk of Monk Consulting Engineers, Inc. on behalf of
16 Dr. Holly Britt for the approval of a Site Plan for a Medical Office Building on a 1.55-acre parcel of
18 land identified as Lot 1, Block A, Horizon Ridge Center Addition, Rockwall, Rockwall County,
Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District uses,
located at the southeast corner of the intersection of Rockwall Parkway and Horizon Road (FM-
3097), and take any action necessary.

20 Miller explained that the subject property is a 1.56-acre parcel of land, zoned Planned
22 Development District 9 (PD-9) for General Retail (GR) District uses, and is located at the southeast
corner of the intersection of Rockwall Parkway and Horizon Ridge Road. The property is currently
24 vacant. In 2005 the applicant submitted a site plan for the subject property depicting a 10,800 SF
medical office building. This site plan was approved by the Planning & Zoning Commission on
26 March 8, 2005 (Case No. SP2005-006), however no building permit was issued. Staff has
determined that the proposed site plan contains enough substantial changes to the buildings'
28 layout and design that approval by the Planning & Zoning Commission (as opposed to
administrative approval by staff) is required.

30 The site plan submitted by the applicant shows the construction of a 12,694 SF medical office
32 building on the 1.56-acre parcel of land. The site will be accessible from a 24-foot Mutual Access
Easement that currently serves the Presbyterian Hospital, which is located south of the subject
34 property. The proposed development will not require access off of Rockwall Parkway or Horizon
Ridge Road. With respect to the remaining density and dimensional requirements (i.e. setback,
36 parking, etc.) the site plan is in substantial conformance to the requirements of Planned
Development District 9 (PD-9) [see Density and Dimensional Requirements below].

38 According to Planned Development District 9 (PD-9) the minimum landscaping square footage
40 requirement for the subject property is 15%, or 6,786 SF. The landscape plan submitted by the
applicant demonstrates conformance to this requirement showing approximately 41% (27,833 SF)
42 of the total site being landscaped. Additionally, the plan conforms to all other requirements
stipulated by the Unified Development Code and Planned Development District 9 (PD-9).

44 The Photometric Plan submitted by the applicant demonstrates conformance to the requirements
46 of Article VII, Environmental Performance, of the Unified Development Code.

48 The proposed building elevations submitted by the applicant depict a brick and stone building
that will utilize a standing seam, metal pitched roof design and incorporate tower elements and
50 offsets to provide horizontal and vertical articulation. The elevations show the incorporation of
~20% natural lime stone, ~74% brick and ~6% stucco. The proposed building elevations and
52 material sample board conform to all the requirements stipulated by the Unified Development
Code and Planned Development District 9 (PD-9).

54 On December 24, 2013, staff emailed the Architectural Review Board (ARB) the proposed site plan
56 and building elevations. At the time this case memo was prepared staff had not received any
recommendations concerning the project.

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4 If the Planning & Zoning Commission and City Council choose to approve the applicant's request then staff would recommend the following conditions of approval:

6 1) All comments provided by the Engineering and Fire Department must be addressed prior to the
8 submittal of a building permit;

10 2) Any construction or building necessary to complete this Site Plan request must conform to the
12 requirements set forth by the Unified Development Code, the 2009 International Building Code, the
14 Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all
16 other applicable regulatory requirements administered and/or enforced by the state and federal
18 government.

20 Commissioner Nielsen asked if this case was reviewed by the ARB and what recommendations
22 they offered. Miller stated that the ARB did not offer any recommendations in regard to the
24 pitched roof or the building materials.

26 General discussion took place regarding the proposed building's consistency with the other
28 buildings in the area.

30 Commissioner Lyons asked about the placement of the AC units facing Horizon. Miller indicated
32 that the units will be screened by a masonry wall.

34 Chairman Renfro clarified the type of stone being used on the building.

36 Commissioner Minth stated that standing seam roof fits in with the area without the building
38 looking identical to those existing.

40 Commissioner Minth made a motion to approve SP2013-031, a request by Gerald Monk of Monk
42 Consulting Engineers, Inc. on behalf of Dr. Holly Britt for the approval of a Site Plan for a Medical
44 Office Building on a 1.55-acre parcel of land identified as Lot 1, Block A, Horizon Ridge Center
46 Addition, Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for
48 General Retail (GR) District uses, located at the southeast corner of the intersection of Rockwall
50 Parkway and Horizon Road (FM-3097), with staff recommendations.

52 Commissioner Conley seconded the motion.

54 A vote was taken and the motion passed 5-1, with Commissioner Nielsen against and
56 Commissioner McCutcheon abstaining.

IV. DISCUSSION ITEMS

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

- ✓ Z2013-032: Specific Use Permit for a General Retail Store in PD-50 [2nd Reading] (Approved)
- ✓ Z2013-033: Specific Use Permit for an Accessory Building (1970 Copper Ridge Circle) [2nd Reading] (Approved)
- ✓ Z2013-035: Zoning Change from Single Family-7 (SF-7) to Residential-Office (RO) District [2nd Reading] (Tabled)
- ✓ A2013-001: Voluntary Annexation of Expiring 212 Development Agreements [1st Reading] (Approved)

LaCroix briefed the Commission on the above listed cases.

V. ADJOURNMENT

2 The meeting adjourned at 6:17 p.m.

4 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 11th day of March, 2014.

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Craig Renfro, Chairman

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Attest:

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JoDee Sanford, Planning Technician

2 **MINUTES**
3 **PLANNING AND ZONING COMMISSION WORK SESSION**
4 **City Hall, 385 South Goliad, Rockwall, Texas**
5 **Council Chambers**
6 **January 28, 2014**
7 **6:00 P.M.**

10 I. CALL TO ORDER

12 The meeting was called to order by Chairman Renfro at 6:00 p.m. with the following members present:
14 Wendi Conley, Connie Jackson, Johnnie Lyons, Kristen Minth, and John McCutcheon. Matthew Nielsen was not present.

16 The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller,
18 David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members, Tim Tumulty, Amy Williams, and Kathleen Moreno, were in attendance.

20 II. DISCUSSION ITEMS

22 1. P2014-001 (Ryan)

24 Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH Phase
26 III, SF, LTD. for the approval of a preliminary plat for 71 residential lots identified as Breezy Hill, Phase
28 III, being a 28.098-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, Rockwall,
Rockwall County, Texas, zoned Planned Development District 74 (PD-74), generally situated north of
FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

30 *(Discussed concurrently with the following case.)*

32 2. P2014-002 (Ryan)

34 Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH Phase
36 IV, SF, LTD. for the approval of a preliminary plat for 51 residential lots identified as Breezy Hill, Phase
IV, being a 29.646-acre tract of land situated within the J. Strickland Survey, Abstract No. 187,
Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74), generally situated
north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

38 **Miller described the cases and briefly discussed the cases.**

40 3. Z2014-001 (JoDee)

42 Hold a public hearing to discuss and consider a request by Tommy Pulliam on behalf of Rayburn
44 Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a Heavy
46 Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of the W. H.
Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural (Ag) District,
located on the south side of Sids Road west of S. Goliad Street (SH-205), and take any action
necessary.

48 **Sanford explained the case and the location of the property.**

50 **Commissioner McCutcheon asked why the applicants are requesting a change to Heavy Commercial for**
52 **an office building. Sanford responded that this is to keep consistency with the surrounding properties.**
In addition, a portion of their property was previously zoned to Heavy Commercial.

54 4. Z2014-002 (Ryan)

56 Hold a public hearing to discuss and consider a request by Brad Forslund of Churchill Residential, Inc.
on behalf of Stone Creek Balance, LTD. for the approval of a zoning amendment to Planned

2 Development District 70 (PD-70) to allow an age restricted, senior housing on a 5.29-acre portion of a
4 larger tract of land identified as Tract 2 of the W. T. DeWeese Survey, Abstract No. 71, Rockwall,
6 Rockwall County, Texas, currently zoned Planned Development District 70 (PD-70), located on the
8 south side of FM-552 east of N. Goliad Street (SH-205), and take any action necessary.

10 Miller indicated the location of the property and explained the case.

12 Commissioner Minth clarified the comparative existing facility. Ryan described the location of the
14 existing facility.

16 Tony Sisk
18 Churchill Residential

20 Mr. Sisk stated that they are beginning their 11th residential facility. The one they are proposing is
22 similar to the Richardson facility. They are scheduled to meet with the neighborhood. The Richardson
24 facility is built near very nice homes and many have expressed that they are pleased with the facility.
26 This type of facility is in high demand. They will meet all the City's standards in terms of building
28 materials, requirements, and design.

30 Commissioner Jackson asked about the location being in close proximity to the middle school. Mr. Sisk
32 stated that a fence will surround the facility. A security device will be needed to access the building.

34 Commissioner Minth asked about notification to the properties to the north of the subject property.
36 Miller indicated that most of those properties are outside of the city limits, but that many of those
38 property owners are already aware.

40 5. Z2014-003 (David)
42 Hold a public hearing to discuss and consider a request by Charlie Rickerson for the approval of a
44 Specific Use Permit to allow a detached garage with guest quarters/secondary living unit that will
46 exceed the maximum permissible height for an accessory structure on a 0.40-acre parcel of land
48 identified as Lot A, Block 117, B. F. Boydston Addition, Rockwall, Rockwall County, Texas, also
50 identified as a Landmarked Property, zoned Single Family 7 (SF-7) District, located at 109 St. Mary's
52 Street, and take any action necessary.

54 Gonzales described the location of the property and discussed the case.

56 Chairman Renfro asked for clarification on the height of the addition. Gonzales explained that the
addition will be the same height as the existing home.

Commissioner Jackson asked if the additional room would be used for rental space. LaCroix stated that
the property is not zoned for this type of use.

Charlie Rickerson
109 St. Mary Street
Rockwall, Texas

Mr. Rickerson stated that he was originally going to rent the additional space, but now he plans to use it
for his parents.

6. SP2014-002 (David)
Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Billy Self of
Pro Soap, Inc. for the approval of a site plan for a warehouse facility on a 2.03-acre parcel of land
identified as Lot 2 of the DBK Addition, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI)
District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of IH-30 west of
Corporate Crossing, and take any action necessary.

2 Clark Staggs spoke on behalf of the ARB in regard to this case. Mr. Staggs indicated that the ARB
4 recommends using evergreens mixed in with the Crepe Myrtles to provide some screening. In addition,
6 they asked the applicant to provide some additional architectural interest to the front façade of the
8 building.

10 Commissioner Minth asked for clarification on the location of the subject property. Gonzales explained
12 the location.

14 Wayne Mershawn
2313 Ridge Road
16 Rockwall, Texas

18 Billy Self
1830 E. I-30
20 Rockwall, Texas

22 Mr. Mershawn stated that this is a long standing business. This new building is set back from the road
24 and they would like to build a metal building. They are proposing to dress up the existing building
26 which has greater visibility.

28 Mr. Self stated that they would like to make the existing building look better because it has greater
30 visibility. They would like to keep the proposed facility simple as it will not have much visibility.

32 Commissioner Jackson asked if they would be increasing their signage. Mr. Self stated they will not be
34 adding signage as they already have the maximum signage that the City allows.

36 Chairman Renfro asked for clarification on the type of business. Mr. Self described his business
38 concept. Additionally, Chairman Renfro asked if this would increase the size of trucks delivering to the
40 business. Mr. Self indicated that the same size trucks will be delivering.

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

- 34 ✓ A2013-001: Annexation of 42.482 acres (2nd Reading) [Approved]
- 36 ✓ P2013-042: Shady Dale Lane Final Plat [Approved]
- 38 ✓ P2013-043: Rockwall Commons Phase 2 Final Plat [Approved]
- ✓ P2013-044: Rockwall Centre Corners Addition Replat [Approved]

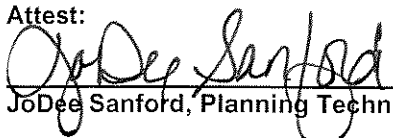
40 LaCroix briefed the Commission on the above listed cases.

42 III. ADJOURNMENT

44 The meeting adjourned at 6:33 p.m.

46 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,
Texas, this 11th day of March, 2014.

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Craig Renfro, Chairman

52 Attest:
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56 JoDee Sanford, Planning Technician

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
February 11, 2014
6:00 P.M.

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8 I. CALL TO ORDER

10 The meeting was called to order by Chairman Renfro at 6:02 p.m. with the following members
12 present: Wendi Conley, Connie Jackson, Johnnie Lyons, John McCutcheon, and Matthew Nielsen.
Kristen Minth was not present.

14 The following staff members from the Planning Department were present: Robert LaCroix, Ryan
16 Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members,
Tim Tumulty, Amy Williams, and Kathleen Moreno, were in attendance.

18 *(Chairman Renfro announced that Item #5 would be moved to the end of the meeting.)*

20 II. CONSENT AGENDA ITEMS

22 1. Approval of Minutes for the November 26, 2013 Planning and Zoning Commission meeting.

24 2. P2014-003

26 Discuss and consider a request by R.L. Goodson Consulting Engineers on behalf of the YMCA of
28 Dallas for the approval of a replat for Lot 2, Block A, Rockwall County Y.M.C.A. containing one (1)
30 non-residential lot, zoned Planned Development 5 (PD-5) District, on 21.378-acres, currently
identified as Lot 1, Block A, Rockwall County Branch Y.M.C.A., City of Rockwall, Rockwall
County, Texas, situated within the North SH-205 Overlay (N SH-205 OV) District, located on the
east side of SH-205 north of Caruth Lane, and take any action necessary.

32 3. P2014-004

34 Discuss and consider a request by Ronald Valk for the approval of a final plat for Lot 1, Block 1,
36 Valk Rockwall Addition being a 4.264-acre tract of land located within the extraterritorial
jurisdiction of the City of Rockwall and situated in the Joseph Strickland Survey, Abstract No. 187,
Rockwall County, Texas, and located on the east side of SH-205 north of F.M. 552, and take any
action necessary.

38 Commissioner McCutcheon pulled Item #1 from the Consent Agenda.

40 Commissioner Jackson made a motion to approve the minutes from November 26, 2013.

42 Commissioner McCutcheon seconded the motion.

44 A vote was taken and the motion passed 5-0, with Nielsen abstaining.

46 Commissioner Jackson made a motion to approve Items #2 and #3 on the Consent Agenda.

48 Commissioner Nielsen seconded the motion.

50 A vote was taken and the motion passed 6-0.

52 III. PUBLIC HEARING ITEMS

54 4. Z2014-001

2 Hold a public hearing to discuss and consider a request by Tommy Pulliam on behalf of Rayburn
4 Electric Cooperation, Inc. for the approval of a zoning change from Agricultural (Ag) District to a
6 Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion of Tract 3-06 of
the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Agricultural
(Ag) District, located on the south side of Sids Road west of S. Goliad Street (SH-205), and take
any action necessary.

8 **Sanford explained that the applicant has requested to rezone approximately 6.57-acres on the**
10 **south side of Sids Road from Agricultural (AG) District to Heavy Commercial (HC) District. The**
12 **site features an existing office/warehouse building for Rayburn Electric which is considered a**
14 **legal, non-conforming use. The owner intends to construct a new office building for Rayburn**
16 **Electric on the property. Rezoning will bring the property into conformance as well as create**
18 **consistency in zoning with surrounding properties.**

20 The majority of properties to the north are zoned Heavy Commercial. The properties to the south
22 are zoned Heavy Commercial. The property to the west is zoned PD-38 with an underlying zoning
24 of Heavy Commercial and the property to the east is zoned PD-43 with an underlying zoning of
Commercial. Additionally, a portion of the Rayburn Electric Lot 1 is zoned Heavy Commercial.

26 A notice was published in the Rockwall County News on January 30, 2014. Staff mailed nine (9)
28 notices to property owners within 200 feet of the subject property. Additionally, staff posted
30 signage along street frontage adjacent to the subject property, as required by the UDC. At the
time the case memo was written, staff has not received any responses.

32 **Bill Thomas**
34 **Engineering Concepts and Designs**
36 **Representing Rayburn Electric**

38 **Mr. Thomas stated that he would be happy to answer any questions. The Commission had no**
40 **questions for the applicant.**

42 **Chairman Renfro opened the public hearing at 6:07pm.**

44 **There being no others wishing to speak on this matter, Chairman Renfro closed the public hearing**
46 **at 6:07pm.**

48 **Commissioner Jackson made a motion to approve Z2014-001, a request by Tommy Pulliam on**
50 **behalf of Rayburn Electric Cooperation, Inc. for the approval of a zoning change from Agricultural**
52 **(Ag) District to a Heavy Commercial (HC) District for a 6.057-acre tract land identified as a portion**
54 **of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas,**
56 **zoned Agricultural (Ag) District, located on the south side of Sids Road west of S. Goliad Street**
(SH-205), with staff recommendations.

58 **Commissioner Lyons seconded the motion.**

60 **A vote was taken and the motion passed 6-0.**

62 **5. Z2014-002**
64 **Hold a public hearing to discuss and consider a request by Brad Forslund of Churchill**
66 **Residential, Inc. on behalf of Stone Creek Balance, LTD. for the approval of a zoning amendment**
68 **to Planned Development District 70 (PD-70) to allow an age restricted, senior housing on a 5.29-**
70 **acre portion of a larger tract of land identified as Tract 2 of the W. T. DeWeese Survey, Abstract**
72 **No. 71, Rockwall, Rockwall County, Texas, currently zoned Planned Development District 70**
74 **(PD-70), located on the south side of FM-552 east of N. Goliad Street (SH-205), and take any**
76 **action necessary.**

2 Miller stated that on January 17, 2014 the applicant Brad Forslund submitted an application
3 requesting to amend Planned Development District 70 (PD-70) to add an age restricted senior
4 living facility as a permitted use on the subject property. According to the concept plan that was
5 approved with the Planned Development District [Ordinance No. 07-13] the subject property is
6 currently designated as a future school site. This designation was stipulated by the Capital
7 Facilities Agreement [Article II, Section 7], which stated that the developer shall be required to
8 designate a minimum of ten (10) acres to the Rockwall Independent School District (RISD) for the
9 development of an elementary school.

10 On September 3, 2013 the City Council approved a conveyance plat [Case No. P2013-028] for a
11 12.003-acre parcel of land (identified as Lot 1, Block A, RISD Elementary School Tract) located
12 448.41-feet from FM-552. This property was conveyed to the RISD and fulfilled the dedication
13 requirements stipulated by the Capital Facilities Agreement. With this requirement being fulfilled
14 the remaining 5.29-acre tract of land situated between the conveyed school site and FM-552 (and
15 identified as the subject property) is permitted, by the Capital Facilities Agreement, to be used for
16 other development as approved by the City Council.

17 The land uses adjacent to the subject property are as follows:

18 Directly north of the subject property is FM-552 followed by the corporate boundaries for the City
19 of Rockwall. Beyond these boundaries is the Hidden Valley Estates (#2) Subdivision, which
20 contains approximately 20 single family homes that are situated within Rockwall County.

21 Directly south of the subject property is a 12.003-acre parcel of land identified as Lot 1, Block A,
22 RISD Elementary School Addition. The property is owned by the Rockwall Independent School
23 District. South of this property is vacant land that is dedicated as a future phase of the Stone
24 Creek Subdivision (i.e. Phase 2A). All property south of the subject property is zoned Planned
25 Development District 70 (PD-70) for single family and institutional uses (i.e. school).

26 Directly east of the subject property is Williams Middle School, which is situated on a 25.569-acre
27 parcel of land zoned Single Family 16 (SF-16) District. Located east of this property is a 12.362-
28 acre parcel of land owned by the City of Rockwall, and zoned Single Family 16 (SF-16) District.

29 Directly west of the subject property is a vacant tract of land that is dedicated as open space
30 followed by a 2.2881-acre tract of land designated for commercial uses according to the approved
31 concept plan for Planned Development District 70 (PD-70).

32 The concept site plan and building elevations submitted as zoning exhibits depict a three (3)
33 story, 132 unit age restricted senior living facility being constructed on the subject property. In
34 addition to these conceptual plans, images of an example facility (i.e. Evergreen at Richardson)
35 that is currently constructed in Richardson, Texas have been provided by the applicant (see the
36 attached packet).

37 Staff has worked with the applicant to draft comprehensive development standards that address
38 the proposed development. These standards are similar to the standards drafted with Planned
39 Development District 68 (PD-68) [Ordinance No. 06-32], which provided development and land use
40 requirements for the Evergreen at Rockwall age restricted senior living facility located at 1325 S.
41 Goliad Street (SH-205), Rockwall, Texas. This facility was constructed by the applicant in 2008.

42 The Future Land Use map, approved with the Comprehensive Plan, depicts the subject property
43 as being designated for Public Uses. This designation is considered to be inconsistent because
44 the dedication requirements for all public facilities have been fulfilled for the Planned
45 Development District.

46 On January 30, 2014, staff mailed out four (4) notices to property owners within 200-feet of the
47 subject property and 185 courtesy notices to all property owners within Planned Development
48 District 70 (PD-70). Additionally, staff posted signs along FM-552 (which is the only street

frontage adjacent to the subject property) as required by the Unified Development Code (UDC). At the time this case memo was drafted no responses were received by staff from property owners within 200-feet of the subject property. Of the 185 courtesy notices mailed out staff has received 21 notices, all of which were opposed to the applicant's request.

If the Planning & Zoning Commission recommends approval of the applicant's request to amend Planned Development District 70 (PD-70) then staff would propose the following conditions of approval:

- 1) A site plan and final plat shall be required to be submitted and approved prior to the issuance of a building permit,
- 2) All development on the subject property shall generally conform to the conceptual site plan and building elevations,
- 3) All development and land use on the subject property shall strictly conform to the development standards depicted in the Planned Development Ordinance,
- 4) As stipulated by Planned Development District 70 (PD-70) [Ordinance No. 07-13] the development shall incorporate trails and sidewalks when necessary to allow for connectivity between intervening land uses (i.e. residential, institutional and commercial land uses and open space), and
- 5) Any construction resulting from the approval of this zoning amendment shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), 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.

Commissioner Nielsen asked if the applicant is the same developer as the developer for PD-70. Miller stated that the applicant is not the same; however, the owner of the property is the same as the developer for PD-70. Additionally, Commissioner Nielsen confirmed that the only use currently allowed on the property is single-family residential. Miller indicated that to be correct. Commissioner Nielsen also clarified what would be necessary in order to create a situation in which approval of the case would require a ¾ majority vote of City Council. Miller stated that the P&Z Commission must successfully pass a motion to deny the case.

Tony Sisk
Churchill Residential

Mr. Sisk gave a presentation regarding the proposed development. They did meet with the Stone Creek neighborhood association. He stated that his understanding is that there are no sites in Rockwall that have the appropriate zoning for this type of development and there is a great need for this type of age restricted senior housing. He would like to determine where this type of development might be appropriate. He additionally discussed property values and the cost of this development.

Chairman Renfro asked how many units are being proposed at this site. Mr. Sisk stated they are proposing 25 units per acre.

Commissioner Nielsen clarified the distance that the development will be from the nearest home. Mr. Sisk stated that from the edge of the property to the edge of the closest existing residential property is 776 feet.

Chairman Renfro opened the public hearing at 7:11pm.

Bob Wacker
806 Miramar Drive
Rockwall, Texas

2 Mr. Wacker gave a presentation. He stated that multi-family is not permitted in this area or any
4 other in Rockwall. He doesn't believe that this development is compatible with the Middle School
6 next door and that the traffic and other existing conditions make it unsafe for seniors.
8 Additionally, he stated that this development is not equal to surrounding development because
10 this is low income senior living. He discussed an increase in traffic and crime with this
12 development.

14
16 Brad Schwartz
18 124 Crestbrook
20 Rockwall, Texas

22 Mr. Schwartz stated that he is concerned with his children having to walk next to this high density
24 development to get to school.

26
28 Steve Guthomson
30 671 Featherstone Drive
32 Rockwall, Texas

34 Mr. Guthomson stated that his experience with a similar facility was that the people that visited
36 caused problems because they are not vested to the property. He asked the Commission to deny
38 this case.

40
42 Adam Buczek
44 8214 Westchester Dr, Ste. 710
46 Dallas, Texas

48 Mr. Buczek stated that he is representing the developer and owner of the property. He generally
50 discussed the future plans for the Stone Creek community. Mr. Buczek explained that this
52 community was planned as a life cycle community. They do not believe that this development will
54 devalue the existing properties or future development. He also mentioned that the subject
56 property is already inconsistent with the land use plan. He is concerned that families may not
58 want to live in single family homes on the subject property due to the close proximity to FM 552 as
60 well as the fact that the property is somewhat separated from the rest of the Stone Creek
62 neighborhood.

64
66 David Panak
68 777 Hanover
70 Rockwall, Texas

72 Mr. Panak stated that he understands the need for low income development; however, he doesn't
74 feel that it is appropriate to zone for this use after so many other in the community have invested
76 long term. He asked the Commission to deny the request.

78
80 Michael Albritton
82 791 Hanover Drive
84 Rockwall, Texas

86 Mr. Albritton stated that when they bought in the Stone Creek there was no multi-family
88 development planned for the area. They are concerned that this will lower their property values.
90 He is opposed to this project.

92
94 Cliff Sevier
96 3041 Longhorn Ln
98 Rockwall, Texas

2 Mr. Sevier stated that he was on the City Council when the Stone Creek development was
approved. He gave a brief history on what the City Council negotiated and approved. He asked
the Commission to review the history of the development.

4
6 Mr. Sisk stated that several incorrect statements were made; however, he thinks it is more
appropriate to withdraw the case at this time. He would like to know what location might be
appropriate for this type of development.

8
10 LaCroix stated that Mr. Sisk must formally withdraw the case in writing; however, the Commission
should take action on the case.

12 There being no others wishing to speak, Chairman Renfro closed the public hearing at 7:55pm.

14 Commissioner Nielsen made a motion to deny Z2014-002, a request by Brad Forslund of Churchill
Residential, Inc. on behalf of Stone Creek Balance, LTD. for the approval of a zoning amendment
16 to Planned Development District 70 (PD-70) to allow an age restricted, senior housing on a 5.29-
acre portion of a larger tract of land identified as Tract 2 of the W. T. DeWeese Survey, Abstract
18 No. 71, Rockwall, Rockwall County, Texas, currently zoned Planned Development District 70 (PD-
70), located on the south side of FM-552 east of N. Goliad Street (SH-205).

20 Commissioner Conley seconded the motion.

22 A vote was taken and the motion passed 6-0.

24 6. Z2014-003

26 Hold a public hearing to discuss and consider a request by Charlie Rickerson for the approval of
a Specific Use Permit to allow a detached garage with guest quarters/secondary living unit that
28 will exceed the maximum permissible height for an accessory structure on a 0.40-acre parcel of
land identified as Lot A, Block 117, B. F. Boydston Addition, Rockwall, Rockwall County, Texas,
30 also identified as a Landmarked Property, zoned Single Family 7 (SF-7) District, located at 109
St. Mary's Street, and take any action necessary.

32 Gonzales explained that the applicant, Charlie Rickerson, is requesting approval of a Specific Use
34 Permit (SUP) for the construction of a detached garage that will include a guest
quarters/secondary living unit. The property is located at 109 St. Mary's St., zoned Single Family
36 (SF-7) District, is recognized locally as a Landmarked Property, and was constructed in 1888. The
Folk Victorian styled home is also known as the Jordan House. In keeping with the historic
38 integrity of the property, the detached garage (accessory structure) will be composed primarily of
a beveled (horizontal) six (6) inch wood siding, a steep sloped gabled roof with a staggered
40 "shake" wall surface pattern on the façade, and decorative windows with the cornice and lintel
matching the primary structures appearance. The garage door for the building will have the
42 appearance of a carriage styled door, providing a historically relevant quality to the structure.

44 The proposed accessory structure will be a two (2) story structure with an overall square footage
of approximately 1,152 sq. ft. and an overall height of 30.8 feet. The lower level of the accessory
46 structure will consist of a detached garage that will be approximately 576 sq. ft. in area. The
Unified Development Code (UDC) allows for one (1) detached garage in a residential district as
48 long as it does not exceed 900 sq. ft. in area or fifteen (15) feet in height, provided that it is located
on the same lot as the residential use and that the exterior cladding contains the same materials,
50 excluding glass, as found on the main structure and is generally in the same proportion. The area
of the proposed accessory structure does not exceed the maximum square footage allowed;
52 however, it does exceed the maximum height of fifteen (15) feet, therefore requires an SUP.

54 In addition, the proposed accessory structure will provide a "Guest Quarters/Secondary Living
Unit" to be located on the second floor. The applicant has submitted proposed floor plans for the
56 accessory structure indicating the upstairs living space to be approximately 576 sq. ft., thereby
not exceeding the maximum allowable area of 30% of the main structure. Under the Permissible

2 Uses Section of the Unified Development Code (UDC), a guest quarters/secondary living unit requires approval of an SUP with the following conditions:

- 4 ✓ Guest quarters or secondary living units may be allowed on a property in a residential zoning district provided it is ancillary to the primary use and that only one such facility is provided.
- 6 ✓ The area of such quarters shall not exceed 30% of the area of the main structure.
- 8 ✓ No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the Subdivision Ordinance.

10 The Rickerson's have recently been approved for a Certificate of Appropriateness (COA) by the
12 Historic Preservation Advisory Board (HPAB) that allows for the construction of the accessory
14 building (with approval of an SUP) and restoration of the primary structure based on their goal of
16 maintaining the historical integrity of the home. Although the intent of the applicant is to provide
an accessory structure that is compatible in height, materials, color, design and style to the
primary structure, the SUP remains a discretionary action for the Planning and Zoning
Commission and City Council.

18 A public notice has been published in the Rockwall County News, on the City's web-site, and a
20 sign has been posted on the property. Also, notices have been mailed to fifteen (15) property
22 owners within 200-ft of the subject property as required by law. At time of this report, staff has
received two (2) response "in favor of," and none "opposed to" the request.

24 On January 16, 2014, the Historic Preservation Advisory Board approved the request of a COA for
the garage and secondary living unit, rear driveway and reconstructed front walkway with staff
26 recommendations and to include an additional condition that the new front driveway be a ribbon
driveway that extends a minimum of seventy feet from the front property line towards the garage
prior to pouring a standard drive for maneuvering and parking purposes.

28 Should the request be approved, staff would offer the following conditions:

- 30 1) The applicant will be required to obtain a building permit from the Building Inspections
32 Department prior to the commencement of any work on the subject property;
- 34 2) The detached garage/accessory structure shall comply with the submitted site plan and
building elevations;
- 36 3) The detached garage/accessory structure shall not exceed an overall height of 32-ft;
- 38 4) The area of the detached garage shall not exceed 900 sq. ft.;
- 40 5) The second floor guest quarters/secondary living area shall not exceed 30% of the area of the
main structure (i.e. 821.4 sq. ft.);
- 42 6) The guest quarters/secondary living unit shall be ancillary to the primary use and only one
such unit shall be provided;
- 44 7) The detached garage/accessory structure may not be sold or conveyed separately without
meeting the requirements of the zoning district and the Subdivision Ordinance;
- 46 8) The accessory structure is subject to administrative review in the event that the subject
property is sold, conveyed to another party, subdivided or re-platted;
- 48 9) The City Council reserves the right to review the SUP granted herein upon the expiration of
one (1) year from the date hereof;
- 50 10) Any construction, building or demolition necessary to complete 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
andwith all other applicable regulatory requirements administered and/or enforced by the
52 state and federal government.

54 Commissioner Nielsen asked if this might be a rental unit. Gonzales stated that it is prohibited to
use as a rental unit.

56 The applicant indicated that he had no other information to present.

2 Chairman Renfro opened the public hearing at 6:12pm.

4 There being no others wishing to speak, Chairman Renfro closed the public hearing at 6:13pm.

6 Commissioner Conley made a motion to approve Z2014-003, a request by Charlie Rickerson for
8 the approval of a Specific Use Permit to allow a detached garage with guest quarters/secondary
10 living unit that will exceed the maximum permissible height for an accessory structure on a 0.40-
acre parcel of land identified as Lot A, Block 117, B. F. Boydston Addition, Rockwall, Rockwall
County, Texas, also identified as a Landmarked Property, zoned Single Family 7 (SF-7) District,
located at 109 St. Mary's Street, with staff recommendations.

12 Commissioner Jackson seconded the motion.

14 A vote was taken and the motion passed 5-1, with Lyons against.

16 IV. ACTION ITEMS

18 7. P2014-001

20 Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH
22 Phase III, SF, LTD. for the approval of a preliminary plat for 71 residential lots identified as
24 Breezy Hill, Phase III, being a 48.247-acre tract of land situated within the J. Strickland Survey,
Abstract No. 187, Rockwall, Rockwall County, Texas, zoned Planned Development District 74
(PD-74), generally situated north of FM-552 in between John King Boulevard and Breezy Hill
Lane, and take any action necessary.

26 Miller stated that the Breezy Hill Subdivision is a master planned community that will provide
28 approximately 405-acres of residential and commercial development. The residential subdivision
will be composed of 691 single family lots on 345.8-acres of land, and be broken down per the lot
mix indicated in Planned Development District 74 (PD-74).

30 The purpose of the applicant's submittal is to preliminary plat Phase III of the Breezy Hill
32 Subdivision and layout 71 of the 691 single family lots. Out of the 71 proposed lots 23 will be
34 constructed to the *Type 'B'* standard and 48 will be constructed to the *Type 'C'* standard. In
36 addition to the preliminary plat the applicant has also submitted a preliminary water, sanitary
sewer and storm water plan establishing that the developer can provide adequate utilities to
service the proposed phase.

38 The proposed preliminary plat conforms to the Master Plat that was approved by the City Council
40 on October 15, 2012 under *Case No. P2012-029*.

42 If the Planning & Zoning Commission and City Council choose to approve the *Preliminary Plat* for
44 *Phases III* of the *Breezy Hill Subdivision* staff would recommend the following conditions of
approval:

- 46 1) The *Preliminary Plat* shall conform to all requirements stipulated by the Planning, Engineering
and Fire Departments;
- 48 2) In conformance with Planned Development District 74 (PD-74) [*Ordinance No. 12-26*] a *PD Site*
50 *Plan* shall be submitted and approved prior to the submittal of a final plat;
- 52 3) A *Treescape Plan* for the entire phase shall be required to be submitted with the *Final Plat*;
- 54 4) A final submittal of the *Preliminary Plat* shall be submitted to the Planning Department
56 indicating all outstanding comments and labeling all street names prior to any future
submittals;
- 5) The *Preliminary Plat* shall conform to the recommendations made by the Parks Board; and,

2 6) Any construction resulting from the approval of this *Preliminary Plat* shall conform to the
4 requirements set forth by the Unified Development Code (UDC), the 2009 International
6 Building Code (IBC), 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.

8 Commissioner McCutcheon made a motion to approve P2014-001, a request by Bobby Samuels of
10 the Skorburg Company representing BH Phase III, SF, LTD. for the approval of a preliminary plat
12 for 71 residential lots identified as Breezy Hill, Phase III, being a 48.247-acre tract of land situated
14 within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, zoned
Planned Development District 74 (PD-74), generally situated north of FM-552 in between John King
Boulevard and Breezy Hill Lane, with staff recommendations.

16 Commissioner Jackson seconded the motion.

18 A vote was taken and the motion passed 6-0.

- 20 8. P2014-002
22 Discuss and consider a request by Bobby Samuels of the Skorburg Company representing BH
24 Phase IV, SF, LTD. for the approval of a preliminary plat for 51 residential lots identified as
Breezy Hill, Phase IV, being a 41.662-acre tract of land situated within the J. Strickland Survey,
Abstract No. 187, Rockwall, Rockwall County, Texas, zoned Planned Development District 74
(PD-74), generally situated north of FM-552 in between John King Boulevard and Breezy Hill
Lane, and take any action necessary.

26 Miller indicated that the purpose of the applicant's submittal is to preliminary plat Phase IV of the
28 Breezy Hill Subdivision and layout 51 of the 691 single family lots. The 51 proposed lots will be
30 constructed to the Type 'D' standard. This portion of the development is intended to have a rural
32 aesthetic and will incorporate a street section, which will utilize valley ditches in lieu of curbs that
will running adjacent to a 28-foot street section (a cross section of the proposed street section is
shown of the preliminary plat).

34 In addition to the preliminary plat the applicant has also submitted a preliminary water, sanitary
36 sewer and storm water plan establishing that the developer can provide adequate utilities to
service the proposed phase.

38 The proposed preliminary plat conforms to the Master Plat that was approved by the City Council
40 on October 15, 2012 under Case No. P2012-029.

42 If the Planning & Zoning Commission and City Council choose to approve the Preliminary Plat for
44 Phases IV of the Breezy Hill Subdivision staff would recommend the following conditions of
approval:

- 46 1) The Preliminary Plat shall conform to all requirements stipulated by the Planning, Engineering
and Fire Departments;
- 48 2) In conformance with Planned Development District 74 (PD-74) [Ordinance No. 12-26] a PD Site
50 Plan shall be submitted and approved prior to the submittal of a final plat;
- 52 3) A Treescape Plan for the entire phase shall be required to be submitted with the Final Plat;
- 54 4) A final submittal of the Preliminary Plat shall be submitted to the Planning Department
56 indicating all outstanding comments and labeling all street names prior to any future
submittals;
- 5) The Preliminary Plat shall conform to the recommendations made by the Parks Board; and,

2 6) Any construction resulting from the approval of this Preliminary Plat shall conform to the
4 requirements set forth by the Unified Development Code (UDC), the 2009 International
6 Building Code (IBC), 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.

8 Commissioner Jackson asked what the impact this number of homes will have on water. LaCroix
10 stated that Stage 3 water restrictions are currently in effect. If Stage 4 water restrictions go into
effect, which does not allow for any new landscape installations, then staff will work with the
applicant to determine the best option.

12 Commissioner Jackson made a motion to approve P2014-002, a request by Bobby Samuels of the
14 Skorburg Company representing BH Phase IV, SF, LTD. for the approval of a preliminary plat for
51 residential lots identified as Breezy Hill, Phase IV, being a 41.662-acre tract of land situated
16 within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, zoned
Planned Development District 74 (PD-74), generally situated north of FM-552 in between John King
18 Boulevard and Breezy Hill Lane, with staff recommendations.

20 Commissioner Lyons seconded the motion.

22 A vote was taken and the motion passed 6-0.

24 9. SP2014-002

26 Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Billy
Self of Pro Soap, Inc. for the approval of a site plan for a warehouse facility on a 2.03-acre parcel
28 of land identified as Lot 2 of the DBK Addition, Rockwall, Rockwall County, Texas, zoned Light
Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south
side of IH-30 west of Corporate Crossing, and take any action necessary.

30 Gonzales explained that Wayne Mershawn of Mershawn Architects has submitted an application
32 on behalf of Billy Self, owner of Pro Soap, for site plan approval of a 19,500 sq. ft. distribution
center. The proposed facility is to be located on a 2.03-acre vacant lot that is adjacent to and is
34 southeast of the Pro Soap business, which is currently being used for boat storage. The lot is
identified to be within the IH-30 Overlay District (IH-30 OV) and is subject to the standards
36 established within this district; however, the lot is approximately 300-ft from the IH-30 service
road and approximately an additional 75-ft from IH-30. Due to the distance and limited visibility
38 from IH-30, the applicant is requesting exterior material, building articulation, and the minimum
10-ft high screening wall as variances for the proposed distribution center.

40 The proposed site will contain a 19,500 sq. ft. single story metal building that will be utilized as a
42 distribution facility. The site can be accessed from the IH-30 service road at two (2) points of
entry along Pro Soap Drive and an additional point of entry by way of a shared 24-ft mutual access
44 easement and firelane with the adjacent property to the north. The parking ratio for a distribution
center is one (1) parking space per 2000 sq. ft., which will require ten (10) spaces. Based on the
46 proposed site plan, the applicant will meet the City's standards for parking.

48 Although the property is located within the IH-30 OV and along Pro Soap Drive (private drive), the
property does not have IH-30 or street frontage, therefore landscape buffers are not required and
50 will minimize the number of trees to be placed on the lot; however, the applicant is providing
twelve (12) trees (3 Live Oaks & 9 Crape Myrtles) along with an assortment of Indian Hawthorne's
52 and Boxwood shrubs for screening purposes. Additionally, the applicant will be providing twenty
(20) trees (11 Live Oaks & 9 Crape Myrtles) towards the rear of the property for screening of the
54 detention area. Also to consider are the existing Crape Myrtles along the IH-30 frontage road (on
existing Pro Soap site) which will help to minimize visibility by providing a limited screening of the
56 proposed building.

2 The UDC requires all lighting to be contained on site at a maximum intensity of 20-FC and that
3 lighting at the property lines is not to exceed 0.2-FC in order to control glare and spillover lighting.
4 The lighting plan indicates an area along the east property line that exceeds 0.2-FC, creating
5 spillover lighting onto the adjacent property. Staff recommends an adjustment to the wall-pack
6 lighting fixtures that would bring this area into compliance as well as submittal of cut sheets for
7 all exterior lighting fixtures.

8 Based on the photometric plan as submitted, the site appears to meet the intent of the SOV
9 district and the UDC, with the exception as noted along the north property line.

10 The proposed 19,500 sq. ft. building will be composed primarily of prefabricated metal walls &
11 roof with the exception of the north facing elevation. This façade will incorporate a natural stone
12 product containing a mix of light and dark stone that will provide relief while thematically
13 matching the existing Pro Soap building. The applicant is requesting a variance to allow for the
14 metal exterior based on the minimal visibility due to its location. It should be noted that the
15 applicant intends to provide stone on the east elevation of the existing Pro Soap building thereby
16 blending with the proposed north elevation of the new facility.

17 The overall height of the building will be 26-ft 3 inches, not exceeding the height restriction for the
18 LI district. As a note, the proposed facility does not meet the building design criteria of the IH-30
19 OV district due to not incorporating the minimum four articulated elements; rather it will have a
20 linear appearance on all four sides and requires a variance to these standards. Also, the applicant
21 will be requesting a variance to the minimum 10-ft. high screening wall for the loading dock area
22 and will instead incorporate two (2) Live Oaks, three (3) Crape Myrtles, and several Boxwood
23 shrubs to serve as a living screen. As a note, the loading dock area is located approximately 220-
24 ft from the property line and will be more than 500-ft from the IH-30 service road.

25 Based on the IH-30 OV district requirements and the general location of the proposed 19,500 sq.
26 ft. distribution center, the applicant is requesting variances for the exterior materials, the 10-ft.
27 screening wall for the loading dock, and the four articulated elements associated with the
28 building's design. The requested variances are to allow for:

- 29 1) Not meeting the minimum 90% masonry requirement including 20% natural or quarried stone
30 for the south, east and west exterior elevations by allowing prefabricated metal finished
31 panels on these particular elevations, and;
- 32 2) Not meeting the minimum 10-ft solid wall screening requirement for loading docks and
33 allowing for the living screen as depicted in the landscape plan submitted, and;
- 34 3) Not meeting the articulated building design standards by allowing for a linear designed
35 building envelope with a non-articulated sloped gable roof.

36 Under Sec. 6.6, IH-30 OV district, the UDC provides as follows:

37 The City Council may, upon request from the applicant, grant a variance to any provision of this
38 section where unique or extraordinary conditions exist or where strict adherence to the
39 provisions of this section would create a hardship. Approval of any variance to any provision of
40 this section shall require city council approval by a three-quarter majority vote of those city
41 council members present with a minimum of four affirmative votes.

42 Staff would point out that the majority of the existing buildings surrounding the proposed
43 property are also metal buildings, many of which existed prior to annexation of the area. The
44 proposed 19,500 sq. ft. building is generally screened from east bound IH-30 traffic by several of
45 the surrounding buildings and will be screened from the IH-30 service road as well as by the
46 existing Pro Soap landscaping. Staff would point out that given the limited visibility and the
47 general location of the property, being approximately 300-ft from the IH-30 service road and to the
48

2 rear of an existing building located north of this particular lot, the proposed variances remain a
3 discretionary action for the Planning and Zoning Commission and City Council.

4 On January 28, 2014, the Architectural Review Board (ARB) recommended the applicant
5 incorporate an evergreen tree/shrub (e.g. Leyland cypress) in an effort to screen the building from
6 IH-30 and to incorporate a mixture of dark stone (matching the existing Pro Soap building) and
7 light stone on the north elevation to provide relief and a unified development scheme.

8 If approved, staff would offer the following conditions:
9

- 10 1. Adherence to all engineering and fire department standards.
11 2. Submittal and approval of a building permit.
12 3. Submittal and approval of replat.
13 4. Consider recommendations forwarded to the Planning and Zoning Commission from the
14 Architectural Review Board.
15

16 Commissioner Nielsen clarified the masonry requirement along with the amount of masonry being
17 proposed. He additionally asked if other buildings have been approved with this much of a
18 deviation from the standards. Gonzales stated that on the north elevation the building has 100%
19 masonry. The south, east and west side do not have any masonry. Additional discussion
20 occurred related to other buildings with variances to the masonry standard.
21

22 Chairman Renfro asked if the Commission will be setting precedence by approving these
23 variances. Gonzales explained that approval of the variances is discretionary.
24

25 Wayne Mershawn
26 2313 Ridge Road
27 Rockwall, Texas
28

29 Mr. Mershawn stated that they did offer to place stone on the building closer to I30 in lieu of
30 placing stone on the sides of the proposed building.
31

32 Billy Self
33 1830 I30
34 Rockwall, Texas
35

36 Mr. Self stated that this building will be entirely warehouse space with no office space and no air
37 conditioned space.
38

39 General discussion took place regarding the variances and the applicant's proposal to add stone
40 to the east façade of the existing building.
41

42 Commissioner Lyons made a motion to approve SP2014-002, a request by Wayne Mershawn of
43 Mershawn Architects on behalf of Billy Self of Pro Soap, Inc. for the approval of a site plan for a
44 warehouse facility on a 2.03-acre parcel of land identified as Lot 2 of the DBK Addition, Rockwall,
45 Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-
46 30 OV) District, located on the south side of IH-30 west of Corporate Crossing, with staff
47 recommendations.
48

49 Commissioner McCutcheon seconded the motion.
50

51 A vote was taken and the motion passed 5-1, with Nielsen against.
52

53 *(At this time, the Commission moved back to Item #5 on the Agenda.)*
54

55 V. ADJOURNMENT
56

The meeting adjourned at 7:56 p.m.

2

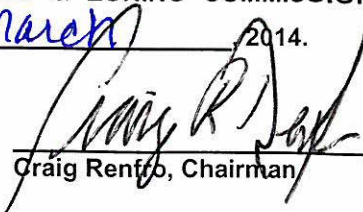
PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF

4

ROCKWALL, Texas, this 25th day of March, 2014.

6

8



Craig Renfro, Chairman

10 Attest:

12



JoDee Sanford, Planning Technician

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
February 25, 2014
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Vice Chairman John McCutcheon at 6:00 p.m. with the following members present: Wendi Conley, Connie Jackson, Jonathan Lyons, Kristen Minth, and Matthew Nielsen. Chairman Craig Renfro was not present.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff member, Tim Tumulty was in attendance.

II. CONSENT AGENDA ITEMS

1. Approval of Minutes for the December 10, 2013 Planning and Zoning Commission meeting.

2. P2014-006

Discuss and consider a request by Harold Fetty on behalf of Meldria Johnson for the approval of a replat for Lots 1 & 2, Block A, M & M Johnson Addition being a 0.37-acre parcel of land currently identified as a portion of Lot 3, Block H, Sanger Brothers Addition, zoned Multi Family-14 (MF-14) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, and located approximately 113-feet from the northeast corner of the intersection of Davy Crockett Street and Bourn Avenue, and take any action necessary.

Commissioner Minth made a motion to approve the Consent Agenda.

Commissioner Jackson seconded the motion.

A vote was taken and the motion passed 6-0.

III. DISCUSSION ITEMS

3. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review, and for update concerning the Board's on-going Visual Preference Survey.

Mr. Clark Staggs represented the Architectural Review Board (ARB). The board reviewed the medical office building on Ridge Road and made several recommendations that the applicant will consider.

Mr. Staggs also requested that the P&Z Commission assist the ARB by participating with the Visual Preference Survey.

4. P2014-005

Discuss and consider a request by Kelcey Barnes for the approval of a final plat for a six (6) acre portion of a larger 36.61-acre tract of land identified as Tract 13-03 of the W. W. Ford Survey, Abstract No. 80, Rockwall County, Texas, being situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally being a portion of a 20-acre tract of land identified as 636 Hanby Lane, and take any action necessary.

2 Sanford discussed the location of the property and described the case.

4 Commissioner Nielsen inquired as to the purpose of subdividing the property.

6 Harold Fetty
6770 FM 1565
8 Royse City, Texas

10 Mr. Fetty stated that a father is deeding the property to his daughter. He stated that they intend to build a single family home on the property outside of the flood plain area.

12

5. Z2014-004

14 Hold a public hearing and consider approval of an ordinance for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and
16 Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary.

18 Miller briefly discussed the case. LaCroix gave some additional clarification.

20 Commissioner Nielsen stated that sending out certified mail is a terrible idea especially if we increase the number of notices being sent out. He additionally stated that this will dramatically
22 increase the cost of sending notices out and citizens will not pick up the notices. Commissioner Nielsen stated that he feels in regard to the signage placed on the property, some flexibility
24 should be built in and the requirements should not be rigid.

26 Commissioner Jackson stated that she is also concerned about the cost as well as residents not picking up the notices if they are sent certified.

28

Commissioner Minth stated that she is concerned about the legality of increasing the notice area.

30

32 Commissioner Lyons stated that he is in agreement with Commissioner Nielsen and Commissioner Jackson in terms of expense. He also asked if increasing the notice area would cause a decrease in development because it would make it more difficult. Commissioner Lyons
34 also liked the idea of stamping the outside of the envelope.

36 Commissioner Nielsen stated that he would like to see what other comparable cities do in terms of notice area and signage.

38

40 Commissioner Minth stated that she has seen a change in the number of people that come out and speak regarding zoning change. She likes the zoning signs and she likes the idea of stamping the outside of the envelope and she suggested that we continue with the current
42 requirements before making any drastic changes.

44 6. Z2014-005

46 Hold a public hearing to discuss and consider a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a zoning change from an Agriculture (AG) District to a Light Industrial (LI) District for a
48 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and
50 take any action necessary.

52

Miller generally described the case and the location of the property.

54

56 Vice Chairman McCutcheon stated that he understands the purpose of rezoning the property; however, he is concerned with having Light Industrial zoned property directly off of John King.

2 Miller indicated that the rezoning does conform with the Comprehensive Plan and Future Land
Use map.

4 Additional discussion took place regarding the property and future use.

6 7. Z2014-006

8 Hold a public hearing to discuss and consider a request by the Cabana's at Chandler's Landing
Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing to
10 amend the density and dimensional requirements stipulated by Planned Development District 8
(PD-8) for a 1.131-acre portion of a parcel of land identified as the Cabanas at Chandler's
12 Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as
established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of
14 Harbor View Drive, and take any action necessary.

16 Miller gave a brief overview of the case and described the property.

18 Jeanette Gibson
548 Yacht Club
Rockwall, Texas

20 Commissioner Minth clarified that if the lots become private lots, would this disallow access by
22 neighbors. Discussion took place regarding the common space including sidewalks.

24 Commissioner Nielsen stated that he is concerned about any legality issues concerning someone
getting hurt on the property.

26 8. SP2014-003

28 Discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Ketan
Parekh of A. J. Squared, LLC for the approval of a site plan for a medical office building on a
30 1.463-acre parcel of land identified as Lot 2, Block A, Rockwall Assisted Living Facility Addition,
zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the
32 Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of
Cemetery Road, and take any action necessary.

34 Gonzales generally described the case and the location of the property.

36 9. SP014-004

38 Discuss and consider a request by Bill Thomas of Engineering Concepts and Designs on behalf
of Tommy Pulliam of the Rayburn Electric Cooperation, Inc. for the approval of a site plan for
40 office building on a 6.057-acre tract of land identified as a portion of Tract 3-06 of the W. H.
Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Heavy Commercial
42 (HC) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take
any action necessary.

44 Sanford explained the case and discussed the location of the property.

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

- 48
- 50 ✓ P2014-001: Preliminary Plat of Breezy Hill, Phase 3 [Approved]
 - ✓ P2014-002: Preliminary Plat of Breezy Hill, Phase 4 [Approved]
 - 52 ✓ P2014-003: Replat of Lot 2, Block A, Rockwall County YMCA [Approved]
 - ✓ P2014-004: Final Plat of Lot 1, Block 1, Valk Rockwall Addition [Approved]
 - 54 ✓ Z2014-001: Rayburn Electric Cooperation Zoning Change (AG to HC) (1st Reading) [Public
Hearing Continued]
 - 56 ✓ Z2014-003: SUP for a Detached Garage & Secondary Living Unit (1st Reading) [Approved]
 - ✓ SP2014-002: Pro Soap Distribution Center [Approved]

2 LaCroix briefly updated the Commission on the above listed cases.

4 IV. ADJOURNMENT

6 The meeting adjourned at 6:56 p.m.

8 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 8th day of April, 2014.


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Craig Renfro, Chairman

Attest:



JoDee Sanford, Planning Technician

MINUTES

PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
March 11, 2014
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Craig Renfro at 6:00 p.m. with the following members present: Connie Jackson, Kristen Minth, and John McCutcheon. Wendi Conley, Jonathan Lyons, and Matthew Nielsen were not present.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff member, Tim Tumulty and Kathleen Moreno, were in attendance.

II. CONSENT AGENDA ITEMS

1. Approval of Minutes for the January 14, 2014 Planning and Zoning Commission meeting.

2. Approval of Minutes for the January 28, 2014 Planning and Zoning Commission meeting.

3. P2014-008

Discuss and consider a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a final plat for Lot 1, Block A & Lot 1, Block B, Channel Subdivision and for the dedication of Justin Road right-of-way being a 37.828-acre tract of land located within the Archibald Hanna Survey, Abstract No. 99, the N. Butler Survey, Abstract No. 20 and the David Harr Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) and Agriculture (AG) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located in between John King Boulevard and Industrial Boulevard north of Interstate Highway 30 (IH-30), and take any action necessary.

Commissioner Jackson made a motion to approve the Consent Agenda.

Commissioner McCutcheon seconded the motion.

A vote was taken and the motion passed 4-0.

III. PUBLIC HEARING ITEMS

4. Z2014-004

Hold a public hearing and consider approval of an ordinance for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary.

Miller explained the current notification requirements and procedures. On January 21, 2014 the City Council made a motion to direct staff to amend Section 6.1, *Notice of Public Hearings*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC). The approved motion included the following recommendations:

- 1) The property owner notification area shall be changed from 200-feet to 500-feet,
- 2) The notice of public hearing shall be sent to both the property owner listed on the tax rolls and to the physical property address,
- 3) All notice of public hearing shall be sent via certified mail,

- 2 4) Any additional cost incurred by the certified notices shall be passed along to the applicant of
the public hearing case, and
4 5) A sign measuring four (4) feet by four (4) feet that is double sided (*i.e. contains the same
information on the front and back*), that clearly indicates the proposed zoning change in a
6 "TO" to "FROM" format, shall be posted on the subject property.

8 In response to this motion staff has amended Section 6.1 of Article II to include the requested
revisions. Staff has also prepared an example of signage that meets the criteria requested by the
10 City Council. According to the UDC, the Planning and Zoning Commission "shall approve, deny
or modify the amendment and forward its report and recommendation to the City Council."
12 Additionally, Section 211.006(c) of the Texas Local Government Code states that a two-thirds (2/3)
majority vote by the City Council is required to pass any action that prescribes or changes the
notification requirements.

14 As requested by the Planning and Zoning Commission at the Work Session Meeting (*February 25,
16 2014*) staff has surveyed comparable city's notification requirements and gathered historical
information concerning the number of zoning cases submitted in the last five (5) years. For
18 clarification purposes staff has provided three (3) examples of cases from previous years that
show the proposed changes to the buffer requirements (*i.e. 200-foot to 500-foot*) and have
20 summarized the projected cost differences using current postage rates. Finally, for general
reference staff has also included a summary of the current notification procedures along with all
22 current state and local requirements and departmental procedures.

24 LaCroix additionally stated that this proposed change to the requirements is based upon concern
that residents are not receiving notices. Council discussed the notification process with
26 residents. Some of the ideas discussed were determined to be inappropriate such as hand
delivering notices; however, the Council was concerned with property owners not always
28 notifying their tenants. The Council's solution to this issue is to send notices to both the property
owner and tenants at the property address. LaCroix also discussed the signage on the property.
30 The intent of these changes is to shift some of the responsibility to the residents to pick up, open
and read the notices that are sent.

32 Chairman Renfro opened the public hearing at 6:16pm.

34 Commissioner Jackson asked who pays the postage on the notices currently. LaCroix responded
36 that the City currently covers this cost. Commissioner Jackson additionally asked who will cover
the cost increase if the changes are approved. LaCroix stated that the Council would like to pass
38 the costs on to the applicant; however, it may be difficult to determine the total costs at the time
application is made.

40 Chairman Renfro stated that staff time and costs are both issues to consider when extending the
42 buffer area beyond 200 feet. He believes these issues may be part of the reason why a majority of
other cities do not extend their notification area beyond 200 feet. He suggested possibly putting a
44 cap on the number of notifications sent.

46 Commissioner Minth stated that she doesn't see the need to expand beyond the 200 feet buffer.
She does not want to see the buffer area extended to 400 or 500 feet. She inquired as to whether
48 other cities have tier notification systems and what the tier is based upon. Miller explained that
the only city with a tier system is Dallas and it was based upon acreage. Commissioner Minth
50 additionally stated that a 200 foot buffer is adequate and at a maximum 300 feet. She doesn't
think that notification of the tenant is necessary. She does not think certified mail is an option. It
52 is too costly and it may stifle advancements in development. Putting the stamp on the envelope
along with changing the signage are vast improvements. She believes that the City is already on
54 the right path with the improvements previously made including placing the stamp on the
envelope and changing the sign to include what type of change is being requested.

56 Commissioner McCutcheon stated that he is in agreement with Commissioner Minth. He agrees
58 possibly extending the notification area to 300 feet, but extending beyond that will be too
expensive. He really likes the proposed sign, but can understand the need for flexibility with the

2 size. Commissioner McCutcheon additionally expressed that he is absolutely against the idea of
3 sending certified mail. He explained that many will not pick up the certified mail, certified mail is
4 too costly, and he doesn't want to hinder the applicant.

6 Commissioner Jackson stated that when a zoning comes to a neighborhood, usually the HOAs
7 are notified. Therefore, anyone leasing a property would be aware of the zoning change. She also
8 agrees with the 200 foot notification area not to exceed 300 feet.

10 Commissioner Minth asked how long the city has been notifying HOAs. LaCroix stated that this is
11 not a recent change and has been going on for many years. Additional discussion took place
12 regarding notification of property managers of multi-tenant properties. Commission Minth stated
13 that she would vote to not make any changes to the requirements and procedures except for
14 proceeding with the signs; however, she doesn't want to make the requirements so stringent that
they wouldn't allow for flexibility when needed.

16 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at
17 6:31pm.

18 Commissioner Minth made a motion to table Z2014-004, a city-initiated request to amend the
19 Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and
20 Administrative Procedures, Section 6.1, Notice of Public Hearing.

22 Commissioner Jackson seconded the motion.

24 A vote was taken and the motion passed 4-0.

26 5. Z2014-005

28 Hold a public hearing to discuss and consider a request by Ron Ramirez of Wier & Associates,
29 Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the
30 approval of a zoning change from an Agriculture (AG) District to a Light Industrial (LI) District for a
31 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr Survey, Abstract No.
32 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass Corridor Overlay
33 (205 BY-OV) District, located on the west side of John King Boulevard south of Airport Road, and
34 take any action necessary.

36 Miller explained that the subject property is a 2.006-acre portion of a larger 6.114-acre tract of land
37 identified as Tract 2-7 of the David Harr Survey, Abstract No. 102. The City of Rockwall purchased
38 the property in 2008 as part of the right-of-way acquisition for the construction of John King
39 Boulevard, which eventually divided the 6.114-acre tract of land into three pieces (i.e. the 2.006-
40 acre subject property, ~2.058-acres of right-of-way and the ~2.05-acre remainder tract). The intent
41 of the proposed rezoning request is to change the zoning on the subject property from an
42 Agriculture (AG) District to a Light Industrial (LI) District for the purpose of combining the 2.006-
43 acre tract of land with the 35.78-acre tract of land situated west of the subject property and
44 currently zoned Light Industrial (LI) District. The adjacent property is identified at Tract 5 of the N.
45 Butler Survey, Abstract No. 20. Both the subject property and the 35.78-acre tract of land are
46 owned by the Rockwall Economic Development Corporation. A corporate headquarters is
47 planned for the property which will have a Commercial/Office look.

48 The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property
49 for Technology/Light Industrial land uses. This designation is in conformance with the applicants
50 request to rezone the subject property to a Light Industrial (LI) District.

52 On February 28, 2014, staff mailed seven (7) notices to property owners within 200 feet of the
53 subject property. Additionally, staff posted a sign along John King Boulevard, which is the only
54 street frontage adjacent to the subject property as required by the Unified Development Code
55 (UDC). At the time this case memo was drafted no responses were received by staff.

58 Ken Keeton
REDC

2 Mr. Keeton stated that the zoning change from AG to LI will facilitate the construction of a 175,000
4 square foot building for Channell Communication. This is a \$20 million investment for Rockwall.

6 Chairman Renfro opened the public hearing at 6:36pm.

8 There being no one wishing to speak on the matter, Chairman Renfro closed the public hearing at
6:36pm.

10 Commissioner Jackson made a motion to approve Z2014-005, a request by Ron Ramirez of Wier &
12 Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation
(REDC) for the approval of a zoning change from an Agriculture (AG) District to a Light Industrial
14 (LI) District for a 2.006-acre tract of land identified as a portion of Tract 2-7 of the David Harr
Survey, Abstract No. 102, Rockwall, Rockwall County, Texas, situated within the SH-205 By-Pass
16 Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of
Airport Road, with staff recommendations.

18 Commissioner Minth seconded the motion.

20 A vote was taken and the motion passed 4-0.

22 6. Z2014-006

24 Hold a public hearing to discuss and consider a request by the Cabana's at Chandler's Landing
Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing to
26 amend the density and dimensional requirements stipulated by Planned Development District 8
(PD-8) for a 1.131-acre portion of a parcel of land identified as the Cabanas at Chandler's
Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as
28 established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of
Harbor View Drive, and take any action necessary.

30 Miller stated that the subject property is a 1.131-acre portion of the Cabanas at Chandler's
32 Landing, which contains nine (9) condominiums. When originally constructed in 1987, the
Cabanas consisted of 20 condominium units that were constructed to the Multi Family 15 (MF-15)
34 development standard. It was the intent of this development to resemble townhomes; however,
the extent of ownership only consisted of interior square footage as opposed to extending to a
36 unit and/or lot, which is typical with townhome development. The remaining lot area was
dedicated as open space and placed under the common ownership of the Cabanas Homeowner's
38 Association, which was setup separate from the Chandler's Landing Homeowner's Association.

40 In September of 1990 the then owner, Chisholm Federal Savings & Loan, submitted a zoning
application requesting to amend the zoning to establish lot standards to allow for six (6) of the
42 condominiums to be situated on individual lots for the purpose of marketing them as townhomes.
This request was approved on November 5, 1990 [Ordinance No. 90-38] and a plat depicting the lot
44 layout was filed with the county. These six (6) townhomes along with five (5) additional
condominiums, then seceded from the Cabanas Homeowner's Association leaving the nine (9)
46 remaining units situated on the subject property.

48 The applicants are requesting to amend the current zoning for the subject property to allow for
similar lot standards that were established under Ordinance No. 90-38 for the remaining nine (9)
50 condominium units. Additionally, it is the applicants' intent to dissolve the Cabanas at Chandler's
Landing Homeowner's Association in order to join the Chandler's Landing Homeowner's
52 Association, and to transfer ownership and maintenance responsibility for the open space lots to
the Chandler's Landing Homeowner's Association.

54 The applicant's request does not change the conforming status of the property with the Future
56 Land Use Map approved with the Comprehensive Plan.

58 On February 28, 2014, staff mailed 38 notices to property owners within 200 feet of the subject
property. Additionally, staff posted a sign adjacent to the private access drive and Yacht Club

2 Drive in front of the condominium units as required by the Unified Development Code (UDC). At
3 this time, no responses were received by staff.

4 If the Planning and Zoning Commission recommends approval of the applicant's request to
5 amend Planned Development District 8 (PD-8) then staff would propose the following conditions
6 of approval:

8 1) In conjunction with the submission of a replat application a letter from the Chandler's Landing
9 Homeowner's Association (HOA) stating acceptance of the open space lots depicted on the
10 Zoning Exhibit (Exhibit 'C' in the Draft Ordinance) shall be submitted to staff,

12 2) A replat that generally conforms to the Zoning Exhibit and strictly adheres to the PD
13 Development Standards (Exhibit 'D' in the Draft Ordinance) shall be submitted and approved
14 by the Planning and Zoning Commission and City Council,

16 3) All sidewalks will be required to be indicated as Public Access Easements on the replat,

18 4) Any new development or reconstruction of existing development shall conform to the PD
19 Development Standards, shall not deviate from the Zoning Exhibit, and shall maintain the
20 aesthetics of the existing buildings. To maintain conformance with this requirement staff may
21 require an administrative site plan review at the time of a building permit submittal, and
22

24 5) Any construction resulting from the approval of this zoning amendment shall conform to the
25 requirements set forth by the Unified Development Code (UDC), the International Building
26 Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire
27 codes and with all other applicable regulatory requirements administered and/or enforced by
28 the state and federal government.

30 Commissioner Minth asked for clarification on the sidewalks. Miller clarified that the sidewalks in
31 the front near the parking area has been put into a public access easement.

32 Jeanette Gibson
33 548 Yacht Club
34 Rockwall, Texas

36 Ms. Gibson stated that she is requesting this zoning change.

38 Chairman Renfro opened the public hearing at 6:44pm.

40 There being no one wishing to speak on the matter, Chairman Renfro closed the public hearing at
41 6:44pm.

42 Commissioner Minth made a motion to approve Z2014-006, a request by the Cabana's at
43 Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at
44 Chandler's Landing to amend the density and dimensional requirements stipulated by Planned
45 Development District 8 (PD-8) for a 1.131-acre portion of a parcel of land identified as the Cabanas
46 at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or
47 condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht
48 Club Drive and west of Harbor View Drive, with staff recommendations.

50 Commissioner Jackson seconded the motion.

52 A vote was taken and the motion passed 4-0.

54 IV. ACTION ITEMS

56 7. MIS2014-001

58 Discuss and consider a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken
Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a tree

mitigation plan on a 15.554-acre tract of land for the construction of Justin Road; the subject property is located within the Archibald Hanna, Abstract No. 99, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located in between John King Boulevard and Industrial Boulevard north of Interstate Highway 30 (IH-30), and take any action necessary.

Miller explained that the applicant Ron Ramirez of Wier & Associates, Inc. is requesting the approval of a Tree Mitigation Plan for the purpose of constructing Justin Road along with a regional detention pond, which will be located on a 15.554-acre tract of land south of the proposed roadway.

The tree plan submitted by the applicant shows the location of 19 Cedar trees with a combined total of 636 caliper inches in size. The total number of caliper inches required to be mitigated for will be 276-inches (i.e. 552/2).

To satisfy the tree mitigation requirements the applicant has provided staff with a tree plan that shows a total of 123, 3-inch caliper bald cypress trees (i.e. 369 caliper inches) will be planted within the detention area. This not only fulfills the tree mitigation requirements, but also conforms to the required landscaping requirements for detention ponds (i.e. one [1] tree per 750 square feet of detention area).

Since the applicant is in conformance with all landscaping and mitigation requirements stipulated by the Unified Development Code, staff recommends approval of the tree mitigation plan.

Commissioner Jackson made a motion to approve MIS2014-001, a request by Ron Ramirez of Wier & Associates, Inc. on behalf of Ken Keeton of the Rockwall Economic Development Corporation (REDC) for the approval of a tree mitigation plan on a 15.554-acre tract of land for the construction of Justin Road; the subject property is located within the Archibald Hanna, Abstract No. 99, Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located in between John King Boulevard and Industrial Boulevard north of Interstate Highway 30 (IH-30), with staff recommendations.

Commissioner McCutcheon seconded the motion.

A vote was taken and the motion passed 4-0.

8. P2014-005

Discuss and consider a request by Kelcey Barnes for the approval of a final plat for a six (6) acre portion of a larger 36.61-acre tract of land identified as Tract 13-03 of the W. W. Ford Survey, Abstract No. 80, Rockwall County, Texas, being situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally being a portion of a 20-acre tract of land identified as 636 Hanby Lane, and take any action necessary.

Sanford explained that the purpose of this plat is to subdivide a portion of a tract of land within the extraterritorial jurisdiction (ETJ) in order to convey property in conformance with a 212 Development agreement and an Interlocal Cooperation agreement.

The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

If the Planning & Zoning Commission and City Council choose to approve the final plat for Lot 1, Block A, Barnes Estate, the following conditions of approval are offered:

- 1) All the technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat; and
- 2) Any construction resulting from the approval of this final 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.

Commissioner Jackson made a motion to approve P2014-005, a request by Kelcey Barnes for the approval of a final plat for a six (6) acre portion of a larger 36.61-acre tract of land identified as Tract 13-03 of the W. W. Ford Survey, Abstract No. 80, Rockwall County, Texas, being situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally being a portion of a 20-acre tract of land identified as 636 Hanby Lane, with staff recommendations.

Commissioner Minth seconded the motion.

A vote was taken and the motion passed 4-0.

9. SP2014-003

Discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Ketan Parekh of A. J. Squared, LLC for the approval of a site plan for a medical office building on a 1.463-acre parcel of land identified as Lot 2, Block A, Rockwall Assisted Living Facility Addition, zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of Cemetery Road, and take any action necessary.

Gonzales stated that Kevin Patel of Triangle Engineering, LLC has submitted an application on behalf of Ketan Parekh of A.J. Squared, LLC for site plan approval of a 12,606 sq. ft. medical office. The proposed facility is to be located on a 1.463-acre lot that is north of the Rockwall Assisted Living Facility (located at the N.W. corner of Summer Lee and Ridge Road) and is situated on the west side of Ridge Road, south of Cemetery Road and is zoned Planned Development No. 18 (PD-18). The property is identified to be within the Scenic Overlay (SOV) district and is subject to the standards established within this district.

The proposed site will house a 12,606-sf single story medical office. The sites' design is to allow for a single point of access along Ridge Road. Although the spacing requirement as established in the Engineering's Standards of Design Manual for access between lots cannot be met (based on the two adjoining lots layout), the drive approach does line up with the median break. Based on this alignment and the circumstance of having no connecting drives with the adjoining lots, the proposed drive does have merit and should be considered; however, it does require permitting through TXDOT. The parking ratio for a medical office is one (1) space per 200-sf and requires sixty-three (63) parking spaces. The applicant is proposing sixty-eight (68) parking spaces, which exceeds City standards by five (5) spaces. Also, the building footprint meets the four sided horizontal articulation requirements in the SOV Overlay district.

With the exception of the driveway spacing requirement, the site plan meets (or exceeds) the intent of the SOV and UDC as submitted.

The applicant has submitted a landscape plan indicating a total of 19% landscaping coverage including the use of Cedar Elms, Live Oaks and Red Oaks as canopy trees, and Crepe Myrtles as accent trees. The 20-ft. landscape buffer will contain seven (7) Live Oaks and ten (10) Crepe Myrtles along Ridge Road, and will include a row of Dwarf Buford Holly shrubbery as screening for the front facing parking spaces. Also, the site will incorporate Cedar Elms and Red Oaks internally as well as adjacent to the north, south, and west perimeters of the lot. The site also features additional shrubs and grass (e.g. Dwarf Yaupon Holly, Century Plant, Loropetalum Daruma, Common Bermuda grass) dispersed throughout the property providing for an aesthetically pleasing environment surrounding the facility. The proposed landscape plan exceeds the 15% minimum required by the Unified Development Code (UDC) for a commercial development and meets the intent of the SOV Overlay district.

The landscape plan meets (or exceeds) the intent of the SOV and UDC as submitted.

TREESCAPE PLAN:

2 This particular site is heavily treed and in order for the site to develop the applicant is proposing
4 to remove a total of 1,218 caliper inches. Of the trees to be removed, the site contains a number
6 of feature trees (40 Cedar Elms) that are four (4) caliper inches or greater and require Planning
8 and Zoning Commission approval prior to removal; including one (1) – thirty-six (36) caliper inch
10 Cedar Elm (tree #185) which is considered a protected feature tree and is to be replaced with twice
12 the number of inches being removed (e.g. 72 caliper inches). The applicant will be reducing the
14 amount of mitigation due by providing 115 caliper inches on site. Based on the number of inches
provided on-site towards mitigation and the removal of tree #185, this will result in a total
mitigation balance due of 567.5 caliper inches. The applicant will coordinate with the Parks
Department for the delivery of the trees that will satisfy the mitigation balance. Trees delivered
must be identified from the City's approved tree list and must be a minimum of 3 caliper inches in
order to receive credit towards mitigation. This would result in a total of 190 trees (maximum)
delivered to the City for future plantings.

16 With the exception of the facilities agreement, the site treescape plan meets (or exceeds) the
18 intent of the SOV and UDC as submitted.

20 The UDC requires all lighting to be contained on site at a maximum intensity of 20-FC and that
lighting at the property lines is not to exceed 0.2-FC in order to control glare and spillover lighting.
Also, the SOV districts require light poles not to exceed 20-ft in height (including the base) and
that all light sources are to be shielded with a full cut-off source and directed down with a
maximum one inch reveal.

24 The photometric plan meets (or exceeds) the intent of the SOV and UDC as submitted.

26 The proposed elevations for the medical office indicates an overall building height of 32-ft 8 ½
28 inches with a decorative turret capped by a conical standing seam metal roof reaching an apex of
30 36-ft 3 ½ inches. The east facing (front) elevation will be prominently displayed using a Lueder's
32 custom blend chopped stone with a brick soldier course accent banding at the water table and
34 accent banding at the window headers. The remaining elevations (north, south, and west) will be
comprised primarily of brick and brick accents while incorporating the chopped stone in select
area's to create interest.

36 The SOV Overlay district requires a minimum of four (4) architectural elements to be incorporated
in the design of the building. The color elevations depict several elements that meet this
38 requirement such as the turret with a conical roof element and decorative metal flags, arched
entry ways, peaked roof forms with gabled roof elements, dormers present on the north and south
elevations, and recesses and projections that provide additional relief for the elevations.

40 The building elevations meet (or exceeds) the intent of the SOV and UDC as submitted.

42 The applicant will be seeking a variance to the SOV districts' requirements that will allow for ten
44 (10) parking spaces to be located within the 20-ft. landscape buffer. This would allow the
development to line up with the adjacent properties, to the north and south, that currently have a
46 10-ft buffer strip and parking spaces facing Ridge Road. It should be noted that the applicant is
48 providing the appropriate number of canopy and accent trees within this buffer area as well as
shrubby for head light screening purposes.

50 Also, the applicant is requesting a materials variance to the screening fence standards
52 established in PD-18 which requires a minimum six (6) foot solid masonry fence. The purpose of
the fence is to provide screening of the commercial activity from the single family residential
54 homes along the westernmost property line. The applicant is proposing an 8-ft high SimTek
EcoStone fence system that is composed of a Low Density Polyethylene (LLDPE) blend and is
reinforced with galvanized steel.

56 Architectural Review Board Recommendation:
58

2 On February 25, 2014, after a general discussion, the Architectural Review Board expressed
4 concern about the symmetry of the building and the lack of detail around the attic windows. To
6 address this concern the ARB made the following recommendations:

- 8 1. The profile of the wall planes on the front façade under the gable roof should be more
10 symmetrical (i.e. the window treatments, wall surface area, etc.).

12 **ALTERNATE:** If the wall planes are not able to be changed to create symmetry due to interior
14 layout then the wall plane on the right side of the elevation sheet should include a minimum of
16 a two (2) foot offset to help better articulate the wall surface and,

- 18 2. The attic windows/vents should include a brick soldier course (similar to other windows on
20 the front façade) over the header and under the sill.

22 Should the request be approved, staff would offer the following conditions:

- 24 1. Adherence to Engineering and Fire Department standards.
26 2. Submittal and approval of a replat prior to issuance of a building permit.
28 3. Consideration of the recommendations forwarded to the Planning and Zoning Commission by
30 the Architectural Review Board.
32 4. The applicant is required to obtain a permit through TXDOT prior to installation of the drive at
34 its proposed location. As this lot was in existence during the previously adopted Engineering
36 Standards of Design Manual, and due to the circumstances associated with the lot's ability to
38 provide access, the previously adopted code allows the City's Engineer to approve a
40 reduction in the spacing requirements between driveways. The City's Engineer has approved
42 this location for the drive with the stipulation that TXDOT permits the drive.
44 5. A facilities agreement must be executed by the property owner outlining the method, timing,
46 and delivery of trees for the balance due from mitigation.

48 Commissioner Jackson asked for clarification on the fencing. She stated that she is concerned
50 with the fencing breaking down. Gonzales stated that this is covered under the Property
52 Maintenance Code.

54 Kevin Patel
56 1503 Astoria Drive
58 Allen, Texas

Mr. Patel stated that he would be happy to answer any questions.

Commissioner Minth made a motion to approve SP2014-003, a request by Kevin Patel of Triangle
Engineering, LLC on behalf of Ketan Parekh of A. J. Squared, LLC for the approval of a site plan
for a medical office building on a 1.463-acre parcel of land identified as Lot 2, Block A, Rockwall
Assisted Living Facility Addition, zoned Planned Development District 18 (PD-18) for office and
retail uses, situated within the Scenic Overlay (SOV) District, located on the west side of Ridge
Road [FM-740] south of Cemetery Road, with staff recommendations.

Commissioner McCutcheon seconded the motion.

A vote was taken and the motion passed 4-0.

10. SP014-004

Discuss and consider a request by Bill Thomas of Engineering Concepts and Designs on behalf
of Tommy Pulliam of the Rayburn Electric Cooperation, Inc. for the approval of a site plan for an
office building on a 6.057-acre tract of land identified as a portion of Tract 3-06 of the W. H.
Barnes Survey, Abstract No. 26, Rockwall, Rockwall County, Texas, zoned Heavy Commercial

(HC) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take any action necessary.

Sanford indicated that the applicant, Bill Thomas of Engineering Concepts and Designs on behalf of Rayburn Electric Cooperation, is requesting approval of a site plan to allow for the construction of a new office building located at 980 Sids Road. The subject property is identified as a portion of Tract 3-06 of the W.H. Barnes Survey, Abstract No. 26, Rockwall, Texas, which is zoned Agricultural (AG) District; however, a zoning application was submitted in January to change the zoning for the property to Heavy Commercial (HC) District. That case is awaiting 2nd reading at City Council on March 17th, 2014. The property is located on the south side of Sids Road just west of State Highway 205.

The site plan submitted by the applicant shows the construction of a 15,300 sq. ft. office building. The building will be accessible from two (2) 24-foot access drives located off of Sids Road. The proposed structure, parking plan and site plan all conform to the density and dimensional requirements stipulated for structures situated within a Heavy Commercial (HC) District as required by the UDC.

The landscape plan shows that the applicants are meeting the landscape requirements. No tree mitigation is necessary on this property.

The Photometric Plan submitted by the applicant shows the inclusion of eight (8), pole mounted shoebox light fixtures, directed downward and fully cut-off. The light poles cannot exceed 30-ft in height (including the base) and the plan indicates that the pole height is 27-ft. All lighting shown on the Photometric Plan conforms to the requirements stipulated in Article VII, Environmental Performance, of the UDC.

The proposed building elevations submitted by the applicant show a one (1) story structure being constructed utilizing stone veneer and western red cedar. According to Section 4.1.A of Article V, District Development Standards of the UDC, all structures constructed within a commercial zoning district are required to have exterior walls that consist of a minimum of 90% masonry materials to include a minimum of 20% stone and a maximum of 50% cementaceous products (e.g. stucco, HardiPlank, or similar materials). The south side of the building is not visible from a public street and the east side meets the material standards; however, the west and north sides do not meet the 90% masonry requirements, having approximately 82% and 73%, respectively. The structure will require variances to the material requirements specifically with respect to the amount masonry being proposed [see the Variance Requests section].

Should the request be approved, staff offers the following conditions:

- 1) Adherence to all Planning, Engineering and Fire Department standards;
- 2) Any construction or building necessary to complete this Site Plan request must conform to the requirements set forth by the UDC, 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.

Bill Thomas
201 Winco
Wylie, Texas

Mr. Thomas stated that Rayburn Electric is looking to begin construction as soon as possible.

Commissioner Jackson made a motion to approve SP2014-004, a request by Bill Thomas of Engineering Concepts and Designs on behalf of Tommy Pulliam of the Rayburn Electric Cooperation, Inc. for the approval of a site plan for an office building on a 6.057-acre tract of land identified as a portion of Tract 3-06 of the W. H. Barnes Survey, Abstract No. 26, Rockwall,

2 Rockwall County, Texas, zoned Heavy Commercial (HC) District, located on the south side of Sids
Road west of S. Goliad Street [SH-205], with staff recommendations.

4 Commissioner McCutcheon seconded the motion.

6 A vote was taken and the motion passed 4-0.

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

- 10 ✓ P2014-006: Lots 1 & 2, Block A, M&M Johnson Addition [Approved]
- 12 ✓ Z2014-001: Rayburn Electric Cooperation Zoning Change (AG to HC) (1st Reading)
[Approved]
- 14 ✓ Z2014-003: SUP for 109 St. Mary's Street [Approved]

16 LaCroix briefly updated the Commission on the above listed cases.

18 V. ADJOURNMENT

20 The meeting adjourned at 7:10 p.m.

22 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 8th day of April, 2014.

24

26



Craig Renfro, Chairman

28 Attest:

30



JoDee Sanford, Planning Technician

32

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
March 25, 2014
6:00 P.M.

The meeting was called to order by Chairman Renfro at 6:00 p.m. with the following members present: Connie Jackson, Johnnie Lyons, and John McCutcheon. Wendi Conley, Kristen Minth, and Matthew Nielsen were not present.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members, Tim Tumulty, Amy Williams, and Kathleen Moreno, were in attendance.

I. CONSENT AGENDA ITEMS

1. Approval of Minutes for the February 11, 2013 Planning and Zoning Commission meeting.
2. P2014-009
Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Brian Berry of Horizon GSL 1, LLC for the approval of a replat of Lots 2-7, Block 1, Alliance Addition, Phase 2, creating three (3) non-residential lots identified as Lots 12, 13 & 14, Block 1, Alliance Addition, Phase 2, being 2.768-acres of land situated in the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57), located southeast of the intersection of H. Wallace Lane and Jeff Boyd Drive, and take any action necessary.
3. P2014-010
Discuss and consider a request by Barney M. Barnhill for the approval of a replat of Lots 1 & 2, Block E, Sanger Brothers Addition, creating two (2) non-residential lots identified as Lots 1 & 2, Block A, Goliad Dental Addition, being 0.56-acres of land situated in the B. F. Boydston Survey, Abstract No. 14, Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the southeast corner of the intersection of E. Boydston Avenue and S. Goliad Street (SH-205), and take any action necessary.

Commissioner McCutcheon made a motion to approve the Consent Agenda.

Commissioner Jackson seconded the motion.

A vote was taken and the motion passed 4-0.

II. ACTION ITEMS

4. Z2014-004
Discuss and consider approval of an ordinance for a city-initiated request to amend the Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and Administrative Procedures, Section 6.1, Notice of Public Hearing, and take any action necessary.

LaCroix explained that the Commission conducted a public hearing at the last meeting. He discussed the reasoning behind the Council wishing to extend the notification area to 500-feet to create greater awareness. In addition, the idea behind the certified notices is to ensure that the residents are receiving the notices. Sending certified mail puts some of the burden on residents to read the notice and confirms that staff has mailed notices to the individual. Additionally, many times tenants are affected by zoning changes but do not receive notices because notices are only sent to the property owners. The Council also would like to pass the cost of these changes on the

2 applicants, but not all the details of the process for doing that have been worked out at this point.
4 Lastly, the Council would like to change the signage requirements to increase the size of the sign
as well as the color. The Council feels strongly about these changes in order to create more
transparency and increase public participation.

6 Chairman Renfro stated the cities that were surveyed regarding their notification processes. He
8 additionally commented that all of these cities have the same process as Rockwall's current
process except for the City of Garland. The City of Plano additionally sends notification to any
10 HOAs within 1500 feet. Chairman Renfro is concerned with how to mitigate the cost incurred by
extending the notification area to 500 feet and sending certified mail. He doesn't feel that these
12 are reasonable costs. Chairman Renfro does believe that the increase in the size of the signage
will make a difference.

14 Commissioner Jackson stated her agreement with Chairman Renfro. She said that she likes the
200 feet notification area, but would consider a 300 feet notification area. Utilizing HOAs to get
16 the message out to residents is sufficient. She does not feel that certified mail is necessary and
does not feel that increasing the size of the signage beyond 4' x 4' is necessary.

18 Commissioner McCutcheon also stated his agreement with the other Commissioner's comments.
20 He would consider increasing the notification area to 300 feet at a maximum, but feels that 200
feet is sufficient especially with a notification to an HOA. He does not feel certified mail will be
22 effective. He does not want the burden of the cost of certified mail to fall on the taxpayers or the
applicant. He does like the changes that have been made to the signage and is 100 percent
24 behind the proposed signage.

26 Commissioner Lyons also stated his agreement with the Commissioner's comments. He
discussed the increase in costs associated with sending certified mail to a 500 foot notification
28 area. He doesn't feel that is necessary and would not want the burden of that cost to fall on the
applicant or the taxpayers. He could agree with a 300 foot notification area. Commission Lyons
30 also believes that standard mail is appropriate rather than certified mail. He also agrees with the
signage being proposed.

32 LaCroix stated that he would like the Commission to address the Council's motion of sending
34 notifications to the tenant as well as the property owner.

36 Chairman Renfro stated that he does not feel that it is necessary to inform the tenant. The
property owner has a vested interest in the property.

38 Commissioner McCutcheon stated that a tenant is affected by a change and does have the ability
40 to vote. Whether the resident owns or rents the home shouldn't make a difference in terms of
them voicing their opinion.

42 Chairman Renfro asked for clarification on the current procedure for a multi-tenant building.
44 Miller indicated that staff will need some direction from Council on this issue. LaCroix stated that
currently it would be a property owner that is notified. LaCroix additionally stated that he believes
46 the City Council was only referring to tenants in single-family residential areas; however, staff
would need to seek clarification from the Council. Additional discussion took place regarding this
48 matter.

50 Commissioner McCutcheon asked for clarification on the current calculation of fees. LaCroix
gave some details on our current fees and what those fees cover. He discussed how fees might
52 be determined with an increase in the number of notifications or if notifications are sent via
certified mail. He additionally discussed the process for increasing the current application fee
54 structure. Commissioner McCutcheon stated that he does not like the idea of the fees varying by
case.

56 Commissioner Lyons stated that in terms of notification for multi-family residential area,
58 notification should be made to a management company and posted around the complex. He

2 thinks that single-family residential tenants should be notified. Tenants at commercial properties should also receive notification.

4 Commissioner Jackson would like the property owner to be notified whether it is an apartment or
6 a home. She stated that the city currently has an email notification of meetings, it is posted on the
8 website, a sign is posted on the property, a newspaper notice, as well as an agenda posted at City
10 Hall. She is inclined to notify the property owner and not the tenant except in the case of an
12 apartment complex or shopping center in which case the leasing agent or property manager
14 should be notified.

16 Commissioner McCutcheon stated that with that same logic there is no reason to send notification
18 to property owners either. Most people will not go online unless they have a specific reason. He
20 believes that the sign will have the biggest impact. He stated that there are a lot of renters in his
22 neighborhood and many of them have been renting here for multiple years.

24 Commissioner Jackson asked how staff might determine if the home is being rented. Miller
26 explained that staff would compare the property address on the tax rolls to the owner's address.
28 If the addresses differed, then staff would determine that the home is being rented. The notice
30 would then be sent to the physical address of the property and addressed to the "occupant." The
32 envelope would be stamped with "Zoning Change."

34 Discussion occurred regarding whether a certified mail envelope could be stamped on the
36 outside. Commissioner Jackson indicated that she was referring to standard mail.

38 LaCroix explained that the Commission should make a motion that addresses each of these
40 issues. He stated that staff has had some success with stamping the outside of the envelope. He
42 believes that Council wants to increase the public's awareness of zoning cases and people's
44 ability to participate in the decision making.

46 Additional discussion occurred in regard to the Commission's consensus on each issue to
48 address for their recommendation.

50 Commissioner Jackson made a motion to approve Z2014-004, a city-initiated request to amend the
52 Unified Development Code (Ordinance No. 04-38), specifically Article II, Authority and
54 Administrative Procedures, Section 6.1, Notice of Public Hearing by offering the following
56 recommendations:

- 58 1) The property owner notification buffer area should be increased from 200 feet to 300 feet,
- 60 2) Staff should mail notifications to all property owners listed on the most current and
62 approved city tax rolls and to the actual notification property address if the property owner
64 does not reside at the physical address,
- 66 3) All notices of public hearing should be sent via first class mail with the outside of the
68 envelope being stamped in red with the wording "Zoning Change Requested,"
- 70 4) A four (4) foot by four (4) foot, double sided sign with a distinctive color indicating what
72 type of zoning change is being requested, should be posted on the subject property,
- 74 5) For Multi-Family properties, staff should mail notifications to the property owner and the
76 leasing office of the apartment or housing complex,
- 78 6) Staff should mail a notification to all known HOA representatives within 1,500 feet of the
80 zoning change request.

82 Commissioner Lyons seconded the motion.

84 A vote was taken and the motion passed 4-0.

86 5. MIS2014-002

88 Discuss and consider a request by Fritz McKinstry for the approval of an exception to the
90 minimum masonry requirements stipulated in Section 3.1, General Residential District Standards,
92 of Article V, District Development Standards, of the Unified Development Code, for a 0.17-acre
94 parcel of land identified as Lot 23, Block E, Chandler's Landing, Phase 16, zoned Planned

2 Development District 8 (PD-8), located at 257 Victory Lane, Rockwall, Rockwall County, Texas,
and take any action necessary.

4 Sanford explained that the applicant, Fritz McKinstry, is requesting a waiver to Section 3.1(A)(1) of
6 the Unified Development Code. The above referenced section states "Hardy Plank or similar
8 cementaceous material may be used for up to 50% of the masonry requirement" of a residential
home. The section does allow the Planning and Zoning Commission to approve a waiver for
proposals not meeting the requirements of said section.

10 The applicant is proposing a 4,125 square foot home with exterior cladding being comprised of
12 100% stucco with precast concrete accents. The subject site is a 14,757 square foot tract being
Lot 23, Chandlers Landing Phase 16, located at 257 Victory Lane.

14 The applicant has provided a letter from the Chandlers Landing Community Association
16 indicating their approval of the house plans as submitted.

18 Commissioner Jackson asked if other homes in the neighborhood are 100% stucco. Sanford
20 explained that approval has been given to other property owners in the neighborhood that have
requested this same exception; however, those requests were less than 100% stucco.

22 Commissioner McCutcheon stated that he is hesitant to approve the exception because the
24 request is for 100% stucco; however, if Chandler's Landing must believe the stucco exterior will
work for the neighborhood since they have approved the plans.

26 Commissioner McCutcheon made a motion to approve MIS2014-002, a request by Fritz McKinstry
28 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
30 Development Code, for a 0.17-acre parcel of land identified as Lot 23, Block E, Chandler's
Landing, Phase 16, zoned Planned Development District 8 (PD-8), located at 257 Victory Lane,
Rockwall, Rockwall County, Texas, with staff recommendations.

32 Commissioner Jackson seconded the motion.

34 A vote was taken and the motion passed 4-0.

36 III. DISCUSSION ITEMS

38 6. Z2014-007

40 Hold a public hearing to discuss and consider a request by Darren Cain of the Skorburg
42 Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned
Development District 74 (PD-74) to amend the concept plan and allow for changes to the
44 development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land
identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall
46 County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any
action necessary.

48 Miller briefly discussed the case and described the location of the property.

50 7. Z2014-008

52 Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a
54 zoning change from an Agriculture (AG) District to a Heavy Commercial (HC) District for a 7.42-
acre tract of land identified as a portion of Tract 4-01 of the M. B. Jones Survey, Abstract No. 122,
Rockwall, Rockwall County, Texas, situated within the East SH 66 Corridor Overlay (E-SH 66
56 OV) District, located east of the intersection of John King Boulevard and SH-66, and take any
action necessary.

58 Gonzales explained the location of the property and details of the case.

8. SP2013-023

2 Discuss and consider a request by Dean Cathey for the approval of a site plan to allow for the
3 construction of a building for a retail ice machine and vending machine in conjunction with a
4 stand-alone indoor/outdoor recreational facility located at 2922 SH-205, being a 23.27-acre tract
5 of land identified as Tract 2-28, J. R. Johnson Survey, Abstract 128, situated contiguous with the
6 SH-205 Overlay (SH-205 OV) District, zoned Agriculture (AG) District, located on the west side of
7 SH-205 south of Mims Road, and take any action necessary.

8 **Sanford described the property and location of the proposed structure and discussed the case.**

10 **Commissioner McCutcheon asked about the size of an ice machine at a different location.**
11 **Sanford stated that she believes it is smaller.**

12
13 9. Director's Report of post Council meeting outcomes of Planning & Zoning cases.


- 14 ✓ P2014-008: Lot 1, Block A & Lot 1, Block B, Channell Addition/Justin Road [Approved]
- 15 ✓ P2014-005: Lot 1, Block 1, Barnes Addition (ETJ Plat) [Approved]
- 16 ✓ Z2014-001: Rayburn Electric Cooperation Zoning Change (AG to HC) (2nd Reading)
- 17 [Approved]
- 18 ✓ Z2014-005: REDC Rezoning (AG to LI) (1st Reading) [Approved]
- 19 ✓ Z2014-006: PD-8 Amendment (Cabana's at Chandler's Landing) (1st Reading) [Approved]
- 20 ✓ SP2014-003: Ridge Road MOB [Approved]
- 21 ✓ SP2014-004: Rayburn Electric Cooperation Site Plan [Approved]
- 22

23 **LaCroix briefly updated the Commission on the above listed cases.**


24
25 IV. ADJOURNMENT

26
27 The meeting adjourned at 6:53 p.m.

28
29 **PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF**
30 **ROCKWALL, Texas, this** 8th **day of** April **, 2014.**

31
32
33
34
35 
36 _____
37 Craig Renfro, Chairman

37 Attest:

38 
39 _____
40 JoDee Sanford, Planning Technician

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
April 8, 2014
6:00 P.M.

10 I. CALL TO ORDER

12 The meeting was called to order by Chairman Craig Renfro at 6:00 p.m. with the following
14 members present: Wendi Conley, Connie Jackson, Jonathan Lyons, John McCutcheon and
Matthew Nielsen. Kristen Minth was not present.

16 The following staff members from the Planning Department were present: Robert LaCroix, Ryan
18 Miller, and David Gonzales. Additionally, Engineering Department staff members, Tim Tumulty,
Amy Williams, and Kathleen Moreno, were in attendance.

20 1. Approval of Minutes for the February 25, 2014 Planning and Zoning Commission meeting.

22 Commissioner Jackson made a motion to approve the minutes.

24 Commissioner McCutcheon seconded the motion.

26 A vote was taken and the motion passed 5-0, with Renfro abstaining.

28 2. Approval of Minutes for the March 11, 2014 Planning and Zoning Commission meeting.

30 Commissioner Jackson made a motion to approve the minutes.

32 Commissioner McCutcheon seconded the motion.

34 A vote was taken and the motion passed 6-0.

36 3. Approval of Minutes for the March 25, 2014 Planning and Zoning Commission meeting.

38 Commissioner Lyons made a motion to approve the minutes.

40 Commissioner McCutcheon seconded the motion.

42 A vote was taken and the motion passed 5-0, with Conley abstaining.

44 II. PUBLIC HEARING ITEMS

46 4. Z2014-007

48 Hold a public hearing to discuss and consider a request by Darren Cain of the Skorburg
Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned
50 Development District 74 (PD-74) to amend the concept plan and allow for changes to the
development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land
52 identified as Tract 7 & 7-1 of 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
54 action necessary.

56 Miller stated that the property was annexed in 2008 after three (3) years of litigation that lead to
the execution of a Chapter 212 Development Agreement. In accordance with this agreement, the
58 property was zoned to Planned Development District 74 (PD-74) on April 20, 2009 with the
intention of being a master planned residential community that offered tracts of land designated
for retail/office, residential, and institutional land uses.

2 On October 1, 2012 the City Council approved an amendment to Planned Development District 74
4 (PD-74) modifying the concept plan to remove the school sites that were originally required by the
6 Facilities Agreement and adjusting the lot mix accordingly [i.e. increasing the number of lots from
8 658 to 691]

10 On March 14, 2014 the applicant submitted an alternate concept plan depicting a reduction in the
12 number of acres designated for retail land uses from 59-acres to 26.4-acres for the purpose of
14 amending Planned Development District 74 (PD-74). Additionally, the applicant has submitted
16 changes to the development standards that include a modified lot mix that incorporates a new lot
18 type, Lot Type 'E' (i.e. 50-foot by 120-foot lots).

20 The 32.6-acres of land that the applicant is proposing to remove from the retail acreage will
22 establish a new phase of the Breezy Hill Subdivision that will contain 111 single-family homes.
24 These new homes will be constructed on a minimum 50-foot by 120-foot lots that will be a
26 minimum of 6,000 square feet in size.

28 With the proposed addition of the new lot type and the proposed changes to the lot mix the total
30 number of single family lots will be increased from 691 to 749. This proposed change would alter
32 the existing residential housing density from 1.99 (i.e. 691 lots on ~346-acres) to 2.0 (i.e. 749 lots
34 on ~379-acres).

36 The current Facilities Agreement states that the "(d)eveloper shall construct Breezy Hill Road in
38 conjunction with the retail tract that is final platted adjacent to Breezy Hill Road." It is important
40 to point out that the concept plan eliminates the adjacency of the retail acreage to Breezy Hill
42 Road and would relieve the developer of this responsibility; however, the developer would
44 continue to be responsible for the dedication of right-of-way and the subsequent improvements to
46 the drainage areas adjacent to the roadway.

48 In the previous two (2) zoning cases the developer has stated that no direct access will be
50 provided to or from the residential or retail portions of Breezy Hill Road. The proposed concept
52 plan does not change this condition and further clarifies the position by depicting a lot layout that
54 does not take access from the roadway. Additionally, the minutes also indicate that the purpose
56 behind this stipulation was to mitigate the concerns of the property owners (the majority of which
58 are situated within the unincorporated areas of the City's extraterritorial jurisdiction) in regards to
the retail land area. These concerns were further alleviated when the developer proposed to
incorporate a 50-foot landscape buffer adjacent to the area designated for retail next to Breezy Hill
Road. By removing this adjacency the applicant has further mitigated the concerns that were
expressed by residents in previous cases.

The Future Land Use Map contained within the Comprehensive Plan designates the subject
property for Commercial land uses. If the zoning case is approved the Future Land Use Map will
be required to be amended with the next Comprehensive Plan update to reflect the proposed land
use change.

On March 28, 2014, staff mailed eight (8) notices to property owners within 200 feet of the subject
property. Additionally, staff posted a zoning sign at the intersection of FM-552 and SH-205 as
required by the Unified Development Code (UDC). At the time this case memo was drafted no
responses were received by staff.

If the Planning and Zoning Commission recommends approval of the applicant's request to
amend Planned Development District 74 (PD-74) then staff would propose the following conditions
of approval:

- 1) The proposed development shall be prohibited from providing access to Breezy Hill Road,
- 2) Prior to accepting a Preliminary Plat for the proposed phase (i.e. depicted in pink of the PD
Concept Plan in Exhibit 'D') the applicant shall submit a replat of Phase IIB to incorporate the
proposed roadway connecting the two phases,

- 2 3) Prior to accepting a Preliminary Plat and/or a Planned Development Site Plan for the
4 remaining area designated as retail on the PD Concept Plan, a PD Development Plan must be
approved by City Council, and
6 4) Any construction resulting from the approval of this zoning amendment shall conform to the
7 requirements set forth by the Unified Development Code (UDC), the International Building
8 Code (IBC), 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.

10

Chairman Renfro asked how property owners would enter and exit the neighborhood. Miller clarified the neighborhood access requirements.

12

14 Commissioner Nielsen confirmed that the garages will face the street. Miller indicated that forward facing garages are necessary on this size lot.

16

Adam Buczek with Skorburg Company
8214 Westchester Drive, Suite 710

18

20 Mr. Buczek indicated that the request for this lot size is market driven. They have been very
successful with this type of product. He gave a brief presentation about their company and other
22 neighborhoods within Rockwall that they have developed.

24 Chairman Renfro asked about plans for the retail property to the west. Mr. Buczek stated at this
time there are no specific plans other than leaving the property commercially zoned.

26

Additional discussion took place regarding the commercial portion of the planned development.

28

Commissioner Jackson asked about the timeframe for completion of the neighborhood and the effect of water restrictions on the landscape requirements for new homes.

30

Chairman Renfro opened the public hearing at 6:41pm.

32

Bruce Foythe
1087 Shady Lane Drive
Rockwall, Texas

34

36

Mr. Foythe clarified the requested change.

38

Harry Green
1235 Waters Edge
Rockwall, Texas

40

42

Mr. Green believes that this is too many homes for one area and will cause issues with traffic as well as additional problems.

44

One other individual spoke in regard to entry from FM552.

46

As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:48pm.

48

Commissioner Nielsen restated his concern regarding traffic on FM552. Tumulty stated that TXDOT is looking at expanding FM552.

52

54

Some additional discussion took place regarding the size of the lots being requested.

56

Commissioner McCutcheon made a motion to approve Z2014-007, a request by Darren Cain of the Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) to amend the concept plan and allow for changes to the development standards contained in Exhibit 'C' of Ordinance 12-26 for 405.184-acres of land

58

60

2 identified as Tract 7 & 7-1 of the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall
4 County, Texas, generally located north of FM-552 and west of Breezy Hill Road, with staff
recommendations.

6 Commissioner Lyons seconded the motion.

8 A vote was taken and the motion passed 4-2, with Jackson and Nielsen voting against.

10 5. Z2014-008

12 Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a
zoning change from an Agriculture (AG) District to a Heavy Commercial (HC) District for a 7.42-
14 acre tract of land identified as a portion of Tract 4-01 of the M. B. Jones Survey, Abstract No. 122,
Rockwall, Rockwall County, Texas, situated within the East SH 66 Corridor Overlay (E-SH 66
16 OV) District, located east of the intersection of John King Boulevard and SH-66, and take any
action necessary.

18 Gonzales explained that the subject property is identified as a 7.42-acre portion of an
approximately 65-acre tract of land located in the M. B. Jones Survey, Abstract No. 122. The
20 property is currently zoned Agricultural (AG) District and is used for grazing cattle. The City's
Comprehensive Plan in association with the Future Land Use Map indicates the property as "low
22 density residential." However, the adjacent property to the east, also owned by the applicant,
represents non-conforming commercial businesses that have higher intensity type uses that are
24 subject to larger volumes of traffic, noise, vibration, and odor. Although this particular property is
zoned AG, the Future Land Use Map indicates this tract to be HC based on the existing uses.

26 Also to consider is the 55-acre vacant tract of land [Planned Development No. 71 (PD-71)] south of
28 this location that borders SH 66 and John King Blvd. PD-71 has an underlying zoning of
Commercial (C) for future development and coupled with the existing businesses along SH 66,
30 would establish a transitional zone between the residential properties that are west of John King
Blvd and the future development along the SH 66 corridor. Furthermore, caddie-corner from the
32 proposed location is the municipal airport which may expand in the future. Based on this, a
single family residential development could be viewed as not being suitable for the proposed
34 property.

36 The purpose of the request is to change the zoning from an Agricultural (AG) District to a Heavy
Commercial (HC) District in order to develop the property as a construction machinery &
38 equipment rental and service facility. This particular use is permitted by right within the HC
District which also allows for outside storage. Under Article V – Permissible Uses, Sec. 4.7 –
40 Heavy Commercial (HC) District, C. Development Standards, 17. Outside Storage, the Unified
Development Code (UDC) reads as follows:

- 42
- 44 a. All outside storage shall be placed behind the front façade of the main structure. This does not
apply to uses that allow incidental display, in which case only the amount of goods necessary for
display purposes shall be exempt from this requirement.
 - 46 b. All outside storage shall be screened from streets and public areas.

48 If approved, the applicant has stated this site will be home to Sunbelt Rentals, a nationally
recognized brand for this industry. The property is located within the E SH 66 OV district and
50 would require the development to meet these standards for construction and design.

52 Notices were sent to property owners within 200 feet of the subject property for a total of 4 notices
sent. One (1) notice was returned in opposition to the request.

54 Chairman Renfro confirmed the underlying zoning for PD-71 is commercial. He additionally asked
56 if the Commission could recommend Commercial zoning rather than Heavy Commercial to keep it
in line with adjacent properties. Gonzales indicated that is an option; however, the requested
58 Heavy Commercial zoning is required for a Sunbelt Rentals business on the property.

2 Commissioner Lyons asked about the adjacent businesses. Gonzales stated that an auto repair
shop, rock yard and other uses for the adjacent businesses.

4 Mike Peoples
6 1700 E. SH66
Rockwall, Texas

8 Mr. Peoples spoke regarding his request.

10 Commissioner Nielsen stated his concerns with zoning the property for Heavy Commercial.

12 Commissioner McCutcheon asked what types of equipment the facility would rent. Mr. Peoples
14 described the equipment.

16 Chairman Renfro stated that the zoning of this property will set the tone for future zoning and that
the Commission should consider that carefully.

18 Commissioner Conley stated that this area is a high traffic area and she is concerned with
20 increasing the traffic in this area.

22 Chairman Renfro opened the public hearing at 7:27pm.

24 Clem Davis and Jane Cullins
Jeff Boyd
26 Rockwall, Texas

28 The speaker asked how rezoning this property would affect future zoning of surrounding
properties. The speaker indicated that he is opposed to the rezoning of this property.

30 Additional discussion took place regarding the case.

32 Mark Fake
34 1403 White Water Lane
Rockwall, Texas

36 Mr. Fake stated that he is opposed to the zoning request for several reasons. Traffic is a concern
38 in the area. The effect on current wild life in the area is a concern.

40 Jeanne Davis
706 Williams Street
42 Rockwall, Texas

44 Ms. Davis spoke in opposition to the request.

46 John Stawasz
1248 Highbluff Lane
48 Rockwall, Texas

50 The speaker stated concerns with traffic in the area. He is opposed to the request.

52 Donna Dorman
1093 Shady Lane Drive
54 Rockwall, Texas

56 The speaker expressed concerns with trash and noise from the business. She additionally stated
her concern with drainage from the property into the wetland area. Ms. Dorman is opposed to the
58 request.

60

2 Harry Green
1235 Waters Edge
4 Rockwall, Texas

6 Mr. Green stated that the property has been filled using fill dirt previously. He doesn't believe that
8 the road can handle the traffic or the types of trucks that this particular business will require. He
doesn't feel this location is appropriate for this type of business.

10 Mr. Peoples addressed the concerns that were mentioned.

12 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at
14 7:55pm.

16 Commissioner Jackson made a motion to deny Z2014-008, a request by Mike Peoples for the
approval of a zoning change from an Agriculture (AG) District to a Heavy Commercial (HC) District
18 for a 7.42-acre tract of land identified as a portion of Tract 4-01 of the M. B. Jones Survey, Abstract
No. 122, Rockwall, Rockwall County, Texas, situated within the East SH 66 Corridor Overlay (E-SH
20 66 OV) District, located east of the intersection of John King Boulevard and SH-66.

22 Commissioner Conley seconded the motion.

24 A vote was taken and the motion passed 6-0.

26 III. ACTION ITEMS

28 6. SP2013-023

30 Discuss and consider a request by Dean Cathey for the approval of a site plan to allow for the
construction of a building for a retail ice machine and vending machine in conjunction with a
stand-alone indoor/outdoor recreational facility located at 2922 SH-205, being a 23.27-acre tract
32 of land identified as Tract 2-28, J. R. Johnson Survey, Abstract 128, situated contiguous with the
SH-205 Overlay (SH-205 OV) District, zoned Agriculture (AG) District, located on the west side of
SH-205 south of Mims Road, and take any action necessary.

34 Miller explained that the applicant, Dean Cathey, is requesting approval of a site plan for a
36 structure to house two vending machines. The structure is to be located adjacent to the Rockwall
Indoor Sports Expo (RISE) parking lot located at 2922 SH 205 on a 23.27-acre tract of land. The
38 property is zoned Agriculture (AG) District and is located within the SH-205 Overlay (SH-205 OV)
District.

40 The proposed structure will be a 9 ft x 9 ft (81 sq ft) building constructed of split-faced CMU and a
42 pitched metal roof. Thus, the structure does meet the building requirements for a commercial
use. The structure will be located just east of the parking lot and adjacent to the baseball fields
44 and will not interfere with any parking spaces.

46 Should the request be approved, the following conditions of approval are offered:

- 48 1) Any comments provided by the Engineering, Planning, Fire, and/or Building Inspections
50 Department must be addressed prior to the submittal of a building permit;
- 52 2) Any construction or building necessary to complete this Site Plan request must conform
54 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
56 enforced by the state and federal government.

58 Commissioner Jackson made a motion to approve SP2013-023, a request by Dean Cathey for the
approval of a site plan to allow for the construction of a building for a retail ice machine and
60 vending machine in conjunction with a stand-alone indoor/outdoor recreational facility located at
2922 SH-205, being a 23.27-acre tract of land identified as Tract 2-28, J. R. Johnson Survey,

2 Abstract 128, situated contiguous with the SH-205 Overlay (SH-205 OV) District, zoned Agriculture
4 (AG) District, located on the west side of SH-205 south of Mims Road, with staff
recommendations.

6 Commissioner McCutcheon seconded the motion.

8 A vote was taken and the motion passed 6-0

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

- 12 ✓ P2014-009: Lots 12-14, Alliance Addition Phase 2
14 ✓ P2014-010: Lots 1&2, Bock A, Goliad Dental Addition
✓ Z2014-004: Unified Development Code Amendment
16 ✓ MIS2014-002: Exception to the Masonry Requirements

18 LaCroix briefly updated the Commission on the above listed cases.

20 IV. ADJOURNMENT

22 The meeting adjourned at 8:02 p.m.

24 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 27th day of May, 2014.

26

28


~~Greg Renfro, Chairman~~

John W. McCutcheon, Jr

30 Attest:

32


Jollee Sarford, Planning Technician

34

2 **MINUTES**
4 **PLANNING AND ZONING COMMISSION WORK SESSION**
6 **City Hall, 385 South Goliad, Rockwall, Texas**
8 **Council Chambers**
April 29, 2014
6:00 P.M.

10 I. CALL TO ORDER

12 The meeting was called to order by Chairman Craig Renfro at 6:00 p.m. with the following
14 members present: Wendi Conley, Connie Jackson, Kristen Minth, John McCutcheon and Matthew
Nielsen. Jonathan Lyons was not present.

16 The following staff members from the Planning Department were present: David Gonzales and
18 JoDee Sanford. Additionally, Engineering Department staff members, Tim Tumulty, Amy Williams,
and Kathleen Moreno, were in attendance.

20 II. PUBLIC HEARINGS

22 1. Z2014-009

24 Hold a public hearing to discuss and consider a request by Gregory D. Ollom for the approval of a
26 change in zoning from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0)
District on a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No. 72, City
28 of Rockwall, Rockwall County, Texas, being located at 941 Cornelius Road and take any action
necessary.

30 Gonzales explained that the applicant, Mr. Gregory D. Ollom, is requesting to rezone his property
32 from Agricultural (AG) District to Single Family Estate 4.0 (SFE-4.0) District. The property was
annexed in January 2010 along with other properties along the south side of Cornelius Road. This
34 annexed area generally has single family home sites on the properties that remain agriculturally
zoned.

36 Prior to annexation, a home on this lot was destroyed by fire, and subsequently the applicant is
38 requesting to rebuild a home on this site. Mr. Ollom is requesting the zoning change for the
purpose of constructing a home on his property.

40 The zoning request is in conformance with the City's Comprehensive Plan and Future Land Use
Map.

42 A notice was published on April 17, 2014 in the Rockwall County News, on the City's website, and
44 six (6) notices were mailed to property owners of record within 200-ft of the subject property. At
the time of this report, staff has received one (1) notice "in favor of" and none "opposed to" the
46 request.

48 Chairman Renfro opened the public hearing at 6:03pm.

50 As no one came forward to speak on this item, Chairman Renfro closed the public hearing at
6:03pm.

52 Commissioner Conley made a motion to approve Z2014-009, a request by Gregory D. Ollom for the
54 approval of a change in zoning from an Agricultural (AG) District to a Single-Family Estate 4.0
(SFE-4.0) District on a 7.969-acre tract of land situated in the William Dalton Survey, Abstract No.
56 72, City of Rockwall, Rockwall County, Texas, being located at 941 Cornelius Road, with staff
recommendations.

58 Commissioner Jackson seconded the motion.

2 A vote was taken and the motion passed 6-0.

4 III. DISCUSSION ITEMS

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

10 **Kristi Mase spoke on behalf of the ARB. Board member Mase stated that the Board reviewed**
12 **SP2014-006, a site plan for Peak Pedi – a medical office building. The Board recommended that**
the applicant add a header and seal to detail the front windows as well as extend the roof eaves
on either side in order to meet the horizontal articulation standards.

14 3. Z2014-010

16 Hold a public hearing to discuss and consider a request by the Fenton Motor Group, LLC, on
18 behalf of the LaFon Family, for the revocation of SUP No. 111 [Ordinance No. 13-36], which
20 grants a Specific Use Permit (SUP) for a new car dealership on a 1.06-acre tract of land identified
22 as Tract 12 of the John Lockhart Survey, Abstract No. 134 and a 10.51-acre parcel of land
identified as Lot 1, Block A of the Lafon Addition, being a total 11.568-acres, zoned Commercial
(C) District and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District,
generally located east of John King Boulevard and south of IH-30, and take any action necessary.

24 **Chairman Renfro indicated that case # Z2014-010 has been withdrawn by the applicant.**

26 4. Z2014-011

28 Hold a public hearing to discuss and consider a request by Dewayne Cain, on behalf of the Cain
30 Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF-10)
32 District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and
to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a
0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall,
Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary.

34 **Sanford described the location of the property and briefly discussed the case.**

36 **Commissioner Minth expressed concern about access drives to the property. Williams indicated**
that the property already has access off of Ridge Road.

38 **Dewayne Cain**
Rockwall, Texas

40 **Mr. Cain explained that he is requesting to extend the zoning for PD-53 to his property. He also**
42 **wants to improve the look of the property.**

44 **Commissioner Nielsen expressed concerned about traffic in this area. Mr. Cain explained that PD-**
46 **53 allows for office use. Sanford stated that some limited retail uses are permitted within a**
Residential-Office District, but many of those uses would require a Specific Use Permit.

48 5. Z2014-012

50 Hold a public hearing to discuss and consider a request by Master Plan, on behalf of Rockwall
52 SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse
54 facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger
5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City
of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30
frontage road and Townsend Drive, and take any action necessary.

56 **Gonzales described the request to the Commission.**

58 **Commissioner McCutcheon clarified the access to the property. Gonzales explained the access**
60 **to the property.**

2 Commissioner Nielsen asked about a nearby neighborhood. Discussion took place regarding
4 screening and other development in the area.

6 Dallas Cothran
900 Jackson St
Dallas, Texas

8 Mr. Cothran explained the request.

10 Commissioner Nielsen expressed concern regarding the proposed facility being 4-stories.
12 Discussion took place regarding signage for the development.

14 Commissioner Jackson asked if the facility will rent U-haul type trucks and trailers. Mr. Cothran
16 stated that they will not rent those types of trucks. Commissioner Jackson clarified that the
18 screening wall is a masonry wall. Mr. Cothran confirmed that it is a masonry wall. Commissioner
20 Jackson also asked for the height of several surrounding properties. She also wanted to know if
it is important to the developer to permit the storage of vehicles, RVs, and boats. Mr. Cothran
expressed that he thinks it is important, but they would likely require that the vehicles be
operable.

22 Commissioner Minth asked for a visual from all sides of the building in order for the Commission
24 to visualize the business from the different sides. Commissioner Minth stated that she is
concerned with signage in the windows of the building.

26 6. Z2014-013
28 Hold a public hearing to discuss and consider a request by Dean Cathey, on behalf of ASCDT
Investments, LLC, for the approval of a zoning change from a Zero Lot Line (ZL-5) District to a
30 Planned Development District for single-family attached uses for a 1.25-acre subdivision of land
identified as Lots 4, 5, 6 & 7 of the Integrity Addition Phase 2, City of Rockwall, Rockwall County,
Texas, addressed as 617, 619, 621 & 623 Boydston Avenue, and take any action necessary.

32 Gonzales explained the zoning request.

34 7. SP2014-006
36 Discuss and consider a request by Peak Pedi, LLC for the approval of a site plan for a medical
office on a one (1) acre tract of land identified at Tract 1-2 of the J. M. Allen Survey, Abstract 2,
38 City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the
SH-276 Overlay (SH-276) District, located on the north side of SH-276 west of Innovation Drive,
40 and take any action necessary.

42 Sanford discussed the case and described the location of the property.

44 8. SP2014-007
46 Discuss and consider a request by Stephen Seitz Architects, Inc., on behalf of the owner of the
property, for the approval of a site plan for a professional office building on a 0.75-acre tract of
48 land identified as Lot E, Block 117 & Lot D, Block 117 of B. F. Boydston Addition, City of
Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the northeast
corner of the intersection of SH-205 [S. Goliad Street] and St. Mary's Street, and take any action
50 necessary.

52 Sanford briefed the Commission on the case.

54 Commissioner Nielsen asked the purpose behind disallowing stucco within the first 8 feet above
56 grade. Gonzales stated it is an aesthetic issue.

58 Steve Seitz
22231 Ridge Road
Rockwall, Texas

60

2 Mr. Seitz explained the request.

4 Commissioner Jackson asked about a dumpster. Mr. Seitz stated that the tenant will utilize a rolling poly cart. It will be screened when not in use.

6

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

8

- ✓ Z2014-007: Breezy Hill Amendments (PD-74) [Denied]
- ✓ Z2014-008: Change in Zoning from AG to HC (SH-66) [Denied]
- ✓ Z2014-001: Amendments to the Notification Procedures (2nd Reading) [Approved]

10

12

Gonzales briefly updated the Commission on the above listed cases.

14

IV. ADJOURNMENT

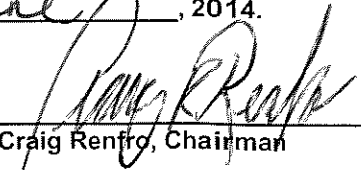
16

The meeting adjourned at 6:52 p.m.

18

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
20 ROCKWALL, Texas, this 10th day of June, 2014.

22



Craig Renfro, Chairman

24

26 Attest:



JoDee Sanford, Planning Technician

28

30

2 **MINUTES**
3 **PLANNING AND ZONING COMMISSION PUBLIC HEARING**
4 **City Hall, 385 South Goliad, Rockwall, Texas**
5 **Council Chambers**
6 **May 13, 2014**
7 **6:00 P.M.**

8 I. CALL TO ORDER

9 The meeting was called to order by Chairman Craig Renfro at 6:00 p.m. with the following
10 members present: Wendi Conley, Connie Jackson, Jonathan Lyons, Kristen Minth, John
11 McCutcheon and Matthew Nielsen.

12 The following staff members from the Planning Department were present: Robert LaCroix, Ryan
13 Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members,
14 Tim Tumulty, Amy Williams, and Kathleen Moreno, were in attendance.

15 II. PUBLIC HEARING ITEMS

16 1. Z2014-011

17 Hold a public hearing to discuss and consider a request by Dewayne Cain, on behalf of the Cain
18 Family Revocable Trust, for the approval of a zoning change from a Single Family 10 (SF-10)
19 District to Planned Development District 53 (PD-53) for Residential-Office (RO) District uses and
20 to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance No. 02-33] for a
21 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision, City of Rockwall,
22 Rockwall County, Texas, addressed as 1002 Ridge Road, and take any action necessary.

23 Miller explained that on July 1, 2003 the City Council adopted Planned Development District 53
24 (PD-53) [Ordinance No. 02-33; Case No. PZ2002-33], which granted uses permitted within the
25 Residential-Office (RO) District to nine (9) properties adjacent to Ridge Road (FM-740) [i.e. 1004,
26 1008, 1010, 1012, 1014, 1018, 1020, 1022 & 1024 Ridge Road]. This was in response to the
27 expansion of Ridge Road, which required the Texas Department of Transportation (TXDOT) to
28 acquire substantial portions of several of the properties adjacent to the west side of the
29 thoroughfare. This acquisition essentially removed the front yards of these properties, and
30 created a condition that was less desirable for residential uses and more conducive to non-
31 residential uses. It was the intent of the planned development district to provide additional
32 options to the owners of the nine (9) properties that were affected by the acquisition of right-of-
33 way, and to create a "transitional" buffer between Ridge Road and the remaining residential
34 properties located west of the subject properties. Originally, the proposed zoning case included
35 15 properties [i.e. 1104, 1026 & 1002 Ridge Road and 101 & 102 Glen Road] (four [4] of which were
36 city initiated); however, six (6) of the properties were removed from the request by the Planning &
37 Zoning Commission due to concerns voiced by adjacent property owners. The subject property
38 was a part of this original request and was one of the removed properties.

39 The subject property is a 0.651-acre parcel of land located directly north of the nine (9) properties
40 that currently make up Planned Development District 53 (PD-53), and is addressed as 1002 Ridge
41 Road. Currently, there is an existing home situated on the subject property that is vacant. The
42 owner, Dewayne Cain, is requesting to change the zoning of the property from Single Family 10
43 (SF-10) District to Planned Development District 53 (PD-53) for the purpose of establishing a
44 future office use on the property. According to a letter submitted by Mr. Cain the purpose of the
45 zoning change is because "...residential is no longer the best and highest use for the property;
46 nor is it consistent with other properties in the area."

47 The land uses adjacent to the subject property are as follows:
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2 North: Directly north of the subject property is ten (10) feet of alley right-of-way followed by
4 several properties developed with single-family homes. These properties are a part of the L&W
Subdivision and are zoned Single Family 10 (SF-10) District.

6 South: Directly south of the subject property is Summit Ridge Drive (80-feet of right-of-way)
8 followed by several properties zoned Planned Development District 53 (PD-53) for Residential-
Office (RO) District uses.

10 East: Directly east of the subject property is Ridge Road (variable width of right-of-way) followed
12 by a property zoned Commercial (C) District and developed with a gas station and convenience
store. Beyond this property is TXDOT right-of-way followed by SH-205 (S. Goliad Street).

14 West: Directly west of the subject property is a single family home owned by the applicant and
16 zoned Single Family 10 (SF-10) District. Beyond this structure are several single-family homes
situated within the Ridge Road Village Subdivision and zoned Single Family 10 (SF-10) District.

18 The underlying zoning of Planned Development District 53 (PD-53) is Residential-Office (RO)
20 District, which according to the Unified Development Code is a zoning district that is reserved for
"...area(s) of transition between residential and high-intensity non-residential uses or busy arterial
22 thoroughfares." In this case, the subject property has an existing house that is situated 15-feet
from the right-of-way of Ridge Road. Ridge Road or FM-740 is classified as an M4D (Minor
24 Arterial, Four [4] Lane, Divided Roadway) and accommodates a moderate level of traffic.
According to the Texas Department of Transportation's (TXDOT's) 2012 District Traffic Maps,
26 Ridge Road currently accommodates between 17,800 to 25,000 trips per day between the SH-
205/FM-740 split and IH-30. The average residential street accommodates less than 1,000 trips per
28 day. Additionally, the property's orientation and setbacks are similar to the existing properties
within the planned development district (as opposed to properties north of the subject property).

30 The Future Land Use Map contained within the Comprehensive Plan designates the subject
32 property for Medium Density Single-Family Residential land uses. If the zoning case is approved
the Future Land Use Map will be required to be amended with the next Comprehensive Plan
34 update to reflect the proposed change in land use from Medium Density Single-Family Residential
to a Commercial designation.

36 On May 2, 2014, staff mailed 21 notices to property owners within 200 feet of the subject property.
38 Additionally, staff posted a sign adjacent to Ridge Road in front of the existing single family home
as required by the Unified Development Code (UDC). At the time this case memo was drafted staff
40 had received two (2) notifications in favor of the applicant's request.

42 If the Planning and Zoning Commission recommends approval of the applicant's request to
change the zoning of the subject property from Single Family 10 (SF-10) District to Planned
44 Development District 53 (PD-53) then staff would propose the following conditions of approval:

46 1) The Subject Property shall comply with all the requirements specified by Section 6.8, Scenic
Overlay (SOV) District, of Article IV, District Development Standards, of the Unified Development
48 Code [Ordinance No. 04-38],

50 2) In addition to the uses permitted in the Residential Office (RO) District that the Subject Property
shall be permitted to be used as a single-family residence; however, only one (1) single family
52 dwelling unit shall be permitted on each lot,

54 3) All parking provided on the Subject Property shall be located behind the primary structure and
no parking may be provided adjacent to or visible from Ridge Road. For the purposes of the draft
56 ordinance parking maybe visible, accessible and adjacent to Summit Ridge Drive on the Subject
Property,

58 4) The parking requirement for the Subject Property shall be one (1) parking space per 500 square
feet of floor area for an office and/or professional use. All other uses shall comply with the

2 parking requirements stipulated in Article VI, Parking and Loading Standards, of the Unified
4 Development Code [Ordinance 04-38],

6 5) A six (6) foot, wood fence constructed to a residential standard is required adjacent to all single
8 family residential adjacencies (i.e. the northern and western property lines) for the purpose of
10 screening the parking area,

12 6) Prior to the Subject Property being utilized for any use other than a single family residential
14 dwelling a site plan must be submitted, reviewed and approved by the Director of Planning or his
16 designee, and

18 7) Any construction resulting from the approval of this zoning change shall conform to the
20 requirements set forth by the Unified Development Code (UDC), the International Building Code
22 (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and
24 with all other applicable regulatory requirements administered and/or enforced by the state and
26 federal government.

28 Chairman Renfro opened the public hearing at 6:06pm.

30 Dewayne Cain
32 305 Stonebridge
34 Rockwall, Texas

36 Mr. Cain indicated his desire to rezone his property in order to keep it consistent with the adjacent
38 properties and so that he can remove the existing structure and replace it with a new structure.

40 Commissioner Nielsen expressed his concern with the drive off of Ridge Road and asked about
42 future tenants at the property. Mr. Cain stated that at this time he does not know the future
44 tenants. Mr. Cain stated that the only entrance can be going south on Ridge Road. He hopes to
46 gain an exit onto Summit Ridge. Miller indicated that this issue would be addressed during the
48 site plan process.

50 Additional discussion took place regarding access off of Ridge Road.

52 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at
54 6:10pm.

56 Commissioner Jackson made a motion to approve Z2014-011, a request by Dewayne Cain, on
58 behalf of the Cain Family Revocable Trust, for the approval of a zoning change from a Single
60 Family 10 (SF-10) District to Planned Development District 53 (PD-53) for Residential-Office (RO)
District uses and to amend the boundaries of Planned Development District 53 (PD-53) [Ordinance
No. 02-33] for a 0.651-acre parcel of land identified as Lot 3, Block A, Lee Rhoades Subdivision,
City of Rockwall, Rockwall County, Texas, addressed as 1002 Ridge Road, with staff
recommendations.

Commissioner McCutcheon seconded the motion.

A vote was taken and the motion passed 7-0.

2. Z2014-012

Hold a public hearing to discuss and consider a request by Master Plan, on behalf of Rockwall
SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse
facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger
5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City
of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30
frontage road and Townsend Drive, and take any action necessary.

Miller stated that the applicant has requested to postpone the public hearing to the May 27th
Planning & Zoning meeting. No action was taken on the item.

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3. Z2014-013

Hold a public hearing to discuss and consider a request by Dean Cathey, on behalf of ASCDT Investments, LLC, for the approval of a zoning change from a Zero Lot Line (ZL-5) District to a Planned Development District for single-family attached uses for a 1.25-acre subdivision of land identified as Lots 4, 5, 6 & 7 of the Integrity Addition Phase 2, City of Rockwall, Rockwall County, Texas, addressed as 617, 619, 621 & 623 Boydston Avenue, and take any action necessary.

Gonzales explained that the applicant, Dean Cathey, on behalf of ASCOT Investments, LLC, has submitted an application to rezone a 1.25-acre subdivision, identified as the Integrity Addition Phase 2, from a Zero Lot Line Residential (ZL-5) District to a Planned Development District for the purpose of constructing eight (8) single-family "attached" homes. The subdivision is located at the northwest corner of Boydston Avenue and Clark Street. Currently, the zoning ordinance permits the development of single-family homes on the four (4) lots meeting the ZL-5 zoning requirements.

The PD Concept Plan indicates the 1.25-acre (four parcels) addition as being sub-divided into eight (8) individual lots with the intent of constructing a single-family "attached" home on each lot. Each home site will have one (1) common wall between two (2) individual homes, and the ordinance establishes a 5-ft setback for the non-zero lot line in order to prevent the appearance of townhomes. The ordinance establishes a minimum lot size of 25-ft X 120-ft with a minimum lot area of 3500 sq. ft.; however, the minimum lot size proposed by the applicant is 4750 sq. ft.

Mr. Cathey has informed staff that he intends to build a 2400 sq.-ft. home (minimum) on each lot. The concept rendering provides a perspective of an attached 2-story home site with a pitched roof system and gabled elements, an articulated covered patio entry feature extending beyond the side property's façade, and a one car garage for each unit. The overall minimum masonry requirement for this development will be 80%; however, stucco may not be used as a primary material. Each home will be constructed using a cementaceous lap siding material (e.g. Hardi Plank, Cemplank, etc.) in order to ensure consistency with the surrounding and adjacent developments and may incorporate a stone or brick wainscot, matching the concept rendering.

West of and adjacent to the Integrity Addition is Planned Development No. 42 (PD-42) which allows for professional offices. Planned Development No. 52 (PD-52) allows for (HC) Heavy Commercial, (C) Commercial, (2F) Duplex Residential, and (SF-7) Single-Family Residential uses, and is located adjacent to the north, south and east portions of the Integrity Addition. Due to the existing non-residential and residential uses, this area is viewed as a transitional zone. According to the Comprehensive Plan, "(h)igh 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." With the non-residential land uses and nearby duplexes, this area is a logical extension of the higher intensity use and will create a transition of land uses from the higher intensity to the single-family.

On May 1, 2014, staff mailed sixteen (16) notices to property owners within 200 feet of the subject property. Additionally, staff posted a sign along Boydston adjacent to the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received one (1) notice "opposed to" the zoning change requested.

Should the Planning & Zoning Commission and City Council approve the applicant's request, staff recommends the following conditions of approval:

1) That a replat of the proposed eight (8) lots be required prior to the issuance of a building permit;

2) Development of the proposed eight (8) lots shall generally conform with the intent of the PD Development Standards, PD Concept Plan, and the PD Concept Rendering as depicted and attached to the PD Ordinance;

2 3) Any construction resulting from the approval of this zoning ordinance shall conform to the
4 requirements set forth by Planned Development District Ordinance, the Unified Development
Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city
6 adopted engineering and fire codes and with all other applicable regulatory requirements
administered and/or enforced by the state and federal government.

8 Dean Cathey
(No address given)

10
12 Commissioner Nielsen clarified the size and number of homes. Mr. Cathey explained that each
residence will be about 1400-1600 with a single car garage. The building total will be double that
14 size.
16 Additional discussion took place regarding the proposed homes and how they might affect the
surrounding properties.

18 Chairman Renfro opened the public hearing at 6:18pm.

20 Freddie Jackson
1812 Bristol Lane
22 Rockwall, Texas

24 Mr. Jackson stated that there is concern about the proposed homes being duplexes. Mr. Jackson
generally expressed that this development is not conducive to this community.

26
28 Catherine Carpenter
613 Boydston
Rockwall, Texas

30
32 Ms. Carpenter stated that she feels this will devalue her home in the future. She is concerned with
the number of cars on the street and the number of children.

34 Jeanne Davis
706 Williams Street
36 Rockwall, Texas

38 Ms. Davis stated that she is speaking on behalf of the Old Towne Neighborhood Association. Ms.
40 Davis explained that they support the Southside District in requesting denial of this change. They
would like to preserve this single-family neighborhood.

42 Carol Crow
504 Williams Street
44 Rockwall, Texas

46 Ms. Crow stated that the property is zoned for zero lot line homes. She generally expressed
48 discontent with the proposed development and considers this to be multi-family zoning. Ms. Crow
asked the Commission to deny the request.

50 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at
6:27pm.

52
54 Commissioner Lyons asked why this type of development wouldn't require multi-family zoning.
LaCroix explained that these are on separate lots making these single-family attached homes.

56 Commissioner Nielsen commented that this area is transitioning. He is also concerned with the
material usage on the proposed homes.

58
60 Commissioner Nielsen made a motion to deny Z2014-013, a request by Dean Cathey, on behalf of
ASCOT Investments, LLC, for the approval of a zoning change from a Zero Lot Line (ZL-5) District

2 to a Planned Development District for single-family attached uses for a 1.25-acre subdivision of
4 land identified as Lots 4, 5, 6 & 7 of the Integrity Addition Phase 2, City of Rockwall, Rockwall
County, Texas, addressed as 617, 619, 621 & 623 Boydston Avenue.

6 Commissioner Lyons seconded the motion.

8 A vote was taken and the motion passed 7-0.

10 4. Z2014-014

12 Hold a public hearing to discuss and consider a request by Brad Fenton of Fenton Motor Group,
14 on behalf of Cambridge Companies Inc., for approval of a Specific Use Permit (SUP) to allow for
16 a new car dealership being a 4.08-acre tract of land located in the J. LOCKHART SURVEY,
18 Abstract No.134, being a portion of that certain tract of land described in deed to the Cambridge
Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of Rockwall County,
20 Texas and zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District
and the 205 By-Pass Corridor Overlay (205 BY-OV) District and generally located on the
southeast corner of John King Boulevard and IH-30, City of Rockwall, Rockwall County, Texas,
and take any action necessary.

22 Gonzales stated that the applicant, Brad Fenton of Fenton Motor Group, LLC and on behalf of
Cambridge Companies Inc., has submitted an application for a Specific Use Permit to allow for
24 new car dealership on a 4.08-acre tract of land located on the southeast corner of John Kind
Boulevard and IH-30. This site is zoned Commercial (C) District and is also located within the IH-
30 Overlay (IH-30 OV) and 205 By-Pass Overlay (205 BY-OV) Districts. The overlay districts
26 include additional standards intended to provide a visual as well as an architectural impact for the
development. The proposed dealership will be situated on the aforementioned 4.08-acre tract and
28 will adjoin the 11.568-acre tract east of this location that has an approved SUP (Ord. 13-36, SUP
No. 111) for a new car dealership that was approved in October 2013.

30 The applicant has provided a conceptual site plan indicating the proposed layout of the project for
32 this development that incorporates the areas of both SUP's (15.648-acres) should this request be
approved. The new car dealership will be home to Fenton Nissan of Rockwall and will feature an
34 approximately 50,000 square foot facility and separate service building. A pre-owned car facility
will also be housed as an accessory use to the new car dealership. If approved, the project
36 requires a full site plan review (including building elevations, landscape, treescape, and
photometric plans), review and recommendation of the Architectural Review Board, Engineering
38 review and submittal, and platting approval of the property prior to issuance of a building permit.

40 The applicant has submitted a corner enhancement detail for a gateway identifying freestanding
wall element in an effort to compliment the corridor. The John King Blvd Design Guidelines
42 Concept Plan introduces an opportunity for a developer to provide enhancements along this
corridor with key features that will serve as an image of the City of Rockwall. The freestanding
44 wall element for this location provides an opportunity to be the first gateway identifying element
for the John King Blvd corridor. This corner will feature a decorative wall element that will
46 incorporate limestone with cast stone caps. The area surrounding the wall will be decorated with
accent trees, ornamental shrubbery, including seasonal colors, and ground cover to soften the
48 appearance. If approved, staff would recommend tying the details of the corner enhancement to
the SUP. The freestanding wall element will also incorporate a 10-ft walkway/trail along John King
50 Blvd adjacent to the property and will eventually tie-in to the City's trail system for pedestrians
and cyclists.

52 Provided in your packet is a letter of authorization, a legal description, an exhibit indicating the
54 proposed boundary for the SUP, the gateway identify freestanding wall conceptual plan, and a
conceptual site plan adjoining the proposed 4.08-acre site with the 11.568-acre site. The applicant
56 has also provided a letter of intent to construct the gateway identity corner enhancement (i.e.
freestanding wall element) as well as a ten (10) foot walkway/trail along John King Blvd for your
58 review.

2 A public notice has been published in the Rockwall County News, on the City's web-site, and a
4 sign has been posted on the property. Also, notices have been mailed to three (3) property
6 owners within 200-ft of the subject property as required by law. At time of this report, staff has
8 received three (3) response "in favor of" and none "opposed to" the request.

Should the request be approved, staff would offer the following conditions:

1. The SUP is for the proposed land use only (i.e. "Motor Vehicle Dealership, New").
2. Future site plan submittal and approval shall be required. Since the project is located within the IH-30 OV and the 205 BY-OV districts, a review from the Architectural Review Board is required with its recommendation forwarded to the Planning and Zoning Commission.
3. Any variance to the IH-30 OV or 205 BY- OV Districts or any other section of the Unified Development Code shall be considered at the time of site plan approval.
4. Submittal and approval of engineering plans and final plat shall be completed prior to the issuance of a building permit.
5. That the corner enhancement details (i.e. freestanding wall element) for John King Blvd be contained within a pedestrian access easement.
6. That the corner enhancement details (i.e. freestanding wall element) for John King Blvd be attached to the SUP as a requirement to the new car dealership.
7. The SUP shall expire if development has not commenced within three (3) years from the approval date of the SUP ordinance.

24 LaCroix explained that the initial land area has been reduced by almost an acre in right-of-way
26 dedication.

28 Commissioner Nielsen asked for clarification of request. Gonzales gave a brief history.

30 Additional discussion took place regarding the history of this request.

32 Chairman Renfro opened the public hearing at 6:40pm.

34 Brad Fenton
(No address given)

36 Mr. Fenton stated that originally the corner tract was not available to them. It has since become
38 available. This tract does not have access off of the I-30 service road and has some drainage
40 issues as well which makes it difficult to develop on its own. Mr. Fenton stated that they want to
develop this tract in conjunction with the adjacent property as a Nissan dealership. They have
also agreed to construct the gateway piece at the intersection.

42 Commissioner Minth asked about the monument piece at the intersection. Some discussion took
44 place regarding the number of pylons.

46 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at
6:47pm.

48 Commissioner Jackson asked if Nissan has a set design for the building. Mr. Fenton stated that
50 Nissan does have a brand design.

52 Commissioner Lyons made a motion to approve Z2014-014, a request by Brad Fenton of Fenton
54 Motor Group, on behalf of Cambridge Companies Inc., for approval of a Specific Use Permit (SUP)
56 to allow for a new car dealership being a 4.08-acre tract of land located in the J. LOCKHART
58 SURVEY, Abstract No.134, being a portion of that certain tract of land described in deed to the
60 Cambridge Companies, Inc. as recorded in Volume 101, Page 795 of the Deed Records of
Rockwall County, Texas and zoned Commercial (C) District, situated within the IH-30 Overlay (IH-
30 OV) District and the 205 By-Pass Corridor Overlay (205 BY-OV) District and generally located
on the southeast corner of John King Boulevard and IH-30, City of Rockwall, Rockwall County,
Texas, with staff recommendations and to include language linking this SUP to the SUP
previously approved for the adjacent property.

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Commissioner Jackson seconded the motion.

A vote was taken and the motion passed 7-0.

III. ACTION ITEMS

5. Appointment with Adam Buczek of the Skorburg Company to consider a request to submit a new zoning application for Planned Development District 74 (PD-74) 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.

Miller stated that on April 21, 2014, the City Council denied a request to amend Planned Development District 74 (PD-74) [Case No. Z2014-007], and since the request was denied without an indication of prejudice the action was considered to be a *denial with prejudice* (§8.3.B, Article II). This motion restricts the applicant's ability to submit a zoning application for any portion of the subject property -- unless the application is for a more restrictive, less intense use or development (§8.3.B, Article II) -- for a period of one (1) year from the date of denial. In accordance with Section 8.3.D, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code the applicant has submitted a written request to the Director of Planning seeking approval from the Planning and Zoning Commission to refile a zoning amendment to Planned Development District 74 (PD-74) [see Exhibits 'A'].

The original amendment submitted by the applicant requested increasing the number of lots permitted from 691 to 749 lots to create a new phase that contained 111, 50' x 120' lots. Additionally, the lot mix was adjusted to accommodate the added lots. The new plan submitted with the written request decreases the number of lots being requested and increases the amount of open space being proposed with the new phase [see Exhibit 'B']. A detailed summary of the changes are as follows:

1. The applicant has reduced the number of lots being proposed for the additional phase from 111 to 102, which represents a decrease of nine (9) lots.
2. The proposed lot mix has been changed from 111, 50' x 120' lots to 55, 50' x 120' lots and 47, 60' x 120' lots.
3. The proposed concept plan includes additional open space and a five (5) foot trail running east to west, connecting the retail areas to the proposed single family acreage.

Staff has determined that the proposed changes to the original request are substantial enough to bring forward to the Planning and Zoning Commission. The Commission is tasked with determining if the changes that the applicant has resubmitted represent 1) a more restrictive or less intense use or development, and/or 2) if there is an actual change in conditions relating to zoning principles of the tract or parcel of land or the property surrounding it.

Commissioner McCutcheon clarified the request is to allow the applicant to resubmit a zoning application for this property.

Discussion took place regarding the changes that are being made from the previously submitted case.

Commissioner Minth stated that moving from a 50' lot to a 60' lot is a substantial change. In addition, they are adding greenbelt.

Commissioner Jackson stated that she doesn't feel this is enough of a change in the number of homes being proposed.

2 Commissioner McCutcheon explained that the previous request also changed other areas of the
4 development. He doesn't believe the issue is with the number of homes being proposed, but
6 rather with the size of the lots being proposed. He does believe that this is a significant enough
8 change to allow the applicant to resubmit a zoning request.

10 Additional discussion took place regarding whether this request represents a significant change
12 from the previous request.

14 Commissioner Minth made a motion to approve a request by Adam Buczek of the Skorburg
16 Company to submit a new zoning application for Planned Development District 74 (PD-74) in
18 accordance with Section 8.3, Council Approval or Denial, of Article II, Authority and Administrative
20 Procedures, of the Unified Development Code.

22 Commissioner Lyons seconded the motion.

24 A vote was taken and the motion failed 3-4, with Nielsen, Renfro, Jackson and Conley voting
26 against.

28 6. MIS2014-003

30 Discuss and consider a request by Bryan P. Powell, P.E. of Westwood Professional Services for
32 the approval of a Tree Preservation Plan for the Castle Ridge Addition, Phase III, zoned Single-
34 Family (SF-10) District and generally situated west of SH-205 and north of Dalton Road (FM-
36 552), located in the City of Rockwall, Rockwall County, Texas, and take any action necessary.

38 Gonzales expressed that the applicant Bryan P. Powell, P.E. of Westwood Professional Services is
40 requesting the approval of a Tree Preservation Plan for the purpose of constructing single-family
42 home sites for the Castle Ridge Phase III Addition. A Preliminary Plat, along with the Preliminary
44 Tree Survey, was approved in September 2005 with the condition that a final treescape plan be
46 approved with final plat approval. The applicant is presenting a Tree Preservation Plan that
48 represents an updated version since the approval of the Preliminary Plat in 2005.

50 In order for the site to develop, the applicant is proposing to remove a total of 70 trees (923 caliper
52 inches). The majority of the trees to be removed are identified as Pecan trees and are considered
54 feature trees (e.g. oak, pecan, or elm) that are four (4) caliper inches or greater. Feature trees
56 require Planning and Zoning Commission approval in order to be removed. Also to consider are
58 two (2) Pecan trees that are thirty (30) caliper inches or greater (tree No.'s 147 = 48" & 174 = 30")
60 and are to be replaced with twice the number of inches being removed. Feature trees that are
twenty-four (24) caliper inches or greater receive an inch for inch credit if saved. The applicant
has identified five (5) Pecan trees meeting this criteria (tree No.'s 168, 169, 170, 171, & 547) and
therefore will receive tree credits equal to 250 inches applied towards mitigation, leaving a
balance due of 751 caliper inches.

The (UDC) Unified Development Code requires mitigation to be applied on an inch for inch basis.
Should the request be granted, replacement trees for the remaining balance (751 caliper inches)
should be from the approved tree list as provided by in the UDC. Replacement trees are preferred
to be planted within the development; however, all or a portion thereof may be donated to the City
of Rockwall Parks and Recreations Department for future plantings or the applicant can provide a
payment of \$125 per caliper inch towards the City's Tree Fund (not to exceed 20% of the total
mitigation).

To satisfy the tree mitigation requirements the applicant has provided staff with a letter indicating
a desire to plant four (4) – three (3) caliper inch trees per lot (62 lots) for a total of 248 trees which
represents a total of 744 caliper inches credited towards the mitigation balance. The remaining
balance of seven (7) caliper inches will either be donated to the Parks Department or the City's
Tree Fund for future plantings.

Should the request be approved, staff would offer the following conditions:

1. Submittal and approval of a final plat prior to the removal of any trees.

2 2. After engineering and grading of the lots, should there be any additional feature trees saved, a
4 credit will be applied towards the mitigation balance.

6 Commissioner Minth asked the size of the lots. Gonzales indicated that a plat has not been
8 submitted. LaCroix stated that the lots are SF-10. A preliminary plat has been approved.

10 Commissioner Nielsen asked about some of the larger trees being saved. LaCroix stated that
12 staff is discussing saving some of the larger trees that are closer to the lake.

14 Bryan Powell with Westwood
16 2740 N. Dallas Parkway
18 Plano, Texas

20 Mr. Powell stated that the lots are 80 feet in width. The reason for the request is due to the
22 grading for the development. He explained what would be required if they are to keep the trees.

24 Additional discussion took place regarding the grading issues and whether any other trees can be
26 saved.

28 Commissioner Jackson asked if staff verifies the approved treescape and mitigation plans.
30 LaCroix responded that staff does go out and inspect the site for compliance.

32 David Booth with DR Horton
34 4306 Miller Road
36 Rowlett, Texas

38 Mr. Booth stated that there is a huge cost difference in a 3" and a 4" tree. They will look at
40 adjusting the CC&Rs to ensure that trees are maintained on the lots.

42 Discussion took place regarding adding this stipulation to the CC&Rs as part of the mitigation
44 plan.

46 Commissioner Jackson made a motion to approve MIS2014-003, a request by Bryan P. Powell,
48 P.E. of Westwood Professional Services for the approval of a Tree Preservation Plan for the Castle
50 Ridge Addition, Phase III, zoned Single-Family (SF-10) District and generally situated west of SH-
52 205 and north of Dalton Road (FM-552), located in the City of Rockwall, Rockwall County, Texas,
54 with staff recommendations.

56 Commissioner Minth seconded the motion.

58 A vote was taken and the motion failed 7-0.

60 7. MIS2014-004

62 Discuss and consider a request for the approval of a special request for the purpose of permitting
64 the construction of a carport that does not conform to the setback and material requirements as
66 stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of the Unified
68 Development Code, for a 0.12-acre property that is identified as Lot 877, Block E of Rockwall
70 Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned
72 Development District 75 (PD-75), is generally located at 486 Perch Road, and take any action
74 necessary.

76 Miller explained that the applicant, Froylan H. Torres, is requesting a special exception to the
78 requirements stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of the
80 Unified Development Code (UDC) for the purpose of constructing a carport, adjacent to the front
82 façade of an existing single family home. According to the information provided by the applicant
84 the carport will be situated adjacent to the front façade of the existing garage and be contiguous
86 with the front (eastern) property line. The structure will consist of four (4) (4" x 4", 11 gauge)
88 metal post anchored to a metal plate bolted into concrete of the driveway. The posts will support
90 a 20-foot x 20-foot (or 400 square foot) tin roof, which will be pitched to allow for storm water

2 runoff. The carport will encroach into the 20-foot front yard building setback, but will not
4 encroach into any other established building setbacks or easements located on the subject
6 property. Additionally, the carport should not create a sight obstruction to motorist as there are
approximately 15-feet of right-of-way between the edge of pavement of Perch Road and the front
property line of the subject property.

8 Planned Development District 75 (PD-75) states that properties within Area '1', such as the subject
10 property, are subject to the land use standards and density and dimensional requirements
12 stipulated for properties located within the Single Family 7 (SF-7) District. According to Article IV
of the UDC, carports are allowed by right in a Single Family-7 (SF-7) District pending they meet the
14 requirements stipulated in the Section 2.1.2 of Article IV. Section 2.1.2(1) [Carports] of Article IV
states that carports are required to be setback a minimum of 20 feet from the front building
16 façade. As mentioned above the proposed carport will be located in front of the garage and
extend to the front property line. The applicant has stated that the purpose for the proposed
18 position of the carport is to accommodate the existing garage, which restricts the ability of the
carport to conform to the required 20-foot setback requirement. Section 2.1.2(2) [Carports] of
20 Article IV states that carports that are visible from a public right-of-way should be constructed of
materials that match the primary residence. In this case the applicant is proposing to use a metal
construction. The primary structure's exterior façade is composed of 100% stucco.

22 Generally, this request would require a Specific Use Permit (SUP) in conformance with Section
24 2.1.2(3) [Carports] of Article IV for not meeting the requirements stipulated in Section 2.1.2(1) of
Article IV; however, the subject property is located within Planned Development District 75 (PD-
26 75), which allows City Council to consider special requests on a case-by-case basis pending a
recommendation by the Planning & Zoning Commission. The approval of any special request
28 shall preempt any other underlying zoning restrictions stipulated by the zoning ordinance. Staff
would like to acknowledge that the applicant's design appears to be consistent with existing
30 designs in the neighborhood, and the approval of the request would not alter the essential
character of the planned development district.

32 If the Planning & Zoning Commission and City Council choose to approve the applicant's request
for a waiver to the carport requirements staff recommends the following conditions:

34 1) Prior to the construction of the carport the applicant will need to apply for a Building Permit
36 from the Building Inspections Division,

38 2) Any construction or building allowed by this request must conform to the requirements set
40 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
42 applicable regulatory requirements administered and/or enforced by the state and federal
government.

44 Commissioner Nielsen made a motion to approve MIS2014-004, a request for the approval of a
special request for the purpose of permitting the construction of a carport that does not conform
46 to the setback and material requirements as stipulated by Section 2.1.2(1) [Carports] of Article IV,
Permissible Uses, of the Unified Development Code, for a 0.12-acre property that is identified as
48 Lot 877, Block E of Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas,
is zoned Planned Development District 75 (PD-75), is generally located at 486 Perch Road, with
50 staff recommendations.

52 Commissioner Conley seconded the motion.

54 A vote was taken and the motion failed 7-0.

56 8. SP2014-006

58 Discuss and consider a request by Peak Pedi, LLC for the approval of a site plan for a medical
office on a one (1) acre tract of land identified at Tract 1-2 of the J. M. Allen Survey, Abstract 2,
City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the

2 SH-276 Overlay (SH-276) District, located on the north side of SH-276 west of Innovation Drive,
4 and take any action necessary.

6 Sanford stated that the applicant, Kash Parbhu of KREA Acquisitions on behalf of Peak Pediatric,
8 is requesting approval of a site plan to allow for the construction of a new medical office building
10 located at 1861 SH276. The subject property is identified as Tract 1-02 of the J.M. Allen Survey,
12 Abstract No. 2, Rockwall, Texas, which is zoned Light Industrial (LI) District. The property is
14 located on the north side of SH276 just east of John King Blvd.

16 The site plan submitted by the applicant shows the construction of a 3,541 sq. ft. medical office
18 building situated on a 1 acre lot. The building will be situated approximately 70-feet from public
20 right-of-way, conform to all building setback requirements, and will be accessible from one (1) 24-
22 foot access drive located off of SH276. The proposed structure, parking plan and site plan all
24 conform to the density and dimensional requirements stipulated for structures situated within a
26 Light Industrial (LI) District as required by the UDC.

28 According to Article VIII, Landscape Requirements, of the UDC, properties located within a Light
30 Industrial (LI) District are required to provide a minimum landscape percentage of ten (10%)
32 percent of the total site area with 100% of the total requirement being located within the front and
34 side building setbacks adjacent to right-of-way. This requirement translates to a total provision of
36 4,310 square feet of landscaping area required for the subject property. The Landscape Plan
38 provided by the applicant shows that approximate 48.5% of the total site area or 20,931 square
40 feet has been dedicated to meeting the landscaping requirements and 100% will be located in
42 front of and alongside the building as required within the LI District. The landscape plan also
44 indicates the correct street landscape buffer-strip with the required number of trees. Additionally,
46 the landscape plan provided by the applicant shows the required number of trees being planted
48 within the detention pond. No tree mitigation is necessary on this property.

50 The Photometric Plan submitted by the applicant shows the inclusion of five (5), pole mounted
52 LED light fixtures, directed downward and fully cut-off. The light poles cannot exceed 20-ft in
54 height (including the base) and the plan indicates that the poles will meet this height restriction.
56 All lighting shown on the Photometric Plan conforms to the requirements stipulated in Article VII,
58 Environmental Performance, of the UDC.

60 The proposed building elevations submitted by the applicant show a one (1) story structure being
62 constructed utilizing natural stone and brick veneer. According to Section 4.1.A of Article V,
64 District Development Standards, of the UDC all structures constructed within a light industrial
66 zoning district are required to have exterior walls that consist of a minimum of 90% masonry
68 materials to include a minimum of 20% stone and a maximum of 50% cementaceous products
70 (e.g. stucco, HardiPlank, or similar materials). The elevations as shown conform to this
72 requirement.

74 The ARB reviewed the elevations and asked the applicant to extend the roof eaves on either side
76 of the building as well as add a header and seal to the windows on either side of the front façade.
78 The applicant has complied with both of these requests.

80 Should the request be approved, staff offers the following conditions:

- 82 1) Adherence to all Planning, Engineering and Fire Department standards;
- 84 2) Any construction or building necessary to complete this Site Plan request must conform to
86 the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall
88 Municipal Code of Ordinances, city adopted engineering and fire codes and with all other
90 applicable regulatory requirements administered and/or enforced by the state and federal
92 government.

94 Commissioner Jackson made a motion to approve SP2014-006, a request by Peak Pedi, LLC for
96 the approval of a site plan for a medical office on a one (1) acre tract of land identified at Tract 1-2
98 of the J. M. Allen Survey, Abstract 2, City of Rockwall, Rockwall County, Texas, zoned Light

2 Industrial (LI) District, situated within the SH-276 Overlay (SH-276) District, located on the north
4 side of SH-276 west of Innovation Drive, with staff recommendations.

6 Commissioner Minth seconded the motion.

8 A vote was taken and the motion failed 7-0.

10 9. SP2014-007

12 Discuss and consider a request by Stephen Seitz Architects, Inc., on behalf of the owner of the
14 property, for the approval of a site plan for a professional office building on a 0.75-acre tract of
16 land identified as Lot E, Block 117 & Lot D, Block 117 of B. F. Boydston Addition, City of
18 Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, located at the northeast
20 corner of the intersection of SH-205 [S. Goliad Street] and St. Mary's Street, and take any action
22 necessary.

24 Sanford expressed that the applicant, Stephen Seitz of Seitz Architects, Inc., is requesting
26 approval of a site plan to allow for the construction of a new office building located at 105 St.
28 Mary's Street. The subject property is identified as a portion of Tract II of the B.F. Boydston
30 Survey, Abstract No. 14, Rockwall, Texas, which is zoned General Retail (GR) District. The
32 property is located on the northeast corner of S. Goliad and St. Mary's Street.

34 The site plan submitted by the applicant shows the construction of a 2,486 sq. ft. office building
36 situated on a 32,621 sq. ft. (or 0.75-acre) lot. The building will conform to all building setback
38 requirements, and will be accessible from two (2) 24-foot access drives located off of St. Mary's
40 Street. The proposed structure, parking plan and site plan all conform to the density and
42 dimensional requirements stipulated for structures situated within a General Retail (GR) District
44 as required by the UDC.

46 According to Article VIII, Landscape Requirements, of the UDC properties located within a General
48 Retail (GR) District are required to provide a minimum landscape percentage of fifteen (15%)
50 percent of the total site area with 50% of the total requirement being located within the front and
52 side building setbacks adjacent to right-of-way. This requirement translates to a total provision of
54 11,802 square feet of landscaping area required for the subject property. The Landscape Plan
56 provided by the applicant shows that approximate 73% of the total site area or 23,743 square feet
58 has been dedicated to meeting the landscaping requirements and a minimum of 50% will be
60 located in front of and alongside the building as required within the GR District. The Landscape
Plan does indicate that some trees on the property will need to be removed resulting in 73" of
required mitigation. The applicants have detailed the types and location of trees to comply with
the mitigation requirement.

Additionally, the subject property is adjacent to a residential property. The UDC requires that
parking lots with a side or rear contiguous to any residential district be screened with a masonry
fence, six feet in height, unless otherwise approved by the city council. The applicant is
proposing a landscape screening in lieu of the masonry wall. As stated, this will require approval
of a variance [see the Variance Requests section].

The Photometric Plan submitted by the applicant shows the inclusion of two (2), pole mounted
shoebox light fixtures, directed downward and fully cut-off. The light poles cannot exceed 30-ft in
height (including the base) and the plan indicates that the pole height is 20-ft. All site lighting
must conform to the requirements stipulated in Article VII, Environmental Performance, of the
UDC.

The proposed building elevations submitted by the applicant show a one (1) story structure being
constructed utilizing natural stone and cementaceous stucco. According to Section 4.1.A of
Article V, District Development Standards, of the UDC all structures constructed within a
commercial zoning district are required to have exterior walls that consist of a minimum of 90%
masonry materials to include a minimum of 20% stone and a maximum of 50% cementaceous
products (e.g. stucco, HardiPlank, or similar materials). The south and east sides exceed the 50%
cementaceous stucco standards, having approximately 53% and 70%, respectively. The roof of

2 the structure will be constructed with a standing seam metal roof. The structure will require
variances to the material requirements specifically with respect to the amount stucco being
4 proposed and to allow for stucco to be located in the first eight feet above grade [see the Variance
Requests section].

6 According to Section 4.1, General Commercial District Standards, of Article V, District
8 Development Standards, of the UDC:

10 "Each exterior wall shall consist of 90 percent masonry materials ... excluding doors and
12 windows, on walls which are visible from a public street or open space, including a minimum of
20% stone. All buildings shall have exterior walls constructed of stone, brick, glass block, tile,
14 cast metals, cast or cultured stone, or a combination of those materials. The use of other
cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the
16 building official) shall be limited to 50 percent of the buildings exterior finishes where it is deemed
important as a design feature and where it will be applied under the highest standards for quality
18 and durability. However, stucco may not be located in the first eight [8] feet above grade on a
façade visible from a street or public area."

20 The applicant is requesting variances to the material requirements stipulated for properties
located within a General Retail (GR) District. Specifically, the applicant is requesting to exceed
22 the 50% cementaceous stucco allowance on the south and east elevations. The elevations
currently show a total stucco percentage of approximately 53% on the south side and 70% on the
24 east side of the building. Additionally, stucco is shown as being located within the first eight feet
above grade, which also requires approval of a variance.

26 One additional variance to the residential adjacency standards is being requested. According to
28 Section 5.6, Screening from Residential Uses, of Article VIII, Landscape Standards, of the UDC:

30 "Any commercial or industrial use or parking lot that has side or rear contiguous to any
residential district...shall be screened with a masonry fence (excluding tilt wall or concrete block
32 unless approved by the city council), six feet in height, unless otherwise approved by the city
council."

34 The applicant is requesting to utilize a natural landscape screening in lieu of a masonry fence
36 adjacent to the residential property.

38 Should the request be approved, staff offers the following conditions:

40 1) Adherence to all Planning, Engineering and Fire Department standards;

42 2) Any construction or building necessary to complete this Site Plan request must conform to the
requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal
44 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.

46 Commissioner Jackson asked if this is a future public hearing item. Sanford answered that this is
48 a site plan case for action. LaCroix explained that no zoning is necessary for the proposed
development. He additionally gave a brief history of the property.

50 Commissioner Jackson made a motion to approve SP2014-007, a request by Stephen Seitz
52 Architects, Inc., on behalf of the owner of the property, for the approval of a site plan for a
professional office building on a 0.75-acre tract of land identified as Lot E, Block 117 & Lot D,
54 Block 117 of B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned General
Retail (GR) District, located at the northeast corner of the intersection of SH-205 [S. Goliad Street]
56 and St. Mary's Street, with staff recommendations.

58 Commissioner Minth seconded the motion.

60 A vote was taken and the motion failed 7-0.

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

- ✓ Z2014-004: Text Amendment to Section 6.1, Notice of Public Hearing, Article II, UDC (Approved)
- ✓ Z2014-009: Zoning Change from AG to SFE-1.5 (Approved)

IV. ADJOURNMENT

The meeting adjourned at 7:41 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 10th day of June, 2014.



Craig Renfro, Chairman

Attest:


JoDee Sanford, Planning Technician

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
May 27, 2014
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Vice-Chairman John McCutcheon at 6:00 p.m. with the following members present: Wendi Conley, Connie Jackson, Jonathan Lyons, and Matthew Nielsen. Craig Renfro and Kristen Minth were not present.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members, Tim Tumulty, Amy Williams, and Kathleen Moreno, were in attendance.

II. CONSENT AGENDA

1. Approval of Minutes for the April 8, 2014 Planning and Zoning Commission meeting.

2. P2014-012

Discuss and consider a request by Terrence Rowe of Double T. Ventures, LLC for the approval of a replat for Lot 1, Block A, Double T. Ventures Addition being one (1) lot currently identified as a portion of Lot 24, Amick Addition, zoned Planned Development District 50 (PD-50), located at 807 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Commissioner Jackson made a motion to approve the consent agenda.

Commissioner Nielsen seconded the motion.

A vote was take and the motion passed by a vote of 5-0.

III. PUBLIC HEARING ITEMS

3. Z2014-012

Hold a public hearing to discuss and consider a request by Master Plan, on behalf of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary. [Request to Postpone to the June 10, 2014 Planning and Zoning Commission Meeting]

Vice-Chairman McCutcheon announced that the applicant has requested to postpone the public hearing until the June 10, 2014 meeting. No other action was taken.

IV. ACTION ITEMS

4. Appointment with Dick Skorburg of the Skorburg Company to consider a request to submit a new zoning application for Planned Development District 74 (PD-74) 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.

On April 21, 2014, the City Council denied a request to amend Planned Development District 74 (PD-74) [Case No. Z2014-007], and since the request was denied without an indication of prejudice the action was considered to be a denial with prejudice (§8.3.B, Article II). This motion restricts

2 the applicant's ability to submit a zoning application for any portion of the subject property --
4 -- unless the application is for a more restrictive, less intense use or development (§8.3.B, Article II)
6 -- for a period of one (1) year from the date of denial. In accordance with Section 8.3.D, Council
8 Approval or Denial, of Article II, Authority and Administrative Procedures, of the Unified
10 Development Code the applicant submitted a written request to the Director of Planning on May 2,
12 2014 seeking approval from the Planning and Zoning Commission to refile a zoning amendment to
Planned Development District 74 (PD-74). As part of the written request the applicant included a
concept plan showing 55, 50' x 120' lots and 47, 60' x 120' lots (total of 102 lots), which
represented a decrease of nine (9) lots from the original application. The Planning and Zoning
Commission denied this request on May 13, 2014 on the grounds that the proposed changes did
not represent a substantial change from the original request.

14 Since this decision the applicant has revised concept plan and resubmitted a written request to
16 the Director of Planning [see Exhibit 'A']. The original amendment [Case No. Z2014-007]
18 submitted by the applicant requested increasing the number of lots permitted from 691 to 749 lots
20 to create a new phase that contained 111, 50' x 120' lots. Additionally, the lot mix was adjusted to
accommodate the added lots. The new plan submitted with the written request decreases the
number of lots being requested and increases the amount of open space being proposed with the
new phase [see Exhibit 'B']. A detailed summary of the changes are as follows:

- 22 1. The proposed concept plan removes all 50' x 120' lots and replaces them with 60' x 120' lots.
24 The 60' x 120' lots are currently permitted by Planned Development District 74 (PD-74) and are
identified as Lot Type 'A' in the zoning ordinance.
- 26 2. The proposed concept plan contains 19 fewer lots (i.e. 92 compared to 111), which represents
28 a 17% reduction from the original amendment.
- 30 3. The proposed concept plan includes additional open space and a five (5) foot trail running
east to west, connecting the retail areas to the proposed single-family acreage.

32 Staff has determined that the proposed changes to the original request are substantial enough to
34 bring forward to the Planning and Zoning Commission. The Commission is tasked with
36 determining if the changes that the applicant has resubmitted represent 1) a more restrictive or
less intense use or development, and/or 2) if there is an actual change in conditions relating to
zoning principles of the tract or parcel of land or the property surrounding it.

38 Dick Skorborg
8214 Westchester Avenue
40 Dallas, Texas

42 Mr. Skorborg gave a brief history of the development and discussed the request.

44 Commissioner Nielsen asked why the Commission was originally told that the lots needed to be
46 50' lots and now they have changed to larger lots. Mr. Skorborg answered that he believes that
the 50' lots were the best use of the property; however, because that request was denied, they
need to move forward with a different request that will also work for this development.

48 Vice-Chairman McCutcheon clarified that the request is to resubmit a zoning application for this
50 development.

52 Commissioner Jackson clarified the plan being presented.

54 Commissioner Nielsen stated that this is the first time that he has been asked for a request of this
56 type and there are several ways to look at the request and whether it is a substantial change from
the original request. He clarified the reasoning behind City Council denial of the original request.
LaCroix discussed the history of the development from the original zoning.

58 Adam Buchek
60 8214 Westchester Avenue

2 Dallas, Texas

4 Mr. Buchek discussed the lot size mix for the development.

6 Commissioner Jackson asked the price point of the homes. Mr. Skorburg stated that they would be priced into the \$400s.

8

10 Commissioner Jackson made a motion to approve the request by Dick Skorburg of the Skorburg Company to submit a new zoning application for Planned Development District 74 (PD-74) in accordance with Section 8.3, Council Approval or Denial, of Article II, Authority and Administrative Procedures, of the Unified Development Code.

12

14 Commissioner Lyons seconded the motion.

16 A vote was taken and the motion passed 4-1, with Nielsen voting against.

18 5. MIS2014-007

20 Discuss and consider a request by the Josh Houser 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 0.24-acre parcel of land identified as Lot 11, Block A, Chandler's Landing, Phase 19, zoned Planned Development District 8 (PD-8), located at 105 Weatherly Circle, City of Rockwall, Rockwall County, Texas, and take any action necessary.

22

24

26 Sanford explained that the applicant, Josh Houser, is requesting a waiver to Section 3.1(A)(1) of the Unified Development Code. The above referenced section states "Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement" of a residential home. The section does allow the Planning and Zoning Commission to approve a waiver for proposals not meeting the requirements of said section.

28

30

32 The applicant is proposing a 3,880 square foot home with exterior cladding being comprised of approximately 62% stucco and 38% stone veneer. The subject site is an 8,043 square foot tract being Lot 11, Block A, Chandlers Landing Phase 19, located at 105 Weatherly Circle.

34

36 The applicant has provided a letter from the Chandlers Landing Community Association indicating their approval of the house plans as submitted.

38

40 Commissioner Lyons verified that Chandler's did approve the house plans. Sanford indicated that Chandler's did submit a letter stating their approval of the plans.

42 Commissioner Jackson made a motion to approve MIS2014-007, a request by the Josh Houser 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 0.24-acre parcel of land identified as Lot 11, Block A, Chandler's Landing, Phase 19, zoned Planned Development District 8 (PD-8), located at 105 Weatherly Circle, City of Rockwall, Rockwall County, Texas, with staff recommendations.

44

46

48 Commissioner Conley seconded the motion.

50

52 A vote was taken and the motion passed 5-0.

54 V. DISCUSSION ITEMS

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

58 ARB Chairman Julien Meyret stated that the board reviewed the amended elevations for the existing GMC dealership. The board did decide that the dealership should continue to meet the

2 masonry standards that the elevations currently meet. The board did encourage the dealership to
4 use other types of materials as a secondary material.

6 Commissioner Jackson stated that many companies are considering the use of secondary
8 materials as branding and that it is tough to get them to break from those materials. Additionally,
10 she stated that the Commission needs to be flexible.

12 7. Z2014-015

14 Hold a public hearing to discuss and consider a request by Dennis D. Alsup for the approval of a
16 Specific Use Permit (SUP) for an accessory building that does not conform to the size
18 requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV,
20 Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10)
22 District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned
24 Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District,
26 located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action
28 necessary.

30 Gonzales gave a brief overview of the case and described the location of the property.

32 Commissioner Nielsen asked if the building can be purchased in a smaller size. Gonzales stated
34 that the applicant is purchasing the building from a friend.

36 Dennis Dwayne Alsup
38 921 N. Alamo Road
40 Rockwall, Texas

42 Mr. Alsup stated that the building is being purchased from a co-worker. His home does not
44 currently have an enclosed garage structure and the lawn equipment is stored in a portable
46 building.

48 8. Z2014-016

50 Hold a public hearing to discuss and consider a request by Scott W. Blackwood for the approval
52 of a zoning change from Agricultural (AG) District to a Planned Development District for limited
54 commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the W. W.
56 Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, located west of the
58 intersection of SH-205 [S. Goliad Street] and S. FM-549, and take any action necessary.

60 Miller briefly discussed the case and the location of the property.

62 Commissioner Nielsen inquired as to whether a home is next to the property. Miller indicated that
64 a home exists on the property and next door is a home that has been converted to a commercial
66 use.

68 Scott Blackwood
70 5205 FM549
72 Rockwall, Texas

74 Steven Straughn
76 5802 Constellation Circle
78 Rockwall, Texas

80 Mr. Straughn stated that a straight commercial use is not appropriate for the location, which is
82 why the request is for a limited commercial use. He stated that the best use of the property is
84 commercial because residential is not a good fit for the area. Some examples of uses given are
86 assisted living, neighborhood services, and office.

88 Commissioner Nielsen asked about property to the south. Miller indicated that that property is
90 shown as low density residential on the future land use map.

2 9. SP2014-008
4 Hold a public hearing to discuss and consider a request by Ken Hill of NADC Architects, LLC on
6 behalf of Heritage Buick, Pontiac, GMC, for the approval of an amended site plan to allow for
8 changes in the existing building façade and for a variance to the material requirements stipulated
10 by Section 6.6, IH-30 Overlay (IH-30) District, of Article V, District Development Standards, of the
Unified Development Code for a 5.285-acre parcel of land identified as Lot 1, Block 1, Heritage
BPG Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)
District, located at 930 E. IH-30, City of Rockwall, Rockwall County, Texas, and take any action
necessary.

12 Miller described the property and discussed the case.

14 Commissioner Lyons clarified the applicant's request letter.

16 Commissioner Nielsen stated that he has no desire for all the dealerships to look similar.

18 Commissioner Conley stated her concern of setting a precedence.

20 Vice-Chairman McCutcheon asked if this is similar to the Chevrolet dealership amendments that
22 were approved. LaCroix explained that that dealership was already non-conforming to the
standards.

24 10. SP2014-009
26 Discuss and consider a request by Lori Stevens of Patriot PAWS for the approval of a site plan to
28 allow for an addition to an existing facility, which is located on a 1.5304-acre parcel of land, being
identified as Lot 4, Block A, Maverick Ranch Addition, zoned Commercial (C) District, and located
at 254 Ranch Trail, City of Rockwall, Rockwall County, Texas, and take any action necessary.

30 Gonzales described the property and discussed the request.

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

- 34 ✓ Z2014-009: Change in Zoning from AG to SFE-4.0 [Approved]
36 ✓ Z2014-011: Change in Zoning from C to PD-53 (1002 Ridge Road) [Approved]
38 ✓ Z2014-013: Change in Zoning from ZL-5 to PD for SF-A [Withdrawn]
40 ✓ Z2014-014: SUP for a New Car Dealership (Extension of S-111) [Approved]
✓ SP2014-007: Variances for Building Materials and Screening [Approved]
✓ MIS2014-004: Special Request for a Carport (486 Perch Road) [Approved]

42 LaCroix briefly updated the Commission on the above listed cases.

44 VI. ADJOURNMENT

46 The meeting adjourned at 7:06 p.m.

48 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 10th day of June, 2014

50
52 
Craig Renfro, Chairman

54 Attest:
56 
58 JoDee Sanford, Planning Technician

2 **MINUTES**
3 **PLANNING AND ZONING COMMISSION PUBLIC HEARING**
4 **City Hall, 385 South Goliad, Rockwall, Texas**
5 **Council Chambers**
6 **June 10, 2014**
7 **6:00 P.M.**

8 I. CALL TO ORDER

9 The meeting was called to order by Chairman Craig Renfro at 6:00 p.m. with the following
10 members present: Wendi Conley, Connie Jackson, Jonathan Lyons, John McCutcheon and
11 Matthew Nielsen. Kristen Minth was not present.

12 The following staff members from the Planning Department were present: Robert LaCroix, Ryan
13 Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members,
14 Tim Tumulty, Amy Williams, and Kathleen Moreno, were in attendance.

15 II. CONSENT AGENDA ITEMS

- 16 1. Approval of Minutes for the April 29, 2014 Planning and Zoning Commission meeting.

17 Commissioner Jackson made a motion to approve the minutes.

18 Commissioner McCutcheon seconded the motion.

19 A vote was taken and the motion passed 5-0, with Commissioner Lyons abstaining.

- 20 2. Approval of Minutes for the May 13, 2014 Planning and Zoning Commission meeting.

21 Commissioner Jackson made a motion to approve the minutes.

22 Commissioner Lyons seconded the motion.

23 A vote was taken and the motion passed 6-0.

- 24 3. Approval of Minutes for the May 27, 2014 Planning and Zoning Commission meeting.

25 Commissioner Lyons made a motion to approve the minutes.

26 Commissioner McCutcheon seconded the motion.

27 A vote was taken and the motion passed 5-0, with Chairman Renfro abstaining.

28 III. PUBLIC HEARING ITEMS

- 29 4. Z2014-012

30 Hold a public hearing to discuss and consider a request by Master Plan, on behalf of Rockwall
31 SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-warehouse
32 facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger
33 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City
34 of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30
35 frontage road and Townsend Drive, and take any action necessary.

36 Miller stated that according to the Permissible Use Charts located in Article 4, Permissible Uses,
37 of the Unified Development Code (UDC) a mini-warehouse facility requires a Specific Use Permit
38 (SUP) within a Commercial (C) District. In conformance with this requirement the applicant,
39 Masterplan Consulting, submitted an application on April 18, 2014 requesting an SUP on a 2.857-
40 acre portion of a larger 5.549-acre tract of vacant land zoned Commercial (C) District. The subject

2 property is located behind Shenaniganz Entertainment Center and Toyota of Rockwall, and is
4 south of the intersection of IH-30 and T. L. Townsend Drive.

6 The applicant has submitted a conceptual site plan, building elevations and landscape plans
8 detailing the anticipated layout of the proposed mini-warehouse facility. According to the
10 conceptual site plan the proposed facility will be composed of one (1) building with a capacity of
12 579 storage units and be situated on a 2.857-acre tract of land. The subject property is located
14 between three (3) large developments (i.e. Costco Wholesale Center, Shenaniganz and Toyota of
16 Rockwall) along the northern and western property lines and adjacent to floodplain containing
18 dense vegetation protected by a conservation easement along the eastern property line. The site
20 is visibly shielded from all public rights-of-way and will not have frontage on to a public street.
The site is accessible by two cross access easements that [1] extend from T. L. Townsend Drive
onto the City of Rockwall's water storage facility property and [2] from SH-276 onto Costco
Wholesale Center's property. If this Specific Use Permit (SUP) request is approved the applicant
will be required to connect the two (2) cross access easements as generally shown on the
concept site plan. Additionally, if approved the City Council will in effect be granting a variance to
the minimum lot frontage on a public right-of-way stipulated by the Commercial (C) District
standards (§4.5.C.2, Article V, UDC).

22 The facility being proposed by the applicant will have the appearance of a four (4) story office
24 building and will not have any units facing to the exterior of the building. The facility will be gated
26 and further screened by a six (6) foot masonry fence that will completely enclose the proposed
28 building, parking areas and outside storage areas. As stated above visibility of the site is
impaired by adjacent development and floodplain with dense vegetation. Additionally, the
building itself will be situated on a lower grade than the adjacent development, and all parking and
outside storage areas will be further screened by the proposed masonry wall and adjacent
landscaping. The applicant is preparing a line of site study and will be taking pictures of the
property from a sky-crane to address the concerns the Planning and Zoning Commission raised in
the work session meeting on April 27, 2014.

32 Section 2.1.10 of Article IV, Permissible Uses, of the Unified Development Code (UDC) details the
34 specific land use requirements for a Mini-Warehouse Facility.

36 It is important to note that the requirements contained within Section 2.1.10 of the UDC (listed
38 above) were prepared with the intent of regulating campus style facilities that incorporate several
40 buildings, generally being one (1) story in height, and that have storage units that are accessible
42 from the exterior of the building. The facility being proposed by the applicant is more comparable
44 or similar to an office or retail building. As a result the proposed building is not in compliance
46 with several of the standards that are intended to regulate a typical mini-warehouse building.
Specifically, the structure exceeds one (1) story in height and incorporates a flat roof with a
parapet (more typical of an office or commercial development) as opposed to a pitched roof,
which is required by the code. In addition, the applicant is requesting to incorporate outside
storage on the grounds that the site has limited visibility from adjacent properties and a six (6)
foot masonry fence will be incorporated surrounding the site and parking areas. Finally, the
applicant is requesting a maximum of 579 units, which represents 207 units per acre as opposed
to the permitted 125 units per acre. If approved the SUP ordinance will limit the number of units to
a maximum of 579 units. With the exception of these items, the applicant's proposal meets all the
requirements stipulated by the UDC.

50 In order to insure that the plan, submitted by the applicant, for the Specific Use Permit will
52 conform to the future site plan submittal, staff has incorporated both the conceptual site plan and
54 building elevations into the SUP ordinance, as well as, the operational conditions listed in the
Recommendations section.

56 On May 2, 2014, staff mailed 21 notices to property owners within 200 feet of the subject property.
58 Additionally, staff posted a sign adjacent to the closest roadway (i.e. Townsend Drive) as required
60 by the Unified Development Code (UDC). At the time this case memo was drafted, staff had
received one (1) notification in favor of the applicant's request.

- 2 If the Planning & Zoning Commission and City Council choose to approve the applicant's request
4 for a Specific Use Permit (SUP) for a Mini-Warehouse Facility on the subject property then staff
would recommend the following conditions of approval:
- 6 1) The applicant shall be responsible for maintaining compliance with the operational conditions
8 contained in the approved SUP ordinance and summarized as follows:
- 10 a) Prior to the issuance of a building permit a site plan conforming to the requirements stipulated
by the Unified Development Code [Ordinance No. 04-38] shall be submitted and approved by the
12 Planning & Zoning Commission, and if necessary City Council.
 - 14 b) All construction and operations on this property shall generally conform to the Concept Plan
depicted in Exhibit 'B' of this ordinance.
 - 16 c) The building elevations submitted with the site plan shall strictly adhere to the Concept
Building Elevations depicted in Exhibit 'C' of this ordinance, unless required to be modified to
conform to the recommendations of the Planning & Zoning Commission and/or City Council.
 - 18 d) The maximum number of storage units provided shall not exceed 579 units for the facility.
 - 20 e) All transparent fences shall be wrought iron or similar, and when necessary incorporate
landscaping/living screening to screen the interior of the facility. Chain-link fencing shall be
prohibited.
 - 22 f) The height of the building shall not exceed four (4) stories or 60-feet in total height.
 - 24 g) Outside storage shall be limited to the areas depicted on the Concept Plan in Exhibit 'A' and
shall be screened from adjacent properties using a minimum of an eight (8) foot masonry fence.
No outside storage of any kind shall be permitted outside of the areas depicted on the Concept
26 Plan. Outside storage shall be limited to the storage of boats, recreational vehicles, and motor or
self-propelled vehicles.
 - 28 h) Businesses shall not be allowed to operate within individual storage units.
 - 30 i) The commercial operation of rental trucks and trailers shall be prohibited.
 - 32 j) All signage shall be required to conform to the requirements stipulated by the Code of
Ordinances. Additionally, pole signage shall be prohibited on this site.
 - 34 k) All light poles shall be limited to a maximum height of 20-feet and all light fixture proposed for
the site shall comply with the requirements of Article VII, Environmental Performance, of the
Unified Development Code.
- 36 2) In conformance with the requirements of Section 2.2 of Article XI, Zoning-Related Applications,
of the UDC the applicant shall be required to submit a site plan prior to the issuance of a building
38 permit;
- 40 3) Unless specifically addressed within this case memo the site plan, landscape plan, building
elevations and photometric plan shall comply with the land use requirements for the Mini-
Warehouse land use stipulated by Section 2.1.10, Wholesale, Distribution and Storage, of Article
42 IV, Permissible Uses, of the UDC;
- 44 4) Prior to the issuance of a building permit the applicant will be required to certify that the
driveway existing on the City's water storage facility property will meet current city standard for
46 fire lane. If the driveway does not meet the City's current requirements for fire lane the applicant
will be required to upgrade the driveway to ensure the subject property has proper fire protection;
48
- 50 5) A final plat shall be required for the subject property prior to the issuance of a building permit.
Additionally, through the approval of the Specific Use Permit a variance to the minimum lot
52 frontage on a public right-of-way stipulated by the Commercial (C) District shall be considered to
be approved for the purpose of platting the property;
- 54 6) The City Council reserves the right to review this SUP request [Case No. Z2014-012] one (1)
year after the approval and adoption of the SUP ordinance; and
56
- 58 7) Any construction or building necessary to complete this request must conform to the
requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal
Code of Ordinances, city adopted engineering and fire codes and with all other applicable
60 regulatory requirements administered and/or enforced by the state and federal government.

2 Commissioner Nielsen stated that typically outside storage is generally not allowed with mini-
warehouse facilities regardless of the size of the development.

4 Chairman Renfro opened the public hearing at 6:10pm.

6 Dallas Cothran
8 900 Jackson Street
Dallas, Texas

10 Mr. Cothran gave a brief presentation over the proposed development. He stated that this is a
12 difficult site to develop which makes it a good site for this type of development. Additionally, the
project is a significant investment.

14 Commissioner Nielsen stated that he appreciated the applicant's presentation. He additionally
16 stated his concern with the outside storage even with the masonry wall. He is also concerned
with lit signage for the facility. Mr. Cothran stated that they are allowed a monument sign, so the
18 signage on the building facing the interstate is critical. He explained that the outside storage is
appropriate for this particular development through the SUP process, because this is large site
20 and the storage is at the back of the property adjacent to Toyota's property.

22 Additional discussion took place regarding the outside storage.

24 Commissioner Lyons asked if the facility will have roof-top units. Mr. Cothran stated that they will
have roof-top units that will be screen with a parapet. Miller explained that any roof-top
26 equipment would be required to be screened from view.

28 Commissioner McCutcheon asked for clarification on the parking for the facility. Mr. Cothran
pointed out the parking for the facility.

30 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at
32 6:32pm.

34 Commissioner Nielsen stated that he is still concerned with the outside storage for the facility
even with the masonry wall many vehicles will be taller than the wall. He additionally expressed
36 concern with the lack of a pitched roof.

38 Commissioner Nielsen made a motion to approve Z2014-012, a request by Master Plan, on behalf
of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-
40 warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of
a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No.
42 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-
30 frontage road and Townsend Drive, with staff recommendations and without the outside
44 storage component.

46 Commissioner Jackson expressed that there may be other storage facilities in the area that are
storing vehicles without approval. She also would rather have people store items in these types
48 of facilities rather than keeping them in neighborhoods.

50 LaCroix explained that outside storage of vehicles larger than the masonry wall could be
disallowed if the Commission would prefer.

52 Commissioner Nielsen does not believe that this will not deter those individuals that choose to
54 store vehicles illegally.

56 General discussion took place regarding the outside storage component of the SUP.

58 Commissioner McCutcheon seconded the motion.

60 A vote was taken and the motion failed 1-5, with Conley, Jackson, Lyons, Renfro, and McCutcheon
62 against.

2 Commissioner Jackson made a motion to approve Z2014-012, a request by Master Plan, on behalf
4 of Rockwall SH-205 Venture, LLC, for the approval of a Specific Use Permit (SUP) to allow a mini-
6 warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of
8 a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No.

10 Commissioner Lyons seconded the vote.

12 A vote was taken and the motion passed 6-0.

14 5. Z2014-015
16 Hold a public hearing to discuss and consider a request by Dennis D. Alsup for the approval of a
18 Specific Use Permit (SUP) for an accessory building that does not conform to the size
20 requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV,
22 Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10)
District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned
Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District,
located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action
necessary.

24 Chairman Renfro announced that this case has been postponed until the June 24, 2014 meeting.

26 6. Z2014-016
28 Hold a public hearing to discuss and consider a request by Scott W. Blackwood for the approval
30 of a zoning change from Agricultural (AG) District to a Planned Development District for limited
32 commercial/retail land uses 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, and take any action necessary.

34 Miller explained that on January 21, 2014, the subject property was annexed under *Case No.*
36 *A2013-001 (Ordinance No. 14-04)* and issued an Agricultural (AG) District zoning designation. The
38 intent of the applicant's request is to change the zoning designation of the subject property from
40 an Agricultural (AG) District to a Planned Development District for limited commercial/retail land
42 uses to facilitate the sale of the property. According to a letter provided by the owner of the
property the reason the Planned Development District is being requested is to limit the potential
uses and provide transition between the commercial property to the north and the residential
property to the south. 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.

44 The land uses adjacent to the subject property are as follows:

46 *North:* Directly north of the subject property is a 7.32-acre tract of land zoned Commercial (C)
48 District that has a residential structure being utilized as an office building. To the
northeast of the subject property is a residential home situated on a 6.0-acre tract of
land. Beyond these uses are S. Goliad Street [*SH-205*] and S. FM-549.

50 *South:* Directly south of the subject property is a residential home situated on a 12.5-acre tract
52 of land. Beyond this is a 134.33-acre tract of vacant land that is a portion of a larger
254.082-acre tract of land. Both properties are zoned Agricultural (AG) District.

54 *East:* Directly east of the subject property is remainder of the 134.33-acre tract of vacant land
56 that is a portion of a larger 254.082-acre tract of land zoned Agricultural (AG) District.
Beyond this property is S. Goliad Street [*SH-205*].

58 *West:* Directly west of the subject property is S. FM-549 followed by the Oaks of Buffalo Way,
60 which is a 109.57-acre development containing 58 single-family homes that are zoned
Single Family Estate 1.5 (SFE-1.5) District.

2 The UDC indicates that Commercial (C) Districts are general in nature and contain development
standards that are less stringent than the development standards required for the Residential-
4 Office (RO), Neighborhood Services (NS) and General Retail (GR) Districts (§4.5.4; Art. V; UDC).
Additionally, it states that Commercial (C) Districts are generally developed with intensive
6 commercial uses that carry large volumes of traffic and should be adjacent to arterials or major
collectors that can absorb the added capacity (§4.5.2; Art. V; UDC). The subject property is
8 approximately 650-feet from the intersection of SH-205 and FM-549, which is currently a 'T'
intersection. On the north side of the intersection is a 43.812-acre tract of land that was rezoned
10 to a Commercial (C) District designation on March 4, 2013 [Case No. Z2013-002; Ordinance No. 13-
03]. The City's current Thoroughfare Plan, contained within the Comprehensive Plan, indicates
12 that this 43.812-acre tract of land will eventually be divided by the realignment of FM-549, which
will connect into the existing 'T' intersection. In addition, the 7.32-acre tract of land located at the
14 southern corner of the intersection was rezoned to a Commercial (C) District designation on April
4, 2010 [Case No. Z2010-021; Ordinance No. 11-12]. The approval of this zoning case would
16 increase the commercial acreage offered at this intersection from 51.132-acres to 63.625-acres. It
is also important to note that the 7.130-acre property on the west side of the intersection is
18 currently zoned Agricultural (AG) District; however, due to the adjacent land uses and the size and
location of the property it would best be served by a Commercial (C) District (or comparable)
20 zoning designation. Additionally, it is designated for Commercial land uses on the Future Land
Use Map.

22 The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property
for Low Density Residential land uses. Should the City Council approve the applicant's request,
24 the Future Land Use Map will be required to be amended with the next Comprehensive Plan
update to reflect the proposed change in land use from Low Density Residential to a Commercial
26 designation.

28 On May 30, 2014, staff mailed 17 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
30 (HOA), which is the only HOA located within 1,500 feet of the subject property. Additionally, staff
posted a sign along FM-549, which is the only street frontage adjacent to the subject property as
32 required by the Unified Development Code (UDC). At the time this case memo was drafted no
responses were received by staff.

34 If the Planning and Zoning Commission recommends approval of the applicant's request to
change the zoning of the subject property from an Agricultural (AG) District to a Planned
36 Development District for limited commercial/retail uses then staff would propose the following
conditions of approval:

- 40 1) The Subject Property shall comply with all the requirements specified by Section 4.1, General
Commercial District Standards, and Section 4.5, Commercial (C) District, of Article V, District
42 Development Standards, of the Unified Development Code [Ordinance No. 04-38] unless
specifically stated within the draft ordinance,
- 44 2) Any structure exceeding 36-feet in height shall require a Specific Use Permit (SUP) with the
46 maximum permissible building height on the Subject Property being limited to 60-feet,
- 48 3) The Subject Property shall be used only in accordance with the uses stipulated by the
50 attached list of Permissible Uses,
- 52 4) Prior to the acceptance of a preliminary plat and/or site plan for the Subject Property a PD
Development Plan shall be required to be submitted and reviewed by the Planning and Zoning
54 Commission, and upon recommendation by the Planning and Zoning Commission, acted on
by the City Council,
- 56 5) Prior to the acceptance of a preliminary plat for the Subject Property a PD Site Plan shall be
58 required to be considered by the Planning and Zoning Commission, and if applicable acted on
by the City Council, and
- 60 6) Any construction resulting from the approval of this zoning change shall conform to the
62 requirements set forth by the Unified Development Code (UDC), the International Building

2 Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire
4 codes and with all other applicable regulatory requirements administered and/or enforced by
the state and federal government.

6 Commissioner Nielsen asked for clarification on 20% opposition rule. Miller stated that because
8 20% of the area within 200 ft of the property is in opposition to the request, it will require a ¾
majority vote at City Council.

10 Commissioner McCutcheon asked about the widening for FM549 and the timeframe for
12 completion. Williams stated that this is in the design phase for a 6 lane roadway with an
approximate timeframe of 2030.

14 Chairman Renfro opened the public hearing at 6:58pm.

16 Scott Blackwood
18 5205 S. FM549
Rockwall, Texas

20 Stephen Straughn
22 5802 Constellation Circle
Rockwall, Texas

24 Mr. Straughn stated that he looked at the highest and best use of the land. He believes that the
26 best use of the property is as a transition between commercial to residential through a planned
development district in order to limit any heavy commercial uses. He additionally asked for a
28 height restriction for the district.

30 Kathryn Thurmond
5170 Bear Claw Lane
Rockwall, Texas

32 Ms. Thurmond appreciates the agricultural feel of the property in this location and would like to
34 protect that and the value of the current residential properties in the area. She stated that she is
in opposition to commercial of any type for this property.

36 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at
38 7:04pm.

40 Chairman Renfro clarified the uses being requested within the planned development. Miller
42 explained the uses being requested for this zoning change to the planned development.

44 Commissioner Nielsen stated that he doesn't know yet whether this is a transitioning area and he
does not agree that some of these uses are transitional uses.

46 Commissioner Nielsen made a motion to deny Z2014-016, a request by Scott W. Blackwood for the
48 approval of a zoning change from Agricultural (AG) District to a Planned Development District for
limited commercial/retail land uses on a 12.493-acre tract of land identified as Tract 17-14 of the
50 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.

52 Commissioner Jackson seconded the motion.

54 A vote was taken and the motion passed 5-1, with Commissioner Lyons against.

56 7. Z2014-017
58 Hold a public hearing to discuss and consider a request by Dick Skorburg of the Skorburg
Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned
60 Development District 74 (PD-74) to amend the concept plan to allow for additional single-family
residential lots and allow for changes to the development standards contained in Exhibit 'C' of
Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland Survey,

2 Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west
4 of Breezy Hill Road, and take any action necessary.

6 Miller stated that the property was annexed in 2008 after three (3) years of litigation that lead to
8 the execution of a Chapter 212 Development Agreement. In accordance with this agreement, the
10 property was zoned to Planned Development District 74 (PD-74) on April 20, 2009 with the
12 intention of being a master planned residential community that offered tracts of land designated
14 for retail/office, residential, and institutional land uses. The approval of this zoning change
16 altered the existing 212 Development Agreement -- which originally permitted 810 single family
18 residential lots and did not contain any retail acreage -- to include 658 single family residential
20 lots and a 59-acre tract of land designated for general retail land uses. The retail tract of land is
22 located at the northeast corner of the intersection of FM-552 and John King Boulevard.

24 On October 1, 2012 the City Council approved an amendment to Planned Development District 74
26 (PD-74) modifying the concept plan to remove the school sites that were originally required by the
28 *Facilities Agreement* and adjusting the lot mix accordingly [*i.e. increasing the number of lots from
30 658 to 691*].

32 The applicant has submitted an alternate concept plan depicting a reduction in the number of
34 acres designated for retail land uses from 59-acres to 33.7-acres for the purpose of amending
36 Planned Development District 74 (PD-74). The reduction in the retail acreage is to accommodate a
38 new phase of the Breezy Hill Subdivision that will incorporate 92, 60' x 120' lots, or *Type 'A'* lots.
40 As part of this change the applicant has included adjustments to the lot percentages contained in
42 the PD Ordinance; however, this does not change the number of large lots (*i.e. Type 'C' & 'D' lots*)
44 being proposed.

46 The Future Land Use Map contained within the Comprehensive Plan designates the subject
48 property for *Commercial* land uses. If the zoning case is approved the Future Land Use Map will
50 be required to be amended with the next Comprehensive Plan update to reflect the proposed land
52 use change.

54 On May 30, 2014, staff mailed 16 notices to property owners and residents within 500 feet of the
56 subject property. Staff also sent notices to the Stoney Hollow and Stone Creek Homeowner's
58 Associations (HOA), which are the only HOA's located within 1,500 feet of the subject property.
60 Additionally, staff posted a sign at the northwest corner of the intersection of FM-552 and John
62 King Boulevard as required by the Unified Development Code (UDC). Staff received one notice
from a property owner located within the ETJ area.

64 If the Planning and Zoning Commission recommends approval of the applicant's request to
66 amend Planned Development District 74 (PD-74) then staff would propose the following conditions
68 of approval:

- 70 1) The proposed development shall be prohibited from providing access to Breezy Hill Road,
- 72 2) Prior to accepting a Preliminary Plat for the proposed phase (*i.e. depicted in pink of the PD
74 Concept Plan in Exhibit 'D'*) the applicant shall submit a replat of Phase IIB to incorporate
76 the proposed roadway connecting the two phases,
- 78 3) Prior to accepting a Preliminary Plat and/or a Planned Development Site Plan for the
80 remaining area designated as *retail* on the *PD Concept Plan*, a *PD Development Plan* must
82 be approved by City Council, and
- 84 4) Any construction resulting from the approval of this *zoning amendment* shall conform to
86 the requirements set forth by the Unified Development Code (UDC), the International
88 Building Code (IBC), 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.

90 Chairman Renfro opened the public hearing at 7:15pm.

92 Adam Buczek

2 8214 Westchester Drive, Suite 710
4 Dallas, Texas

6 Mr. Buczek gave a brief presentation of the request.

8 Chairman Renfro clarified the request.

10 Discussion took place regarding the history of the property and future development of the property.

12 Commissioner McCutcheon stated that he doesn't believe the current amount of commercial property is viable.

14 Chairman Renfro stated his agreement with Commissioner McCutcheon. He stated that he believes that what is being proposed is a good compromise.

18 Commissioner Lyons also stated that he is in agreement with reducing the amount of commercial property in this area.

20 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at
22 7:34pm.

24 Commissioner Conley made a motion to approve Z2014-017, a request by Dick Skorburg of the
26 Skorburg Company on behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to
28 Planned Development District 74 (PD-74) to amend the concept plan to allow for additional single-
30 family residential lots and allow for changes to the development standards contained in Exhibit
'C' of Ordinance 12-26 for 405.184-acres of land identified as Tract 7 & 7-1 of the J. Strickland
Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-552
and west of Breezy Hill Road, with staff recommendations.

32 Commissioner Jackson seconded the motion.

34 A vote was taken and the motion passed 5-1, with Nielsen against.

36 IV. ACTION ITEMS

38 8. SP2014-008

40 Discuss and consider a request by Ken Hill of NADC Architects, LLC on behalf of Heritage Buick,
42 Pontiac, GMC, for the approval of an amended site plan to allow for changes in the existing
44 building façade and for a variance to the material requirements stipulated by Section 6.6, IH-30
46 Overlay (IH-30) District, of Article V, District Development Standards, of the Unified Development
Code for a 5.285-acre parcel of land identified as Lot 1, Block 1, Heritage BPG Addition, zoned
Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 930 E.
IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary.

48 Miller explained that on January 18, 2000, the City Council approved a Conditional Use Permit
(CUP) [Case No. PZ1999-101-01] to allow a Chrysler Dealership on the 5.285-acre subject property;
50 however, this dealership was never constructed. In 2006, the current owner of the property,
52 Robert Bobo, submitted a site plan application proposing the construction of a Buick, Pontiac,
and GMC dealership. This site plan request was approved on November 14, 2006 by the Planning
and Zoning Commission upon a positive recommendation by the Architectural Review Board
(ARB). At the time of approval the site plan conformed to all requirements stipulated by the CUP
54 ordinance (i.e. Ordinance No. 00-01) and the IH-30 Overlay (IH-30 OV) and Commercial (C) Districts
as stated in the Unified Development Code (UDC).

56 The purpose of this site plan amendment is to revise the existing building elevations to allow for
58 the use of Aluminum Composite Material (ACM) on the majority of the exterior façade. According
to a letter submitted by the applicant the automobile manufacturer (i.e. General Motors), and not
60 the owner of the property, has requested that the building conform to the branding scheme
adopted for all Buick/GMC Dealerships.

62

2 According to Section 6.6, *IH-30 Overlay (IH-30 OV) District*, of Article V, *District Development*
3 *Standards*, of the UDC the masonry requirements for properties located within this corridor are
4 90% masonry (*excluding windows and doors*) with a minimum of 20% of the masonry requirement
5 being a natural or quarried stone. Currently, the existing building conforms to these standards
6 and incorporates a blend of natural/native stone, split faced concrete masonry units (CMU), glazed
7 CMU tile, EIFS, and architectural aluminum. Currently, the UDC allows ACM to be used as a
8 secondary material or non-masonry material (*i.e. allowed to be incorporated on up to ten [10%]*
9 *percent of the building's façade*).

10 On May 27, 2014 the Architectural Review Board (ARB) reviewed the request and recommended
11 that the building maintain conformance to the masonry requirements stated in Section 6.6, *IH-30*
12 *Overlay (IH-30 OV) District*, of Article V, *District Development Standards*, of the UDC. Specifically,
13 the ARB recommended that if used the ACM should not exceed ten (10%) percent of the building's
14 façade.

15 Ken Hill
16 908 Beau D'Arc
17 Forney, Texas

18 Mr. Hill stated that General Motors has requested that the local owner reclad the building in ACM;
19 however, the local owner appreciates the current look of the building. Mr. Hill additionally asked
20 that the Commissioner reject the request.

21 Commissioner Jackson asked if the owner would be penalized for not complying with the request
22 from GM. Mr. Hill stated that he will not be penalized.

23 Commissioner McCutcheon made a motion to deny SP2014-008, a request by Ken Hill of NADC
24 Architects, LLC on behalf of Heritage Buick, Pontiac, GMC, for the approval of an amended site
25 plan to allow for changes in the existing building façade and for a variance to the material
26 requirements stipulated by Section 6.6, *IH-30 Overlay (IH-30) District*, of Article V, *District*
27 *Development Standards*, of the Unified Development Code for a 5.285-acre parcel of land
28 identified as Lot 1, Block 1, Heritage BPG Addition, zoned Commercial (C) District, situated within
29 the *IH-30 Overlay (IH-30 OV) District*, located at 930 E. *IH-30*, City of Rockwall, Rockwall County,
30 Texas.

31 Commissioner Lyons seconded the motion.

32 A vote was taken and the motion carried 6-0.

33 9. SP2014-009

34 Discuss and consider a request by Lori Stevens of Patriot PAWS for the approval of a site plan to
35 allow for an addition to an existing facility, which is located on a 1.5304-acre parcel of land, being
36 identified as Lot 4, Block A, Maverick Ranch Addition, zoned Commercial (C) District, and located
37 at 254 Ranch Trail, City of Rockwall, Rockwall County, Texas, and take any action necessary.

38 Gonzales stated that Lori Stevens of Patriot PAWS (a non-profit organization) has submitted an
39 application for site plan approval for an additional facility to their existing operations in order to
40 meet demand for their services. The proposed 4,000 sq. ft. training facility (with indoor kennels)
41 will be located behind the two existing metal buildings located at 254 Ranch Trail. Due to the
42 limited visibility from Ranch Trail, the applicant will be seeking an exterior materials exception to
43 allow for less than a 90% masonry exterior for the south, east & west elevations. Please see the
44 attached color renderings.

45 The proposed site will contain a 4,000 sq. ft. single story metal building that will be utilized as a
46 training facility for service animals and will contain indoor kennels used during the process. The
47 facility will also contain an office and additional storage space for their operations. The site will
48 have access from two existing drive approaches along Ranch Trail. The applicant is providing a
49 total of thirty-seven (37) parking spaces for the site, exceeding the City's standards for this type of
50 facility.

2 The site has an assortment of existing trees, primarily along the southwest property line of the lot;
4 however, the applicant is providing an additional eight (8) trees (4 Live Oaks & 4 Shumard Oaks)
6 that will provide additional shading of the lot. Also, an assortment of Yaupon's and Crape
Myrtle's will be used as accent trees while incorporating Dwarf Buford Holly and Dwarf Yaupon
Holly shrubs as additional accents for the site.

8 The UDC requires all lighting to be contained on site at a maximum intensity of 20-FC and that
10 lighting at the property lines is not to exceed 0.2-FC in order to control glare and spillover lighting.
The plan meets the intent of the UDC.

12 The proposed 4,000 sq. ft. building will be composed of pre-engineered metal walls & roof
14 matching the two existing buildings on the property; however, the new building will incorporate a
Lueder's chopped random roughback masonry wainscot (42-inch height) on the south, east &
16 west elevations, exposed CMU under roof (dog run area) on the east & west elevations, and CMU
on the north elevation. Additionally, the applicant will treat the existing metal buildings with a
18 Lueder's chopped random roughback masonry wainscot, thematically matching that of the
proposed building. The relocation of the entry feature will provide relief to the existing buildings,
while incorporating an architectural feature for interest.

20 Based on the standards established for the commercial district and the general location of the
22 4,000 sq. ft. training facility, the applicant is requesting an exception to the exterior materials
requirements. The requested exception is to allow for:

24 *Not meeting the minimum 90% masonry requirement for the south, east and west exterior
26 elevations and allowing exposed pre-engineered metal finished panels for these particular
elevations.*

28 *Under Sec. 4.1. General commercial district standards.*

30 *A. Construction materials.*

32 *1. Exterior walls. Each exterior wall shall consist of 90 percent masonry materials as
34 defined in article XIII, Definitions, excluding doors and windows, on walls which are
visible from a public street or open space, including a minimum of 20 percent stone.
36 All buildings shall have exterior walls constructed of stone, brick, glass block, tile,
cast metal, cast or cultured stone, or a combination of those materials...Exceptions to
38 this requirement may be permitted on a case by case basis by the council upon
submission and approval of elevation drawings...*

40 Staff would point out that the majority of the existing commercial buildings along Ranch Trail are
42 metal buildings, many of which were built during the annexation process in 2004. Given the
limited visibility, the proposed 4,000 sq. ft. metal building will generally be screened from the view
44 of public rights-of-way; however, the majority of the building will contain a masonry product, but
this remains a discretionary action for the Planning and Zoning Commission and City Council.

46 If approved, staff would offer the following conditions:

- 48 1. Adherence to all engineering and fire department standards.
2. Submittal and approval of a building permit.
- 50 3. Submittal and approval of replat.
- 52 4. Approval of an exception to the exterior material requirements to allow for a metal building by
the City Council.

54 Commissioner Jackson made a motion to approve SP2014-009, a request by Lori Stevens of
56 Patriot PAWS for the approval of a site plan to allow for an addition to an existing facility, which is
located on a 1.5304-acre parcel of land, being identified as Lot 4, Block A, Maverick Ranch
58 Addition, zoned Commercial (C) District, and located at 254 Ranch Trail, City of Rockwall,
Rockwall County, Texas, with staff recommendations.

60 Commissioner McCutcheon seconded the motion.

62 A vote was taken and the motion passed 6-0.

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Former Mayor Bill Cecil asked to speak. He expressed appreciation to the Commission for approving the request.

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

- ✓ P2014-012: Replat 807 N. Goliad Street (Approved)
- ✓ MIS2014-007: Chandler's Masonry Exception (Approved)
- ✓ Z2014-011: Change in Zoning from SF-10 to PD-53 (1002 Ridge Road) [Approved; 2nd Reading]

LaCroix briefed the Commission on the results of the above listed cases.

V. ADJOURNMENT

The meeting adjourned at 7:50 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 24th day of June, 2014.



 Craig Renfro, Chairman

Attest:



 JoDee Sanford, Planning Technician

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION

City Hall, 385 South Goliad, Rockwall, Texas

Council Chambers

June 24, 2014

6:00 P.M.

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I. CALL TO ORDER

The meeting was called to order by Chairman Craig Renfro at 6:00 p.m. with the following members present: Jonathan Lyons, Kristen Minth, John McCutcheon and Matthew Nielsen. Wendi Conley and Connie Jackson were not present.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members, Tim Tumulty, Amy Williams, and Kathleen Moreno, were in attendance.

II. CONSENT AGENDA

1. Approval of Minutes for the June 10, 2014 Planning and Zoning Commission meeting.

Commissioner Lyons asked that the minutes be considered separately.

Commissioner Lyons made a motion to approve the minutes.

Commissioner McCutcheon seconded the motion.

A vote was taken and the motion passed 4-0, with Minth abstaining.

2. P2014-007

Discuss and consider a request by the Cabana's at Chandler's Landing Homeowner's Association on behalf of the residents of the Cabana's at Chandler's Landing for the approval of a replat of Lots 1-10, Block A, The Cabanas at Chandler's Landing, City of Rockwall, Rockwall County, Texas, for a 1.13-acre portion of a parcel of land identified as the Cabanas at Chandler's Landing, zoned Planned Development District 8 (PD-8) for multi-family or condominium uses as established in Ordinance 73-48 & 84-04, generally located south of Yacht Club Drive and west of Harbor View Drive, and take any action necessary.

3. P2014-013

Discuss and consider a request by Tommy Pulliam of Pulliam Construction Management Inc. on behalf of Rayburn Electric Cooperation, Inc. for the approval of a final plat for Lots 1-3, Block A, Rayburn Country Addition being 11.407-acres of land situated in the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District and Agricultural (AG) District, located on the south side of Sids Road west of S. Goliad Street [SH-205], and take any action necessary.

4. P2014-014

Discuss and consider a request by Rich Houston on behalf of R. Fifty Green Homes, LLC for the approval of a final plat for Lots 1-6, Block A, Solar Village Addition, containing six (6) single family lots on a 2.055-acre tract of land situated within the Rueben Ballard Survey, Abstract No. 29, Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located directly west of the intersection of Williams Street (SH-66) and Caruth Lane, and take any action necessary.

Commissioner Lyons made a motion to approve the Consent Agenda.

Commissioner McCutcheon seconded the motion.

A vote was taken and the motion passed 5-0.

III. PUBLIC HEARINGS

5. Z2014-015

Hold a public hearing to discuss and consider a request by Dennis D. Alsup for the approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV, Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10 (SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Gonzales explained that the applicant, Mr. Dennis D. Alsup, is requesting a Specific Use Permit (SUP) to allow for a 240 sq. ft. accessory building exceeding the size requirements of the Single-Family 10 (SF-10) Residential District standards by 15 sq. ft. Under the use standards of the Unified Development Code, the accessory building shall be accessory to a residential use and located on the same lot. By right, in the SF-10 district, no more than two (2) accessory buildings shall be allowed which are up to 225 sq-ft (each) and are 15 ft or less in height, provided the exterior cladding contains only materials found on the main structure. Accessory buildings not meeting these standards shall require approval of an SUP.

The proposed accessory building is a 20' X 12' (240 sq. ft.) wooden structure, matching the materials of the primary structure and will be used for storage purposes. Mr. Alsup has provided a color prospective that indicates his intent of painting the building to match that of their existing home. The roof will be composed of galvalume (metal roof) and the building will have an overall height of 13-ft 6-in. and does not exceed the height requirement established in the UDC. Included in your packet is a survey depicting the accessory building(s) location which exceeds the minimum rear and side yard set-backs as well as the separation requirements from another structure. The accessory building meets or exceeds the minimum standards established by the UDC for a property with the exception of the additional 15 sq. ft. in area requested.

On May 30, 2014, staff mailed 55 notices to property owners and residents within 500 feet of the subject property. Staff also sent notices to the Lake View Summit and Caruth Lakes Homeowner's Associations (HOA) which are located within 1,500 feet of the subject property. Additionally, staff posted a sign adjacent to the subject property on Alamo Dr. as required by the Unified Development Code (UDC). A public notice has been published in the Rockwall County News meeting state statutes and has been posted on the City's website. At this time, staff has received two responses in favor of the request.

Should the request for an SUP be approved, staff offers the following conditions:

1. That the structure must meet all Building Inspections, Engineering, and Fire Department standards.
2. Submittal and approval of a building permit is required prior to the construction of the accessory building.
3. The accessory building shall comply with the approved site plan and building elevations.
4. The accessory building shall not exceed 240 sq. ft. in area.
5. The accessory building shall not exceed a maximum height of 15 ft. (measured at the midpoint of the pitched roof).
6. The accessory building is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or re-platted.
7. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.
8. 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.

Chairman Renfro opened the public hearing at 6:10pm.

As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:10pm.

2 Commissioner McCutcheon made a motion to approve Z2014-015, a request by Dennis D. Alsup for the
4 approval of a Specific Use Permit (SUP) for an accessory building that does not conform to the size
6 requirements as specified by Section 2.1.2, Residential and Lodging Use Conditions, of Article IV,
8 Permissible Uses, of the Unified Development Code for a property in a Single-Family 10 (SF-10) District
on a 0.74-acre parcel of land identified as a portion of Block 4, Garner Addition, zoned Single-Family 10
(SF-10) District, situated within the North Goliad Overlay (NGC OV) District, located at 921 Alamo Road,
City of Rockwall, Rockwall County, Texas, with staff recommendations.

10 Commissioner Nielsen seconded the vote.

12 A vote was taken and the motion passed 5-0.

14 IV. APPOINTMENTS

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

18 Miller indicated that the ARB Chairman was unable to attend and that staff would explain the ARB
20 recommendations as each case was introduced.

22 V. ACTION ITEMS

- 24 7. P2006-027

26 Discuss and consider a request by Christopher Orr of Arcadia Realty for the approval of a reinstatement
28 request of the preliminary plat for the Lakes of Somerset Addition in accordance with Section 38-8(f) of
the Subdivision Ordinance contained in the Municipal Code of Ordinances, and being a 139.354-acre
tract of land, zoned Planned Development District 63 (PD-63), located along the north side of FM 549,
east of S. Goliad Street [SH 205], which was originally approved by City Council on August 21, 2006,
and take any action necessary.

30 Miller indicated that on June 12, 2014, the Planning and Zoning Department received a written request
32 from Christopher Orr, of Arcadia Realty, on behalf of Realty Capital Lakes of Somerset, LTD requesting
34 the reinstatement of a preliminary plat for the Lakes of Somerset Subdivision, which was originally a
proposal for 276 single family residential lots on a 139.354-acre tract of land. The subject property is
36 currently zoned Planned Development District 63 (PD-63), and is located along the north side of FM-549,
east of S. Goliad Street (SH-205).

38 The preliminary plat was approved by the City Council on August 21, 2006 under Case No. P2006-027.
40 On June 26, 2007, the expiration date of the plat was extended by the Planning and Zoning Commission
for a period of one (1) year. The preliminary plat officially expired on August 21, 2008 after no
42 engineering plans were submitted for the first phase of the development. Last year the Planning and
Zoning Commission choose to reinstate the Preliminary Plat on July 31, 2013 for a period of one (1)
44 year.

46 The City's subdivision regulations specify that a preliminary plat shall be expired after one (1) year if a
final plat for the entire area has not been submitted. Generally, if a developer submits a final plat or
48 engineering plans for any portion of the overall tract, and continues to submit subsequent plans for
additional phases of the development, the City will continue to consider that preliminary plat active.
50 Currently, Arcadia homes is in the process of working with staff to solve minor issues concerning the
proposed development and intends to resubmit engineering plans in the near future.

52 Section 38-8(f), *Lapse and Extension of Preliminary Plat Approval*, of the City's *Subdivision Ordinance*
54 contained in the Municipal Code of Ordinances, lays out the procedure and criteria for considering the
extension of a preliminary plat. In this case, the applicant's request is generally in conformance with
56 this criterion. Additionally, the zoning ordinance approved with Planned Development District 63 (PD-
63) incorporated a concept plan that provided the general layout of the proposed Lakes of Somerset
58 Subdivision. This ordinance, having not changed in a manner that would necessitate the creation and
submittal of a new preliminary plat, staff would recommend approval of the reinstatement request for a
period of one (1) year pending the proposed development generally conform to the site plan and master

plat that were previously approved by the Planning and Zoning Commission and City Council.

Additionally, if applicable, the submittal and staff review of a Homeowner's Association and/or any associated deed restrictions or maintenance standards for the required common/open space areas should be required prior to or concurrently with the final plat application.

Commissioner Minth made a motion to approve a request by Christopher Orr of Arcadia Realty for reinstatement of the preliminary plat for the Lakes of Somerset Addition in accordance with Section 38-8(f) of the Subdivision Ordinance contained in the Municipal Code of Ordinances, and being a 139.354-acre tract of land, zoned Planned Development District 63 (PD-63), located along the north side of FM 549, east of S. Goliad Street [SH 205], which was originally approved by City Council on August 21, 2006.

Commissioner McCutcheon seconded the vote.

A vote was taken and the motion passed 5-0.

8. SP2014-013

Discuss and consider a request by Viral Patel on behalf of the owner, Sunflower Deli Inc., for the approval of amended building elevations for an existing Schlotsky's restaurant being situated on a 0.815-acre parcel of land identified as Lot 13RA, Block A, Rockwall Towne Center, Phase 2 & 3, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 706 E. IH-30, and take any action necessary.

Sanford explained that the applicant asked to table the case until the next meeting.

Commissioner McCutcheon made a motion to table SP2014-013, a request by Viral Patel on behalf of the owner, Sunflower Deli Inc., for the approval of amended building elevations for an existing Schlotsky's restaurant being situated on a 0.815-acre parcel of land identified as Lot 13RA, Block A, Rockwall Towne Center, Phase 2 & 3, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 706 E. IH-30, until the July 8th, 2014 meeting.

Commissioner Nielsen seconded the vote.

A vote was taken and the motion passed 5-0.

9. Z2014-016

Discuss and consider a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses 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, and take any action necessary.

Miller stated on June 10, 2014, the Planning and Zoning Commission recommended denial of the applicants request to rezone the property from an Agricultural (AG) District to a Planned Development District for commercial/retail land uses. In between the Planning and Zoning Commission meeting and the City Council meeting the applicant changed the request to address concerns raised by the Planning and Zoning Commission. Specifically, the applicant requested to remove the following uses from the request:

- Pawn Shop
- Private Club
- Restaurant, Less than 2,000 Sq. Ft., with Drive-Through or Drive-in
- Restaurant, 2,000 Sq. Ft., with Drive-Through or Drive-in
- Restaurant with Accessory Private Club or Brew Pub

On June 16, 2014, the City Council made a motion to remand the applicant's request back to the Planning and Zoning Commission. Between the City Council and Planning and Zoning Commission meetings the applicant chose once again to change the request to a Planned Development District for

2 Residential-Office (RO) District uses. Miller additionally discussed the uses that would be permitted within the new Planned Development District.

4 Scott Blackwood
5205 FM 549
6 Rockwall, Texas

8 Steven Straughn
5802 Constellation
10 Rockwall, Texas

12 Chairman Renfro stated that this particular property is in transition; however, the Commission originally didn't feel it appropriate to establish zoning that would set a tone that the surrounding neighbors are not comfortable with currently.

14

16 Mr. Straughn stated that the applicant has been trying to sell his home for 6 years unsuccessfully. He generally discussed the request and the changes in uses from the previous meeting.

18

20 Discussion occurred regarding a subdivision that previously came through to the south of the property.

22 Commissioner Minth stated that she does not want to limit this property through zoning because in the future it could become an entry to the potential subdivision.

24 Commissioner Nielsen stated that he has concerns regarding this being a transitioning area. He stated that he doesn't believe changing the zoning to Residential Office will not create a buffer, but will create the need for another buffer. He doesn't think that Commercial is appropriate and he feels to rezone the property is a little premature for the area especially with 30% of surrounding properties in opposition.

26

28 Chairman Renfro asked for clarification on FM 549 realignment. LaCroix stated that the roadway will be realigned. The County has funded the project and TxDot is working on obtaining funding.

30

32 Mr. Blackwood additionally explained the number of people objecting to the zoning change.

34 Commissioner Lyons stated that he does believe this is a transitioning area and he does believe that Residential-Office zoning is appropriate for this property as a buffer between the Commercial and Residential zoning.

36

38 Commissioner McCutcheon asked if the Residential Office zoning would allow for a grocery store in the future. Miller indicated that a grocery store is not permitted within the Residential Office zoning.

40

42 Additional discussion took place regarding other zoning options.

44 Commissioner Minth the property currently fits as residential, but the future of the property is unknown. She is concerned that changing it to a Residential Office zoning would make it easier to change it in the future to Commercial zoning.

46

48 More discussion took place regarding the current state of the property.

50 Commissioner Minth made a motion to deny Z2014-016, a request by Scott W. Blackwood for the approval of a zoning change from Agricultural (AG) District to a Planned Development District for limited commercial/retail land uses 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.

52

54 Commissioner Nielsen seconded the vote.

56

58 A vote was taken and the motion passed 4-1, with Lyons against.

60 VI. DISCUSSION ITEMS

10. SP2014-010

Discuss and consider a request by Matt Callan of Corgan Associates, Inc. on behalf of the owner, Rockwall Regional Hospital, LLP, for the approval of a site plan for a medical office building on a 1.8907-acre parcel of land identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 9 (PD-9), located along Horizon Road [FM-3097] southeast of the intersection of Horizon Road [FM-3097] and Rockwall Parkway, and take any action necessary.

Gonzales briefed the Commission on the details of the case.

11. SP2014-011

Discuss and consider a request by Frank Richardson of Pross Design Group, Inc. on behalf of Channell Commercial Corporation and the Rockwall Economic Development Corporation for the approval of a site plan for an office and industrial facility on an 18.95-acre tract of land being identified as a 2.006-acre portion of Tract 2-7 of the David Harr Survey, Abstract No. 102 and a 16.944-acre portion of Tract 5 of the N. Butler Survey, Abstract No. 20, 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, located on the west side of John King Boulevard south of Airport Road, and take any action necessary.

Miller generally discussed the case and the location of the property.

Commissioner Lyons asked for clarification on the location of the stone accents.

12. SP2014-012

Discuss and consider a request by Philip Graham, PE of Wier & Associates on behalf of the Rockwall Economic Development Corporation and Col-Met Spray Booths for the approval of site plan for an industrial facility on a 12.0-acre parcel of land identified as a portion of Lot 1, Block B, Rockwall Technology Park, Phase III, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, located east of the intersection of Corporate Crossing (FM-3097) and Discovery Boulevard, and take any action necessary.

Gonzales explained the location of the property and gave an overview of the case.

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

- ✓ Z2014-012: SUP for a Mini-Warehouse Facility [Approved]
- ✓ Z2014-017: Zoning Amendment to PD-74 [Approved]
- ✓ SP2014-008: Variance for Heritage Buick, Pontiac, GMC [Denied]
- ✓ SP2014-009: Exception for Patriot Paws [Approved]

LaCroix briefed the Commission on the results of the above listed cases.

VII. ADJOURNMENT

The meeting adjourned at 7:20 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 8th day of July, 2014.

Connie Jackson
Craig Renfro, Chairman
Connie Jackson, Commissioner

Attest:
JDee Sanford
JDee Sanford, Planning Technician

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
July 8, 2014
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Connie Jackson at 6:06 p.m. with the following members present: Wendi Conley, Kristen Minth and Matthew Nielsen. Craig Renfro, John McCutcheon and Jonathan Lyons were not present.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members, Tim Tumulty, Amy Williams, and Kathleen Moreno, were in attendance.

II. CONSENT AGENDA ITEMS

1. Approval of Minutes for the June 24, 2014 Planning and Zoning Commission meeting.

Commissioner Minth made a motion to approve the minutes.

Commissioner Nielsen seconded the motion.

A vote was taken and the motion passed 4-0.

III. ACTION ITEMS

2. MIS2014-008

Discuss and consider a request by Marco A. Esparza for a waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow Hardiboard panels in lieu of Hardiboard lap siding for a new manufactured home on a 0.17-acre property identified as Lots 1390, 1391 & 1392, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District uses, located at 312 Rene Drive, and take any action necessary.

Miller explained that the applicant, Marco A. Esparza, has submitted a special request to the requirements stipulated for Manufactured Home Replacement Minimum Standards outline in Exhibit 'C' of Planned Development District 75 (PD-75) [Ordinance No. 09-37]. According to this section, if an existing property has a manufactured home situated on it then the property owner is eligible for a one (1) time replacement of said manufactured home pending the replacement home meets the following criteria:

- 1) The replacement manufactured home shall be permanently affixed to a concrete foundation.
- 2) The replacement manufactured home shall have a minimum of a 3:12 roof pitch.
- 3) The replacement manufactured home shall be constructed of a minimum of 90% masonry materials on the exterior of the structure (excluding windows and doors; including the skirting material). This includes Hardiboard lap siding, "Cemplank" lap siding, or a similar cementaceous durable lap siding material that has a minimum width of 6¼-inches.
- 4) The replacement manufactured home shall be a newer manufactured home and contain at least the same living space/square footage as the previous manufactured home.

In this case, the applicant has replaced an existing manufactured home on the subject property at 312 Rene Drive. The new manufactured home meets all the above mentioned criteria for the one

2 (1) time replacement with the exception of the material requirements. The new manufactured
4 home uses Hardiboard panels as opposed to a lap siding material. According to Section C,
6 Consideration of Special Request, of Exhibit 'C' of PD-75, the City Council may consider special
8 requests on a case-by-case basis for properties located within the Lake Rockwall Estates
10 subdivision pending a recommendation from the Planning and Zoning Commission. The approval
12 of any special request shall preempt any other underlying zoning restrictions stipulated by the
14 zoning ordinance. Staff would like to acknowledge that the proposed Hardiboard panels are
16 consistent with existing materials within the district, and that the applicant's request represents
18 an improvement on the property. Additionally the approval of this request would not alter the
20 essential character of the planned development district.

22 If the Planning & Zoning Commission and City Council choose to approve the applicant's request
24 for a waiver to the manufactured home replacement standards staff would recommend the
26 following conditions:

- 28 1) Any construction or building allowed by this request must conform to the requirements set
30 forth by the Unified Development Code, the 2009 International Building Code, the Rockwall
32 Municipal Code of Ordinances, city adopted engineering and fire codes and with all other
34 applicable regulatory requirements administered and/or enforced by the state and federal
36 government.

38 Commissioner Minth asked for clarification on documentation of the one time replacement
40 allowance.

42 Marco Esparza
44 312 Renee
46 Rockwall, Texas

48 Mr. Esparza asked the commission to approve the request.

50 Commissioner Minth made a motion to approve MIS2014-008, a request by Marco A. Esparza for a
52 waiver to the Manufactured Home Replacement Minimum Standards as set forth in Exhibit 'C' of
54 Planned Development District 75 (PD-75) [Ordinance No. 09-37] to allow Hardiboard panels in lieu
56 of Hardiboard lap siding for a new manufactured home on a 0.17-acre property identified as Lots
1390, 1391 & 1392, Rockwall Lake Estates #2, City of Rockwall, Rockwall County, Texas, zoned
Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District uses, located at 312
Rene Drive, with staff recommendations.

Commissioner Nielsen seconded the motion.

A vote was taken and the motion passed 4-0.

3. SP2014-013
Discuss and consider a request by Virel Patel on behalf of the owner, Sunflower Deli Inc., for the
approval of amended building elevations for an existing Schlotzsky's restaurant being situated on a
0.815-acre parcel of land identified as Lot 13RA, Block A, Rockwall Towne Center, Phase 2 & 3,
City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-
30 Overlay (IH-30 OV) District, located at 706 E. IH-30, and take any action necessary.

Sanford indicated that the applicant has submitted a color rendering for the existing Schlotzsky's
restaurant located at 706 E. IH-30 within the Rockwall Towne Center Addition. The proposal is for
the renovation of the building elevations in order to update the exterior by incorporating a stone
skirting around the structure and painting the existing brick masonry.

Currently, the exterior of the building is brick masonry with painted circular designs. The
applicant is requesting to paint the entire exterior brick façade while continuing the circular

2 design pattern and incorporating a manufactured stone skirting around the front and sides of the
4 building.

6 It should be noted that the current structure does not conform to the IH-30 Overlay (IH-30 OV)
8 District requirement of 20 percent natural or quarried stone. Schlotzsky's was existing prior to the
10 update of the IH-30 OV District, which mandated stricter design standards. While the applicant's
12 proposal to paint the existing brick and add the manufactured stone skirting does slightly
increase the non-conformity of the building, it should improve the structure's overall consistency
with the aesthetics of the overlay district. The applicant has submitted a color rendering of the
elevations illustrating the proposed changes.

14 On June 24, 2014 the Architectural Review Board (ARB) reviewed the request and recommended
that natural stone be used in lieu of the manufactured stone proposed by the applicant.

16 Commissioner Nielsen clarified that no variances are being requested. Sanford stated that no
18 variances are being requested and the Commission is being asked to approve the changes to the
building elevations.

20 Commissioner Conley made a motion to approve SP2014-013, a request by Virel Patel on behalf of
22 the owner, Sunflower Deli Inc., for the approval of amended building elevations for an existing
Schlotzsky's restaurant being situated on a 0.815-acre parcel of land identified as Lot 13RA, Block
24 A, Rockwall Towne Center, Phase 2 & 3, City of Rockwall, Rockwall County, Texas, zoned
Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 706 E. IH-
30, with staff recommendations.

26 Commissioner Nielsen seconded the motion.

28 A vote was taken and the motion passed 4-0.

30 4. SP2014-011

32 Discuss and consider a request by Frank Richardson of Pross Design Group, Inc. on behalf of
34 Channell Commercial Corporation and the Rockwall Economic Development Corporation for the
approval of a site plan for an office and industrial facility on an 18.95-acre tract of land being
36 identified as a 2.006-acre portion of Tract 2-7 of the David Harr Survey, Abstract No. 102 and a
16.944-acre portion of Tract 5 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall
38 County, Texas, being zoned Light Industrial (LI) District, situated within the SH-205 By-Pass
Corridor Overlay (205 BY-OV) District, located on the west side of John King Boulevard south of
40 Airport Road, and take any action necessary.

42 Miller stated that Channell Commercial Corporation is a manufacturing company that provides
communication/fiber products to the telecommunications industry. With the help of the Rockwall
44 Economic Development Corporation (REDC) they are moving their corporate headquarters from
Temecula, California to the City of Rockwall. The submitted site plan shows the proposed 295,910
46 SF headquarters being situated on a 18.95-acre parcel of land, zoned Light Industrial (LI) District,
and located on the west side of John King Boulevard south of the railroad tracts. The property is
48 currently vacant. Earlier this year the REDC rezoned a 2.006-acre tract of land to a Light Industrial
(LI) District with the intention of combining it with the remaining 16.944-acre tract of land in
50 preparation for the Channell development (Case No. Z2014-005). Additionally, Justin Road will be
extended adjacent to the southern property line of the subject property, connecting it to John
King Boulevard.

52 The site will be accessible from John King Boulevard and Justin Road, and include a rail spur that
54 will connect to the back of the proposed facility adjacent to the loading docks. The site plan
conforms to all the density and dimensional requirements stipulated for a property within a Light
56 Industrial (LI) District with the exception of the parking requirements. The site plan currently
shows a deficiency of 132 parking spaces; however, the applicant has stated that the provided

2 parking is enough to accommodate the proposed operations of the facility and that future parking
4 has been identified should the facility be expanded.

6 The Landscape Plan submitted by the applicant indicates conformance with all applicable
8 landscaping requirements as stipulated for the Light Industrial (LI) District within the 205 By-OV
10 District by Article V, District Development Standards, and Article VII, Landscape Standards, of the
Unified Development Code (UDC). In addition, the applicant will be providing a ten (10) foot
sidewalk along John King Boulevard, which is suggested by the design plan contained within the
Comprehensive Plan.

12 The Photometric Plan submitted by the applicant demonstrates conformance to the requirements
14 of Article VII, Environmental Performance, of the UDC. Additionally, the plan indicates
16 conformance to the requirements of Section 6.10, By-Pass Corridor Overlay (205 By-Pass OV)
District, of Article V, District Development Standards, of the UDC, with the exception of one (1)
light pole, which will exceed the maximum height by seven (7) feet.

18 The proposed building elevations submitted by the applicant depict a 225,910 SF office,
20 manufacturing and warehouse facility that will utilize 100% tilt wall construction. The building will
22 incorporate a circular curtain wall (i.e. storefront glass) that will be aligned adjacent to the
24 intersection of John King Boulevard and Justin Road, and will act as the main entryway into the
facility. Additionally, the walls will use horizontal reveal lines and the company's logo to break up
the monotonous spans of tilt wall. The tilt wall will also be sandblasted to create a textured finish.
The proposed building elevations will require variances to the articulation and building material
requirements.

26 Based on the applicant's submittal staff has identified the following variances:
28

- 30 1) Parking.
- 32 2) Tilt Wall
- 34 3) Articulation.
- 36 4) Building Materials.
- 38 5) Light Poles.

40 With the exception of the variances to the parking and lighting requirements, the majority of the
42 variances pertain to the materials and design of the building. It is also important to note that the
building being proposed is nearly identical to the company's building in Temecula, California, and
according to the applicant is a part of the company's identity. According to Section 6.10, By-Pass
Corridor Overlay (205 By-Pass OV) District, of Article V, District Development Standards, of the
UDC, "corporate identities that conflict with the building design criteria shall be reviewed as a
variance as defined in this section [Section 6.10.J. of Article V, UDC] and reviewed on a case-by-
case basis by the Planning and Zoning Commission and approved by the City Council."

44 On June 24, 2014, the Architectural Review Board (ARB) reviewed the proposed site plan and
46 building elevations, and made the following recommendations:

- 48 1) The façades adjacent to John King Boulevard and Justin Road should incorporate a form liner
50 that creates a stone pattern underneath the lower set of horizontal reveal lines to create the
appearance of conformance with the material requirements of the SH 205 By-Pass Overlay
(205 By-Pass OV) District, and
- 52 2) At various intervals along the façade adjacent to Justin Road, Italian Cypress trees should be
54 incorporated in the landscape plan and be situated close to the building to provide relief in the
monochromatic wall surface.

56 If the Planning & Zoning Commission and City Council choose to approve the applicant's request
then staff would recommend the following conditions of approval:

- 2 1) All comments provided by the Planning, Engineering and Fire Department must be addressed
4 prior to the submittal of a building permit;
- 6 2) Any construction or building necessary to complete this Site Plan request must conform to
8 the requirements set forth by the UDC, the 2009 International Building Code, the Rockwall
10 Municipal Code of Ordinances, city adopted engineering and fire codes and with all other
12 applicable regulatory requirements administered and/or enforced by the state and federal
14 government.

10 Frank Richardson
12 Pross Design Group
14 5310 Harvest Hill Road
16 Dallas, Texas

16 Mr. Richardson stated that he would answer any questions.

18 Commissioner Nielsen made a motion to approve SP2014-011, a request by Frank Richardson of
20 Pross Design Group, Inc. on behalf of Channell Commercial Corporation and the Rockwall
22 Economic Development Corporation for the approval of a site plan for an office and industrial
24 facility on an 18.95-acre tract of land being identified as a 2.006-acre portion of Tract 2-7 of the
26 David Harr Survey, Abstract No. 102 and a 16.944-acre portion of Tract 5 of the N. Butler Survey,
Abstract No. 20, 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, located on the
west side of John King Boulevard south of Airport Road, with staff recommendations.

26 Commissioner Conley seconded the motion.

28 A vote was taken and the motion passed 4-0.

30 5. SP2014-012

32 Discuss and consider a request by Philip Graham, PE of Wier & Associates on behalf of the
34 Rockwall Economic Development Corporation and Col-Met Spray Booths for the approval of a
36 site plan for an industrial facility on a 12.0-acre parcel of land identified as a portion of Lot 1,
38 Block B, Rockwall Technology Park, Phase III, City of Rockwall, Rockwall County, Texas, being
zoned Light Industrial (LI) District, located east of the intersection of Corporate Crossing (FM-
3097) and Discovery Boulevard, and take any action necessary.

38 Gonzales explained that Philip Graham, P.E. of Wier & Associates has submitted a request for site
40 plan approval of a 173,000 sq. ft. industrial facility for Col-Met Spray Booths that will be located
42 within the Rockwall Technology Park, Phase III Addition. Col-Met Spray Booths, a leading
44 manufacturer of paint finishing equipment, is relocating their business operations from Innovation
46 Dr., within the Rockwall Technology Park, to a 12.0-acre site that sets between Discovery Blvd.
48 and Springer Road for the purpose of expanding their operations. The facility will be west of and
adjacent to Bimbo Bakery and is east of FM 549. The property is zoned Light Industrial (LI)
District and is subject to the standards established in the Unified Development Code (UDC) for
this district.

48 The proposed site indicates construction of a 173,000 sq. ft. industrial facility. The sites' design
50 provides ingress/egress at four (4) points of access via Discovery Blvd. and Springer Road. The
52 facility will include 15,000 sq. ft. of office space, 133,000 sq. ft. production area, and 25,000 sq. ft.
dedicated to warehousing. The parking ratio for each use listed is calculated as follows:

- 54 1) Office: 1 space per 300 sq. ft. = 50 spaces
- 56 2) Production Area: 1 space per 500 sq. ft. = 266 spaces

2 3) Warehouse: 1 space per 1,000 sq. ft. = 25 spaces

4 Total parking spaces required = 341 spaces

6 The applicant is proposing to reduce the number of parking spaces required by one hundred
8 forty-seven (147) spaces and will provide a total of one hundred ninety-four (194) parking spaces
10 for the site. This will require a variance to the parking standards in order to allow for the reduced
12 number of spaces required for this development. However, the applicant has also indicated areas
14 designated for "future growth" that will accommodate the necessary number of additional parking
spaces needed (e.g. expansion, change of use). Also, the applicant has provided a shift schedule
indicating the number of employees on each shift in order to justify the reduction of parking
spaces needed for their current operating conditions.

16 Furthermore, in reviewing the site plan the buildings footprint depicts primarily a linear design of
the south, east, and west elevations and does not provide horizontal articulation as stipulated in
the Unified Development Code (UDC) and therefore requires a variance to these standards of
18 design. However, the north elevation (primary entrance to the facility) and a portion of the
northeast and northwest elevations propose horizontal as well as vertical articulation meeting the
20 requirements of the UDC.

22 With the exception for the reduction of parking spaces and the linear design of the building, the
site plan generally meets (or exceeds) the intent of UDC as submitted.

24 The applicant has submitted a landscape plan indicating a total landscaped area of 120,583 sq. ft.
26 or 23% landscaped coverage for the site. The applicant is providing a total of sixty-three (63) four
(4) caliper inch trees for the site (i.e. 13 October Glory Red Maple, 27 Chinquapin Oak, and 23
28 Cedar Elm). The 10-ft. landscape buffers along Discovery Blvd and Springer Road will contain
Cedar Elms meeting the UDC's requirement of one large tree per fifty (50) linear feet. The
30 remainder of the trees will be located internal to the perimeter of the lot providing shade for the
parking area and additional buffering of the facility. Numerous shrubs, ornamental grasses,
32 groundcovers, and vines will be present along the northern façade; providing an aesthetically
pleasing appearance as you enter the site. The proposed landscape plan exceeds the 10%
34 minimum required by the Unified Development Code (UDC) for an industrial development.

36 The landscape plan generally meets (or exceeds) the intent of the UDC as submitted.

38 Under the Unified Development Code, Article IX, Tree Preservation Plan, Sec. 4.3. No protected
trees, provides as follows:

40 For property being platted or site planned, the property owner may submit a letter certifying that
there are no protected trees on the property. This letter will be submitted with the understanding
42 that if it is determined that there are protected trees on the property, the violation provisions and
fines adopted as part of this [article] will be in full force and effect.

44 The applicant has provided a letter indicating the trees along the eastern fence line are Hackberry
46 and Cedars that measure less than eleven (11) caliper inches, certifying these trees to be not
protected and do not require mitigation.

48 The UDC requires all lighting to be contained on site at a maximum intensity of 20-FC and that
50 lighting at the property lines is not to exceed 0.2-FC in order to control glare and spillover lighting.
Also, the UDC requires light poles not to exceed 30-ft in height (including the base) and that all
52 light sources are to be shielded with a full cut-off source and directed down with a maximum one
inch reveal.

54 The photometric plan generally meets (or exceeds) the intent of the UDC as submitted.

56

2 The proposed building elevations will primarily be comprised of concrete tilt-up wall construction
4 which requires approval of an exception to the exterior material requirements by City Council
6 including an exception to the 20% stone requirement. Also, the south, east, and west elevations
are primarily a linear design; however, since the south elevation fronts a street (Springer Road), it
will require a variance to the vertical and horizontal articulation standards established in the UDC
for the LI district.

8
10 It should be noted, the applicant has provided both vertical and horizontal articulation when
viewing the north and portions of the northeast and northwest elevation as depicted in the
12 applicants drawings. Visual representation of the main entrance along Discovery Blvd. indicates
verticality with large stone columns, a stone wainscot, an articulated metal canopy, and vision
14 glass. The use of form-liner reveals, elements of clearstory vision glass, and a combination two
color concrete texture coated paint will be used to break up the linear appearance of the south,
16 east, and west elevations and will create interest in the façades appearance. Also, the elevations
provide for future expansion of the site where indicated.

18 With the exception of the waivers to the exterior material requirements, the building elevations
generally meet (or exceeds) the intent of the UDC as submitted.

20
22 **EXCEPTION AND VARIANCE REQUESTS:**

24 The applicant is requesting certain exceptions and variances to the City's requirements which
include the following:

- 26 1. A variance to allow for a reduction in the amount of required parking from 341 spaces to 194
spaces.
- 28 2. A variance to the vertical and horizontal articulation requirements for the south elevation
30 facing Springer Road.
- 32 3. Exceptions to allow for the construction of a concrete tilt-up wall building, and to the 20%
34 stone requirement by substituting a form-liner pattern for the south, east, and west elevations.

36 **Variance Request 1 (Parking)**

38 The Unified Development Code, Article VI, Parking and Loading, Section 1, Purpose, states that:
"...to protect the environment by promoting trip reduction and efficient land use through an
analytic process in which the amount of parking may be limited to what is realistically needed for
the uses on the site, thus reducing concrete/asphalt areas, heat islands and air pollution."

40
42 The provision above allows the Commission and Council to consider a reduction in parking if the
use would warrant such a reduction. The required parking for the proposed development is 341
44 spaces (50 for office, 266 for the production area, and 25 for warehouse). The applicants request
is to provide 194 spaces for the site; however, there is sufficient room for additional spaces in the
future should they be necessary for the owner (or future owner).

46 **Variance Request 2 (Vertical & Horizontal Articulation)**

48 The Unified Development Code, Article V, Section 5, Industrial Districts, 5.1 General Industrial
District Standards under Section C. Building Articulation states the following:

50 **Building articulation.**

- 52 1. Requirements. Facades which face streets shall meet the following minimum standards for
54 articulation:
 - 56 a. Horizontal articulation. No building wall shall extend for a distance equal to four times the
wall's height without having an offset of 25 percent of the wall's height, and that new plane

2 shall extend for a distance equal to at least 20 percent of the maximum length of the first
4 plane.

6 b. Vertical articulation. No horizontal wall shall extend for a distance greater than four times
8 the height of the wall without changing height by a minimum of 25 percent of the wall's
10 height.

12 The proposed building is meeting the articulation requirements for the north elevation that faces
14 Discovery Blvd., which serves as the primary entrance to the site. However, the applicant is
16 seeking relief for the south elevation that faces Springer Road. It should be noted that the
18 applicant has indicated the south elevation to be involved with the future expansion of the site
20 and may be consider for articulation requirements at that time.

22 Exception Request 3 (Concrete Tilt-Wall construction, and 20% stone requirement)
24 The Unified Development Code, Article V, Section 5, Industrial Districts, 5.1 General Industrial
26 District Standards under Section A. Construction Materials states the following:

28 A. Construction Materials

30 Exterior Walls - Each exterior wall shall consist of 90% masonry materials as defined in Article XIII
32 Definitions - Masonry, excluding doors and windows, on walls which are visible from a public
34 street or open space, including a minimum of 20% stone.

36 All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal,
38 cast or cultured stone, or a combination of those materials. The use of other cementaceous
40 products (e.g. stucco, Hardy Plank, or other similar materials approved by the Building Official)
42 shall be limited to 50% of the buildings exterior finishes where it is deemed important as a design
44 feature and where it will be applied under the highest standards for quality and durability.
46 However, stucco may not be located in the first 8 feet above grade on a façade visible from a
48 street or public area.

50 Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a
52 case by case basis by the Council upon submission and approval of elevation drawings of the
54 subject structure, and material samples.”

56 Exceptions to the Unified Development Code require a recommendation from the Planning and
58 Zoning Commission and approval of a simple majority vote of Council; however, an approval of a
60 variance requires a super-majority vote of Council members present.

62 Should the request be approved, staff would offer the following conditions:

- 64 1. Adherence to Engineering and Fire Department standards.
- 66 2. Submittal and approval of a replat prior to issuance of a building permit.
- 68 3. All signage requires submittal and approval of a separate permit through the Building
70 Inspections Department.
- 72 4. Approval by Council of the variances and exceptions requested for a reduction of parking
74 spaces, the use of concrete tilt-up wall construction, not meeting the 20% stone requirement,
76 and the articulation requirements as outlined in staff's report.

78 Philip Graham
80 Wier & Associates
82 701 Highlander
84 Arlington, Texas

2 Mr. Graham stated the red cedars are for screening since there currently is not a building on the
adjacent property.

4
6 Commissioner Minth made a motion to approve SP2014-012, a request by Philip Graham, PE of
Wier & Associates on behalf of the Rockwall Economic Development Corporation and Col-Met
Spray Booths for the approval of a site plan for an industrial facility on a 12.0-acre parcel of land
8 identified as a portion of Lot 1, Block B, Rockwall Technology Park, Phase III, City of Rockwall,
Rockwall County, Texas, being zoned Light Industrial (LI) District, located east of the intersection
10 of Corporate Crossing (FM-3097) and Discovery Boulevard, with staff recommendations.

12 Commissioner Nielsen seconded the motion.

14 A vote was taken and the motion passed 4-0.

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

- 18 ✓ Z2014-012: SUP for a Mini-Warehouse Facility [Approved]
19 ✓ Z2014-017: PD-74 Amendment [Approved]
20 ✓ SP2014-008: Heritage Buick, Pontiac & GMC [Denied]
21 ✓ SP2014-009: Patriot PAWS [Approved]
22

24 LaCroix briefed the Commission on the results of the above listed cases.

26 IV. ADJOURNMENT

28 The meeting adjourned at 6:36 p.m.

30 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 29th day of July, 2014.

32

34


~~Craig Rentfro, Chairman~~ Vice Chairman
John McCutcheon,

36 Attest:

38


JoDee Sanford, Planning Technician

40

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
July 29, 2014
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Craig Renfro at 6:00 p.m. with the following members present: Connie Jackson, Jonathan Lyons, John McCutcheon and Matthew Nielsen. Wendi Conley and Kristen Minth were not present.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, and David Gonzales. Additionally, Engineering Department staff member, Amy Williams, and Fire Department staff member, Ariana Hargrove, were in attendance.

II. CONSENT AGENDA

1. Approval of Minutes for the July 8, 2014 Planning and Zoning Commission meeting.

Chairman Renfro requested to pull the minutes from the Consent Agenda.

Commissioner Jackson made a motion to approve the minutes.

Commissioner Nielsen seconded the motion.

A vote was taken and the motion passed 5-0.

2. P2014-015

Discuss and consider a request by Tracy Fetty on behalf of the owner, Holly Britt, for the approval of a replat for Lot 1, Block A, Eye Care & Laser Management of Rockwall Addition, being a 1.55-acre parcel of land currently identified as Lot 1, Block A, Horizon Ridge Center, Phase 1 Addition, zoned Planned Development District 9 (PD-9) for general retail land uses, located at the southeast corner of Rockwall Parkway and FM-3097 [Horizon Ridge Road], and take any action necessary.

Commissioner Jackson made a motion to approve P2014-015, a request by Tracy Fetty on behalf of the owner, Holly Britt, for the approval of a replat for Lot 1, Block A, Eye Care & Laser Management of Rockwall Addition, being a 1.55-acre parcel of land currently identified as Lot 1, Block A, Horizon Ridge Center, Phase 1 Addition, zoned Planned Development District 9 (PD-9) for general retail land uses, located at the southeast corner of Rockwall Parkway and FM-3097 [Horizon Ridge Road].

Commissioner Lyons seconded the motion.

A vote was taken and the motion passed 5-0.

III. PUBLIC HEARINGS

3. Z2014-018

Hold a public hearing to discuss and consider a request by Karri Shojaei-Scott of the Marigold Learning Academy on behalf of the owner, Modern Pyramids, Inc., for the approval of a Specific Use Permit (SUP) to allow for a Day Care Facility on a 0.45-acre parcel of land identified as Lot 3-R, Block A, Washington Place Addition, zoned Downtown (DT) District, situated within the SH 66 Overlay (SH 66 OV) District, and located at 401 W. Washington Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Sanford explained that the applicant, Karri Shojaei-Scott, is requesting the approval of a Specific Use Permit (SUP) for the purpose of establishing a day care facility on the site. The property is zoned Downtown (DT) District. The Permissible Use Chart located in Article IV of the Unified Development

Code (UDC) allows for the establishment of a day care facility in the DT District through the approval of an SUP by the Planning & Zoning Commission and City Council.

In July 2012, the applicants were granted a SUP to allow for a daycare facility at a property located within PD-50. The applicants are requesting the new SUP in order to move the facility to a larger space that will allow them to build an indoor play area to use throughout the year.

The operational plan that was provided for the previous SUP is still applicable. Marigold Learning Academy is a private, for-profit day care facility that specializes in providing a stimulating learning environment for children ages 2½ through seven (7) that have been diagnosed with an autism spectrum disorder (i.e. Aspergers Syndrome, Autism, Pervasive Development Disorders [PDD] or Autism Spectrum Disorders [ASD]). The facility employs five (5) teachers/support staff and has a maximum capacity of 29 students. This allows a student to teacher ratio no greater than seven (7) students to one (1) teacher. The facility is state licensed and subject to all federal, state and local laws pertaining to child care facilities.

The subject property is adjacent to SH-66/Washington Street and is accessible by a one-way drive off of First Street as well as a two-way drive from Washington Street. According to Table 3, Parking Requirements Schedule, of Article VI of the UDC, a day care facility w/ more than seven (7) students is required to provide one (1) parking space per every 300 square feet of building area, and a drive with a minimum ability to cue four (4) cars to meet the loading requirements. The building is a 4,275 square feet structure which means fifteen (15) parking spaces are required. The site contains 25 parking spaces and provides sufficient space to cue four (4) vehicles for loading and unloading purposes.

A notice was published on July 17, 2014 in the Rockwall County News. Twenty-seven (27) notices were mailed to property owners of record as well as non-owner occupants within 500 ft. of the subject property. Staff is unaware of any HOA's within 1,500 ft. of the subject property; therefore, no HOA's were notified. At this time, one response has been received in favor of the request.

If the request for a Specific Use Permit is approved, the following conditions are offered:

- 1) The facility is not permitted to exceed an enrollment of 29 children or exceed the children to caregiver ratios as stipulated by the Texas Administrative Code.
- 2) The City Council reserves the right to review this Specific Use Permit request [Case No. Z2014-018] one year after the approval and adoption of the attached draft ordinance, and
- 3) Any construction or building necessary to complete 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.

Commissioner Nielsen asked about the flow of traffic on the property. Sanford stated that having two points of access should help with the flow of traffic.

Chairman Renfro opened the public hearing at 6:09pm.

Karri Shojaei-Scott
502 N. Goliad
Rockwall, Texas

Ms. Scott stated that the hours are 8:30 – 3:30pm and that parents do not enter the building during drop-off. The teachers go outside to get the children.

Chairman Renfro asked about the maximum capacity. Ms. Scott replied that the maximum is 29 children.

Additional discussion took place regarding the flow of traffic on the property.

As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:12pm.

Commissioner Nielsen made a motion to approve Z2014-018, a request by Karri Shojaei-Scott of the Marigold Learning Academy on behalf of the owner, Modern Pyramids, Inc., for the approval of a Specific Use Permit (SUP) to allow for a Day Care Facility on a 0.45-acre parcel of land identified as Lot 3-R, Block A, Washington Place Addition, zoned Downtown (DT) District, situated within the SH 66 Overlay (SH 66 OV) District, and located at 401 W. Washington Street, City of Rockwall, Rockwall County, Texas, with staff recommendations.

Commissioner Jackson seconded the motion.

A vote was taken and the motion passed 5-0.

4. Z2014-019

Hold a public hearing to discuss and consider a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as a Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Miller indicated that American Trooper is a 501c3 tax exempt organization that accepts tax deductible donations for the purpose of reselling these items in a retail store in order to raise funds to support the military and their families. They currently have retail and drop off locations in Bonham and Richardson, Texas. The letter provided by the applicant, Shenessa Coburn, states that it is the organization's intent to open up a general retail store that sells antiques and collectables on the subject property at 803 & 805 N. Goliad Street. The property is currently zoned Planned Development District 50 (PD-50) [Ordinance No. 07-29], which stipulates that all properties located within this district are subject to the land uses designated for the Residential Office (RO) District as specified by Permissible Use Charts located in Article 4, Permissible Uses, of the Unified Development Code (UDC). This section establishes that a General Retail Store land use requires a Specific Use Permit (SUP) within the Residential Office (RO) District. Additionally, Ordinance No. 07-29 specifically states that the Antique/Collectable Sales land use requires an SUP subject to certain conditions contained within Planned Development District 50 (PD-50).

Planned Development District 50 (PD-50) [Ordinance No. 01-53] was established in 2001 for the purpose of allowing property owners flexibility in regard to the use of their property, while also creating development standards that would maintain the historic nature of the district. The subject property was absorbed into the planned development in 2005 [Ordinance No. 05-35] with a City initiated zoning change intended to allow owner's, adjacent to the district, the same flexibilities with regards to use. The subject property is a 0.66-acre lot containing two (2) parcels of land addressed as 803 & 805 N. Goliad Street. Situated on 803 N. Goliad Street is a 1,738 SF single family home constructed ~1899.

The applicant has indicated that the proposed general retail store will be open Monday through Saturday from 10:00 A.M. to 6:00 P.M. The business will consist of the sale Antiques/Collectable that will include furniture, glassware, home décor, and accessories. The applicant's letter specifically states that they will not be accepting donations at this facility, and staff has placed a provision within the draft ordinance prohibiting this operation on the subject property. In addition, Ordinance No. 07-29 states that the sale of Antiques/Collectables shall be limited to a maximum of 2,000 SF, and cannot include the sale of clothing or appliances. The applicant has requested to sell new clothing as an accessory use to the sale of Antiques/Collectables. As part of the operational constraints contained within the SUP ordinance staff has included restrictions that limit the sale/display area for new clothing to an area not greater than 200 SF, and the sale of Antiques/Collectables to the area inside the current structure. Additionally, the SUP ordinance restricts outside storage and display to only the area on the front porch. A complete list of the operational constraints stipulated within the draft ordinance is located in the Recommendation section below.

If the City Council chooses to approved the applicant's request a site plan showing conformance to all the development constraints contained within Planned Development District 50 (PD-50) shall be required to be approved by the Planning and Zoning Commission, and City Council if necessary. This submittal will include the parking layout and landscaping plan being proposed for the subject property.

On July 18, 2014, staff mailed 97 notices to property owners within 500-feet of the subject property. Additionally, staff posted a sign adjacent to N. Goliad Street as required by the Unified Development Code (UDC). At the time this case memo was drafted staff had received one (1) notice in favor of the applicant's request and two (2) notices stating concerns about the use, traffic and the parking areas, but not indicating support or opposition to the applicant's request.

City staff has no knowledge of any Homeowner's Associations or Neighborhood Organizations located within 1,500-feet of the subject property.

If the Planning & Zoning Commission and City Council choose to approve the applicant's request for a Specific Use Permit (SUP) for Antique/Collectable Sales in conjunction with a general retail store on the subject property then staff would recommend the following conditions of approval:

- 1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the approved SUP ordinance and summarized as follows:
 - (a) Prior to the issuance of a Certificate of Occupancy (CO) a site plan shall be submitted and approved by the Planning and Zoning Commission, and if necessary City Council.
 - (b) The Antique/Collectable Sales use shall be limited to the boundaries of the existing structure as depicted in the survey and floor plan [Exhibit 'A' & 'B' of the SUP ordinance], and will require the approval of City Council, upon a recommendation by the Planning and Zoning Commission, to be expanded.
 - (c) The sale of used clothing and new/used appliances shall be prohibited.
 - (d) The sale of new clothing shall be limited to an area not to exceed 200 SF in total area.
 - (e) Individual lease space or consignment sales shall be prohibited.
 - (f) The "drop off" of donations and/or sales items by the general public shall be prohibited.
 - (g) No outside storage shall be permitted on the subject property.
 - (h) Outdoor sales and display shall only be permitted in areas designated on a site plan and shall be subject to the following conditions:
 - i. Outdoor sales and display shall not exceed five (5) percent of the total enclosed floor area of the primary structure.
 - ii. Outdoor sales and display shall not be permitted to be located within any portion of the parking lot.
 - iii. Outdoor sales and display shall be located underneath a covered area or be immediately adjacent to or connected to the primary structure.
- 2) In conformance with the requirements of Planned Development District 50 (PD-50) [Ordinance No. 07-29] the applicant shall be required to submit a site plan prior to the issuance of a building permit;
- 3) Unless specifically addressed within this case memo or operational ordinance, the site plan shall comply with all the requirements of Planned Development District 50 (PD-50) [Ordinance No. 07-29];
- 4) The applicant shall comply with all Planning, Engineering and Fire comments prior to the approval of the Specific Use Permit (SUP);
- 5) The City Council reserves the right to review this SUP request [Case No. Z2014-019] one (1) year after the approval and adoption of the SUP ordinance; and

- 6) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, 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.

Chairman Renfro opened the public hearing at 6:22pm.

Shanessa Coburn
American Trooper

Ms. Coburn gave a brief presentation regarding the request.

Gino Attardi
1519 Timber Ridge Dr.
Rockwall, Texas

Mr. Attardi stated that there is a large military population within the Rockwall area. Ms. Coburn's business has helped these individuals financially.

Debbie Wines
310 Williams St.
Rockwall, Texas

Ms. Wines stated that she works with the military and restated their financial need. She stated her support for the request.

Carlos and Monica Guevara
802 N. Alamo
Rockwall, Texas

Mr. Guevara stated that they are not opposed to the request; however, he is next door and concerned regarding parking, traffic, and lighting.

Ms. Coburn stated that they do plan on having a parking lot and they will put up a fence to screen the parking. Additionally, she stated that she will work with the neighbors.

As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:26pm.

Commissioner Jackson made a motion to approve Z2014-019, a request by Shanessa Coburn of American Trooper on behalf of the owner, Scott Milder, for the approval of a Specific Use Permit (SUP) to allow an antiques/collectables and general retail store in Planned Development District 50 (PD-50) for a 0.66-acre lot of land containing two (2) parcels of land identified as a Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, City of Rockwall, Rockwall County, Texas, with staff recommendations.

Commissioner McCutcheon seconded the motion.

A vote was taken and the motion passed 5-0.

IV. ACTION ITEMS

The commission moved to Item No. 8 and asked the ARB Chairman to come forward to discuss the board's recommendations.

Mr. Julien Meyret stated that they board reviewed a warehouse. The board asked for a few changes to the design of the building to give the north elevation a more modern look while keeping the rustic design.

5. MIS2014-010

Discuss and consider a request by Randy and Dianne Almon 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 [Ordinance No. 04-38], for a 0.14-acre parcel of land identified as Block 48B, B. F. Boydston Addition, zoned Single Family 7 (SF-7) District, addressed as 213 Clark Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Gonzales stated that the applicants, Randy and Dianne Almon, are requesting a waiver to the 80% masonry requirement for a residential home to allow for the exterior cladding to contain up to a 100% cementaceous lap siding product (e.g. HardiPlank lap siding, etc.) on a newly constructed and approximately 1300 sq. ft. home. The property is located at 213 S. Clark St and is zoned SF-7. The purpose of the request is to maintain a visible aspect of lap siding that is consistent with the surrounding properties.

The Unified Development Code, under Section 3.1(A), General Residential District Standards reads as follows:

1. ..."Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement. Buildings with less than 80 percent shall require approval of the planning and zoning commission."

The code further states:

3. 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 material samples.

The applicant has recently purchased the property and is providing a letter requesting the exception and has a conceptual elevation of the home to be built for your review.

Should the request be approved, staff would offer the following conditions of approval:

1. Submittal and approval of a building permit.

Commissioner McCutcheon asked if there are plans for a separate garage. Gonzales stated that the applicants to plan on having a separate garage.

Commissioner Jackson made a motion to approve MIS2014-010, a request by Randy and Dianne Almon 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 [Ordinance No. 04-38], for a 0.14-acre parcel of land identified as Block 48B, B. F. Boydston Addition, zoned Single Family 7 (SF-7) District, addressed as 213 Clark Street, City of Rockwall, Rockwall County, Texas, with staff recommendations.

Commissioner McCutcheon seconded the motion.

A vote was taken and the motion passed 5-0.

6. SP2014-010

Discuss and consider a request by Matt Callan of Corgan Associates, Inc. on behalf of the owner, Rockwall Regional Hospital, LLP, for the approval of a site plan for a medical office building on a 1.8907-acre parcel of land identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 9 (PD-9), located along Horizon Road [FM-3097] southeast of the intersection of Horizon Road [FM-3097] and Rockwall Parkway, and take any action necessary.

After receiving direction from the Architectural Review Board (see recommendations below), the proposed elevations for the medical office building addresses verticality by incorporating raised walls for each corner element as well as providing a raised element at the main entrance and finishing the parapet with a flat overhanging cap. These particular treatments provide the necessary screening of roof-top equipment (RTU's) from adjacent properties and the rights-of way. The applicant has also added metal awnings with tie backs at each entrance and has included a Porta Cochere to be located at

the main drop off area. The canopies provide an additional articulated treatment to the buildings' façade creating interest for the facility.

The applicant has provided color elevations and a rendering indicating the proposed MOB to be very well articulated both vertically and horizontally. The buildings' elevation consists of Norstone XL Rock Panel Ochre Blend, Texas cream split face block, White Rock burnished block, and stucco.

The building elevations generally meet (or exceeds) the intent of PD-9 and the UDC as submitted.

The applicant will be seeking an exception to the exterior material requirements to allow for stucco located within the first eight (8) feet above grade on facades visible from a street or public area. Based on the applicants' elevations, stucco is present on the tower elements and incorporated in other areas of the buildings' design providing a balance to the remaining materials and overall appearance of the facility.

Under Sec. 4.1, General Commercial District Standards, the UDC provides as follows:

A. Construction materials.

1. Exterior walls. Each exterior wall shall consist of 90 percent masonry materials as defined in article XIII, Definitions, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20 percent stone.

All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by the building official) shall be limited to 50 percent of the building's exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first eight feet above grade on a facade visible from a street or public area.

Exceptions to this requirement may be permitted on a case by case basis by the council upon submission and approval of elevation drawings of the subject structure and material samples.

On July 29, 2014, ARB recommended approval of the applicant's request with no additional recommendations.

Should the request be approved, staff would offer the following conditions:

1. Adherence to Engineering and Fire Department standards.
2. Submittal and approval of a replat prior to issuance of a building permit.
3. Consideration of the recommendations forwarded to the Planning and Zoning Commission by the Architectural Review Board.
4. All signage requires submittal and approval of a separate permit through the Building Inspections Department; including meeting distance requirements from other signs and the total number of signs allowed for this site.

Commissioner McCutcheon made a motion to approve SP2014-010, a request by Matt Callan of Corgan Associates, Inc. on behalf of the owner, Rockwall Regional Hospital, LLP, for the approval of a site plan for a medical office building on a 1.8907-acre parcel of land identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 9 (PD-9), located along Horizon Road [FM-3097] southeast of the intersection of Horizon Road [FM-3097] and Rockwall Parkway, with staff recommendations.

Commissioner Lyons seconded the motion.

A vote was taken and the motion passed 5-0.

7. SP2014-014

Discuss and consider a request by Matthew Alexander on behalf of the Rockwall Downes Development, LLC for the approval of a Site Plan for Phases 1, 2 & 3 of the Rockwall Downes Subdivision, containing 89 single family lots on a 35.651-acre tract of land situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.

The purpose of the applicant's request is to site plan 89 single family, residential lots on a 35.651-acre tract of land for the construction of a single-family subdivision. The proposed 89 single-family lots will be broken down into three (3) phases with Phase 1 containing 34 lots, Phase 2 containing 29 lots, and Phase 3 containing 26 lots. Each single-family lot will have a minimum lot size of 55' x 110' (or 6,050 SF). The proposed layout depicted in the site plan generally conforms to the Preliminary Plat (P2013-035) and Master Plat (P2013-034) that were approved last year.

The subject property is zoned Planned Development District 10 (PD-10), which designates the subject property for townhouse or single family detached uses. According to Ordinance No. 04-25 the development standards for single family detached uses are as follows:

According to Ordinance No. 04-25 all "(l)ots which are 55-feet or more in width and contain a front-loaded garage must set back the face of the garage at least three (3) feet from the nearest front corner of the house, or have a "pass-through" drive to a garage toward the rear of the property." The applicant has provided a letter requesting the City Council grant a variance to this requirement in order to allow the garage of the homes to be even with the front façade in order to accommodate the builder's existing product. Elevations and floor plans of the proposed housing product have been provided in the packet for review.

A Tree Mitigation Plan submitted by the applicant indicates the removal of 23-inches of tree with a total mitigation requirement of 23-inches. Staff has determined that the required mitigation is more than satisfied by the landscaping plan provided by the applicant, which proposes planting 66, four (4) inch caliper canopy trees and 89, six (6) foot tall accent trees.

On November 5, 2013 the Parks Board reviewed the master plat and preliminary plat and made the following recommendations:

1. The developer provides a ten (10') foot sidewalk and trail rest stop along John King Boulevard per the recommendations of the John King Boulevard Design Concept Plan contained in the Comprehensive Plan. The site plan depicts the addition of a 10-foot sidewalk adjacent to John King Boulevard. Additionally, the site plan also indicates that a private rest stop will be incorporated within the private park and elevations depicting the proposed rest stop have been provided in the detail pages provided with the submittal.

2. The developer pay the remaining pro-rata equipment fees required for Parks District No. 25 in the amount of \$187,500.00. This was part of the development agreement adopted by Ordinance No. 04-25 and contained within Planned Development District 10 (PD-10). The cost of improvements within the private open space/parkland, the ten (10) foot sidewalk and tail rest stop will be credited towards meeting the required pro-rata equipment fee.

3. The proposed five (5) acres of private parkland shall be accepted and satisfy the remaining parkland dedication requirements contained in Ordinance No. 04-25 for private open space/park land. This private open space/parkland shall be maintained by the Homeowner's Association (HOA); however, the HOA shall not be responsible for the maintenance of the proposed ten (10) foot sidewalk or trail rest stop.

If the Planning & Zoning Commission and City Council choose to approve the Site Plan for the Rockwall Downs Subdivision staff would recommend the following conditions:

- 1) The Site Plan shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments. Specifically, the Site Plan should meet the following conditions:

- a) Fire Department. Two (2) means of fire apparatus access shall be provided for developments of one or two-family dwellings where the number of dwelling units exceeds 30. Where there are more than 30

dwelling units on a single public or private fire apparatus access road and all dwelling units can be equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required. Currently, Phase 1 does not have two (2) means of fire apparatus access and exceeds 30 units.

2) A Final Plat shall be required to be submitted prior to the issuance of any building permits for this project;

3) No signage shall be located within a required visibility easement;

4) The development shall conform to the recommendations made by the Parks Board for the Preliminary Plat (Case No. P2013-035) Master Plat (Case No. P2013-034); and,

5) Any construction resulting from the approval of this Site Plan shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), 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.

Commissioner Nielsen confirmed that the board needs to consider the variance request.

Chairman Renfro asks for the purpose of the variance request. Discussion took place regarding the variance request.

Commissioner Jackson stated her concern with only 7 home designs.

Joe Grubbs
403 S. Tennessee
McKinney, Texas

Mr. Grubbs stated that he is here regarding the landscaping portion only.

Commissioner Jackson made a motion to table SP2014-014, a request by Matthew Alexander on behalf of the Rockwall Downes Development, LLC for the approval of a Site Plan for Phases 1, 2 & 3 of the Rockwall Downes Subdivision, containing 89 single family lots on a 35.651-acre tract of land situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, until the August 12, 2014 meeting.

Commissioner McCutcheon seconded the motion.

A vote was taken and the motion passed 5-0.

V. APPOINTMENTS

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

Item was discussed prior to Item No. 5 on the Agenda.

VI. DISCUSSION ITEMS

9. MIS2014-009
Hold a public hearing to discuss and consider a City initiated request to amend the Future Land Use Map contained within the Comprehensive Plan, and take any action necessary.

LaCroix briefly discussed the case and explained the location of the properties.

10. Z2014-020
Hold a public hearing to discuss and consider a request by Bobby and Kimberly Fritts 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 0.31-acre property identified as Lot 27, Block C of the Lyden Park Estates, Phase 4 Addition, zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Sanford explained the location of the property and described the request.

11. Z2014-021

Hold a public hearing to discuss and consider a request by Jill Blase for the approval of an amendment to Specific Use Permit (SUP) No. S-88 [Ordinance No. 11-44] to incorporate an additional 2.96-acre tract of land into the SUP for the purpose of providing additional parking in conjunction with the existing urban farm; the subject property is identified as a 16.26-acre tract of land composed of Lot 1, Block S of the Preserve, Phase 3, Tract 11-3 of the N. Butler Survey, Abstract No. 21, and Tracts 11-3 & 12 of the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 3 (PD-3), Planned Development District 41 (PD-41), and Single Family 10 (SF-10) District, generally located at the northeast corner of the intersection of N. Lakeshore Drive and East Fork Drive, and take any action necessary.

Miller described the request and explained the location of the property.

12. Z2014-022

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary.

Miller explained the case and the purpose of the request.

Some discussion took place regarding the request.

13. P2014-016

Discuss and consider a request by Rob Whittle on behalf of the Caruth Lake Development Corporation for the approval of a final plat for Lots 1 & 2, Block A, Caruth Lake Phase 1B Addition, currently identified as a 0.798-acre tract on land situated within the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for residential land uses, located on the south side of Midnight Pass, west of the intersection of Midnight Pass and N. Fannin Street, and take any action necessary.

Sanford discussed the case and explained the location of the property.

14. SP2014-016

Discuss and consider a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the approval of a site plan for a retail/office building on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Miller described the request and detailed the location of the property.

15. SP2014-017 (David)

Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of the owner Rick Sharp for the approval of a site plan for a warehouse facility on a 1.10-acre portion of a larger 6.22-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46), situated within the SH-276 Overlay (SH-276 OV) District, located on the south side of Springer Road, east of the intersection of Springer Road and Corporate Crossing [FM-3549], and take any action necessary.

Gonzales indicated the location of the property and described the request.

16. SP2014-018

Discuss and consider a request by Scott Lay on behalf of Lay Construction, LLC for the approval of a site plan for a Dairy Queen restaurant on a 2.0638-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

Gonzales explained the request and described the location of the property.

17. SP2014-019

Discuss and consider a request by Lynsey Ondecker of Glaus, Pyle, Schomer, Burns & DeHaven, GPD on behalf of the owner, Travel Centers of America, for the approval of an amended site plan for the purpose of remodeling the exterior façade of the existing truck stop, which is located on a 13.167-acre parcel of land identified as Lot 3, Block A, Travel Centers of America Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the SH-205 Overlay (SH-205 OV) District, addressed as 2105 S. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Sanford indicated the location of the property and described the request.

18. SP2014-020

Discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveying, LLC on behalf of the owner R. D. Vanderslice for the approval of a site plan for an office building on a 0.30-acre parcel of land identified as Lot 1, Block A, Adams Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 911 N. Goliad Street, and take any action necessary.

Gonzales discussed the case and explained the location of the property.

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


- ✓ Z2014-015: SUP for an Accessory Building (921 Alamo Road) [Approved]
- ✓ MIS2014-008: LRE Exception for a Manufactured Home (312 Rene Drive) [Approved]
- ✓ SP2014-011: Variances for Channell Development [Approved]
- ✓ SP2014-012: Variances for Col-Met Spray Booths Development [Approved]

LaCroix briefly updated the Commission on the above listed cases.

VII. ADJOURNMENT

The meeting adjourned at 7:30 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 9th day of September, 2014.



Craig Renfro, Chairman

Attest:



JoDee Sanford, Planning Technician

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
August 12, 2014
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Craig Renfro at 6:00 p.m. with the following members present: Wendi Conley, Connie Jackson, Jonathan Lyons, and John McCutcheon. Kristen Minth and Matthew Nielsen were not present.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff member, Tim Tumulty and Fire Department staff member, Ariana Hargrove, were in attendance

II. CONSENT AGENDA

1. P2014-016

Discuss and consider a request by Rob Whittle on behalf of the Caruth Lake Development Corporation for the approval of a final plat for Lots 1 & 2, Block A, Caruth Lake Phase 1B Addition, currently identified as a 0.798-acre tract on land situated within the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for residential land uses, located on the south side of Midnight Pass, west of the intersection of Midnight Pass and N. Fannin Street, and take any action necessary.

Commissioner Jackson made a motion to approve the Consent Agenda.

Commissioner Lyons seconded the motion.

A vote was taken and the motion passed 5-0.

III. PUBLIC HEARINGS

2. MIS2014-009

Hold a public hearing to discuss and consider a City initiated request to amend the Future Land Use Map contained within the Comprehensive Plan, and take any action necessary.

LaCroix explained that the City received a request from the Old Town Rockwall Neighborhood Association to change the Future Land Use Map to remove four lots along the south side of Williams Street west of Kernodle Street from being designated as downtown district to medium density residential. These properties include 304, 306, 308 and 310 Williams Street.

Since the 2012 update of the Comprehensive Plan, the City has also approved several zoning changes that essentially have amended the Future Land Use Plan. Those changes include the following: (see attached map)

1. Townsend Village (high density residential to commercial) Townsend @ SH 276
2. Breezy Hills (commercial to medium density residential) John King @ FM 552
3. 7-11 Addition (high density residential to commercial) John King @ SH 276
4. Bricker property (medium density residential to commercial) Airport Road
5. Ranch Trail (medium density residential to commercial) Ranch Trail @ Co. Line Rd
6. Ridge Road (medium density residential to commercial) Cain property
7. Old Town Rockwall Neighborhood request on Williams Street

Historically the City has delayed making amendments to the Future Land Use Plan until the Council feels it needs to update or completely revise the existing Comprehensive Plan. However, the Texas Local Government Code Chapter 213 allows a municipality to adopt or amend its comprehensive plan, and by charter, the municipality may establish procedures for adopting and amending a comprehensive plan. This would include amending the Future Land Use Plan. The following procedures from the City's charter will allow for amending the Future Land Use Plan:

Sec. 9.03. Master Plan.

2 The existing Master Plan for the physical development of the City contains recommendations for
the growth, development and beautification of the City and its extraterritorial jurisdiction.
4 Recommended changes to the Master Plan must be submitted to the City Manager after the
Planning and Zoning Commission holds at least one public hearing on the proposed change.

6
8 At the July 7, 2014 City Council Meeting, the Council directed staff to begin the process of
amending the Future Land Use Plan. The amendments to include the lots located on Williams
Street in addition to those zoning changes that have effectively changed the Future Land Use Plan.

10
12 Chairman Renfro asked for clarification on the initial request to change the future land use plan for
the 4 properties on Williams Street. LaCroix explained the history of this area.

14 Some discussion occurred regarding the effects of the change.

16 Chairman Renfro opened the public hearing at 6:12pm.

18 Carol Crow
504 Williams
20 Rockwall, Texas

22 Ms. Crow stated that she was told that these properties were put into the district in error. She is in
support of the change to the Future Land Use Plan.

24
26 Patrick Trowbridge
601 Parks Ave
Rockwall, Texas

28 Mr. Trowbridge stated his support of the change to the Future Land Use Plan.

30
32 Pat May
308 Williams
Rockwall, Texas

34 Ms. May stated she lives in one of the properties being discussed and she is in support of the
36 change to the Future Land Use Plan.

38 Debby Wines
310 Williams St.
40 Rockwall, Texas

42 Ms. Wines stated that she lives in one of the properties on Williams Street and she supports the
change to the Future Land Use Plan regarding her property.

44 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:36pm.

46 Some discussion took place over the how the property owners were notified.

48
50 Commissioner Lyons made a motion to approve MIS2014-009, a City initiated request to amend the
Future Land Use Map contained within the Comprehensive Plan, with staff recommendations.

52 Commissioner McCutcheon seconded the motion.

54 A vote was taken and the motion passed 5-0.

56 3. Z2014-020

58 Hold a public hearing to discuss and consider a request by Bobby and Kimberly Fritts for the
approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the minimum
60 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 0.31-
acre property identified as Lot 27, Block C of the Lyden Park Estates, Phase 4 Addition, zoned
62 Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall,
Rockwall County, Texas, and take any action necessary.

2 Sanford stated that the applicants, Bobby and Kimberly Fritts, are requesting a Specific Use Permit
4 (SUP) to allow for a carport that does meet the garage setback requirements. The subject property
6 is zoned Planned Development District 17 (PD-17) with an underlying zoning of Single-Family
8 Residential (SF-7) District. According to the UDC, the required "minimum length of driveway
10 pavement from the public right-of-way for rear and side yard[s]" is 20 feet. The proposed carport
12 will stand approximately ten (10') feet in total height, and have a building footprint of 22 feet by 18
14 feet, or 396 square feet. The structure will be situated directly adjacent to the western building
façade of the primary structure at the existing garage. The proposed carport will be setback ten
(10') feet from the side yard (northern) property line and seven (7') feet from the rear yard property
line. Section 2.1.2(2) [Carports] of Article IV states that carports that are visible from a public street
should be constructed of materials that match the primary residence; however, in this case, the
carport is located behind the existing residence and not visible from the street. The applicants are
proposing to use powder-coated steel beams and an aluminum roof for the structure.

16 According to Article IV of the UDC, carports are allowed by right in a Single Family-7 (SF-7) District
18 pending they meet the requirements stipulated in the Section 2.1.2 of Article IV. Section 2.1.2(1)
[Carports] of Article IV states that carports are required to meet the garage setback adjacent to an
20 alley. As mentioned the proposed carport will be directly adjacent to the garage and will be setback
22 seven (7') feet from the alley rather than the required twenty (20') feet for a residence within a SF-7
District. Section 2.1.2(3) [Carports] of Article IV allows for carports not meeting this standard to be
approved through a Specific Use Permit.

24 A notice was published on July 31, 2014 in the Rockwall County News. Seventy three (73) notices
26 were mailed to property owners of record as well as non-owner occupants within 500 ft. of the
subject property. Additionally, the Lynden Park HOA was notified. Staff is unaware of any other
28 HOA's within 1,500 ft. of the subject property. At the time of this report, three responses have been
received with two (2) in favor and one (1) opposed to the request.

30 If the Planning & Zoning Commission and City Council choose to approve the applicant's request
32 for a SUP to allow for a carport that does not meet the garage setback requirements, staff
recommends the following conditions:

- 34 1) Prior to the construction of the carport the applicant will need to apply for a Building Permit
from the Building Inspections Division.
- 36 2) Any construction or building allowed by this request must conform to the requirements set forth
38 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
40 regulatory requirements administered and/or enforced by the state and federal government.

42 Chairman Renfro opened the public hearing at 6:44pm.

44 Bob Fritts
109 Weston Court
Rockwall, Texas

46 Mr. Fritts stated that they no longer have a garage due to closing the garage in so as to move his in
48 laws to care for them.

50 Diana Settimie
3206 Market Center Dr.
52 Rockwall, Texas

54 They spoke in favor of the request and noted that the applicants have done a great job with the
56 previous renovations to their home.

58 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:47pm.

60 Commissioner Jackson made a motion to approve Z2014-020, a request by Bobby and Kimberly
Fritts for the approval of a Specific Use Permit (SUP) to allow for a carport that does not meet the
62 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 0.31-acre property identified as Lot 27, Block C of the Lyden Park Estates, Phase 4 Addition,

2 zoned Planned Development District 17 (PD-17), addressed as 109 Weston Court, City of Rockwall,
3 Rockwall County, Texas, with staff recommendations.

4 Commissioner McCutcheon seconded the motion.

6 A vote was taken and the motion passed 5-0.

8 4. Z2014-021

10 Hold a public hearing to discuss and consider a request by Jill Blase for the approval of an
12 amendment to Specific Use Permit (SUP) No. S-88 [Ordinance No. 11-44] to incorporate an
14 additional 2.96-acre tract of land into the SUP for the purpose of providing additional parking in
16 conjunction with the existing urban farm; the subject property is identified as a 16.26-acre tract of
18 land composed of Lot 1, Block S of the Preserve, Phase 3, Tract 11-3 of the N. Butler Survey,
Abstract No. 21, and Tracts 11-3 & 12 of the A. Hanna Survey, Abstract No. 98, City of Rockwall,
Rockwall County, Texas, zoned Planned Development District 3 (PD-3), Planned Development
District 41 (PD-41), and Single Family 10 (SF-10) District, generally located at the northeast corner
of the intersection of N. Lakeshore Drive and East Fork Drive, and take any action necessary.
(Applicant has requested to withdraw this case.)

20 Miller indicated that the applicant has requested to withdraw the case.

22 IV. ACTION ITEMS

24 5. SP2014-014

26 Discuss and consider a request by Matthew Alexander on behalf of the Rockwall Downes
28 Development, LLC for the approval of a Site Plan for Phases 1, 2 & 3 of the Rockwall Downes
30 Subdivision, containing 89 single family lots on a 35.651-acre tract of land situated within the J. M.
Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Planned Development
32 District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located
34 adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action
36 necessary.

38 Chairman Renfro stated that this item has been rescheduled to the August 26th meeting.

40 6. SP2014-016

42 Discuss and consider a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the
44 approval of a site plan for a retail/office building on a 0.53-acre parcel of land identified as Lot B,
46 Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential
48 Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District,
50 addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action
52 necessary.

54 Miller stated that the subject property is a 0.53-acre parcel of land located at 406 N. Goliad Street
56 zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses. Existing
58 on the property is a 2,074 SF single family home that was constructed in the 1950's and has two (2)
60 attached covered porches (96 SF and 120 SF). Also attached to the home is a 96 SF breezeway that
62 connects the main structure to a 640 SF garage. Currently, the applicant is in the process of
64 remodeling the home for the purpose of converting the use from a single family residence to either
an office, retail store, restaurant or combination thereof. According to PD-50 [Ordinance No. 07-29]
all properties within the district shall be subject to site plan review if changing to a use other than
single family residential.

With regard to the uses identified by the applicant, all would be permitted within a Residential-Office
(RO) District with a few additional restrictions. For example, all restaurants within the district
require a Specific Use Permit (SUP) and are limited to 2,000 SF or less. As part of the remodel, the
applicant has enclosed the breezeway and converted the garage creating a total air-conditioned
space of 2,810 SF. This would mean that the occupancy load or floor area permitted to be used for
a restaurant could be restricted within the operational ordinance as part of the SUP process. In
addition, a general retail store would also require a SUP within PD-50 and carry additional
restrictions pertaining to what merchandise can be sold. For example, the sale of antiques and
collectables is limited to 2,000 SF, and the sale of new or used clothing or appliances is prohibited
by Ordinance No. 07-29. Office uses are generally permitted *by-right* in PD-50 as long as the
structure is less than 5,000 SF.

2 **Ordinance No. 07-29** states that the parking requirements for a property within the zoning district
4 shall be as set forth in Article VI, *Parking Loading*, of the Unified Development Code, with the
6 exception of professional office uses which shall be required one (1) parking space per 500 SF of
8 building area. The following is a breakdown of the parking requirements for the potential uses
10 identified by the applicant:

12 **Required Parking @ 2,810 SF**

14 Restaurant (1/100 SF up to 2,000 SF): 20 Parking Spaces
16 Restaurant (1/100 SF w/out Use Restrictions): 28 Parking Spaces
18 Retail Store (1/250 SF up to 2,000 SF): 8 Parking Spaces
20 Retail Store (1/250 SF): 11 Parking Spaces
22 Office (1/500 SF): 6 Parking Spaces

24 On the site plan the applicant has indicate 26 parking spaces along the side and rear property lines,
26 with room to add one (1) to two (2) more spaces adjacent to the 24-foot public access easement
28 along the southern property line. This would be sufficient parking for any use proposed by the
30 applicant; however, it should be noted that despite the site plan the applicant is only required to
32 pave the number of parking spaces required for the proposed use.

34 With the proposed site plan, the remainder of the *Public Access Easement* adjacent to the northern
36 property line will be dedicated and a new drive/access easement will loop around the rear of the
38 property and along the side, and connect to N. Goliad Street. This will provide an additional access
40 point for properties within the district and provide for increased circulation for the subject property
42 and adjacent properties.

44 The proposed site plan meets all the technical criteria required by the UDC and PD-50 [*Ordinance*
46 *No. 07-29*]. If approved by the Planning and Zoning Commission the applicant shall be required to
48 replat the property prior to the issuance of a Certificate of Occupancy (CO). Additionally,
50 depending on the use identified by the applicant a SUP could be required prior to a replat.

52 If the Planning & Zoning Commission chooses to approve the applicant's request then staff would
54 recommend the following conditions of approval:

- 56 1) All comments provided by the Planning, Engineering and Fire Department must be addressed
58 prior to the submittal of a Certificate of Occupancy (CO);
- 60 2) Any development or redevelopment of this property shall be required to meet the requirements
62 of PD-50 [*Ordinance No. 07-29*] and the North Goliad Corridor Overlay (NGC OV) District;
- 64 3) Prior to the issuance of a Certificate of Occupancy (CO) a replat shall be approved by the City
66 Council;
- 68 4) Approval from the Texas Department of Transportation (TxDOT) shall be required for the drive
70 approach off of N. Goliad Street; and,
- 72 5) Any construction or building necessary to complete this *Site Plan* request must conform to the
74 requirements set forth by the UDC, the 2009 International Building Code, the Rockwall Municipal
76 Code of Ordinances, city adopted engineering and fire codes and with all other applicable
78 regulatory requirements administered and/or enforced by the state and federal government.

80 Commissioner McCutcheon made a motion to approve SP2014-016, a request by Caprice Michelle
82 of Rockwall's Rustic Ranch, LLC for the approval of a site plan for a retail/office building on a
84 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned
86 Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the
88 North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of
90 Rockwall, Rockwall County, Texas, with staff recommendations.

92 Commissioner Jackson seconded the motion.

94 A vote was taken and the motion passed 5-0.

96 7. SP2014-017

98 Discuss and consider a request by Greg Wallis of Mereshawn Architects on behalf of the owner Rick
100 Sharp for the approval of a site plan for a warehouse facility on a 1.10-acre portion of a larger 6.22-
102 acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County,
104 Texas, zoned Planned Development District 46 (PD-46), situated within the SH-276 Overlay (SH-

276 OV) District, located on the south side of Springer Road, east of the intersection of Springer Road and Corporate Crossing [FM-3549], and take any action necessary.

Gonzales explained that Greg Wallis of Mershawn Architects has submitted an application on behalf of the property owner, Rick Sharp, for site plan approval of a 5,000 sq. ft. warehouse facility. The proposed building is to be located on a 1.10-acre portion of a larger 6.22-acre parcel of land that will front Springer Road. The lot is zoned PD-46 and identified to be within the SH-276 Overlay (SH-276 OV) District and is subject to the standards established within this district.

The site's single ingress/egress point will be from Springer Road by way of a 24-ft public access easement and dead-end firelane. The parking ratio for a warehouse facility is one (1) parking space per 1,000 sq. ft., which will require five (5) parking spaces. Based on the proposed site plan, the applicant will meet the City's standards for parking.

The site plan generally meets or exceeds the intent of the SH-276 OV and the UDC.

Although the property is within the SH-276 OV, it fronts Springer Road and therefore is not subject to the landscape standards established for this overlay district; however, the applicant is providing a 10-ft landscape buffer as required by the UDC. The landscape buffer will contain five (5) large canopy trees (2 Burr Oak and 3 Live Oak trees), two (2) accent trees (2 Red Bud trees) along with several Boxwood shrubs. In addition to the landscaping provided within the ten (10) foot landscape buffer the applicant will also be providing six (6) accent trees (2 Red Bud and 4 Mexican Plum trees) and an assortment of Indian Hawthorne and Boxwood bushes adjacent to the building. At the rear of the property the applicant has incorporated three (3) Live Oak trees to satisfy the requirements of the SH-276 OV. The landscape plan shows 72% landscaping coverage and exceeds the required minimum percentage for a commercial district.

The treescape plan provided by the applicant shows that no trees will be removed and therefore no mitigation will be required.

The photometric plan generally meets or exceeds the intent of the SH-276 OV and the UDC.

The proposed 5,000 sq. ft. building will be composed primarily of brick on the south, east, and west elevations, and be accentuated by a soldier course banding. The brick will also be incorporated as a banding element on the front façade. The remainder of the front façade will be composed of an Austin Limestone and be visually divided by a metal roof awning supported stone columns. The stone columns will be connected through archways that are accented with a brick soldier course. The overall height of the building will be 20-ft, which is in conformance with the Commercial district's height restrictions. The building will be designed with a flat roof, which will require a variance per the requirements of the SH-276 OV.

With the exception of the requested variance, the building elevations meet the intent of the SH-276 OV and the UDC.

The applicant is requesting the following variances:

- 1) The SH-276 OV district requires that all buildings less than 6,000 sq. ft. incorporate a pitched roof. The proposed warehouse building is designed utilizing a flat roof. *In accordance with Sec. 6.14, SH-276 OV District, of the UDC approval of this variance will require a three-quarter majority vote of those city council members present with a minimum of four affirmative votes.*
- 2) The General Commercial district standards require a minimum horizontal and vertical articulation that the current building design is not meeting along the east and west building elevations. *Per the requirements of the UDC a simple majority vote will be required to approve this variance.*

On July 29, 2014, the Architectural Review Board (ARB) reviewed the applicant's request and made the following recommendations:

1. The applicant should incorporate a simpler, less heavy porch design that is more horizontal and/or that incorporates less pitch in the proposed roof.
2. The mass of the porch supports should be increased to better blend with the mass of the building.

- 2 3. The brick band at the top of the building should be repeated in the location of the second (stone) band, adjacent to the current porch location.

4 The applicant has addressed all of the ARB's recommendations and incorporated them into the revised building elevations.

6 If approved, staff would offer the following conditions:

- 8 1. Adherence to all engineering and fire department standards.
10 2. The applicant will need to resubmit a site plan that indicates the location of the detention area.
12 3. Submittal and approval of a final plat prior to issuance of a Certificate of Occupancy.
14 4. Approval of the variances requested by City Council.

14 **Wayne Mershawn with Mershawn Architects**

16 **Mr. Mershawn stated that they have worked with staff and the ARB to reach an agreement and he is seeking approval at this time.**

18 Commissioner Jackson made a motion to approve SP2014-017, a request by **Greg Wallis of Mershawn Architects on behalf of the owner Rick Sharp for the approval of a site plan for a warehouse facility on a 1.10-acre portion of a larger 6.22-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46), situated within the SH-276 Overlay (SH-276 OV) District, located on the south side of Springer Road, east of the intersection of Springer Road and Corporate Crossing [FM-3549], with staff recommendations.**

26 Commissioner Lyons seconded the motion.

28 A vote was taken and the motion passed 5-0.

30 8. SP2014-018

32 Discuss and consider a request by Scott Lay on behalf of Lay Construction, LLC for the approval of a site plan for a Dairy Queen restaurant on a 2.0638-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

38 Chairman Renfro announced that this item would be discussed at the August 26th meeting.

40 9. SP2014-019

42 Discuss and consider a request by Lynsey Ondecker of Glaus, Pyle, Schomer, Burns & DeHaven, GPD on behalf of the owner, Travel Centers of America, for the approval of an amended site plan for the purpose of remodeling the exterior façade of the existing truck stop, which is located on a 13.167-acre parcel of land identified as Lot 3, Block A, Travel Centers of America Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the SH-205 Overlay (SH-205 OV) District, addressed as 2105 S. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

50 Sanford indicated that the applicant has submitted a request for an amended site plan for the Burger King portion of the Travel Centers of America building located at 2105 S. Goliad Street on the southwest corner of Goliad Street and IH-30. The property is zoned Commercial District and falls within the IH-30 Overlay (IH-30 OV) District as well as the SH 205 Overlay (SH 205 OV) District.
52 The proposal is for the renovation of the building elevations on two sides of the building in order to update the exterior by incorporating corrugated metal and tile and painting the existing brick masonry.
56

58 It should be noted that the current structure does not conform to the IH-30 Overlay (IH-30 OV) District requirement of 20 percent natural or quarried stone. Travel Centers of America existed prior to the update of the IH-30 OV District, which mandated stricter design standards. While the applicant's proposal to paint the existing brick and add the metal panels and tile does slightly increase the non-conformity of the building, it should improve the structure's overall consistency with the aesthetics of the overlay district.
62

2 Corrugated metal is considered a secondary material. According to both the IH-30 OV and the SH-
205 OV Districts, secondary materials are limited to 10% of each facade. The proposed front
4 elevation shows metal panels on 35.6% of the facade with 21.6% existing and an additional 14%
being added. The side elevation indicates a total of 11.2% secondary materials.

6 This request was reviewed by the Architectural Review Board on July 29, 2014; however, the ARB
8 did not recommend changes to the applicant's proposal.

10 Commissioner Jackson asked about the durability of the paint on the metal finish.

12 Lynsey Ondecker with GPD Group

14 Ms. Ondecker stated that the paint will be durable.

16 Commissioner Lyons made a motion to approve SP2014-019, a request by Lynsey Ondecker of
Glaus, Pyle, Schomer, Burns & DeHaven, GPD on behalf of the owner, Travel Centers of America,
18 for the approval of an amended site plan for the purpose of remodeling the exterior façade of the
existing truck stop, which is located on a 13.167-acre parcel of land identified as Lot 3, Block A,
20 Travel Centers of America Addition, zoned Commercial (C) District, situated within the IH-30 Overlay
(IH-30 OV) District and the SH-205 Overlay (SH-205 OV) District, addressed as 2105 S. Goliad Street,
22 City of Rockwall, Rockwall County, Texas, with staff recommendations.

24 Commissioner Jackson expressed her concern that the paint on the metal finish will not be durable.

26 Commissioner Lyons withdrew his motion.

28 Commissioner Jackson made a motion to approve SP2014-019, a request by Lynsey Ondecker of
Glaus, Pyle, Schomer, Burns & DeHaven, GPD on behalf of the owner, Travel Centers of America,
30 for the approval of an amended site plan for the purpose of remodeling the exterior façade of the
existing truck stop, which is located on a 13.167-acre parcel of land identified as Lot 3, Block A,
32 Travel Centers of America Addition, zoned Commercial (C) District, situated within the IH-30 Overlay
(IH-30 OV) District and the SH-205 Overlay (SH-205 OV) District, addressed as 2105 S. Goliad Street,
34 City of Rockwall, Rockwall County, Texas, with staff recommendations and the condition that the
paint have a 5 year durability.

36 Commissioner Lyons seconded the motion.

38 A vote was taken and the motion passed 5-0.

40 10. SP2014-020

42 Discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveying, LLC on behalf of the
owner R. D. Vanderslice for the approval of a site plan for an office building on a 0.30-acre parcel of
44 land identified as Lot 1, Block A, Adams Addition, zoned Planned Development District 50 (PD-50)
for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC
46 OV) District, addressed as 911 N. Goliad Street, and take any action necessary.

48 Gonzales stated that the applicant is requesting approval of a site plan for the property located at
911 N. Goliad Street for the purpose of converting the existing structure to a residential/office use.
50 The property is zoned Planned Development No. 50 (PD-50) for Residential/Office (RO) District land
uses. PD-50 was established in 2002 and allows property owners the ability to convert their
52 properties to low intensity commercial type uses as established within this district. The property is
also subject to the standards of the North Goliad Corridor Overlay (NGC OV) District.

54 The existing home is approximately 1,468 square feet. The parking requirements in PD-50 allow for
one (1) parking space per 500 square feet of floor area for office uses (other than medical) and other
56 uses permitted within PD-50 are to adhere to the parking standards established in the UDC. The
applicant is proposing eight (8) parking spaces for the site that will be accessed via a 24-ft public
58 access easement from Goliad St. The existing driveway on the south portion of the lot will be
removed. Also, the applicant will provide a 20-ft public access easement to the rear of the property
60 in order to provide cross access to the adjacent property to the north should a change of use of that
property occur in the future.

2 The applicant will provide a six (6) foot tall wood fence along the west property line that will provide screening for the adjacent residential property.

4 Should the request be approved, staff would offer the following conditions of approval:

- 6 1. Submittal and approval of a replat prior to issuance of a Certificate of Occupancy (CO).
- 8 2. All signage proposed for this site will be subject to the requirements of the NGC OV.
- 10 3. Any construction or building necessary to complete this Site Plan 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.

14 Commissioner Jackson made a motion to approve SP2014-020, a request by by Harold Fetty of H. D. Fetty Land Surveying, LLC on behalf of the owner R. D. Vanderslice for the approval of a site plan for an office building on a 0.30-acre parcel of land identified as Lot 1, Block A, Adams Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 911 N. Goliad Street, with staff recommendations.

20 Commissioner Conley seconded the motion.

22 A vote was taken and the motion passed 5-0.

26 V. DISCUSSION ITEMS

28 11. Z2014-022

30 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary.

36 Miller briefly discussed the case and the Commission's responsibilities in regard to this particular case.

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

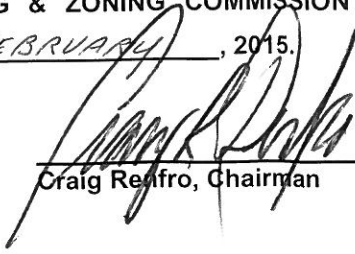
- 42 ✓ P2014-015: Lot 1, Block A, Eye Care & Laser Management [Approved]
- 44 ✓ Z2014-018: Marigold Learning Academy SUP [Approved]
- 46 ✓ Z2014-019: American Trooper SUP [Approved]
- ✓ MIS2014-010: Masonry Exception (213 Clark Street) [Approved]
- ✓ SP2014-010: Rockwall MOB [Approved]

48 LaCroix gave a brief overview of the results for the above cases.

50 VI. ADJOURNMENT

52 The meeting adjourned at 7:31 p.m.

54 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 10 day of FEBRUARY, 2015.

58 

Craig Renfro, Chairman

60 Attest:

62 

Ryan Miller, Planning Manager

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
August 26, 2014
6:00 P.M.

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I. CALL TO ORDER

The meeting was called to order by Craig Renfro at 6:02 p.m. with the following members present: Wendi Conley, Connie Jackson, Jonathan Lyons, and Kristen Minth. John McCutcheon and Matthew Nielsen were not present.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members, Tim Tumulty, Amy Williams, and Kathleen Moreno, and Fire Department staff members, Mark Poindexter and Ariana Hargrove, were in attendance.

II. CONSENT AGENDA

1. P2014-019

Discuss and consider a request by Brandon O'Donald of Bannister Engineering, LLC on behalf of Mark Hood of Spine Team Texas, PA for the approval of a replat for Lot 21, Block A, Presbyterian Hospital of Rockwall Addition, being a 1.888-acre parcel of land, currently identified as Lot 3, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for general retail land uses, located on the south side of Horizon Road (FM-3097) southeast of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

2. P2014-020

Discuss and consider a request by Matthew Mulliken on behalf of Jennifer Hill of Albright-Hill Properties, LLC for the approval of a replat for Lot 1, Block 1, Albright-Hill Addition, currently identified as Lots D & E, Block 117, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, being a 0.75-acre tract on land, zoned General Retail (GR) District, located at the northeast corner of the intersection of S. Goliad Street (SH-205) and St. Mary's Street, and take any action necessary.

3. P2014-023

Discuss and consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owner, Rick Sharp, for the approval of a replat for Lots 4, 5 & 6, Block A, Sharp Addition, being a 6.222-acre parcel of land currently identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay (SH-276 OV) District, generally located on the north side of SH-276 east of the intersection of SH-276 and Corporate Crossing (FM-549), and take any action necessary.

Commissioner Minth made a motion to approve the Consent Agenda.

Commissioner Jackson seconded the motion.

A vote was taken and the motion passed 5-0.

III. ACTION ITEMS

Chairman Renfro stated that both Action Items have been tabled until the next meeting.

4. SP2014-014

Discuss and consider a request by Matthew Alexander on behalf of the Rockwall Downes Development, LLC for the approval of a Site Plan for Phases 1, 2 & 3 of the Rockwall Downes Subdivision, containing 89 single family lots on a 35.651-acre tract of land situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action necessary.

- 2 5. SP2014-018
4 Discuss and consider a request by Scott Lay on behalf of Lay Construction, LLC for the approval of a
6 site plan for a Dairy Queen restaurant on a 2.0638-acre tract of land identified as Tract 36 of the B. J. T.
8 Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S.
Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action
necessary.

10 IV. APPOINTMENTS

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

16 **Sanford stated that staff will discuss the ARB's recommendations concurrently with each case.**

18 V. DISCUSSION ITEMS

- 20 7. Z2014-022
22 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
24 amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance
26 No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will
be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located
within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as
defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary.

28 **Miller briefly discussed the case and the dates of the future public hearings. Some discussion took
place regarding the types of uses permitted within the areas around the property.**

- 30 8. Z2014-023
32 Hold a public hearing to discuss and consider a request by Beth Godfrey of TKC CLXXXVI, LLC on
34 behalf of the owner, Rick Sharp, for the approval of a zoning amendment to Planned Development
36 District 46 (PD-46) [Ordinance No. 99-05] to allow for a Rental Store with Outside Storage (i.e. Sunbelt
38 Rentals Company) to be established on a ~3.35-acre portion of a larger 6.222-acre parcel of land
identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
Development District 46 (PD-46) for commercial land uses, situated within the SH-276 Corridor Overlay
(SH-276 OV) District, located east of Corporate Crossing (FM-549) in between SH-276 and Springer
Lane, and take any action necessary.

40 **Beth Godfrey with TKC CLXXXVI, LLC**
42 **5935 Carnegie Blvd.**
Charlotte, North Carolina

44 **Ms. Godfrey stated that this request is for a Sunbelt Rentals. Discussion took place regarding the
46 request and the types of equipment they rent.**

- 48 9. Z2014-024
50 Hold a public hearing to discuss and consider a request by Juan J. Vasquez, PE of Vasquez
52 Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the
54 approval of a Specific Use Permit (SUP) for a general retail store within a Light Industrial (LI) District for
the purpose of constructing a Cavender's Boot City on a 3.27-acre parcel of land identified as Tract 9-4
of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light
Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of
the E. IH-30 frontage Road west of Corporate Crossing (FM-549), and take any action necessary.

56 **Chairman Renfro announced that Item #9 will be discussed concurrently with Item #16.**

- 58 10. Z2014-025
60 Hold a public hearing to discuss and consider a request by Christopher Orr of Arcadia Lakes of
Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63
(PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance

No. 05-51 for a 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 use, 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.

Bill Gidima with Arcadia Development
3500 Maple Ave.
Dallas, Texas

Mr. Gidima gave a brief presentation regarding the request and what the changes they are proposing. Discussion took place regarding the request.

11. Z2014-026

Hold a public hearing to discuss and consider a request by Caprice Michelle of Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Caprice Michelle
406 N. Goliad
Rockwall, Texas

Ms. Michelle discussed a potential tenant for the property and the request.

12. P2014-017

Hold a public hearing to discuss and consider a request by Joe Allman of Inner Urban Homes, Inc. for the approval of a replat for Lots 24 & 25, Block A, Chandler's Landing Phase 7 Installment Two Addition, being a 0.49-acre parcel of land currently identified as Lot 23, Block A, Chandler's Landing Phase 7 Installment Two Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for residential land uses, located at 104 Thistle Place, and take any action necessary.

Joe Allman
519 I30
Rockwall, Texas

Mr. Allman stated that he is requesting to replat the lot to the original configuration.

13. P2014-018

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Stone Creek, Phase VI, containing 76 residential lots on a 26.532-acre tract of land situated within the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for residential land uses, generally situated south of FM-552 and east of N. Goliad Street (SH-205), and take any action necessary.

Gonzales discussed the request and the location of the property.

14. P2014-021

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase III, containing 71 residential lots on a 48.250-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

Miller discussed the request and the location of the property.

15. P2014-022

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase IV, containing 51 residential lots on a 29.646-acre tract of land situated within the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally situated north of FM-552 in between John King Boulevard and Breezy Hill Lane, and take any action necessary.

Miller discussed the request and the location of the property.

16. SP2014-021

Discuss and consider a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a site plan for a Cavender's Boot City on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-549), and take any action necessary.

Items #9 and #16 were discussed concurrently.

Juan Vasquez with Vasquez Engineering

Mr. Vasquez discussed the request.

Sanford explained the ARB's recommendations:

1. Extend the storefront glass and awning above the glass on the east façade.
2. Add storefront glass on the north elevation.
3. Add an additional column on the west elevation.

Mr. Vasquez stated that they are in agreement with those recommendations.

17. SP2014-022

Discuss and consider a request by Peter Hillermann of YSM Design PC on behalf of John Buono of Group 1 Automotive for the approval of an amended site plan for the purpose of remodeling the exterior façade of the existing automobile dealership (i.e. Rockwall Ford), which is located on a 10.585-acre parcel of land identified as Lot 1, Block A, Rockwall Ford Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 990 E. IH-30, City of Rockwall, Rockwall County, Texas, and take any action necessary.

Peter Hillermann
990 E. IH-30
Rockwall, Texas

Mr. Hillermann discussed the request.

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

- ✓ Z2014-018: Marigold Learning Academy SUP (401 W. Washington Street) [Approved]
- ✓ Z2014-019: American Trooper SUP (803 & 805 N. Goliad Street) [Approved]
- ✓ P2014-016: Lot 1 & 2, Block A, Caruth Lake, PH 1B [Approved]
- ✓ Z2014-020: Carport SUP (109 Weston Court) [1st Reading]
- ✓ MIS2014-009: Future Land Use Map Amendment [1st Reading]
- ✓ SP2014-017: Variances for the Sharp Warehouse Building [Approved]
- ✓ SP2014-019: Variances for the Travel Centers of America Rockwall [Approved]

LaCroix gave a brief overview of the results for the above cases.

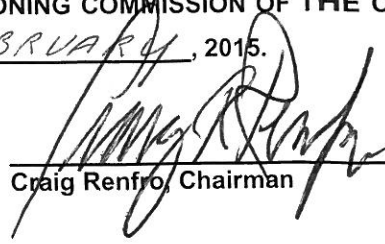
VI. ADJOURNMENT

The meeting adjourned at 7:40 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,

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Texas, this 10 day of FEBRUARY, 2015.



Craig Renfro, Chairman

Attest:


Ryan Miller, Planning Manager

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
September 9, 2014
6:00 P.M.

8 I. CALL TO ORDER

10 The meeting was called to order by Craig Renfro at 6:00 p.m. with the following members present:
12 Wendi Conley, Connie Jackson, Jonathan Lyons, Mike Jusko, John McCutcheon and Matthew Nielsen.

14 The following staff members from the Planning Department were present: Robert LaCroix, Ryan
16 Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members,
18 Tim Tumulty, Amy Williams, and Kathleen Moreno, and Fire Department staff member, Ariana Hargrove, were in attendance

20 II. CONSENT AGENDA

- 22 1. Approval of Minutes for the July 29, 2014 Planning and Zoning Commission meeting.**
- 24 2. P2014-018**
26 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John
28 Arnold of the Skorburg Company for the approval of a final plat for Stone Creek, Phase VI,
30 containing 76 residential lots on a 26.532-acre tract of land situated within the S. King Survey,
32 Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District
34 70 (PD-70) for residential land uses, generally situated south of FM-552 and east of N. Goliad
36 Street (SH-205), and take any action necessary.
- 38 3. P2014-021**
40 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John
42 Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase III, containing
44 71 residential lots on a 48.250-acre tract of land situated within the J. Strickland Survey, Abstract
46 No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-
48 74) for residential land uses, generally situated north of FM-552 in between John King Boulevard
50 and Breezy Hill Lane, and take any action necessary.
- 52 4. P2014-022 (Ryan)**
54 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John
56 Arnold of the Skorburg Company for the approval of a final plat for Breezy Hill, Phase IV, containing
58 51 residential lots on a 29.646-acre tract of land situated within the J. Strickland Survey, Abstract
60 No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-
62 74) for residential land uses, generally situated north of FM-552 in between John King Boulevard
and Breezy Hill Lane, and take any action necessary.

Commissioner McCutcheon pulled Item #1 from the Consent Agenda.

Commissioner McCutcheon made a motion to approve the minutes from July 29, 2014.

Commissioner Jackson seconded the motion.

A vote was taken and the motion passed 6-0, with Commissioner Jusko abstaining.

Commissioner Jackson made a motion to approve the Consent Agenda.

Commissioner Nielsen seconded the motion.

A vote was taken and the motion passed 7-0.

III. PUBLIC HEARINGS

5. P2014-017

Hold a public hearing to discuss and consider a request by Joe Allman of Inner Urban Homes, Inc. for the approval of a replat for Lots 24 & 25, Block A, Chandler's Landing Phase 7 Installment Two Addition, being a 0.49-acre parcel of land currently identified as Lot 23, Block A, Chandler's Landing Phase 7 Installment Two Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for residential land uses, located at 104 Thistle Place, and take any action necessary.

Sanford explained that the purpose of this plat is to divide one (1) single-family residential lot into two (2) residential lots and abandon a 10' utility easement located along the side of the lot to the south. The property was originally platted as Lots 4 & 5, Block A, Chandlers Landing Phase 7 Installment Two. It was replatted in 2013 as Lot 23, Block A, Chandlers Landing Phase 7 Installment Two.

The Engineer has completed the technical revisions requested by staff, and this plat is recommended for conditional approval pending the completion of final technical modifications and submittal requirements required for the recordation by the applicant or owner.

Notices were mailed to twenty (20) property owners within 200-ft of the subject property. At this time, one response was returned opposed to the request. Chandler's Landing HOA did return a notice in favor of the request.

Chairman Renfro opened the public hearing at 6:04pm.

Joe Allman with Inner Urban Homes

Mr. Allman stated that he is requested to return these lots into their original configuration.

As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:06pm.

Commissioner Jackson made a motion to approve P2014-017, a request by Joe Allman of Inner Urban Homes, Inc. for the approval of a replat for Lots 24 & 25, Block A, Chandler's Landing Phase 7 Installment Two Addition, being a 0.49-acre parcel of land currently identified as Lot 23, Block A, Chandler's Landing Phase 7 Installment Two Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for residential land uses, located at 104 Thistle Place, with staff recommendations.

Commissioner Lyons seconded the motion.

A vote was taken and the motion passed 7-0.

6. Z2014-022

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary.

Miller detailed that in response to recommendations by the Airport Subcommittee, the City Council at their regularly scheduled meeting on July 7, 2014 approved a motion directing staff to prepare land use regulations and development standards for an Airport Overlay (AP OV) District. As part of these recommendations, the Airport Subcommittee set the boundaries of the proposed overlay to be a 500-foot buffer from the Ralph M. Hall/Rockwall Municipal Airport's property line and to include the Airport Runway Protection Zones (RPZ) that currently exist within the approach/departure zones of the airport. Staff has prepared the requested document (*attached*) per the subcommittee's recommendations. In addition, the document has been reviewed by the Aviation Department at the Texas Department of Transportation (TXDOT), and all comments have been addressed.

Chapter 241, *Municipal and County Zoning Authority Around Airports*, of the Texas Local Government Code enables municipalities to draft land use restrictions for properties adjacent to airports -- which are used in the interest of the general public -- to prevent the creation of an airport

2 hazard (§214.012). In order to approve these zoning regulations the Airport Zoning Commission (*i.e.*
3 *the Planning and Zoning Commission*) shall (1) make a recommendation concerning the boundaries
4 of the proposed overlay district and (2) draft a preliminary report that can be reviewed at a public
hearing and forwarded on for consideration by the governing body (*i.e. the City Council*).

6 On August 29, 2014, staff sent out 35 notices to property owners and residents within 500-feet of the
7 subject property. At the time this case memo was drafted staff had received one (1) email in
8 opposition and one (1) email in support to the proposed changes. *City staff has no knowledge of*
9 *any Homeowner's Associations or Neighborhood Organizations located within 1,500-feet of the*
10 *subject property.*

12 Chairman Renfro asked for some additional information on the location of the property owners that
are in opposition to the proposal.

14 Chairman Renfro opened the public hearing at 6:20pm.

16 Vincent Edwards
18 2068 State Hwy 66
Rockwall, Texas

20 Mr. Edwards stated that he has a two-story home and he is concerned with the height restrictions.

22 Bill Bricker
24 505 Westway Dr.
Rockwall, Texas

26 Mr. Bricker stated that he is in opposition to the request. He stated that he would not be opposed if
28 this airport was to be improved to a commercially viable airport, but without these improvements to
the airport, it is not a business asset.

30 Some additional discussion took place regarding the proposal.

32 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:36pm.

34 Commissioner Nielsen made a motion to approve Z2014-022, a City initiated zoning request for the
36 approval of a text amendment to Article V, District Development Standards, of the Unified
Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport
38 Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport
property, and for all properties located within 500-feet of the airport property and/or located within
40 the Airport's Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA
standards, with staff recommendations.

42 Commissioner McCutcheon seconded the motion.

44 A vote was taken and the motion passed 7-0.

46 7. Z2014-023

48 Hold a public hearing to discuss and consider a request by Beth Godfrey of TKC CLXXXVI, LLC on
50 behalf of the owner, Rick Sharp, for the approval of a zoning amendment to Planned Development
District 46 (PD-46) [Ordinance No. 99-05] to allow for a Rental Store with Outside Storage (*i.e.*
52 Sunbelt Rentals Company) to be established on a ~3.35-acre portion of a larger 6.222-acre parcel
of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas,
54 zoned Planned Development District 46 (PD-46) for commercial land uses, situated within the SH-
276 Corridor Overlay (SH-276 OV) District, located east of Corporate Crossing (FM-549) in
between SH-276 and Springer Lane, and take any action necessary.

56 The subject property is identified as a 3.211-acre portion of a larger 6.222-acre tract of land situated
58 within the SH-205 Overlay (SH-276 OV) District, is east of Corporate Crossing (*FM-549*), between SH-
276 and Springer Road, and is located at 2582 SH-276. The property is currently zoned Planned
60 Development District No. 46 (PD-46) and has an underlying zoning of commercial that also allows
for other uses that may be considered more intense such as outside storage of trucks and trailers,
62 limited outside storage of pallets, metal buildings, and trucking operations and associated uses.
PD-46 also has other tracts of land that allows for similar uses such as outside storage of

2 equipment, contractor yard and equipment yard, minor auto repair shop and associated uses,
3 limited outside storage of boats, a concrete batch plant, etc.

4 The purpose of the request is to amend PD-46 to allow for a *Rental Store with Outside Storage*. The
5 applicant has indicated that this site will be home to Sunbelt Rentals, a nationally recognized brand
6 for this industry. Sunbelt Rentals offers general construction equipment such as industrial tools,
7 pump and power generation equipment, trench shoring, scaffolding, etc. for use in commercial,
8 residential, and municipal related projects. Based on the use requested, the intensity of this
9 particular use could be considered compatible and should be taken into consideration when
10 reviewing the uses allowed in PD-46 as similar in nature.

12 Staff has also included a condition in this memo that all outside storage and/or display of
13 machinery and equipment is to be in a stowed position with the purpose of not extending any part
14 of the machinery or the equipment in an upward or outward manner so as to prevent the
15 appearance of a nuisance. Generally, in a commercial zoning district, outside storage requires
16 screening to the height of what is being stored; however, most of the properties in PD-46 have
17 existing chain link fences, including this site which allows for the outside storage of trucks and
18 trailers and would not require additional screening. After discussing this issue at the work session,
19 the applicant is requesting that the equipment not be stored in a manner that would extend beyond
20 the height of the principle building in order to avoid what may be viewed as a zoning violation.

22 In your packet is a request to amend PD-46 to allow for the *Rental Store with Outside Storage*, a
23 legal description, a conceptual site plan, and Ordinance No. 99-05 (PD-46) for your review and
24 consideration.

26 On August 29, 2014, staff mailed twenty-five (25) notices to property owners within 500 feet of the
27 subject property as well as one (1) HOA within 1500 feet (Timber Creek Estates HOA). Additionally,
28 staff posted a sign along SH-276 on the subject property as required by the Unified Development
29 Code (UDC). At the time this report was drafted, staff has received two (2) notices "opposed to" the
30 zoning change requested.

32 Should the request be approved, staff would offer the following conditions of approval:

- 34 1. That the storage and/or display of machinery and equipment shall be in a stowed position so as
35 to not extend any part of the machinery or the equipment in an upward or outward manner.
- 36 2. That the Subject Property generally conforms to the Conceptual Site Plan attached hereto as
37 Exhibit 'B'
- 38 3. That the permissible uses for the Subject Property shall be those permitted within the
39 Commercial (C) District and to include the following uses;
 - 40 a. Outside storage of trucks and trailers;
 - 41 b. Limited outside storage of pallets;
 - 42 c. Metal buildings;
 - 43 d. Trucking operations and associated uses;
 - 44 e. Rental store with outside storage of machinery and equipment.
- 46 4. Any construction resulting from the approval of this zoning ordinance shall conform to the
47 requirements set forth by Planned Development District Ordinance, the Unified Development
48 Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city
49 adopted engineering and fire codes and with all other applicable regulatory requirements
50 administered and/or enforced by the state and federal government.

52 Commissioner McCutcheon asked for clarification on the main entrance/exit location. He expressed
53 his concern with the large trucks/trailers turning onto SH276.

54 Chairman Renfro mentioned the concern with traffic from SH276 diverting through the
55 neighborhood.

56 Chairman Renfro opened the public hearing at 6:49pm.

58 Bill Baker with The Keith Corp.
59 5935 Carnegie Blvd.
60 Charlotte, North Carolina

62

2 Mr. Baker stated that they are concerned about truck traffic and so they are looking to make the
entrance off of Springer rather than SH276 and also stated that the traffic from this business may be
4 less of an impact than the trucking company that was previously located here.

6 Mike Aday
1525 Fence Post Drive
Fort Worth, Texas

8 Mr. Aday stated that the largest piece of equipment would not exceed at 60' man lift.

10 Commissioner Jackson asked about business hours.

12 Rick Sharp
14 472 Kentwood
Rockwall, Texas

16 Mr. Sharp stated that the previous trucking company had 18-wheelers every 5-10 minutes.
18 Currently, Bimbo is running 18-wheelers in and out of their property consistently.

20 Additional discussion took place regarding to the amount of truck traffic and the types of trucks
that will be utilized.

22 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 7:03pm.

24 Commissioner Jackson made a motion to approve Z2014-023, a request by Beth Godfrey of TKC
26 CLXXXVI, LLC on behalf of the owner, Rick Sharp, for the approval of a zoning amendment to
Planned Development District 46 (PD-46) [Ordinance No. 99-05] to allow for a Rental Store with
28 Outside Storage (i.e. Sunbelt Rentals Company) to be established on a ~3.35-acre portion of a larger
6.222-acre parcel of land identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall
30 County, Texas, zoned Planned Development District 46 (PD-46) for commercial land uses, situated
within the SH-276 Corridor Overlay (SH-276 OV) District, located east of Corporate Crossing (FM-
32 549) in between SH-276 and Springer Lane, with staff recommendations.

34 Commissioner Conley seconded the motion.

36 A vote was taken and the motion passed 7-0.

38 8. Z2014-024

40 Hold a public hearing to discuss and consider a request by Juan J. Vasquez, PE of Vasquez
Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for
42 the approval of a Specific Use Permit (SUP) for a general retail store within a Light Industrial (LI)
District for the purpose of constructing a Cavender's Boot City on a 3.27-acre parcel of land
44 identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall
County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV)
District, located on the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-
46 549), and take any action necessary.

48 Chairman Renfro stated that Item #13 will be discussed concurrently.

50 Sanford explained that the applicant, Juan J. Vasquez, P.E. with Vasquez Engineering, LLC, is
requesting approval of a Specific Use Permit (SUP) to allow for a general retail store, and more
52 specifically, a Cavender's Boot City. The proposed retail store will be located on a 3.27-acre tract of
land situated on the south side of IH-30 west of Corporate Crossing. The property is zoned Light
54 Industrial (LI) District and is located within the IH-30 Overlay (IH-30 OV) District.

56 The applicant is proposing a 21,341 sq. ft. building. It should be noted that the applicant is seeking
approval of a site plan concurrently with the request for the SUP.

58 On August 29, 2014, staff mailed 12 notices to property owners and non-owner occupants within
60 500 feet of the subject property. A notice was published in the Rockwall County News and a sign
was posted on the subject property. At the time of this report, no responses have been returned.

62 Chairman Renfro opened the public hearing at 7:06pm.

2 Juan Vasquez
705 W. Avenue B
4 Garland, Texas

6 Mr. Vasquez stated that he is representing the applicant and would answer any questions.

8 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 7:07pm.

10 Commissioner Jackson made a motion to approve Z2014-024, a request by Juan J. Vasquez, PE of
12 Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E,
14 LTD for the approval of a Specific Use Permit (SUP) for a general retail store within a Light Industrial
16 (LI) District for the purpose of constructing a Cavender's Boot City on a 3.27-acre parcel of land
18 identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall
County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV)
District, located on the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-
549), with staff recommendations.

18 Commissioner Lyons seconded the motion.

20 A vote was taken and the motion passed 7-0.

22 9. Z2014-025 [Request to Postpone to the October 14, 2014 Meeting]
24 Hold a public hearing to discuss and consider a request by Christopher Orr of Arcadia Lakes of
26 Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District
28 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by
Ordinance No. 05-51 for a 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 use, situated within the SH-205 Overlay
30 (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.

32 Chairman Renfro announced that the request is postponed until the October 14th meeting.

34 10. Z2014-026
36 Hold a public hearing to discuss and consider a request by Caprice Michelle of Rockwall's Rustic
38 Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within Planned
Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123, B. F.
Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO)
40 District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as
42 406 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

44 Miller explained that the subject property is a 0.53-acre parcel of land located at 406 N. Goliad Street
zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses. Existing
46 on the property is a 2,074 SF single family home and a 640 SF garage that were constructed in the
1950's. The applicant, Caprice Michelle, is in the process of remodeling the single family home for
the purpose of converting the use from a residential use to a commercial use. According to
48 *Ordinance No. 07-29* in order for a property to be converted from any use other than single family
residential it shall be subject to site plan review. The Planning and Zoning Commission approved a
50 site plan for the subject property on August 12, 2014.

52 Since the approval of the site plan the applicant has submitted an application requesting a Specific
Use Permit (SUP) for the purpose of establishing a restaurant. According to the *Permissible Use*
54 *Charts* contained within Article IV, *Permissible Uses*, of the Unified Development Code (UDC)
properties located within a Residential Office (RO) District are permitted a restaurant through a SUP
56 with the additional requirements that the total square footage be limited to 2,000 SF and that the
restaurant not incorporate a drive-through. The floor plan provided by the applicant shows that the
58 restaurant service area will be limited to 2,000 SF and that a drive-through will not be incorporated
into the overall design of the facility. In addition, a restaurant carries a parking requirement of one
60 (1) parking space per 100 SF of building area. This means that based on the floor plan provided by
the applicant the proposed restaurant will have a total parking requirement of 27 parking spaces
62 (*i.e.* 2,714 SF/100 SF = 27). Currently, the zoning exhibit and approved site plan indicate the ability

2 to provide a maximum of 28 parking spaces. The applicant's request does conform to all other applicable requirements for this proposed land use.

4 *Ordinance No. 07-29* also states that joint or shared access shall be required on all adjoining lots if
6 the property is used for non-residential uses; however, the City Council shall have the ability to
8 approve variances to this requirement if unique or extraordinary conditions exist. As part of this
10 application, the applicant is requesting that the City Council waive the shared access requirements
12 for a portion of the property. According to the letter submitted by the applicant the purpose for the
14 variance request is to allow for the ability to control the parking areas in the event that overflow
16 parking from adjacent uses becomes an issue, and that the easement devalues the property. Staff
18 does not find that a unique or extraordinary condition exists, but would acknowledge that the
20 circulation pattern (*i.e. an additional drive approach on N. Goliad Street*) was not accounted for in
22 the original access plan (*contained in the packet*). This being stated the proposed circulation
24 pattern depicted in the applicant's zoning exhibit is contingent on the approval of the drive
26 approach on N. Goliad Street from the Texas Department of Transportation (*TXDoT*). By approving
28 the SUP request and the zoning exhibits as presented by the applicant, a variance to the joint or
30 shared access requirements will also be approved (unless a motion stating otherwise is made).

32 On August 29, 2014, staff mailed 108 notices to property owners and residents within 500 feet of the
34 subject property. Additionally, staff posted a sign adjacent to N. Goliad Street [*SH-205*] as required
36 by the Unified Development Code (UDC). At the time this case memo was drafted staff had received
38 one (1) response in favor of the applicant's request.

40 *City staff has no knowledge of any Homeowner's Associations or Neighborhood Organizations*
42 *located within 1,500-feet of the subject property.*

44 If the Planning and Zoning Commission chooses to approve the applicant's request for a Specific
46 Use Permit (SUP) for a *Restaurant (Less Than 2,000 SF)* on the subject property then staff would
48 recommend the following conditions of approval:

50 Commissioner Nielsen asked for clarification on the permitted size of the restaurant use.

52 Chairman Renfro opened the public hearing at 7:21pm.

54 Caprice Michelle
56 406 N. Goliad
58 Rockwall, Texas

60 Commissioner Nielsen asked about the number of tables. No tenant is currently known.

62 Some discussion occurred over traffic in the area.

64 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 7:31pm.

66 Discussion over the cross access easement on the property took place.

68 Commissioner Jackson made a motion to approve Z2014-026, a request by Caprice Michelle of
70 Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within
72 Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123,
74 B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO)
76 District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406
78 N. Goliad Street, City of Rockwall, Rockwall County, Texas, with staff recommendations.

80 Commissioner McCutcheon seconded the motion.

82 Commissioner Nielsen urged the Commission to consider not waiving the variance to the cross
84 access easement

86 A vote was taken and the motion failed 3-4, with Renfro, Nielsen, Lyons and McCutcheon against.

88 Commissioner Lyons made a motion to approve Z2014-026, a request by Caprice Michelle of
90 Rockwall's Rustic Ranch, LLC for the approval of a Specific Use Permit (SUP) for a restaurant within
92 Planned Development District 50 (PD-50) on a 0.53-acre parcel of land identified as Lot B, Block 123,

2 B. F. Boydston Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO)
District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406
4 N. Goliad Street, City of Rockwall, Rockwall County, Texas, with staff recommendations and with
the condition that the public access easement be required.

6 Commissioner Nielsen seconded the motion.

8 A vote was taken and the motion passed 7-0.

10 *(Commissioner Lyons left the meeting at 7:36pm.)*

12 IV. ACTION ITEMS

14 11. MIS2014-011

16 Discuss and consider a request for the approval of a special request for the purpose of permitting
the construction of a covered porch that does not conform to the setback requirements as
18 stipulated by Planned Development District 75 (PD-75) [Ordinance No. 09-37] for a 0.12-acre
property that is identified as Lot 685 of Rockwall Lake Estates #1 Addition, City of Rockwall,
20 Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is addressed as 208
Texas Avenue, and take any action necessary.

22 Miller stated that the applicants, Jose and Maria Lopez, are requesting a special exception to the
setback requirements stipulated by *Ordinance No. 09-37* for the purpose of constructing a covered
24 porch adjacent to Texas Avenue. The subject property is a corner lot located within 'Area 1' at the
southeast corner of Bass Road and Texas Avenue. According to *Ordinance No. 09-37* properties
26 located within 'Area 1' require a front yard setback of 20-feet, and since the property is on a corner
it is required to meet the front yard building setback adjacent to both Bass Road and Texas Avenue.
28 Currently, the main structure is situated an estimated 25-feet from Bass Road and 17-feet from
Texas Avenue (as measured by staff). The proposed covered porch will be ten (10) feet by 14-feet
30 (or 140 SF), and be situated seven (7) feet from the northern property line adjacent to Texas Avenue.
The structure will be constructed with a wood frame and incorporate a roof structure that can be
32 built utilizing standing seam metal or asphalt shingles. With the exception of the requested 13-foot
variance to the front yard building setback requirements the structure will be in conformance with
34 all applicable codes.

36 Generally, this request would require approval from the Board of Adjustments (BOA); however,
Ordinance No. 09-37 specifically states that the Planning and Zoning Commission and City Council
38 may vary building setbacks upon request by an applicant. Staff would like to acknowledge that the
applicant's request appears to be consistent with existing development in the neighborhood, and
40 the approval of the request would not alter the essential character of the planned development
district.

42 Commissioner Renfro made a motion to approve MIS2014-011, a special request for the purpose of
44 permitting the construction of a covered porch that does not conform to the setback requirements
as stipulated by Planned Development District 75 (PD-75) [Ordinance No. 09-37] for a 0.12-acre
46 property that is identified as Lot 685 of Rockwall Lake Estates #1 Addition, City of Rockwall,
Rockwall County, Texas, is zoned Planned Development District 75 (PD-75), is addressed as 208
48 Texas Avenue, with staff recommendations.

50 Commissioner Conley seconded the motion.

52 A vote was taken and the motion passed 6-0.

54 12. SP2014-014

56 Discuss and consider a request by Matthew Alexander on behalf of the Rockwall Downes
Development, LLC for the approval of a Site Plan for Phases 1, 2 & 3 of the Rockwall Downes
Subdivision, containing 89 single family lots on a 35.651-acre tract of land situated within the J. M.
58 Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned Planned Development
District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located
60 adjacent to John King Boulevard north of SH-276 and south of IH-30, and take any action
necessary.
62

2 Miller explained that the purpose of the applicant's request is to site plan 90 single family,
4 residential lots on a 35.651-acre tract of land for the construction of a single-family subdivision.
The proposed 90 single-family lots will be broken down into three (3) phases with Phase 1
4 containing 34 lots, Phase 2 containing 30 lots, and Phase 3 containing 26 lots.

6 According to *Standards of Design and Construction Manual*, "(u)se of this design [*cul-de-sacs*]
8 shall provide proper access to all lots and shall not exceed six hundred (600) feet in length,
measured from the center of the cul-de-sac to the center of the intersecting street (not a dead end
10 street)." The site plan provided by the applicant depicts a revised layout for Phase 3 that was not
approved with the Preliminary Plat. This layout incorporates a dead end cul-de-sac that extends
12 further than the permitted 600-feet and will require a variance from the City Council. To help
mitigate this variance the applicant has provided a 24-foot emergency access point adjacent to the
14 cul-de-sac and connecting to John King Boulevard.

16 In accordance with the requirements of Ordinance No. 04-25 the applicant has indicated an
approximate five (5) acre park that will remain privately owned and maintained by the Homeowner's
18 Association (HOA). The inclusion of this parkland satisfies all parkland dedication for this
development.

20 Commissioner McCutcheon asked for additional details on the emergency access. Additional
discussion occurred regarding emergency access.

22 Commissioner Jackson made a motion to approve SP2014-014, a request by Matthew Alexander on
24 behalf of the Rockwall Downes Development, LLC for the approval of a Site Plan for Phases 1, 2 & 3
of the Rockwall Downes Subdivision, containing 89 single family lots on a 35.651-acre tract of land
26 situated within the J. M. Allen Survey, Abstract No. 2, Rockwall, Rockwall County, Texas, zoned
Planned Development District 10 (PD-10), situated within the SH-205 By-Pass Overlay (SH-205 BY
28 OV) District, located adjacent to John King Boulevard north of SH-276 and south of IH-30, with staff
recommendations.

30 Commissioner Conley seconded the motion.

32 A vote was taken and the motion passed 6-0.

34 13. SP2014-021

36 Discuss and consider a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of
James R. Thompson of Cavender Investment Properties E, LTD for the approval of a site plan for a
38 Cavender's Boot City on a 3.27-acre parcel of land identified as Tract 9-4 of the J. Lockhart Survey,
Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District,
40 situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30
frontage Road west of Corporate Crossing (FM-549), and take any action necessary.

42 Sanford explained that the site plan submitted by the applicant shows the construction of a 21,341
44 sq. ft. retail building situated on a 142,530 sq. ft. (or 3.27-acre) lot. The building will be situated
more than 80 feet from public right-of-way, conform to all building setback requirements, and will be
46 accessible from one (1) 30-foot access drive located off of the IH-30 frontage road. The proposed
structure, parking plan and site plan all conform to the density and dimensional requirements
48 stipulated for general retail buildings situated within a Light Industrial (LI) District and the IH-30 OV
District as required by the UDC.

50 According to Article VIII, *Landscape Requirements*, of the UDC properties located within a Light
52 Industrial (LI) District are required to provide a minimum landscape percentage of ten (10%) percent
of the total site area with 100% of the total requirement being located within the front and side
54 building setbacks adjacent to right-of-way. This requirement translates to a total provision of
14,253 square feet of landscaping area required for the subject property. The Landscape Plan
56 provided by the applicant shows that approximately 46.8% of the total site area or 66,743 square
feet has been dedicated to meeting the landscaping requirements and 100% will be located in front
58 of and along side buildings as required within the LI District. The landscape plan also indicates the
correct street landscape buffer-strip with the required number of trees and that the 5% parking lot
60 landscape requirement is being met. Additionally, the landscape plan provided by the applicant
shows the required number of trees being planted within the detention pond. No tree mitigation is
62 necessary on this property.

2 The site is also subject to the IH-30 OV District standards for landscaping which require a buffer-
3 strip that is a minimum of 20 feet wide and includes a berm and/or shrubbery along the entire length
4 of the property's frontage at a minimum height of 30 inches. Additionally, three (3) canopy trees
5 and four accent trees shall be required per 100 feet of the IH-30 right-of-way. The landscape plan
6 provided indicates that these requirements are being satisfied.

7 The Photometric Plan submitted by the applicant shows the inclusion of six (6), pole mounted light
8 fixtures, directed downward and fully cut-off. The light poles cannot exceed 30-ft in height
9 (including the base) and the plan indicates that the pole height is 20-ft with a 2-ft base. All lighting
10 shown on the Photometric Plan conforms to the requirements stipulated in Article VII,
11 *Environmental Performance*, of the UDC.

12 The proposed building elevations submitted by the applicant show a one (1) story structure being
13 constructed utilizing real and veneer stone, split-face CMU block and stucco. According to Section
14 6.6.C of Article V, *District Development Standards*, of the UDC structures constructed within the IH-
15 30 OV District are required to have exterior walls that consist of a minimum of 90% masonry
16 materials to include a minimum of 20% stone and a maximum of 50% cementaceous products (e.g.
17 stucco, HardiPlank, or similar materials). In addition, the building should incorporate a minimum of
18 four (4) architectural features and shall be architecturally finished on all four sides with the same
19 materials, detailing and features. The proposed elevations meet or exceed all of the requirements.
20 The revised elevations do incorporate all of the ARB recommendations.

21 Commissioner Renfro made a motion to approve SP2014-021, a request by Juan J. Vasquez, PE of
22 Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E,
23 LTD for the approval of a site plan for a Cavender's Boot City on a 3.27-acre parcel of land identified
24 as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas,
25 zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on
26 the south side of the E. IH-30 frontage Road west of Corporate Crossing (FM-549), with staff
27 recommendations.

28 Commissioner Jackson seconded the motion.

29 A vote was taken and the motion passed 7-0.

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34 14. SP2014-022

35 Discuss and consider a request by Peter Hillermann of YSM Design PC on behalf of John Buono of
36 Group 1 Automotive for the approval of an amended site plan for the purpose of remodeling the
37 exterior façade of the existing automobile dealership (i.e. Rockwall Ford), which is located on a
38 10.585-acre parcel of land identified as Lot 1, Block A, Rockwall Ford Addition, zoned Commercial
39 (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 990 E. IH-30, City
40 of Rockwall, Rockwall County, Texas, and take any action necessary.

41 Sanford explained that the applicant has submitted a request for an amended site plan for the
42 existing Rockwall Ford dealership located at 990 IH-30 south of intersection of Goliad Street and IH-
43 30. The property is zoned Commercial District and falls within the IH-30 Overlay (IH-30 OV) District.
44 The proposal is for the renovation of the building elevations in order to update the exterior by
45 incorporating aluminum composite metal (ACM) panels.

46 Currently, the exterior of the building is EIFS. The applicant is requesting to re-face the exterior of
47 the building with ACM panels in order to meet the requirements being mandated by Ford. This
48 request does not include changes or alterations to the existing site, existing landscaping or existing
49 photometric plan.

50 It should be noted that the current structure does not conform to the IH-30 Overlay (IH-30 OV)
51 District requirement of 20 percent natural or quarried stone. Rockwall Ford existed prior to the
52 update of the IH-30 OV District, which mandated stricter design standards. The proposed changes
53 to the elevations will not increase the non-conformity of the building. The applicant has submitted
54 a color rendering of the elevations illustrating the proposed changes.

55 This request was reviewed by the Architectural Review Board on August 26, 2014; however, the
56 ARB did not recommend changes to the applicant's proposal.

2 Commissioner Jackson made a motion to approve SP2014-022, a request by Peter Hillermann of
3 YSM Design PC on behalf of John Buono of Group 1 Automotive for the approval of an amended
4 site plan for the purpose of remodeling the exterior façade of the existing automobile dealership
5 (i.e. Rockwall Ford), which is located on a 10.585-acre parcel of land identified as Lot 1, Block A,
6 Rockwall Ford Addition, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)
7 District, addressed as 990 E. IH-30, City of Rockwall, Rockwall County, Texas, with staff
8 recommendations.

9 Commissioner Conley seconded the motion.

10 A vote was taken and the motion passed 6-0.

11 V. DISCUSSION ITEMS

12 15. Z2014-027

13 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a
14 text amendment to Article II, Authority and Administrative Procedures, Article IV, Permissible Uses,
15 and Article V, District Development Standards, of the Unified Development Code [Ordinance No.
16 04-38] for the purpose of modifying various sections of the code, and take any action necessary.
17

18 Miller briefly discussed the request.

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

- 20
- 21 ✓ Z2014-020: Carport SUP (109 Weston Court) [Approved]
 - 22 ✓ MIS2014-009: Amendment to the Future Land Use Map [Approved]
 - 23 ✓ P2014-019: Lot 21, Block A, Presbyterian Hospital Addition [Approved]
 - 24 ✓ P2014-020: Lot 1, Block 1, Albright-Hill Addition [Approved]
 - 25 ✓ P2014-023: Lots 4, 5 & 6, Block A, Sharp Addition [Approved]

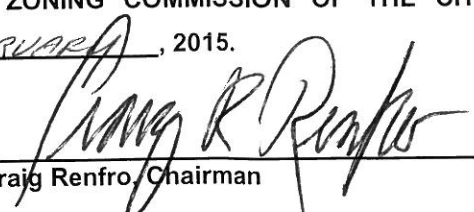
26 LaCroix gave a brief overview of the results for the above cases.

27 VI. ADJOURNMENT

28 The meeting adjourned at 7:57 p.m.

29 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
30 ROCKWALL, Texas, this 10 day of FEBRUARY, 2015.

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Craig Renfro, Chairman

44 Attest:

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Ryan Miller, Planning Manager

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
September 30, 2014
6:00 P.M.

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I. CALL TO ORDER

The meeting was called to order by Craig Renfro at 6:00 p.m. with the following members present: Wendi Conley, Tracey Logan, Jonathan Lyons, Mike Jusko, John McCutcheon and Matthew Nielsen were present.

The following staff members from the Planning Department were present: Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members, Amy Williams and Kathleen Moreno, and Fire Department staff member, Ariana Hargrove, were in attendance.

II. CONSENT AGENDA

1. P2014-024

Discuss and consider a request by Glenn Breyszcher of Dallas Mapping & Design on behalf of David Spiegel of the Lakes Assembly of God Church for the approval of a replat for Lot 1, Block A, Lakes Assembly Addition, being a 6.210-acre parcel of land, currently identified as Blocks B & C, Green Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located on the north side of Williams Street (SH-66) east of the intersection of N. Clark Street and Williams Street, and take any action necessary.

2. P2014-026

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorborg Company (BH Phase IIB SF, LTD) for the approval of a replat of Lots 51-58, Block D, Breezy Hill, Phases IIA & IIB, being a 3.624-acre portion of land that is currently identified as Lots 20-26 & 50, Block D, Breezy Hill, Phases IIA & IIB, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located north of the intersection of FM-552 and John King Boulevard.

3. P2014-028

Discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveying, LLC on behalf of the owner R. D. Vanderslice for the approval of a replat for Lot 3, Block A, Adams Addition, being a 0.30-acre parcel of land identified as Lot 1, Block A, Adams Addition, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 911 N. Goliad Street, and take any action necessary.

Commissioner McCutcheon made a motion to approve the Consent Agenda.

Commissioner Conley seconded the motion.

A vote was taken and the motion passed 7-0.

III. ACTION ITEMS

4. SP2014-018

Discuss and consider a request by Scott Lay on behalf of Lay Construction, LLC for the approval of a site plan for a Dairy Queen restaurant on a 2.0638-acre tract of land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow Jacket Lane, and take any action necessary.

Gonzales stated that the applicant, Scott Lay of Lay Construction, LLC, is requesting approval of a site plan for a proposed Dairy Queen Restaurant on a 2.0638-acre tract of land. The site is generally located

2 at the northeast corner of SH 205 and Yellow Jacket Lane (*just north of 7-Eleven*) and is zoned
Commercial (C) district. The property is within the SH 205 OV District and is subject to the standards
4 established for the district. The applicant will be seeking variances to certain standards established in
the overlay district as outlined in staff's report.

6 The site will be accessed from two (2) points of entry along an existing access drive from 7-Eleven and a
proposed public access easement for the site. The parking ratio for a restaurant is one space per 100
8 sq. ft. of area and based on the square footage of this building, the site requires a minimum of thirty-
four (34) parking spaces. Due to the anticipated volume of traffic for this location, the applicant is
10 providing a total of sixty-two (62) parking spaces prior to subdivision of the lot. However, the applicant
is depicting fifty (50) parking spaces for the Dairy Queen site, and an additional twelve (12) parking
12 spaces that will be considered *off-site* parking when subdivided and will eventually be absorbed by the
development on the adjacent lot, but will continue as shared parking for the Dairy Queen restaurant.
14 According to the site plan layout, it appears that traffic circulation will be achieved based on the two (2)
points of ingress/egress the applicant is proposing.

16 Based on the site plan submitted, the site appears to meet the intent of the UDC; however, the applicant
18 is requesting a variance to allow for parking spaces to be within the SH 205 OV landscape buffer as
depicted on the applicant's site plan. The applicant has submitted a landscape plan indicating an
20 approximate total of 15% landscaping coverage for the Dairy Queen site that meets the minimum
requirements of the UDC for a commercial development. Based on the landscape plan submitted, the
22 applicant is requesting a variance to SH 205 OV in order to relocate the required landscape buffer trees
elsewhere on the lot in order to accommodate the anticipated parking for the site.

24 Based on the lighting plan as submitted, the site appears to meet the intent of the UDC and the SH 205
26 OV District.

28 Based on the building elevations as submitted, the site appears to meet the intent of the UDC; however,
the applicant is requesting a variance to the pitched roof requirements of the SH 205 OV District and
30 requesting a flat roof design on a building less than 6,000 sq. ft. in area.

32 The applicant is requesting the following variances to *Sec. 6.7, SH 205 OV District* requirements of the
UDC as stated below:

- 34 1) To allow for stucco exceeding 50% of the masonry requirement on the east facing façade.
- 36 2) To allow for secondary materials (i.e. pre-finished metal panels and/or ceramic tile) exceeding
the maximum allowed of less than 10% on the north, south, and west facing elevations.
- 38 3) To allow for parking spaces within the 20-ft Landscape Buffer as depicted on the site plan and
to relocate the required landscape buffer trees (canopy and accent) within the development.
- 40 4) To allow for a flat roof design with parapet walls on a building less than 6,000 sq. ft.

42 On July 29, 2014, the Architectural Review Board recommended approval of the building elevations as
submitted.

44 Commissioner Nielsen asked how many patrons the restaurant could have at any one time. He doesn't
46 believe that 62 parking spaces would be needed. He additionally asked about the variance to the 205
buffer. Discussion took place regarding the variances being requested.

48 Commissioner Logan inquired about a median opening on SH-205.

50 Scott Lay with Lay Construction

52 Mr. Lay stated that the parking is needed based on their research on the market

54 Commissioner Nielsen stated that he believes that the 205 buffer is very important and he doesn't want
56 to grant a variance to the buffer requirement.

58 Additional discussion took place regarding the variance requests.

60 Commissioner McCutcheon asked for clarification on the off-site parking spaces. He stated that he is
not comfortable granting the variance to the buffer requirement.

2 Chairman Renfro asked about the building materials.

4 Commissioner Nielsen made a motion to approve SP2014-018, a request by Scott Lay on behalf of Lay
6 Construction, LLC for the approval of a site plan for a Dairy Queen restaurant on a 2.0638-acre tract of
land identified as Tract 36 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall
8 County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District,
located on the east side of SH-205 [S. Goliad Street] north of the intersection of SH-205 and Yellow
10 Jacket Lane, with staff recommendations and without the variance to the 20ft buffer.

12 Commissioner Conley seconded the motion.

14 A vote was taken and the motion passed 7-0.

16 5. MIS2014-013
18 Discuss and consider a request by Darryl LaCaze for the approval of a special request for the purpose
of permitting an accessory structure that exceeds the maximum permissible size stipulated by Section
2.1.2 of Article IV, Permissible Uses, of the Unified Development Code and does not meet the exterior
20 material requirements as stipulated in Ordinance No. 09-37 for a 33.05-acre property identified as Lots
1340 & 1341 of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned
22 Planned Development District 75 (PD-75) [Ordinance No. 09-37], addressed as 503 Nicole Drive, and
take any action necessary.

24 Sanford explained that the applicant, Darryl LaCaze, has submitted a special request to allow for the
construction of an accessory building exceeding the size requirements as well as not meeting the
26 exterior material standards for PD-75. The proposed accessory building is a 12' x 24' (288 sq ft) wooden
structure that will be used for storage purposes. The applicant has provided a photo of a similar
28 building which will feature fiber cement panel siding, a double lock standing seam metal roof and stone
underpinning. In addition, the applicant has indicated that the structure will not exceed 15 feet in
30 height. The survey provided depicts the building's location which meets the minimum rear and side
yard setbacks as well as the separation requirements.

32 Under the use standards of the Unified Development Code, the accessory building shall be accessory to
34 a residential use and located on the same lot. The underlying zoning for PD-75 is Single-Family 7 (SF-7)
Residential District. By right, in the SF-7 district, no more than two (2) accessory buildings shall be
36 allowed which are up to 225 sq ft (each) and are 15 ft or less in height, provided the exterior cladding
contains only materials found on the main structure. Accessory buildings not meeting these standards
38 must obtain an SUP.

40 However, the PD-75 Development Standards for Lake Rockwall Estates established in Ordinance 09-37
require that any structure over 120 sq ft be constructed with at least 80% masonry materials with Hardy
42 Plank comprising no more than 50% of the masonry requirement. Additionally, according to the ordinance,
these requirements may be varied by the Planning and Zoning Commission and City Council upon
44 request of the applicant.

46 Darryl LaCaze

48 Mr. LaCaze stated that he plans to remove the carport in the future.

50 Sanford stated that the foundation will be pier and beam.

52 Commissioner Lyons made a motion to approve MIS2014-013, a request by Darryl LaCaze for the
approval of a special request for the purpose of permitting an accessory structure that exceeds the
54 maximum permissible size stipulated by Section 2.1.2 of Article IV, Permissible Uses, of the Unified
Development Code and does not meet the exterior material requirements as stipulated in Ordinance No.
56 09-37 for a 33.05-acre property identified as Lots 1340 & 1341 of Rockwall Lake Estates #2 Addition, City
of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) [Ordinance No.
58 09-37], addressed as 503 Nicole Drive, with staff recommendations.

60 Commissioner Renfro seconded the motion.

2 A vote was taken and the motion passed 7-0.

4 6. MIS2014-014

6 Discuss and consider a miscellaneous request by Tim Spiars of Spiars Engineering on behalf of Master
8 Developers SNB LLC for the approval of a variance to the alley requirements stipulated by Planned
10 Development District 41 (PD-41) [Ordinance No. 01-27] and Section 2.11 of the Standards of Design
Manual, for a 12.45-acre subdivision of land identified as the North Shore Addition, being a portion of
the Preserve preliminary plat, zoned Planned Development District 41 (PD- 41) for single family
residential land uses, generally located on the south side of East Fork Drive, and take any action
necessary.

12 Miller stated that the applicant, Tim Spiars of *Spiars Engineering*, has submitted a request for a waiver
14 to the alley requirements stipulated by the *Standards of Design and Construction Manual* for the
purpose of modifying the lots on the eastern side of *Phase 1* of the *Preserve Subdivision*. According to
16 the applicant's letter, the purpose of the waiver request is to accommodate a grade difference between
the existing single-family development to the east and the proposed phase of the Preserve and to allow
18 for a retaining wall to be constructed without encroachment into a potential right-of-way (*i.e. the
alleyway*). In this case, the applicant's ability to increase the size of the lots to accommodate the
20 alleyway is restricted by existing floodplain, which divides the proposed phase in two (2) separate
areas. The zoning, Planned Development District 41 (PD-41) [*Ordinance No. 01-27*], does contain a
22 provision that allows for lots not accessible by a paved alley to have a *J-Swing* or *Swing* garage access.
Additionally, the City has provided waivers to this requirement for other developments upon a finding
24 that adequate city services can be provided to the proposed subdivision. Should the City Council
choose to grant this request, the applicant would be required to replat this portion of the subdivision.

26 Tim Spiars
765 Custer Road
28 Plano, Texas

30 Mr. Spiars stated that they are reducing the number of lots by seven.

32 Commissioner Nielsen asked about the setback requirements.

34 Chairman Renfro asked about the size of the home that will go on these lots.

36 Commissioner Jusko asked for clarification on the request.

38 Commissioner Lyons made a motion to approve MIS2014-013, a request by Tim Spiars of Spiars
40 Engineering on behalf of Master Developers SNB LLC for the approval of a variance to the alley
requirements stipulated by Planned Development District 41 (PD-41) [Ordinance No. 01-27] and Section
42 2.11 of the Standards of Design Manual, for a 12.45-acre subdivision of land identified as the North
Shore Addition, being a portion of the Preserve preliminary plat, zoned Planned Development District 41
44 (PD- 41) for single family residential land uses, generally located on the south side of East Fork Drive,
with staff recommendations.

46 Commissioner McCutcheon seconded the motion.

48 A vote was taken and the motion passed 7-0.

50 IV. APPOINTMENTS

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

56 Julian Meyret spoke on behalf of the ARB. He stated that the Board reviewed a Neighborhood Walmart.
58 The board would like more creativity to create a 3-dimensional look and to use landscaping to soften the
look. The board will review the project again once revisions are made.

60 V. DISCUSSION ITEMS

8. Z2014-027

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Article II, Authority and Administrative Procedures, Article IV, Permissible Uses, and Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of modifying various sections of the code, and take any action necessary.

Miller gave a brief overview of the request.

Some discussion took place over the changes to the UDC.

9. Z2014-028

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, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary.

Gonzales briefly discussed the case and described the location of the property.

Mohamed Taha
2225 Ridge Road
Rockwall, Texas

Mr. Taha discussed his future plans for the property and his intention for the request.

Discussion took place regarding the request.

10. Z2014-029

Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

Item #14 was discussed concurrently.

Gonzales briefed the board on the nature of the request.

Steven Freeman
12012 Woodchester Lane
Houston, Texas

Ty Holcomb
211 N. Record
Dallas, Texas

Mr. Freeman stated that he would take the ARB's recommendations back to the client; however, the budget for the project is very tight.

Commissioner Jusko stated that he would like additional landscaping to soften the building.

Commissioner McCutcheon discussed the requirements of the John King Overlay.

Discussion took place over the request.

11. Z2014-030

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from an

2 Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses
4 for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of
6 Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east
8 side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action
10 necessary.

12 **Miller discussed the request and the location of the property.**

14 **Dub Douphrate**

16 **Mr. Douphrate briefly discussed the case.**

18 **12. Z2014-031 (Ryan)**

20 Hold a public hearing to discuss and consider a request by Jimmy Strohmeier of Strohmeier Architects,
22 Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD Development Plan proposing to
24 establish five (5) pad sites for restaurants and retail shopping within Planned Development District 32
26 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of
28 Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development
30 District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the
32 intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary.

34 **Miller described the case and discussed the location of the property.**

36 **Jimmy Strohmeier**
38 **1620 Fairlakes Point**
40 **Rockwall, Texas**

42 **Mr. Strohmeier described the request and the plans for the property.**

44 **Discussion took place regarding the request.**

46 **13. P2014-027**

48 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of
50 the Skorburg Company (BH 60's POD, LTD) for the approval of a preliminary plat for Breezy Hill,
52 Phases IXA & IXB, containing 92 residential lots on a 26.32-acre tract of land situated within the T. R.
54 Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, City of Rockwall,
56 Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses,
58 generally located east of the intersection of FM-552 and John King Boulevard, and take any action
60 necessary.

62 **Miller explained the case.**

64 **Discussion occurred regarding traffic.**

66 **14. SP2014-025**

68 Discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of
70 Don Holloway of Lofland Farms, LTD for the approval of a site plan for a Walmart Neighborhood Market
72 on a 5.517-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No.
74 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for
76 general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-
78 276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and
80 John King Boulevard, and take any action necessary.

82 **15. SP2014-026**

84 Discuss and consider a request by Adam Brantley of A-Team Construction on behalf of the owner Scott
86 Milder for the approval of a site plan for the purpose of establishing an antiques/collectables/general
88 retail store and office space within an existing building situated on a 0.66-acre property containing two
90 (2) parcels of land identified as a Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick
92 Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses,
94 located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad
96 Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

2 Sanford explained the request.

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

- 6 ✓ P2014-018: Stone Creek, PH 6 [Approved]
- ✓ P2014-021: Breezy Hill, PH 3 [Approved]
- 8 ✓ P2014-022: Breezy Hill, PH 4 [Approved]
- ✓ P2014-017: Lots 24 & 25, Block A, Chandler's Landing, PH 7/Installment 2 [Approved]
- 10 ✓ Z2014-022: Airport Overlay (AP OV) District [Tabled: Sent Back to Airport Sub-Committee]
- ✓ Z2014-023: PD 46 Amendment (Sunbelt Rentals) [Approved/1st Reading]
- 12 ✓ Z2014-024: Cavendar's Western Warehouse [Approved/ 1st Reading]
- ✓ Z2014-025: PD-63 Amendment (Lakes of Somerset) [Approved/ 1st Reading]
- 14 ✓ Z2014-026: SUP for a Restaurant (406 N. Goliad Street) [Approved/1st Reading]
- ✓ SP2014-014: Variance for Rockwall Downes [Approved]
- 16 ✓ MIS2014-011: Special Request (208 Texas Avenue) [Approved]

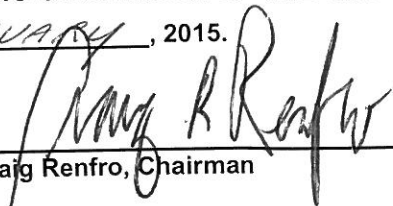
18 LaCroix gave a brief overview of the results for the above cases.

20 VI. ADJOURNMENT

22 The meeting adjourned at 8:31 p.m.

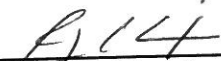
24 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,

Texas, this 10 day of FEBRUARY, 2015.



 Craig Renfro, Chairman

30 Attest:



 Ryan Miller, Planning Manager

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
October 14, 2014
6:00 P.M.

THE MEETING WAS CANCELLED DUE TO LACK OF A QUORUM

CALL TO ORDER

CONSENT AGENDA

1. P2014-027 (Ryan)

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of the Skorburg Company (*BH 60's POD, LTD*) for the approval of a preliminary plat for Breezy Hill, Phases IXA & IXB, containing 92 residential lots on a 26.32-acre tract of land situated within the T. R. Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses, generally located east of the intersection of FM-552 and John King Boulevard, and take any action necessary.

2. P2014-031 (JoDee)

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Kash Parbhu of Peak Pedi, LLC for the approval of a final plat for Lot 1, Block A, Peak Pedi Medical Office, being a 0.954-acre tract of land currently identified as Tract 1-02 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH276 OV) District, located on the north side of SH-276 east of the intersection of John King Boulevard and SH-276, and take any action necessary.

PUBLIC HEARINGS

3. Z2014-025 (Ryan)

Hold a public hearing to discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by *Ordinance No. 05-51* for a 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 use, 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.

4. Z2014-027 (Ryan)

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to Article II, *Authority and Administrative Procedures*, Article IV, *Permissible Uses*, and Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of modifying various sections of the code, and take any action necessary.

5. Z2014-028 (David)

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, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any action necessary.

6. Z2014-029 (David)

Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall,

Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

7. Z2014-030 (Ryan)

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action necessary.

8. Z2014-031 (Ryan)

Hold a public hearing to discuss and consider a request by Jimmy Strohmeier of Strohmeier Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD Development Plan proposing to establish five (5) pad sites for restaurants and retail shopping within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary.

ACTION ITEMS

9. MIS2014-016 (Ryan)

Discuss and consider a request from David Dorotik for approval of a Special Exception to the Unified Development Code, Article VI, Section 4, Residential Parking, regarding the storage of farm machinery (antique tractor) on a residential lot being zoned Single-Family Residential District (SF-7) and located at 509 Parks Avenue, Rockwall, Texas, and take any action necessary.

10. SP2014-025 (David)

Discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a site plan for a Walmart Neighborhood Market and fuel center on a 6.26-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

11. SP2014-026 (JoDee)

Discuss and consider a request by Adam Brantley of A-Team Construction on behalf of the owner Scott Milder for the approval of a site plan for the purpose of establishing an antiques/collectables/general retail store and office space within an existing building situated on a 0.66-acre property containing two (2) parcels of land identified as a Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

DISCUSSION ITEMS

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

- ✓ Z2014-023: Amendment to PD-46 (Sunbelt Rentals) [Approved; 2nd Reading]
- ✓ Z2014-024: SUP for Cavendar's [Approved; 2nd Reading]
- ✓ Z2014-026: Restaurant within PD-50 [Approved; 2nd Reading]
- ✓ P2014-024: Lot 1, Block A, Lakes Assembly Addition [Approved]
- ✓ P2014-026: Lots 51-60, Block D, Breezy Hill, Phase IIA & IIB [Approved]
- ✓ P2014-028: Lot 1, Block A, Adams Addition [Approved]
- ✓ MIS2014-006: Water/Wastewater Impact Fees [Approved; 1st Reading]

- ✓ SP2014-018: Variances for Dairy Queen [*Approved*]
- ✓ MIS2014-013: Accessory Building (503 Nicole Drive) [*Approved*]
- ✓ MIS2014-014: Variance to the Alley Requirements for the Preserve, PH 1 [*Approved*]
- ✓ Z2014-022: Text Amendment for the AP OV [*Denied (No Action)*]

ADJOURNMENT

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 772-6406 for further information.

I, JoDee Sanford, Planning Technician for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 10th day of October, 2014 at 5:00 p.m., and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
October 28, 2014
6:00 P.M.

2
4
6
8 I. CALL TO ORDER

10 The meeting was called to order by Craig Renfro at 6:04 p.m. with the following members present:
12 Wendi Conley, Tracey Logan, Mike Jusko, John McCutcheon and Matthew Nielsen were present.
Jonathan Lyons arrived at 6:12pm.

14 The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller,
16 David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members, Tim
Tumulty, Amy Williams and Kathleen Moreno, and Fire Department staff member, Ariana Hargrove, were
in attendance.

18 II. CONSENT AGENDA

20 1. P2014-027

22 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of
24 the Skorborg Company (BH 60's POD, LTD) for the approval of a preliminary plat for Breezy Hill,
Phases IXA & IXB, containing 92 residential lots on a 26.32-acre tract of land situated within the T. R.
26 Bailey Survey, Abstract No. 30 and the J. Simmons Survey, Abstract No. 190, City of Rockwall,
Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for residential land uses,
28 generally located east of the intersection of FM-552 and John King Boulevard, and take any action
necessary.

30 2. P2014-031

32 Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Kash
34 Parbhu of Peak Pedi, LLC for the approval of a final plat for Lot 1, Block A, Peak Pedi Medical Office,
being a 0.954-acre tract of land currently identified as Tract 1-02 of the J. M. Allen Survey, Abstract No.
36 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-
276 Overlay (SH276 OV) District, located on the north side of SH-276 east of the intersection of John
King Boulevard and SH-276, and take any action necessary.

38 3. P2014-032

40 Discuss and consider a request by Richard Garcia of Triangle Engineering, LLC on behalf of Ketan
42 Parekh of A. J. Squared, LLC for the approval of a replat for Lot 1, Block A, AJ Squared Addition being
a 1.460-acre parcel of land currently identified as Lot 2, Block A, Rockwall Assisted Living Facility
44 Addition, zoned Planned Development District 18 (PD-18) for office and retail uses, situated within the
Scenic Overlay (SOV) District, located on the west side of Ridge Road [FM-740] south of Cemetery
Road, and take any action necessary.

46 Commissioner McCutcheon made a motion to approve the Consent Agenda.

48 Commissioner Conley seconded the motion.

50 A vote was taken and the motion passed 6-0.

52 III. PUBLIC HEARINGS

54 4. Z2014-025

56 Hold a public hearing to discuss and consider a request by Christopher Orr of Arcadia Lakes of
Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development District 63
(PD-63) to allow for changes to the concept plan and development standards stipulated by Ordinance
58 No. 05-51 for a 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
60 Single Family 10 (SF-10) District use, 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.

Miller stated that on August 15, 2014, the applicant submitted an application proposing to amend the current Planned Development District ordinance to allow for changes to the concept plan and development standards for the proposed subdivision. Specifically, the applicant is proposing to establish 309 single-family lots at a density of 2.22 units per gross acre of land. The 309 single-family lots will be broken down into three (3) lot types with 93 lots being allocated to the 7,200 SF lot type, 135 lots being allocated to the 8,400 SF lot type, and 81 lots being allocated to the 10,400 SF lot type. Additionally, the plan increases the overall open space to 37.7-acres (or ~27.05% of total land area).

With the zoning approved in 2005 already being in place on the subject property, the Planning and Zoning Commission and City Council are essentially being asked to choose which Planned Development District provides the best development for the subject property.

The current plan does increase the number of lots and density from 276 lots at 1.99 units per acre to 309 lots at 2.22 units per acre, and change the lots sizes from 8,400 SF, 10,000 SF & 12,600 SF to 7,200 SF, 8,400 SF, 10,400 SF; however, the current plan also increases the overall open space from 34.4-acres to 37.7-acres, and increases the minimum square footage of the proposed housing stock. In addressing the reduction in lot sizes the Unified Development Code does state that "(m)inimum lot sizes in residential districts may be reduced up to 20 percent in order to preserve community or public open space, including trails, provided that the front of lots face, either directly or across a public street, over 75 percent of the edge of the open space within the project." In this case, the applicant has stated that the main purpose of revising the existing zoning concept plan is to arrange the lots so that they are single loaded and face on to open space. The applicant's new concept plan achieves this goal by providing boulevards, medians and an abundance of open space adjacent to the proposed housing pads.

Additionally, the current Planned Development District design guidelines contained within the Unified Development Code were adopted in 2007 and revised in 2010. As a result, the 2005 zoning ordinance contains less restrictive guidelines. For example, the current zoning ordinances' anti-monotony restrictions stipulate that three (3) intervening lots are required to be between homes on the same side of the street before the same material and elevation are utilized. This standard fails to address structures on the other side of the street. The standard contained within the proposed zoning ordinance stipulates that five (5) intervening lots on the same side of the street and six (6) intervening lots across the street are required prior to utilizing the same material/elevation/encroachment (*i.e. front porch, sunroom, etcetera*). Additionally, the proposed ordinance addresses fences, roofing materials, roof pitch, garage orientation, and street tree requirements all of which are not addressed by the current 2005 zoning ordinance.

While the plan proposed by the applicant will slightly raise the lot count and density, it will also provide stricter standards for the development of the subject property. Stricter standards have the ability to better regulate the product that can be placed on the proposed lots. This being said zoning is a discretionary decision for the Planning and Zoning Commission and City Council.

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 (2) units per acre; however, a density up to two-and-one-half (2½) units per gross acre may be allowed within a residential Planned Development District ..." The Unified Development Code (UDC) expands this statement by stating that additional amenities (*e.g. parks, open space, amenity centers, schools, trails, etcetera*) that exceed the minimum requirements would qualify a development for a density bonus of up to two-and-one-half (2½) [Sec. 1.2, Art. X; UDC]. In this case, the applicant has provided additional open space and single loaded the lots so that all properties will face on to an open space.

Taking into consideration the revised concept plan, the applicant's request for a planned development district with less than two-and-one-half (2½) units per acre is in conformance with the land use designation requirements specified by the Comprehensive Plan.

2 On August 29, 2014, staff mailed 27 notices to property owners and residents within 500-feet of the
3 subject property. Staff also emailed a notice to the Oaks of Buffalo Way Homeowner's Associations
4 (HOA), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff
5 posted a sign at the corner of the intersection of FM-549 and S. Goliad Street (SH-205) as required by the
6 Unified Development Code (UDC). At the time this case memo was drafted staff had received three (3)
7 notices opposed to the request.

8 Chairman Renfro opened the public hearing at 6:35pm.

10 William Giddima

12 Commissioner Nielsen asked the reasoning behind smaller lots. Mr. Giddima stated that the lots have a
13 variety of sizes.

14 Chris Duggan
16 2548 S. FM549
17 Rockwall, Texas

18 Mr. Duggan stated that he is concerned about the smaller lots and the effects on his property value.
20 Additionally, he is concerned about the additional traffic on 549. Lastly, he stated that he has concerns
21 regarding the current water restrictions.

22 Brian Leek
24 1570 Fairlakes Court
25 Rockwall, Texas

26 Mr. Leek expressed his support for the change. He believes that this neighborhood will be good for
28 Rockwall.

30 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:39pm.

32 Commissioner Conley made a motion to approve Z2014-025, a request by Christopher Orr of Arcadia
34 Lakes of Somerset Holdings, LLC for the approval of a zoning amendment to Planned Development
35 District 63 (PD-63) to allow for changes to the concept plan and development standards stipulated by
36 Ordinance No. 05-51 for a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey,
37 Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63
38 (PD-63) for Single Family 10 (SF-10) District use, situated within the SH-205 Overlay (SH-205 OV) District,
39 located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), with staff
40 recommendations.

40 Commissioner McCutcheon seconded the motion.

42 A vote was taken and the motion passed 7-0.

44 5. Z2014-028

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

52 Gonzales explained that the applicant has submitted an application for a Specific Use Permit to allow for
53 a standalone "Auto Repair Garage, Minor" within the Commercial (C) District for an existing oil/lube
54 change facility. The property is located at 2225 Ridge Road has been in operation since 1987; however,
55 the facility occasionally stores vehicles overnight due to parts not being available for the vehicle.

56 The applicant is requesting the SUP for the specific purpose of allowing outside storage of vehicles (not
57 exceeding 48 hours) for customers that are in need of parts unavailable at the time of service. The
58 vehicles would be parked/stored at the rear of the building until parts arrived and the vehicle could be
59 serviced. The vehicles would not be stored outside for more than 48 hours and would not be visible
60

2 from Ridge Road when parked behind the building. The site has seven (7) striped head-in parking spaces located at the rear of the building that should be considered when reviewing the SUP request.

4 On October 3, 2014, staff mailed thirty (30) notices to property owners within 500 feet of the subject property. Staff also notified one (1) HOA within 1500 feet (Turtle Cove HOA) by e-mail. Additionally, staff posted a sign on the subject property as required by the Unified Development Code (UDC). Staff has received one (1) notice "for" and six (6) notices "opposed to" the SUP requested.

8 Should the Planning Commission approve the proposed Specific Use Permit (SUP) for an "Auto Repair Garage, Minor," the Commission may additionally consider the applicant's request for the limited outside storage of motor vehicles, as specified on the attached site plan and the duration of storage time for these vehicles, as well as other conditions the Commission deem necessary for compatibility with the surrounding uses.

10 Commissioner Nielsen asked if the commission might be able to place a time limit on the SUP and to review it at a later date.

12 Discussion occurred regarding an expiration on the SUP.

14 Chairman Renfro opened the public hearing at 6:53pm.

16 Mohammed Taha
2225 Ridge Road
24 Rockwall, Texas

26 Mr. Taha discussed the request.

28 Mike Conway
658 Turtle Cove Blvd.
30 Rockwall, Texas

32 Mr. Conway stated that he is in opposition to the request.

34 Tom Galli
645 Stafford Cr.
36 Rockwall, Texas

38 Mr. Galli spoke in opposition to the request.

40 Commissioner Nielsen clarified the issue of storing vehicles in the back of the building overnight.

42 Laura Carr
667 Stafford Circle
44 Rockwall, Texas

46 Mrs. Carr spoke in opposition to the request.

48 Tommy Sparks
1101 S. Goliad
50 Rockwall, Texas

52 Mr. Sparks stated that he also owns a similar business and he doesn't feel like the request is realistic.

54 James Jackson
608 White Hills Drive
56 Rockwall, Texas

58 Mr. Jackson also has a similar business and is upheld to the same standards.

60 Additional discussion took place regarding the request.

As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 7:18pm.

Commissioner Lyons made a motion to approve Z2014-028, 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, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, with staff recommendations and limited to 4 vehicles parked in the spaces behind the building with a 12 month expiration.

Commissioner Nielsen seconded the motion.

A vote was taken and the motion passed 6-1, with Renfro dissenting.

6. Z2014-029

Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

Gonzales stated that the applicant is seeking approval of a Specific Use Permit (SUP) for a proposed retail facility with a fuel center that has more than two (2) gasoline dispensers. The applicant has also submitted a request for Site Plan approval concurrently with the SUP for a Walmart Neighborhood Market (Case# SP2014-025). Should the SUP be approved, the fuel center will operate as a standalone retail facility, which is approximately 740 sq. ft. in area, with six (6) fuel dispensers on a 0.743-acre parcel of land (when subdivided) and will be owned and operated by Walmart. The property is zoned Planned Development District No. 45 (PD-45) which allows for General Retail land uses, is situated within the SH-205 By-Pass Overlay (205 BY-OV) and the SH-276 Overlay (SH-276 OV) Districts, and is generally located at the southeast corner of the intersection of SH-276 and John King Boulevard. The site can be accessed from one point of entry along John King Blvd and two points of entry along SH 276 by way of a mutual access easement.

Finally, staff would encourage the Commission and Council to consider a limitation of outside display at and around the fuel center. Currently, the applicant has indicated on the color elevations an ice machine, propane cage, and "Red Box" DVD kiosk adjacent to the fuel center facility.

On October 3, 2014, staff mailed ten (10) notices to property owners within 500 feet of the subject property. Staff also notified three (3) HOA's within 1500 feet (Meadow Creek Estates, Lofland Farms, and Hickory Ridge HOA Organizations) by e-mail. Additionally, staff posted a sign at the intersection of John King Blvd and SH-276 (on the subject property) as required by the Unified Development Code (UDC). At the time this report was drafted, staff has not received any notices for or against the zoning change requested.

Chairman Renfro opened the public hearing at 7:36pm.

Nicole Clarke
2011 Trailglen
Rockwall, Texas

Tim Wilson
2850 Avery
Rockwall, Texas

As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 7:59pm.

Commissioner Logan made a motion to approve Z2014-029, a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a retail store with more than two (2) gasoline dispensers for a 0.743-acre

tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, with staff recommendations.

Commissioner Lyons seconded the motion.

A vote was taken and the motion passed 5-1, with McCutcheon dissenting and Nielsen abstaining.

(The Commission recessed at pm. The Commission resumed at 8:46pm.)

7. Z2014-032

Hold a public hearing to discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a Specific Use Permit (SUP) for a building greater than 25,000 SF in a General Retail (GR) District for a 5.52-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard, and take any action necessary.

Gonzales explained that the applicant is seeking approval of a Specific Use Permit (SUP) for a proposed building that exceeds 25,000 sq. ft. in area within a General Retail (GR) District. The applicant has also submitted a request for Site Plan approval concurrently with the SUP for a Walmart Neighborhood Market (Case# SP2014-025) which will be considered should the SUP be approved. The property is zoned Planned Development District No. 45 (PD-45) which allows for General Retail land uses, is situated within the SH-205 By-Pass Overlay (205 BY-OV) and the SH-276 Overlay (SH-276 OV) Districts, and is generally located at the southeast corner of the intersection of SH-276 and John King Boulevard.

On October 16, 2014, staff mailed thirty-seven (37) notices to property owners within 500 feet of the subject property. Staff also notified three (3) HOA's within 1500 feet (Meadow Creek Estates & Lofland Farms, and Hickory Ridge HOA Organizations) by e-mail. Additionally, staff posted a sign at the intersection of John King Blvd and SH-276 (on the subject property) as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received one (1) notice "for" and two (2) notices "opposed to" the zoning change requested.

Chairman Renfro opened the public hearing at 8:49pm.

Tim Wilson
2850 Avery
Rockwall, Texas

Mr. Wilson stated that he is concerned with the building being over 25,000 square feet and less than 60 feet from the adjacent homes. He stated that he is in opposition to the request due to the placement of the store.

Nicole Clarke
2011 Trailglen
Rockwall, Texas

Mrs. Clarke stated her concern with the traffic.

Eric Hatley
2440 Fieldcrest Drive
Rockwall, Texas

Mr. Hatley stated his concern with increased traffic and the safety of the children at the nearby school and that property values will decrease.

Mike McQuiddy

2 2221 Fieldcrest Drive
Rockwall, Texas

4 Mark Meadors
2150 Garrison Dr.
6 Rockwall, Texas

8 Mr. Meadors stated that t

10 Carol Inman
2001 / 2021 Trailglen
12 Rockwall, Texas

14 Jennifer McQuiddy
2221 Fieldcrest Drive
16 Rockwall, Texas

18 Nicole Clarke
2011 Trailglen
20 Rockwall, Texas

22 Jamie Cuttler

24 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 9:29pm.

26 Commissioner Lyons made a motion to approve Z2014-032, a request by Steven Freeman of Kimley-
Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a
28 Specific Use Permit (SUP) for a building greater than 25,000 SF in a General Retail (GR) District for a
5.52-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City
30 of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for general retail
land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-
32 276 OV) District, located at the southeast corner of the intersection of SH-276 and John King Boulevard,
with staff recommendations and with an 8ft wall to separate the neighborhood.

34 Commissioner Jusko seconded the motion.

36 A vote was taken and the motion passed 5-1, with McCutcheon dissenting and Nielsen abstaining.

38 8. Z2014-030
40 Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate & Associates,
Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from an
42 Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land uses
for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of
44 Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east
side of Dowell Road south of the intersection of SH-276 and Dowell Road, and take any action
46 necessary.

48 Miller stated that the applicant, Dub Douphrate, is requesting to change the zoning of a 138.79-acre tract
of land -- located off the eastern side of Dowell Road, south of SH-276 -- from an Agricultural (AG)
50 District to a Planned Development District for Single Family 1 (SF-1) District land uses. It is the intent of
the subdivision to provide 107, one (1) acre lots and incorporate a rural street section that will use valley
52 ditches to facilitate proper drainage. As part of the request, the applicant will be asking for exceptions
to the City's *On-Site Sewage* requirements stipulated by the Municipal Code of Ordinances, and to the
54 standard residential street cross section required by the *Standards of Design and Construction* manual.
Additionally, the development will be providing a minimum of 20% open space and a location for a
56 neighborhood pocket park. A summary of the requested density and dimensional requirements is as
follows:

58 According to Section 44-243(c) of the City's Municipal Code of Ordinances,"(n)o permit for the
60 installation of an on-site sewage facility (OSSF) will be issued for property of less than 1½-acres, unless
an exception is granted by the City Council on the grounds that an undue hardship will be created if

2 said lot is not connected to an OSSF.” In this case, the applicant is requesting the exception due to the
4 distance of the subject property from existing City sewer facilities. Staff has estimated that the subject
6 property is in excess of 1½-miles to the closest City sewer line located in the Timber Creek Estates
8 subdivision (near the intersection of Rochell Road and SH-276). In addition, the applicant would be
required to install a lift station to properly provide adequate sewage facilities for this development.
Should the City Council choose to grant the requested exception the applicant will be required to submit
a septic system plan, designed by a licensed OSSF professional, on a lot-by-lot basis at the time of
building permit.

10 With regard to the proposed interior street network the applicant is requesting to utilize a rural street
12 cross section that will have 60-feet of right-of-way and be composed of 28-feet of pavement leading into
14 a 15-foot bar ditch/drainage area (that will be required to have a 4:1 [25%] minimum slope). The
16 applicant is requesting this modified street section for the purpose of maintaining a more rural aesthetic
18 to compliment the larger lot, estate style appearance of the neighborhood. This street design will be
20 utilized on all roadways with the exception of the northern most roadway (i.e. Street ‘C’ on the Zoning
22 Exhibit). This street is currently identified on the City’s Master Thoroughfare Plan as a M4U (minor
24 arterial, four [4] lane, undivided roadway), and is depicted as aligning adjacent to the northern most
property line; however, the applicant is requesting to reduce this road section to a Minor Collector and
realign the roadway as depicted in the provided Zoning Exhibit. In order to do this the applicant has
initiated a Traffic Impact Analysis (TIA), and the realignment and reclassification will depend on the
results of this study. This has been added to the Recommendation section of this case memo as a
condition of approval, and if approved the City Council will be required to amend the Master
Thoroughfare Plan.

26 The Future Land Use Map contained within the Comprehensive Plan designates the subject property for
28 Low Density Residential land uses. According to the Comprehensive Plan, the Low Density Residential
30 designation is generally defined as less than two (2) units per acre. In this case, the applicant is
proposing less than one (1) unit per gross acre and is in conformance with the intent of this land use
designation and the Future Land Use Map.

32 In reference to the subject property the Comprehensive Plan states that, “(l)ow density residential is
34 proposed for the ... eastern-most areas adjacent to Heath and McLendon-Chisholm ... [and] (b)y
36 developing low density residential in these areas, it is anticipated that a rural road section (two-lane with
38 turning lanes) and reduced sizing of utilities can be used to service the area, particularly when the lot
frontage of a development is a minimum 150-feet or more.” When taking this statement into
consideration with relation to the applicant’s requests it appears that the proposed zoning change -- and
exceptions to the standard roadway cross section and OSSF standards -- meets not only the land use
designation, but also the intent for development in this area as stated by the Comprehensive Plan.

40 On October 3, 2014, staff mailed 26 notices to property owners and residents within 500-feet of the
42 subject property. Additionally, staff posted a sign along Dowell Road as required by the Unified
Development Code (UDC). At the time this case memo was drafted no responses were received by staff.

44 City staff has no knowledge of any Homeowner’s Associations or Neighborhood Organizations located
46 within 1,500-feet of the subject property.

48 Chairman Renfro opened the public hearing at 10:03pm.

50 Brian Herndon
408 Equestrian Drive
Rockwall, Texas

52 Mr. Herndon stated that he is pleased to see the neighborhood design with large lots. He also stated
54 that he has a septic system and has no concerns with it. He is concerned with the condition of Dowell
56 Road.

58 Susan Frazier
918 Dowell Road
Rockwall, Texas

60 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 10:17pm.

2 Commissioner Conley made a motion to approve Z2014-030, a request by Dub Douphrate of Douphrate
4 & Associates, Inc. on behalf of Barry Luff of L2 Properties, LLC for the approval of a zoning change from
an Agricultural (AG) District to a Planned Development District for Single Family 1 (SF-1) District land
6 uses for a 138.79-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City
of Rockwall, Rockwall County, Texas, and zoned Agricultural (AG) District, generally located on the east
side of Dowell Road south of the intersection of SH-276 and Dowell Road, with staff recommendations.

8 Commissioner McCutcheon seconded the motion.

10 A vote was taken and the motion passed 7-0.

12 9. Z2014-031

14 Hold a public hearing to discuss and consider a request by Jimmy Strohmeier of Strohmeier Architects,
Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD Development Plan proposing to
16 establish five (5) pad sites for restaurants and retail shopping within Planned Development District 32
(PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of
18 Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development
District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the
20 intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary.

22 Miller explained that on September 20, 2010, the City Council passed *Ordinance No. 10-21 [Planned
Development District 32 (PD-32)]*, which established a concept plan and development standards for the
24 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 (10) subdistrict that contained individual
26 development and land use standards. The subject property is a 2.893-acre portion of land located within
the *Hillside Subdistrict*, which -- according to the *PD Ordinance* -- is intended "... to provide a cluster of
28 restaurant anchors that can contribute to the creation of a vibrant, pedestrian oriented character within
the *Harbor District*."

30 On September 19, 2014, the applicant, Jimmy Strohmeier, submitted an application for site plan
32 showing the proposed layout for the 2.893-acre tract of land. At the time of submittal, the applicant
included a request for a waiver to the *building placement requirements* [Sec. 9.C; Ord. 10-21] for the
34 purpose of allowing buildings to be situated more than 12-feet from the build-to-line in order to
incorporate larger patios adjacent to Harbor Heights Drive. In addition, the building elevations also
36 depicted retaining walls, ranging in size from one (1) to an estimated seven (7) feet (originally nine [9]
feet), adjacent to the sidewalks along Harbor Heights Drive. In accordance with *Ordinance No. 10-21*,
38 staff required the applicant to change the request from a *PD Site Plan* to a *PD Development Plan* on the
grounds that the retaining walls inhibited the pedestrian oriented character required by the concept plan
40 for the *Hillside Subdistrict*, and thus the plan did not meet *Criteria 'A'* of Section 9.C (*i.e. meet the
general intent of PD District or Subdistrict in which the property is located*). Additionally, the PD
42 Development Plan grants the City Council discretionary approval over the request.

44 The concept plan for the *Hillside Subdistrict* calls for existing slopes between 8-12% with the
incorporation of two (2) pedestrian opportunities extending perpendicular to Harbor Heights Drive at not
46 more than 2% slope. Harbor Heights Drive -- which is intended to serve as the "...primary connector to
the existing *Harbor Development* and is a primary street frontage for retail, residential and mix use
48 development within [the] adjacent subdistricts..." -- is designated as a *Street Type 'D'*, and was
constructed with slopes of 10.3% with one (1) pedestrian crossing constructed at a 1% slope in
50 accordance to the concept plan. Additionally, the original plan depicted smaller pad sites that stepped
down to adjust for the slope of the street, which allowed for storefronts and patios to be *at or closer to*
52 grade. The plan submitted by the applicant does meet the majority of the technical requirements of
Ordinance No. 10-21, with the exception of the *building placement requirements*; however, it also
54 incorporates larger pad sites, which according to the applicant are more difficult to step down to a
pedestrian level. In addition, the applicant has stated that the walls accommodate the projected retail
56 and restaurant uses by allowing for larger patios and preserving the view corridor provided by Harbor
Heights Drive.

58 The applicant's request to allow the buildings to be situated more than 12-feet from the build-to-line
60 does appear to be a valid request in that it allows for additional pedestrian activity adjacent to Harbor
Heights Drive; however, the request only meets the intent of the district if the proposed patios are

2 located at a pedestrian level. Taking the intent of the district into consideration (*i.e. the creation of a*
3 *vibrant, pedestrian oriented character within the Harbor District*) the current plan does not meet the
4 vision laid out within the concept plan with respect to the creation of a pedestrian friendly environment.
5 With this being said, it is important to point out that the applicant has incorporated one (1) of the
6 pedestrian crossings, which allows for pedestrian foot traffic to access Harbor Heights Drive from the
7 proposed parking areas. Staff has recommended to the applicant stepping the patios down at different
8 intervals than the proposed building pads to bring the patios closer to grade and allow for pedestrian
9 visibility of the storefronts. Under this recommendation, the plan could accommodate the larger
10 building pads and increased patio space while still bringing the patios down to a pedestrian level
11 allowing for increased access and visibility. The applicant has partially complied with this request by
12 breaking the largest retaining wall into two portions by stepping the patio down. This brings the wall
13 from an estimated nine (9) feet to an estimated seven (7) feet. Additionally, the applicant has provided a
14 seat wall to provide a pedestrian element into the wall design.

15 With this being said the proposed plan was questionable enough with regard to the district's stated
16 intent to bring to the City Council for discretionary approval. Should the City Council choose to grant
17 the request the applicant will still need to submit a site plan that will be reviewed by the Architectural
18 Review Board (ARB) and the Planning and Zoning Commission. The waiver to the *building placement*
19 *requirements* will be accounted for in the PD Development Plan Ordinance provided to the City Council.

20 On October 3, 2014, staff mailed 23 notices to property owners and residents within 500 feet of the
21 subject property. Staff also emailed notices to the Lakeside Village and Lago Vista Homeowner's
22 Associations (HOA), which are the only HOA's located within 1,500 feet of the subject property.
23 Additionally, staff posted a sign at the corner of the intersection of Sunset Ridge Drive and the IH-30
24 Frontage Road as required by the Unified Development Code (UDC). At the time this case memo was
25 drafted no responses were received by staff.

26 Chairman Renfro opened the public hearing at 10:25pm.

27 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 10:30pm.

28 Commissioner Conley made a motion to approve Z2014-031, a request by Jimmy Strohmeyer of
29 Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a PD
30 Development Plan proposing to establish five (5) pad sites for restaurants and retail shopping within
31 Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B,
32 Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-
33 District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District,
34 at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, with staff
35 recommendations.

36 Commissioner McCutcheon seconded the motion.

37 A vote was taken and the motion passed 7-0.

38 IV. ACTION ITEMS

39 10. MIS2014-016

40 Discuss and consider a request from David Dorotik for approval of a Special Exception to the Unified
41 Development Code, Article VI, Section 4, Residential Parking, regarding the storage of farm machinery
42 (antique tractor) on a residential lot being zoned Single-Family Residential District (SF-7) and located at
43 509 Parks Avenue, Rockwall, Texas, and take any action necessary.

44 Miller indicated that the applicant, David Dorotik, is requesting an exception to the residential parking
45 requirements stipulated by Article VI, *Parking and Loading*, of the Unified Development Code (UDC) for
46 the purpose of parking an antique farm tractor under an existing carport. According to Section 4,
47 *Residential Parking*, of Article VI of the UDC, "(o)n lots less than five [5] acres ... *farm machinery*, or
48 similar equipment, ... shall not be parked or stored on any residential or agricultural lot or the adjacent
49 street ...(unless) [1.] Such equipment shall be located beside or behind the primary structure and back
50 from the nearest corner of the front façade of the house a minimum ten (10) feet ... [2.] such equipment
51 is screened from view of public right-of-way with a minimum six (6) foot solid fence or equivalent
52 landscaping; and ... [4.] it shall be parked on an approved surface of concrete, asphalt or stabilized

2 gravel." The applicant is proposing to park the antique tractor under an existing carport situated behind
3 the primary structure adjacent to Lilian Street. The tractor will not be screened and will be visible from a
4 public right-of-way. In accordance with Section 8.5, *Criteria for Granting Special Exceptions*, of Article
5 II, *Authority and Administrative Procedures*, of the UDC staff is bringing the applicant's case forward as
6 a special exception. Under this section, the City Council may grant a special exception to the
7 requirements of the UDC, pending a recommendation by the Planning and Zoning Commission, upon
8 finding that the request meets the following criteria:

- 9 A. Such special exception will not substantially or permanently injure the appropriate use of adjacent
10 property in the same district;
- 11 B. Such special exception will not adversely affect the health, safety or general welfare of the public;
- 12 C. Such special exception will not be contrary to the public interest;
- 13 D. Such special exception will not authorize the operation of a use other than those uses specifically
14 authorized for the district in which the property for which the exception is sought is located, except
15 as provided elsewhere in this [Unified Development Code];
- 16 E. Such special exception will be in harmony with the spirit and purpose of this [Unified Development
17 Code];
- 18 F. Such special exception will not alter the essential character of the district in which is located the
19 property for which the exception is sought;
- 20 G. Such special exception will not substantially weaken the general purposes of the zoning regulations
21 established for the district in which the property is located; and
- 22 H. Such special exception is within the spirit and intent of the city's comprehensive plan and other
23 policies.

24 Should the Planning and Zoning Commission and City Council choose to approve the applicant's
25 request then Mr. Dorotik would only be permitted to store the antique tractor underneath the existing
26 carport, and not on the adjacent driveway.

27 Commissioner McCutcheon made a motion to approve MIS2014-016, a request by David Dorotik for
28 approval of a Special Exception to the Unified Development Code, Article VI, Section 4, Residential
29 Parking, regarding the storage of farm machinery (antique tractor) on a residential lot being zoned
30 Single-Family Residential District (SF-7) and located at 509 Parks Avenue, Rockwall, Texas, with staff
31 recommendations.

32 Commissioner Jusko seconded the motion.

33 A vote was taken and the motion passed 7-0.

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38 11. SP2014-025

39 Discuss and consider a request by Steven Freeman of Kimley-Horn and Associates, Inc. on behalf of
40 Don Holloway of Lofland Farms, LTD for the approval of a site plan for a Walmart Neighborhood Market
41 and fuel center on a 6.26-acre tract of land identified as a portion of Tract 5-3 of the W. H. Baird Survey,
42 Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45
43 (PD-45) for general retail land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District
44 and the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-
45 276 and John King Boulevard, and take any action necessary.

46
47
48 Gonzales explained that the applicant is seeking approval of a site plan for a proposed Walmart
49 Neighborhood Market and fuel center that will be located on a 6.26-acre tract of land identified as a
50 portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25 and is zoned Planned Development
51 District 45 (PD-45), which allows for General Retail land uses by right. The applicant has submitted two
52 (2) requests for Specific Use Permits (SUP) concurrently with the site plan. One SUP is for a retail
53 facility with more than two (2) gasoline dispensers (Case# Z2014-029) and the second SUP is for a
54 building exceeding 25,000 sq. ft. within an area zoned for General Retail (GR) uses. Should the SUP's be
55 approved, the fuel center will operate as a standalone retail facility, which is approximately 740 sq. ft. in
56 area, with six (6) fuel dispensers on a 0.74-acre parcel of land when subdivided and a 41,000 sq. ft.
57 grocery store. Walmart will own and operate both facilities. The property is situated within the SH-205
58 By-Pass Overlay (205 BY-OV) and the SH-276 Overlay (SH-276 OV) Districts and is generally located at
59 the southeast corner of the intersection of SH-276 and John King Boulevard.

2 The proposed site will contain an approximately 41,000 sq. ft. single-story structure that will be primarily
3 utilized as a grocery store with an approximately 740 sq. ft. fuel center. The site will be accessed from
4 one point of entry along John King Blvd and two points of entry along SH 276. The access point along
5 Hwy 276 nearest the intersection is proposed as a right in/right out only in order to provide a traffic
6 calming measure for the roadway. Also, the applicant has provided a truck route exhibit indicating how
7 the vehicles will enter and exit the site. Currently, there is a 4-ft wide sidewalk extending along the
8 property adjacent to John King Blvd. In order to accommodate the Parks and Recreations trail system,
9 the applicant is proposing to widen the sidewalk to 8-ft for pedestrian and cyclist use. The applicant
10 has provided a cross section exhibit for your review.

11 The parking ratio for a grocery store is based on a retail component of one parking space per two
12 hundred-fifty (250) square feet of area and will require 168 parking spaces for the grocery store. The
13 740 sq. ft. retail facility requires 3 parking spaces based on this criterion. The applicant is proposing 168
14 parking spaces for the grocery store and 3 parking spaces for the fuel center meeting the City's
15 standards. The site will include one loading dock for deliveries that will be located at the rear of the
16 store (as per the codes requirement) and will provide a masonry screening wall for vehicles utilizing this
17 area. The materials of the screening wall will match the primary building. The dumpster enclosure and
18 trash compactor are also located to the rear of the building and will be screened with an 8-ft masonry
19 wall/enclosure with materials matching and meeting the intent of the overlay district requirements. The
20 plan meets (or exceeds) the intent of the applicable overlay districts and the UDC as submitted.

21 The applicant has submitted a landscape plan indicating a total of 32% landscaping coverage for the
22 development, thereby exceeding the 15% minimum coverage for a general retail development. The site
23 will include an assortment of canopy trees, accent trees, shrubs, and ground cover creating an
24 aesthetically pleasing environment for their customers and neighboring properties. The applicant is
25 proposing thirty-seven (37) large canopy trees and fifty (50) accent trees within the landscape buffer
26 strip along State Highway 276 & John King Blvd, meeting the standards established for the SH 276 OV &
27 the 205-BY OV districts. The applicant is also providing seventeen (17) trees internal to the lot and
28 around the building to soften the appearance. The detention pond will be screened using a variety of
29 trees surrounding this area.

30 Residential adjacency standards are established in the Unified Development Code and apply to
31 commercial developments adjacent to any residential district. The standard requires a minimum 6-ft
32 masonry fence be erected to provide screening of non-residential uses. The applicant is proposing a 6-
33 ft masonry wall along the rear of the property. The applicant is also providing a row of trees (8 Bur Oak
34 and 8 Eastern Red Cedar), which will provide additional screening from the adjacent residential
35 neighborhood and has provided a cross section exhibit depicting the anticipated tree growth in ten (10)
36 years for your review.

37 The photometric plan indicates 23 lighting pole standards placed throughout the site and will utilize a
38 GE LED Area Light styled lighting fixtures. The 205 By-Pass and SH 276 Overlay Districts require light
39 poles not to exceed 20-ft in height (including the base) and that all light sources are to be full cut-off
40 with a maximum one inch reveal and directed down. Also, the Unified Development Code requires all
41 lighting to be contained on site at a maximum intensity of 20-FC, with the exception for canopy lighting
42 not to exceed 35-FC and fully recessed into the canopy. The proposed fuel centers' canopy will be lit
43 with 18 under canopy lights that are recessed and meet the intent of the code. Also, lighting at the
44 property lines are not to exceed 0.2-FC to control glare and spillover lighting for the development. The
45 plan meets (or exceeds) the intent of the applicable overlay districts and the UDC as submitted.

46 The proposed site will contain an approximately 41,000 sq. ft. single-story building and an
47 approximately 740 sq. ft. retail facility with a fuel center. These structures will be comprised primarily of
48 a two color combination Split Face Concrete Masonry Units and Tennessee Crab Orchard natural stone
49 veneer. The applicant will incorporate a stone wainscot primarily on the west and north elevations, with
50 a wraparound of the feature appearing on the south and east elevations. Also present are stone
51 columns supports at the vestibule with articulated stone pilaster accents located on the north, south,
52 east, and west elevations that provide relief to the structure. A banding element is present on the north,
53 south, east, and west elevations as well and ties in with the articulated stone pilasters including the
54 clerestory on the front facing facade. The building will incorporate a flat roof design with parapet walls
55 that vary in height providing an element of vertical articulation. The fuel center will incorporate the
56 same materials as the primary structure; however, the canopy will be comprised of pre-finished metal
57 panels with an articulated cornice and colors that blend with the retail facility.

2 The SH 276 Overlay and 205 By-Pass Overlay districts require a minimum of four architectural elements
4 to be incorporated into the design of the building. The color perspective and color elevations depict the
6 building meeting the architectural requirements both vertically and horizontally by incorporating varied
8 roof heights, a vestibule at the main entrance, the use of awnings and canopies, articulated stone
10 pilasters and columns, and a stone wainscot. The overall height of the building is 26-ft and does not
12 exceed the height restrictions for this district. It should be noted if the Specific Use Permit is granted
14 for the fuel center, the elevations for this facility will be tied to the SUP. The plan meets (or exceeds)
16 the intent of the applicable overlay districts and the UDC as submitted.

10 On September 30, 2014, the Architectural Review Board recommended the applicant soften the
12 appearance of the building and provide relief to the "box feel" by tying elements that match or conform
14 to the immediate area and to not provide a prototypical building. The ARB recommended a second
16 review of the elevations at the next P&Z meeting on October 14, 2014.

16 Commissioner Lyons made a motion to approve SP2014-025, a request by Steven Freeman of Kimley-
18 Horn and Associates, Inc. on behalf of Don Holloway of Lofland Farms, LTD for the approval of a site
20 plan for a Walmart Neighborhood Market and fuel center on a 6.26-acre tract of land identified as a
22 portion of Tract 5-3 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County,
24 Texas, zoned Planned Development District 45 (PD-45) for general retail land uses, situated within the
26 SH-205 By-Pass Overlay (205 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, located at the
28 southeast corner of the intersection of SH-276 and John King Boulevard, with staff recommendations.

24 Commissioner Conley seconded the motion.

26 A vote was taken and the motion passed 6-0, with Nielsen abstaining.

28 12. SP2014-026

30 Discuss and consider a request by Adam Brantley of A-Team Construction on behalf of the owner Scott
32 Milder for the approval of a site plan for the purpose of establishing an antiques/collectables/general
34 retail store and office space within an existing building situated on a 0.66-acre property containing two
36 (2) parcels of land identified as a Block 23A (0.43-acres) and Block 24C (0.23-acres) of the Amick
38 Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District uses,
40 located within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 & 805 N. Goliad
42 Street, City of Rockwall, Rockwall County, Texas, and take any action necessary.

36 Sanford explained that the applicant has submitted a site plan for the property located at 803 N. Goliad
38 Street in order to convert the existing home to retail and office space. The existing home is
40 approximately 1,738 square feet as indicated in the previous SUP request.

42 The parking requirements in PD-50 are one (1) parking space per 500 square feet of office area. The
44 proposed use requires four (4) parking spaces and the applicant has provided twelve (12) parking
46 spaces. If in the future, any portion of the building is utilized as retail space, the parking requirement is
48 one (1) parking space per 250 square feet of the retail portion. The site plan submitted indicates a 24'
50 access drive off of N. Goliad; however, this access will require TxDot approval and a permit. If TxDot
52 will not permit the access off of N. Goliad, the site will have sufficient access by connecting to the 24'
54 access easement from the adjacent property to the north. While the site plan shows dedication of the
56 24' access easement to the south property, it currently does not align with the proposed drive aisle and
58 the applicant is requesting to leave this unpaved at this time. If in the future, this south access is
60 utilized, it must be paved.

52 There are two (2) large pecan trees at the back of the property on either side of the proposed drive that
54 the applicant will save. One (1) tree within the right-of-way must be removed, but no mitigation will be
56 required.

56 The applicant will provide an eight-foot tall wood fence with stone columns at the rear of the property as
58 screening from the adjacent residential properties. The fence will be setback 20ft from the property line
60 so as to align with the front facades of the adjacent homes.

60 The property is subject to the standards of the North Goliad Corridor (NGC OV) Overlay which will
regulate signage

2 Commissioner Lyons made a motion to approve SP2014-026, a request by Adam Brantley of A-Team
4 Construction on behalf of the owner Scott Milder for the approval of a site plan for the purpose of
6 establishing an antiques/collectables/general retail store and office space within an existing building
8 situated on a 0.66-acre property containing two (2) parcels of land identified as a Block 23A (0.43-acres)
and Block 24C (0.23-acres) of the Amick Addition, zoned Planned Development District 50 (PD-50) for
Residential-Office (RO) District uses, located within the North Goliad Corridor Overlay (NGC OV) District,
addressed as 803 & 805 N. Goliad Street, City of Rockwall, Rockwall County, Texas, with staff
recommendations.

10 Commissioner Conley seconded the motion.

12 A vote was taken and the motion passed 7-0.

14 V. APPOINTMENTS

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

20 The ARB representative discussed their recommendations.

22 VI. DISCUSSION ITEMS

24 14. Z2014-033

26 Hold a public hearing to discuss and consider a request by Amy and Mark Stehr for the approval of an
amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored
28 outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of
land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County,
30 Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway,
and take any action necessary.

32 Sanford explained the request.

34 15. P2014-033

36 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt Alexander
of the Cambridge Company, Inc. for the approval of a final plat for Rockwall Downes, Phase 1,
38 containing 34 residential lots on a 15.135-acre tract of land identified as a portion of Tract 3 of the J. M.
Allen Survey, Abstract No. 0002, City of Rockwall, Rockwall County, Texas, zoned Planned
Development District 10 (PD-10) for residential land uses, situated within the 205 By-Pass Overlay (205-
40 BY OV) District, located south of the intersection of the IH-30 Frontage Road and John King Boulevard,
and take any action necessary.

42 Miller described the case and the location of the property.

44 16. P2014-035

46 Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a
residential replat for Lots 6 & 7, Block K, Sanger Brothers Addition, being a 0.23-acre parcel of land
48 currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall,
Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential
50 Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take any action
necessary.

52 Sanford briefly discussed the request.

54 17. SP2014-029

56 Discuss and consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of
Fenton Motor Group for the approval of a site plan for a new automobile dealership on a 14.751-acre
58 tract of land being composed of a 10.5-acre parcel of land identified as Lot 1, Block A, Lafon Addition
and a 4.251-acre portion of Tract 2 & 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall,
60 Rockwall County, Texas, being zoned Light Industrial (LI) and Commercial (C) District, situated within
the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Overlay (205-BY OV) District, located at the

southeastern corner of the intersection of John King Boulevard and the IH-30 Frontage Road, and take any action necessary.

2

4 **Gonzales explained the case and described the property.**

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

8 ✓ MIS2013-006: Water/Wastewater Impact Fees (1st/2nd Reading) [Approved]

10 LaCroix gave a brief overview of the results for the above case.

12 VII. ADJOURNMENT

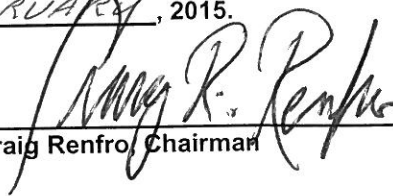
14 The meeting adjourned at 11:40 p.m.

16 **PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,**

Texas, this 10 day of FEBRUARY, 2015.

18

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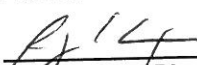
Craig Renfro, Chairman

22

Attest:

24

26



Ryan Miller, Planning Manager

28

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
November 11, 2014
6:00 P.M.

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8 I. CALL TO ORDER

10 The meeting was called to order by Craig Renfro at 6:04 p.m. with the following members present:
12 Wendi Conley, Tracey Logan, Jonathan Lyons, Mike Jusko, John McCutcheon and Matthew Nielsen were present.

14 The following staff members from the Planning Department were present: Robert LaCroix, Ryan
16 Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members,
18 Tim Tumulty and Amy Williams, and Fire Department staff member, Ariana Hargrove, were in
20 attendance.

22 II. CONSENT AGENDA

24 1. P2014-033

26 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Matt
28 Alexander of the Cambridge Company, Inc. for the approval of a final plat for Rockwall Downes,
30 Phase 1, containing 34 residential lots on a 15.135-acre tract of land identified as a portion of Tract
32 3 of the J. M. Allen Survey, Abstract No. 0002, City of Rockwall, Rockwall County, Texas, zoned
34 Planned Development District 10 (PD-10) for residential land uses, situated within the 205 By-Pass
36 Overlay (205-BY OV) District, located south of the intersection of the IH-30 Frontage Road and
John King Boulevard, and take any action necessary.

38 2. P2014-036

40 Discuss and consider a request by Philip Graham, PE of Wier & Associates on behalf of Sheri
42 Franza of the Rockwall Economic Development Corporation for the approval of a replat for Lots 2 &
44 3, Block B, Rockwall Technology Park, Phase II being a 22.649-acre parcel of land currently
46 identified as Lot 1, Block B, Rockwall Technology Park, Phase II, City of Rockwall, Rockwall
48 County, Texas, zoned Light Industrial (LI) District, generally located east of the intersection of
Corporate Crossing and Discovery Boulevard, and take any action necessary.

50 3. P2014-037

52 Discuss and consider a request by Arthur F. Beck of BSM Engineers, Inc. on behalf of the First
54 United Methodist Church of Rockwall for the approval of a replat for Lots 6, 7 & 8, Block 1, First
56 United Methodist Church Addition, being a 19.5556-acre tract of land composed of two (2) parcels
58 of land identified as Lots 3 & 5, 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.

60 4. P2014-038

Discuss and consider a request by Steven Heilbrun of Pacheco Koch, LLC on behalf of Williams H.
Channell, Jr. of Channell Commercial Corp for the approval of a replat for Lot 2, Block A, Channell
Subdivision, being a 18.762-acre parcel of land currently identified as Lot 1, Block A, Channell
Subdivision, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated
within the SH-205 By-Pass Corridor Overlay (205 BY-OV) District, located on the west side of John
King Boulevard south of Airport Road, and take any action necessary.

54 Commissioner McCutcheon made a motion to approve the Consent Agenda.

56 Commissioner Conley seconded the motion.

58 A vote was taken and the motion passed 7-0.

60 III. PUBLIC HEARINGS

2 5. Z2014-027

4 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a
text amendment to Article II, Authority and Administrative Procedures, Article IV, Permissible Uses,
6 and Article V, District Development Standards, of the Unified Development Code [Ordinance No.
04-38] for the purpose of modifying various sections of the code, and take any action necessary.

8 Miller explained that on September 2, 2014, the City Council directed staff to initiate text
amendments to Article II, *Authority and Administrative Procedures*; Article IV, *Permissible Uses*;
10 and Article V, *District Development Standards*, of the Unified Development Code (UDC).
Specifically, the amendments address three (3) separate issues:

- 12
- 14 1) *Sec. 13.2, Art. II, UDC*. The UDC defines the qualifications and composition for appointing
individuals to the Architectural Review Board (ARB). These requirements have made it difficult
16 to find individuals living within the City that meet these qualifications, and have made it
problematic maintaining a full seven (7) member board. The current requirements stipulate that
18 the board be composed of one (1) member from any of the following fields: landscape
architecture, civil engineering, structural engineering, commercial builder (*in the district [i.e.*
20 *Overlay District]*), land planning, and building design. Due to the size of the community, finding
qualified individuals has been a challenge. In response to this issue staff has prepared
22 modifications that would change the restrictions to allow individuals with qualifications or
training in a *general design related field (e.g. landscape architecture, interior or exterior design,*
24 *municipal planning, municipal government, and etcetera)* to be eligible as board members.
Inserting more flexible language into the code will allow more opportunities in the selection
26 process and provide more chances for Rockwall citizens to participate on the ARB.
 - 28 2) *Sec. 1.1 & 2.1.8, Art. IV, UDC*. At the behest of Bill Bricker the City Council has directed staff to
establish a use that allows for the sale of a limited number of automobiles that will be stored
30 and displayed indoors in a completely enclosed building. Staff is proposing the *Indoor Motor
Vehicle Dealership/Showroom, New and/or Used* use and has drafted preliminary regulatory
32 standards for said use.
 - 34 3) *Sec. 4.1 & 5.1, Art. V, UDC*. The Unified Development Code currently restricts all commercial and
industrial buildings, not within an Overlay District, from locating stucco within the first eight (8)
36 feet above grade on any building façade that is visible from a street or public area [*Sec. 4.1.A.1
& 5.1.A.1; Art. V, UDC*]. This is in contrast to the Overlay District requirements, which are less
38 restrictive and prohibit stucco from being located within the first four (4) feet above grade on
any building façade that is visible from a street or public area (*e.g. Sec. 6.7.C.1.a; Art. V, UDC*).
40 The purpose of this restriction is generally to allow for a greater variation of materials, and for
the incorporation of a brick or stone wainscot. This has become an issue on past projects that
42 propose smaller buildings (*typically located outside of the overlay districts*) built to a residential
scale that usually utilize pitched roofs. In these cases, the eight (8) foot requirement is difficult
44 to incorporate into the design, and usually requires the applicant to request a variance from the
Planning and Zoning Commission and City Council.

46 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
48 recommendation to the City Council.

50 Staff has sent out a 15-day notice to the Rockwall County News in accordance with all applicable
state laws and Section 6.1 of Article II, *Authority and Administrative Procedures*, of the UDC. The
52 notice was published on October 23, 2014.

54 Chairman Renfro opened the public hearing at 6:05pm.

56 As no one wished to speak on this item, Chairman Renfro closed the public hearing at 6:05pm.

58 Commissioner Nielsen made a motion to approve Z2014-027, a City initiated zoning request for the
approval of a text amendment to Article II, Authority and Administrative Procedures, Article IV,
60 Permissible Uses, and Article V, District Development Standards, of the Unified Development Code

2 [Ordinance No. 04-38] for the purpose of modifying various sections of the code, with staff
3 recommendations.

4 Commissioner McCutcheon seconded the motion.

6 A vote was taken and the motion passed 7-0.

8 6. Z2014-033 (JoDee) [Request to Postpone to the November 25, 2014 Meeting]

10 Hold a public hearing to discuss and consider a request by Amy and Mark Stehr for the approval of
12 an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to
14 be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-
acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall,
Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129
E. Ralph Hall Parkway, and take any action necessary.

16 IV. ACTION ITEMS

18 7. SP2014-029

20 Discuss and consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of
22 Fenton Motor Group for the approval of a site plan for a new automobile dealership on a 14.751-
24 acre tract of land being composed of a 10.5-acre parcel of land identified as Lot 1, Block A, Lafon
26 Addition and a 4.251-acre portion of Tract 2 & 12 of the J. Lockhart Survey, Abstract No. 134, City
of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) and Commercial (C) District,
situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Overlay (205-BY OV)
District, located at the southeastern corner of the intersection of John King Boulevard and the IH-30
Frontage Road, and take any action necessary.

28 Gonzales stated that the applicant, John Spiars of Spiars Engineering, Inc., is requesting approval
30 of a site plan for a proposed new automobile dealership on a 14.751-acre tract of land. As you may
recall, the property has two SUP's (Ord. No. 13-36 & Ord. No. 14-24) attached to the site that allows
32 for the development. The site is generally located at the southwest corner of IH-30 and John King
Blvd and is zoned Light Industrial (LI) and Commercial (C) districts. The property is located within
34 the IH 30 OV and 205-BY OV Districts and is subject to the standards established for these districts;
however, the applicant will be seeking variances to certain standards established within the Unified
36 Development Code as outlined in staff's report. The applicant has provided a letter outlining the
purpose for each variance requested.

38 The proposed 80,233 sq. ft. building will be a single story structure that will be home to Fenton
40 Nissan of Rockwall. The development will also feature a used car component as an accessory use
and a service facility for customer convenience. A separate 2,272 sq. ft. car wash facility will be
42 located on the southeast portion of the site and will be used for detailing purposes associated with
the business. The two (2) bay car wash will set back approximately 640-ft from the IH-30 right-of-
44 way and will be visually impaired (e.g. landscaping, display vehicles, etc.) from the east bound
traffic along the IH-30 service road. The site can be accessed from two (2) points of entry along the
46 IH-30 service road and a proposed access drive along John King Blvd. The parking ratio for a new
automobile dealership is based on one (1) parking space per 250 sq. ft. for the retail area, one (1)
48 parking space for each 300-ft of office space, and two (2) spaces for each service bay. The
applicant is providing 215 parking spaces, exceeding the required minimum standard, and will also
include 785 display parking spaces for their inventory.

50 The applicant has included a corner enhancement for a gateway element that will complement the
52 corridor. The John King Blvd Design Guidelines Concept Plan introduces an opportunity for
developers to provide enhancements along this corridor with key features that will serve as an
54 image of the City of Rockwall. The freestanding wall element will be the first gateway identifying
element for the John King Blvd corridor at IH-30 intersection. The applicant will also incorporate a
56 10-ft sidewalk/trail along John King Blvd that will eventually tie-in to the City's trail system for
pedestrians and cyclists.

58 Based on the site plan submitted, the site appears to meet the intent of the UDC; however, a
60 variance to allow for the service bay doors to face IH-30 and a residential lot will be required. The
proposed service bay doors are approximately 315-ft from the IH-30 service road and 295-ft from the

2 residential lots to the south. It should be noted that a 30-ft landscape buffer will be located along
the south property line adjacent to the residential properties and the adjacent development will
provide additional screening of the residential properties from the dealership.

4
6 According to Article V, Sec. 4.1.7, of the Unified Development Code "...buildings over 80,000 square
feet in area, the applicant must demonstrate that the building can be subdivided in a reasonable
manner by submitting a plan indicating potential entrances and exits and loading areas for multiple
8 tenants." The applicant has met this requirement by submitting a future multi-tenant concept plan
indicating the necessary conditions should the building need to be retrofitted for such use.

10 The applicant has submitted a landscape plan indicating an approximate total of 20% landscaping
12 coverage for the site that exceeds the minimum requirements for a commercial development. The
applicant will incorporate an assortment of Live Oaks, Chinese Pistache and Lacebark Elm as
14 canopy trees, with Texas Redbud, Leyland Cypress, Weeping Yaupon Holly, Georgia Petite Indian
Hawthorn, and Chica Crape Myrtles as accent trees. The assorted trees will be located throughout
16 the site and at various points internal to the parking lot. The site also features numerous shrubs,
ground cover and grasses dispersed throughout the property providing for an aesthetically
18 pleasing environment surrounding the dealership.

20 The treescape plan submitted indicates 59 trees being removed from the site with a majority being
eastern red cedars and seven (7) trees identified as hackberry. With the exception of one (1) Texas
22 Ash (18.75"), the remaining cedars and hackberry's that are eleven (11) inches or greater will be
replaced at 50% of the inches being removed. The applicant's treescape plan satisfies the
24 mitigation balance for tree replacement.

26 Based on the landscape and treescape plans submitted, the applicant meets or exceeds the intent
of the UDC and the OV districts standards.

28 The UDC requires all lighting to be contained on site at a maximum intensity of 20-FC for the site;
30 however, a new car dealership may increase the maximum intensity to not exceed 30-FC along the
front yard of the site with the remainder of the lot meeting the standard 20-FC limitation. Lighting at
32 the property lines are not to exceed 0.2-FC in order to control glare and spillover lighting. The
maximum height for light poles is 20-ft (including the base, pole or combination thereof) within the
34 205 BY-OV district. Also, all light sources are to be fully cut-off with a maximum one (1) inch reveal
and directed down.

36 Based on the lighting plan as submitted, the site appears to meet the intent of the UDC and the OV
38 District standards.

40 The facades will incorporate several materials that include natural limestone- grey, natural stone
tile, a smooth brick veneer – steel grey, split face CMU – gray granite, pre-finished steel ribbed
42 panels, storefront glass and framing systems, and aluminum composite panels (ACM). The
proposed elevations for the dealership indicates an overall height of 36-ft for the mechanical
44 screening wall element while the parapet walls overall height reaches 28-ft and the buildings' façade
below the parapet reaches 22-ft 6 inches. These varied heights provide a sense of a vertically
46 articulated building and is more pronounced when viewing the image perspectives provided by the
applicant and is included with this report. The buildings' footprint also provides horizontal
48 articulation as depicted with bump outs, recesses and projections at each elevation, which are
elements indicative of the codes standards. However, based on the UDC's standards for vertical
50 and horizontal articulation, the 80,233 sq. ft. building does have planes that extend beyond the
calculated minimum standards for articulation; therefore, the applicant will be requesting variances
52 to allow for the design as presented. The applicant has provided a letter of explanation for your
review and consideration.

54 Since the building is greater than 50,000 sq. ft., the IH-30 OV and 205 BY-OV Districts requires a
56 minimum of six (6) architectural elements to be incorporated in the design of the building. The
applicant has meet this requirement by incorporating recesses and projections, varied roof heights,
58 display windows, architectural details integrated into the building façade, offsets, reveals and a
projecting rib design. Aesthetically, the north and west elevations, which face IH-30 and John King
60 Blvd, provide the most interest by incorporating these elements as they are the most visible

2 elevations. As an example, the west elevation features storefront glass with an articulated overhang at the main roof line with a secondary overhang at the entrance.

4 As you review the proposed elevations, it should be noted that the Architectural Review Board (ARB) was not receptive to the elevations originally submitted, even though the applicants' intent was to meet the City's standards. The board requested that the applicant bring back a design utilizing more ACM panels and features that provide a 'similar look' and branding image that is consistent with Nissan's Headquarters. The applicant will be requesting several variances in order to accommodate the ARB's recommendation of meeting a corporate identity while providing some elements in the buildings' design that conform with the requirements stipulated by the City's overlay districts.

12 The applicant is requesting the following variances to various sections of Article IV, Auto and Marine Related Use Conditions, Article V, District Development Standards, and Article VIII, Landscape Standards of the Unified Development Code (UDC) as indicated below.

- 18 1) To allow for not meeting the masonry standards as established in Art. V, Sec. 4.1, A. Construction Materials, as calculated and depicted in the building elevations submitted.
- 20 2) To allow for not meeting the horizontal and vertical articulation standards as established in Art. V, Sec. 4.1, C., 1 (a), (b) as depicted in the site plan and building elevations submitted.
- 22 3) To allow for not meeting the screening standards as established in Art. VIII, Sec. 5.6 Screening from Residential Uses which requires a minimum 6-ft high masonry screening fence. The applicant is providing a 30-ft landscape buffer with trees as required by the UDC for buildings exceeding 80,000 sq. ft.; however, the adjacent property owner/developer has submitted a letter supporting the 30-ft buffer with a living screen and opposes the use of a masonry screening fence.
- 24 4) To allow for not meeting the requirements for service bays as established in Art. IV, Sec. 2.1.8, Auto Repair Garage, Minor, 4. Garage doors or bays shall not face a street or residential lot, as depicted on the site plan submitted.
- 26 5) To allow for the utilization of a 21-ft wide firelane width at the one-way entry and exit drive along the IH-30 service road. It should be noted that the Fire Department supports the approval of two 21-ft wide one-way fire lanes from/to service road (radius shall be confirmed during engineering phase).
- 28 6) To allow for not meeting the 20 percent natural or quarried stone requirements of the applicable overlay districts, as depicted in the building elevations submitted.
- 30 7) To allow for a Corporate Identity that conflicts with the design criteria of the applicable overlay districts as depicted in the building elevations submitted and the associated variances requested by the applicant.

38 The variances requested by the applicant require a simple majority vote in the affirmative of all council members present for approval of the requested actions. Variance request numbers 6 & 7 are associated with the IH-30 OV and 205 BY-OV districts and require approval by a ¾ majority vote of City Council for those members present.

44 On October 28, 2015, the Architectural Review Board (ARB) had a general discussion concerning the proposed dealership with staff. The ARB was concerned that even though the building met the ordinances (UDC, Overlay districts) intent, the buildings' material blend did not translate well. The ARB recommended that the applicant incorporate more ACM (aluminum composite material) panel and change the elevations to be similar to Nissan's prototypical building design. The ARB also requested that the project be re-reviewed via email prior to the Planning & Zoning Commission meeting to be held on November 11, 2014.

52 Should the request be approved, staff would offer the following recommendations:

- 54 1. Adherence to all Engineering and Fire Department standards.
- 56 2. Consider recommendations forwarded to the Planning and Zoning Commission from the Architectural Review Board.
- 58 3. All exterior signage requires approval and submittal of a separate permit through the building inspections department prior to installation.
- 60 4. Submittal and approval of a replat prior to issuance of a Certificate of Occupancy.
5. Requested variances require approval by the appropriate voting process of City Council.

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Commissioner McCutcheon made a motion to approve SP2014-029, a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Fenton Motor Group for the approval of a site plan for a new automobile dealership on a 14.751-acre tract of land being composed of a 10.5-acre parcel of land identified as Lot 1, Block A, Lafon Addition and a 4.251-acre portion of Tract 2 & 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) and Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the 205 By-Pass Overlay (205-BY OV) District, located at the southeastern corner of the intersection of John King Boulevard and the IH-30 Frontage Road, with staff recommendations.

Commissioner Lyons seconded the motion.

A vote was taken and the motion passed 7-0.

V. DISCUSSION ITEMS

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

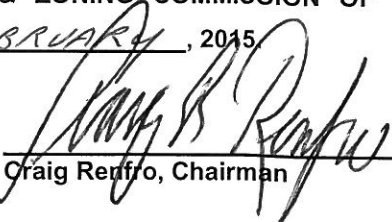
- ✓ P2014-027: Preliminary Plat for Breezy Hill, Phases IXA & IXB [Approved]
- ✓ P2014-031: Lot 1, Block A, Peak Pedi Medical Office Addition [Approved]
- ✓ P2014-032: Lot 1, Block A, A. J. Squared Addition [Approved]
- ✓ Z2014-025: PD-63 Amendment (Lakes of Somerset Subdivision) [Approved; 1st Reading]
- ✓ Z2014-028: SUP for 2225 Ridge Road [Denied]
- ✓ Z2014-029: Walmart Fuel Center [Approved; 1st Reading]
- ✓ Z2014-030: PD for Residential Subdivision [Approved; 1st Reading]
- ✓ Z2014-031: Harbor Retail Development Plan [Approved; 1st Reading]
- ✓ Z2014-032: SUP for Walmart [Denied]
- ✓ MIS2014-016: Special Exception for 509 Parks Avenue [Approved]

LaCroix gave a brief overview of the results for the above cases.

VI. ADJOURNMENT

The meeting adjourned at 6:55 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 10 day of FEBRUARY, 2015



 Craig Renfro, Chairman

Attest:



 Ryan Miller, Planning Manager

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION

City Hall, 385 South Goliad, Rockwall, Texas

Council Chambers

November 25, 2014

6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Craig Renfro at 6:00 p.m. with the following members present: Wendi Conley, Tracey Logan, Mike Jusko, and John McCutcheon were present. Matthew Nielsen was absent from the meeting. Jonathan Lyons arrived at 6:09pm.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff member, Tim Tumulty, and Fire Department staff member, Bryan Patrick, were in attendance.

II. CONSENT AGENDA

1. P2014-039

Consider a request by Juan J. Vasquez, PE of Vasquez Engineering, LLC on behalf of James R. Thompson of Cavender Investment Properties E, LTD for the approval of a final plat for Lot 1, Block 1, Cavender's Addition being a 3.27-acre tract of land identified as Tract 9-4 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the south side of the E. IH-30 Frontage Road west of Corporate Crossing [FM-549], and take any action necessary.

2. P2014-040

Consider a request by Cliff Lewis of Scott Lewis Custom Homes on behalf of Todd Winters, PE of Engineering Concepts and Design for the approval of a replat for Lot 8, Block 1, Horizon Ridge Addition being a 1.238-acre parcel of land currently identified as Lot 6, Block 1, Horizon Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located north of the intersection of Ralph Hall Parkway and Horizon Road [FM-3097], and take any action necessary.

Commissioner McCutcheon made a motion to approve the Consent Agenda.

Commissioner Conley seconded the motion.

A vote was taken and the motion passed 5-0.

III. PUBLIC HEARINGS

3. Z2014-033

Hold a public hearing to discuss and consider a request by Amy and Mark Stehr for the approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall Parkway, and take any action necessary.

Sanford explained that the applicant has submitted an application to amend an existing Specific Use Permit to allow for the outside storage of vehicles at an existing Christian Brothers facility located within a Commercial (C) District and located at 129 E. Ralph Hall Parkway. The SUP to allow for an "auto repair garage, minor" was approved in 2011 with a condition that "no vehicles, equipment, parts or inventory shall be stored outside overnight."

The applicant is requesting the amended SUP for the purpose of allowing outside storage of vehicles for customers needing to drop off or pick up vehicles after hours and vehicles in need of parts which are unavailable at the time of service. The vehicles would be parked/stored in the parking spaces located on the east side and at the rear of the building until parts arrived and the vehicle could be serviced. The

2 applicant is requesting to utilize the eleven (11) striped head-in parking spaces located on the east side
4 of the building and six (6) spaces at the rear of the building. The site contains an additional eight (8)
6 parking spaces at the front of the building that will not be used for overnight storage of vehicles.

8 On October 31, 2014, staff mailed fifty-five (55) notices to property owners within 500 feet of the subject
10 property. Staff also notified one (1) HOA within 1500 feet (Lynden Park HOA) by e-mail. Additionally,
12 staff posted a sign on the subject property as required by the Unified Development Code (UDC). Staff
14 has received three (3) notices in favor of the request and no notices in opposition to the request.

16 Chairman Renfro opened the public hearing at 6:04pm.

18 Amy Stehr
129 E. Ralph Hall Pkwy
Rockwall, Texas

20 Pat Brewer
129 E. Ralph Hall Pkwy
Rockwall, Texas

22 Mrs. Stehr presented some additional information regarding Christian Brothers and the history of the
24 business. She also discussed the request and the reason for the request.

26 Discussion took place over the request for overnight parking.

28 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:30pm.

30 Commissioner Lyons made a motion to approve Z2014-033, a request by Amy and Mark Stehr for the
32 approval of an amendment to Specific Use Permit (SUP) No. S-81 [Ordinance No. 11-05] to allow vehicles
34 to be stored outside overnight in conjunction with an existing automotive repair garage on a 0.702-acre
36 parcel of land identified as Lot 2, Rockwall Market Center South Addition, City of Rockwall, Rockwall
38 County, Texas, zoned Commercial (C) District, the subject property is addressed as 129 E. Ralph Hall
40 Parkway, with staff recommendations and limited to the 6 spaces behind the building for no longer than
42 a 72 hour period.

44 Commissioner Conley seconded the motion.

46 A vote was taken and the motion passed 4-2, with Renfro and Jusko dissenting.

48 IV. APPOINTMENTS

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

54 Miller stated that the Boards recommendations would be discussed concurrently with the applicable
56 case.

58 V. DISCUSSION ITEMS

- 60 5. Z2014-034
62 Hold a public hearing to discuss and consider a request by Zack Amick of Gordon Rockwall
64 Investments, LLC on behalf of Keith Young for the approval a Specific Use Permit (SUP) to allow for a
66 new car dealership on a 4.922-acre tract of land identified as Tract 4-02 of the N. M. Ballard Survey,
Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated
within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action
necessary.

68 Sanford briefly discussed the case and the location of the property.

- 70 6. Z2014-035
72 Discuss and consider a request by Chris & Jill Blasé for the approval of a zoning change from Planned
74 Development District 3 (PD-3) to a Single Family 10 (SF-10) District for a one (1) acre portion of land

located within Tract 11-3 being a 13.3-acre tract of land situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated east of the intersection of East Fork Road and North Lakeshore Drive, and take any action necessary.

Chris Blasé
1220 E. Fork Drive
Rockwall, 75087

Mr. Blasé described the request.

LaCroix gave some additional clarification.

7. MIS2014-017

Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a special request to construct a four-plex residential dwelling unit on a 0.23-acre parcel of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers 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 808 Sam Houston Street, and take any action necessary.

Miller discussed the request and the process for the request.

LaCroix offered additional clarification.

Michael Clark
8305 Concord
Rowlett, Texas

Mr. Clark described the request.

8. SP2014-031

Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a site plan for the establishment of five (5) pad sites for restaurants and retail shopping within Planned Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary.

Jimmy Strohmeyer
1620 Fairlakes Point
Rockwall, Texas

Mr. Strohmeyer discussed the request.

Miller added description of the request. He also discussed the recommendations from the ARB.

Additional discussion among the Commission commenced.

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

- ✓ Z2014-025: Lakes of Somerset (2nd Reading) [Approved]
- ✓ Z2014-029: Text Amendment to Articles II, IV & V (1st Reading) [Approved]
- ✓ Z2014-030: Zoning Change Ag to PD (2nd Reading) [Approved]
- ✓ Z2014-031: PD Development Plan for PD-32 (2nd Reading) [Approved]
- ✓ P2014-033: Rockwall Downes, Phase I [Approved]
- ✓ P2014-036: Lots 2 & 3, Block B, Rockwall Technology Park, Phase II [Approved]
- ✓ P2014-037: Lots 6, 7 & 8, Block 1, First United Methodist Church Addition [Approved]
- ✓ P2014-038: Lot 1, Block A, Channell Addition [Approved]

LaCroix gave a brief overview of the results for the above cases.

2 VI. ADJOURNMENT

4 The meeting adjourned at 7:10 p.m.

6 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,
Texas, this 10 day of FEBRUARY, 2015.

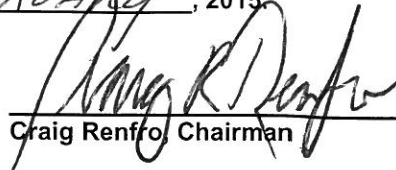
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Craig Renfro, Chairman

Attest:



Ryan Miller, Planning Manager

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
December 9, 2014
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Craig Renfro at 6:04 p.m. with the following members present: Tracey Logan, Jonathan Lyons, Mike Jusko, John McCutcheon and Matthew Nielsen were present. Wendy Conley was absent.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, David Gonzales, and JoDee Sanford. Additionally, Engineering Department staff members, Tim Tumulty and Amy Williams, and Fire Department staff member, Ariana Hargrove, were in attendance.

II. CONSENT AGENDA

1. SP2014-032

Discuss and consider a request by Ed Brock of the Skorburg Company on behalf of BH III SF, LTD for the approval of a site plan for an amenities center on a 1.648-acre parcel of land described as Lot 50, Block D, Breezy Hill, Phase III Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for single family residential land uses, located at the southeast corner of the intersection of Calm Crest Drive and Vista View Drive, and take any action necessary.

Commissioner Jusko made a motion to approve the Consent Agenda.

Commissioner Lyons seconded the motion.

A vote was taken and the motion passed 6-0.

III. PUBLIC HEARINGS

2. Z2014-034

Hold a public hearing to discuss and consider a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the approval a Specific Use Permit (SUP) to allow for a new car dealership on a 4.922-acre tract of land identified as Tract 4-02 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary [the Applicant has Requested that this Case be Withdrawn].

Sanford explained the reason behind the withdrawal.

Commissioner Lyons made a motion to withdraw Z2014-034, a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the approval a Specific Use Permit (SUP) to allow for a new car dealership on a 4.922-acre tract of land identified as Tract 4-02 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary.

Commissioner Jusko seconded the motion.

A vote was taken and the motion passed 6-0.

3. Z2014-035

Hold a public hearing to discuss and consider a request by Chris & Jill Blasé for the approval of a zoning change from Planned Development District 3 (PD-3) to a Single Family 10 (SF-10) District

2 for a one (1) acre portion of land located within Tract 11-3 being a 13.3-acre tract of land situated
4 within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, being
zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated east
of the intersection of East Fork Road and North Lakeshore Drive, and take any action necessary.

6 Gonzales explained that the purpose of the request is to change the zoning from Planned
8 Development District No. 3 (PD-3), which has an underlying zoning of Commercial (C) District, to a
Single Family Residential (SF-10) District in order to construct a guest house/secondary living
10 quarters on the described property. The applicant has stated that the subject property will be
combined with the existing (adjacent) single family lot. The secondary living quarters is permitted
12 as an accessory use for the property so long as the area of the structure does not exceed 30% of
the primary home and the structure cannot be sold as a separate dwelling unit without meeting the
14 requirements for zoning and subdivision of the property.

16 The subject property is identified as a 10,000 sq. ft. portion of an approximately 13.3-acre tract of
land identified as the Blasé Family Farm and is located within the A. Hanna Survey, Abstract No. 98.
18 Although the City's Comprehensive Plan and Future Land Use Map indicate the property as
commercial in nature, the majority of the properties within this area are residential and staff
20 believes a rezoning would not have an adverse effect on the surrounding properties.

22 On November 26, 2014, staff mailed fifty-two (52) notices to property owners within 500 feet of the
subject property. Staff also notified three (3) HOA's within 1500 feet (Hillcrest at the Shores, The
24 Shores/Ray Hubbard, and Lakeview Summit HOA Organizations) by e-mail. Additionally, staff
posted a sign in front of the property along East Fork Drive as required by the Unified Development
26 Code (UDC). At the time this report was drafted, staff has received two (2) notices "for" and no
notices "opposed" to the zoning change requested.

28 Commissioner Nielsen clarified the amount of property to be rezoned.

30 Chairman Renfro opened the public hearing at 6:09pm.

32 Brandon Blasé
1220 E. Fork Dr.
34 Rockwall, Texas

36 Mr. Blasé answered questions regarding the request.

38 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:10pm.

40 Commissioner Nielsen made a motion to approve Z2014-035, a request by Chris & Jill Blasé for the
approval of a zoning change from Planned Development District 3 (PD-3) to a Single Family 10 (SF-
42 10) District for a one (1) acre portion of land located within Tract 11-3 being a 13.3-acre tract of land
situated within the A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas,
44 being zoned Planned Development District 3 (PD-3) for Commercial (C) District land uses, situated
east of the intersection of East Fork Road and North Lakeshore Drive, with staff recommendations.

46 Commissioner McCutcheon seconded the motion.

48 A vote was taken and the motion passed 6-0.

50 4. MIS2014-017

52 Hold a public hearing to discuss and consider a request by Michael Clark for the approval of a
special request to construct a four-plex residential dwelling unit on a 0.23-acre parcel of land
54 currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of Rockwall,
Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside
56 Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street, and take
any action necessary.

58 Miller stated that the applicant, Michael Clark, is requesting consideration of a special request to
60 construct a four-plex residential dwelling unit on the subject property at 808 Sam Houston Street,
which is situated within the Southside Residential Neighborhood Overlay (SRO) District. According

2 to Section 6.4, *Southside Residential Neighborhood Overlay (SRO) District*, of Article V, *District*
3 *Development Standards*, of the Unified Development Code, "(t)he City Council may consider special
4 requests ... [that] may include, but not necessarily be limited to neighborhood signage plans, use of
5 building materials not otherwise allowed, authorization of specific land uses not otherwise allowed,
6 or other requests submitted for consideration." Additionally, the section states that the City
7 Council shall preliminarily review the request, and may choose to forward the request to the
8 Planning & Zoning Commission for a recommendation prior to final action. On November 17, 2014,
9 the City Council reviewed the applicant's request and voted 6-0 (*with Council Member Pruitt absent*)
10 to send the case to the Planning & Zoning Commission for a recommendation. As part of the
11 motion to approve, the City Council stipulated that the case shall be heard as a public hearing at
12 both the Planning & Zoning Commission and City Council, and that City staff shall advertise the
13 case utilizing the same procedures used for zoning cases. In response to this action staff placed a
14 sign of the subject property on November 18, 2014, and sent out public hearing notices to all
15 property owner and inhabitants within 500-feet of the subject property on November 26, 2014.
16 Additionally, city staff notified the neighborhood/homeowner's association representative for the
17 Southside District via email per the voluntary *Neighborhood Notification Program*, and published a
18 notice about the public hearings in the Rockwall County News. At the time the memorandum was
19 drafted staff had received one (1) email in opposition to the request, and a petition submitted by the
20 applicant signed by several residents of the Southside District in favor of the request.

21 Commissioner Nielsen clarified the City Council's previous review of the request.

22 Chairman Renfro opened the public hearing at 6:14pm.

23
24 Michael Clark / Teresa Dabney
25 8305 Concord
26 Rowlett, Texas

27
28 Mr. Clark answered questions regarding the request.

29
30 Additional discussion took place regarding the case.

31
32 Freddie Jackson
33 1812 Bristol Lane
34 Rockwall, Texas

35
36 Mr. Jackson stated his opposition to the request and gave a presentation regarding the
37 neighborhood.

38
39
40 Frank Miller
41 711 S. Goliad
42 Rockwall, Texas

43
44 Mr. Miller stated his opposition to the request.

45
46 Angela Rivas
47 707 Throckmorton Street
48 Rockwall, Texas

49
50 Ms. Rivas stated her support of the request.

51
52 Michael Hunter
53 220 W. Quail Run Rd
54 Rockwall, Texas

55
56 Mr. Hunter stated that he is the Executive Director of the Rockwall Housing Development
57 Corporation. He explained that there is a major housing issue in Rockwall. He is in support of the
58 development and believes that it is in need.

59
60 Ms. Dabney stated that she has no intentions of bringing values down and this type of housing is
needed. Additionally, she stated that residents of the neighborhood want this type of development.

2 As no one else wished to speak on this item, Chairman Renfro closed the public hearing at 6:50pm.
4 Additional discussion took place amongst the Commission regarding the request.
6 Commissioner Nielsen made a motion to deny MIS2014-017, a request by Michael Clark for the
8 approval of a special request to construct a four-plex residential dwelling unit on a 0.23-acre parcel
10 of land currently identified as the eastern ½ of Lot 3, Block K, Sanger Brothers Addition, City of
Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the
12 Southside Residential Neighborhood Overlay (SRO) District, addressed as 808 Sam Houston Street.
14 Commissioner Lyons seconded the motion.
16 A vote was taken and the motion passed 5-1, with McCutcheon dissenting.

16 IV. ACTION ITEMS

18 5. SP2014-031
20 Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of
22 D. W. Bobst of J-BR2, LLC for the approval of a site plan for the establishment of five (5) pad sites
24 for restaurants and retail shopping within Planned Development District 32 (PD-32), on a 2.893-
26 acre parcel of land identified as Lot 1, Block B, Harbor District Addition, City of Rockwall, Rockwall
County, Texas, situated within the Hillside Sub-District of Planned Development District 32 (PD-32),
located within the IH-30 Overlay (IH-30 OV) District, at the southwest corner of the intersection of
the IH-30 frontage road and Sunset Ridge Drive, and take any action necessary.

28 Miller explained that on September 19, 2014, the applicant submitted an application for a site plan
30 showing the proposed layout for the 2.893-acre tract of land. Due to a request for a waiver to the
32 *building placement requirements* and to incorporate retaining walls adjacent to the pedestrian
34 sidewalks, staff required the applicant to change the request from a *PD Site Plan* to a *PD
Development Plan*. Staff did so on the grounds that the retaining walls inhibited the pedestrian
oriented character required by the original concept plan for the *Hillside Subdistrict*. This request
was approved by City Council on November 17, 2014 by *Case No. Z2014-031 [Ordinance No. 14-51]*.
Since this approval, the applicant has submitted a site plan conforming to the approved *PD
Development Plan*.

36 The site plan submitted by the applicant shows the construction of two (2) buildings, situated on
38 four (4) pad sites, and consisting of 36,000 SF of lease space (*i.e. 26,000 SF of retail space and
10,000 SF of restaurant space*). The buildings are joined by a covered breezeway that connects the
40 parking areas to the main pedestrian frontage along Harbor Heights Drive. Additionally, the site
42 plan indicates that 204 parking spaces are required per the land use breakdown stated above. To
meet this requirement the applicant has indicated that 142 surface parking spaces will be provided
44 in between the building and IH-30. The remaining 62 required parking spaces will be satisfied
through parallel parking (26 spaces) on streets adjacent to the site and excess parking (36 spaces)
46 in the Trend Tower parking garage. The site plan submitted by the applicant conforms to all
applicable requirements stipulated by *Ordinance No. 14-51*, the Unified Development Code (UDC),
and Planned Development District 32 (PD-32) [*Ordinance No. 10-21*].

48 With the exception of minor changes, the Landscape Plan submitted by the applicant generally
50 indicates conformance with all applicable landscaping requirements as stipulated by Planned
52 Development District 32 (PD-32) and by Article VIII, *Landscape Standards*, of the UDC. In addition,
the applicant has agreed to provide streetscape-landscaping elements adjacent to Harbor Heights
54 Drive in conformance with the Architectural Review Board's (ARB's) recommendations below.
These elements will include decorative pots with landscaping (*that will be irrigated*) that should
56 complement the street trees that are required to be planted prior to the completion of this project.
*Currently, staff is waiting for the applicant to submit the requested changes to the landscape plan;
however, the applicant has stated intent to address all the requirements stipulated by the code.*

58 The Photometric Plan submitted by the applicant demonstrates conformance to the requirements of
60 Article VII, *Environmental Performance*, of the UDC. Additionally, the plan indicates conformance to
the requirements and guidelines stipulated by Planned Development District 32 (PD-32) [*Ordinance*

2 No. 10-21]. The lighting cut sheets submitted by the applicant show that they will be utilizing the
3 *Amerlux Exterior D154-TS20*, which was approved for use within Planned Development District 32
4 (PD-32) by Case No. MIS2013-010 (approved by City Council on December 2, 2013).

6 The proposed building elevations submitted by the applicant depict the exterior of the two (2)
7 retail/restaurant buildings utilizing a mix of *Dryvit Stucco* and *Coronado Italian Villa Stone*, clay tile
8 roofing for the pitched roof elements, and *Austin Stone* on the retaining walls. The materials and
9 color scheme for this project have been selected with the intent of matching the materials and
10 colors used on the construction of the adjacent Trend Tower. The *Dryvit Stucco* that was approved
11 with the Trend Tower project requires a three-part application process and meets the requirements
12 of the UDC with respect to the definition of cementaceous materials. Additionally, since the
13 building elevations were generally approved with the *PD Development Plan* no variances are
14 required for the material percentages. *Currently, staff is waiting for the applicant to submit the*
15 *requested changes to the building elevations; however, the applicant has stated intent to address*
16 *all the requirements stipulated by the code, as well as the recommendations made by the*
Architectural Review Board (ARB) listed below.

18 On November 25, 2014, the Architectural Review Board (ARB) reviewed the proposed site plan and
19 building elevations, and expressed concern with the visibility of the RTU's and the lack of entry
20 elements adjacent to IH-30. To address these concerns the board made the following
21 recommendations:

- 22 1) The RTU's should be painted to blend into the roof to better screen the units from the adjacent
23 Trend Tower;
- 24 2) A cornice should be incorporated on the walls, which are recessed and covered with stone.
25 This will better integrate the design scheme with the architectural elements used on the Harbor
26 development;
- 27 3) The canopies on Harbor Heights Drive should be incorporated on the IH-30 side of the building;
- 28 4) Per the guidelines listed by the zoning district, pedestrian landscaping elements should be
29 incorporated into the landscape plan for the development. Specifically, irrigated pots could be
30 incorporated adjacent to the seat wall along Harbor Heights Drive; and,
- 31 5) Entry elements similar to the ones incorporated on Harbor Heights Drive should be incorporated
32 into the IH-30 side of the building to give the appearance of a *dual entry* building.

33 The applicant has indicated to staff intent to meet the majority of these requirements. Specifically,
34 the applicant has stated that the building will incorporate more entry features adjacent to IH-30 to
35 give the buildings a *dual entry* design, and that the RTU's will be visually incorporated into the roof
36 design and will not be visible from IH-30.

37 Commissioner McCutcheon made a motion to approve SP2014-031, a request by Jimmy Strohmeier
38 of Strohmeier Architects, Inc. on behalf of D. W. Bobst of J-BR2, LLC for the approval of a site plan
39 for the establishment of five (5) pad sites for restaurants and retail shopping within Planned
40 Development District 32 (PD-32), on a 2.893-acre parcel of land identified as Lot 1, Block B, Harbor
41 District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Sub-District
42 of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, at
43 the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive, with
44 staff recommendations.

45 Commissioner Lyons seconded the motion.

46 A vote was taken and the motion passed 6-0.

47 V. DISCUSSION ITEMS

- 48 6. Discuss the December 30, 2014 Planning & Zoning Commission Work Session and take any action
49 necessary.

2 LaCroix discussed the cancellation of the December 30th meeting.

4 Commissioner Renfro made a motion to cancel the December 30, 2014 Planning & Zoning Commission meeting.

6 Commissioner Lyons seconded the motion.

8 A vote was taken and the motion passed 5-1, with Commissioner Nielsen dissenting.

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

- 12 ✓ P2014-039: Lot 1, Block 1, Cavender's Addition [Approved]
- 14 ✓ P2014-040: Lot 8, Block 1, Horizon Ridge Addition [Approved]
- ✓ Z2014-027: Text Amendment to Articles II, IV & V [2nd Reading; Approved]
- ✓ Z2014-033: Amendment to SUP No. S-81 [1st Reading; Approved]

16 LaCroix gave a brief overview of the results for the above cases.

18 VI. ADJOURNMENT

20 The meeting adjourned at 7:10 p.m.

22 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
24 ROCKWALL, Texas, this 10 day of FEBRUARY, 2015.

26
28 

Craig Renfro, Chairman

30 Attest:

32 

34 Ryan Miller, Planning Manager

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION

City Hall, 385 South Goliad, Rockwall, Texas

Council Chambers

December 30, 2014

6:00 P.M.

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I. CALL TO ORDER

The meeting was called to order by Craig Renfro at 6:00 p.m. with the following members present: Tracey Logan, Jonathon Lyons, John McCutcheon, and Matthew Nielsen were present. Wendi Conley and Mike Jusko were absent from the meeting.

The following staff members from the Planning Department were present: Robert LaCroix, Ryan Miller, and JoDee Sanford. Additionally, Engineering Department staff member, Tim Tumulty, and Fire Department staff member, Ariana Hargrove, were in attendance.

II. CONSENT AGENDA

1. P2014-041

Discuss and consider a request by Dave Hanby of TKC CLXXXVI, LLC on behalf of the owner Rick Sharp for the approval of a replat creating Lots 4, 5 & 6, Block A, Sharp Addition being three (3) non-residential lots currently identified as Lot 2, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, being a 6.22-acre parcel of land zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, generally located east of the intersection of Corporate Crossing [FM-549] and SH-276, and take any action necessary.

2. P2014-042

Discuss and consider a request by John Spiars of Spiars Engineering, Inc. on behalf of Bill Lavin of Security Holdings, LLC for the approval of a replat creating Lot 1, Block A, Nissan of Rockwall Addition, being one (1) non-residential lot currently identified Lot 1, Block A, Lafon Subdivision, and a portion of Tract 2 & Tract 12 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

Commissioner McCutcheon made a motion to approve the Consent Agenda.

Commissioner Logan seconded the motion.

A vote was taken and the motion passed 5-0.

III. DISCUSSION ITEMS

3. Z2014-036

Hold a public hearing to discuss and consider a request by Rick Dirkse on behalf of D. W. Bobst of J-BR2, LLC for the approval of a zoning change from a Single Family 10 (SF-10) District to a Planned Development District allowing for office, medical office and single-family land uses on two (2) parcels of land, being 1.666-acres, identified as Lots 1 & 2, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1312 & 1316 Ridge Road [FM-740], and take any action necessary.

Miller briefed the Commission on the request.

4. Z2014-037

Hold a public hearing to discuss and consider a request by Bill Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf of Rockwall Commercial Property Management for the approval of a Specific Use Permit to allow for an Indoor Motor Vehicle Dealership/Showroom on a one (1) acre portion of a larger 50.826-acre tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No. 29, City

of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1200 E. Washington Street, and take any action necessary.

Sanford discussed the case and the location of the property.

5. Z2014-038

Hold a public hearing to discuss and consider a request by Ben McMillian of Hazel & Olive on behalf of the owner of the property for the approval of a Specific Use Permit to allow for a General Retail Store in conjunction with an office and photography studio within Planned Development District 50 (PD-50) for two (2) parcels of land, being 0.43-acres of land, identified as Lots 19A & 19B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any action necessary.

Miller explained the request and described the property.

6. Z2014-039

Hold a public hearing to discuss and consider a request by Zack Amick of Gordon Rockwall Investments, LLC for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located in between Commerce Street and T. L. Townsend Drive, and take any action necessary.

Sanford described the case and the location of the property.

7. Z2014- Hold a public hearing to discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, 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 intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

Miller briefly discussed the request.

8. MIS2014-018

Discuss and consider a request by Michael Swiercinsky of Sky Investment Property, Inc. for the approval of a tree mitigation plan for two (2) tracts of land, being 7.969-acres, identified as Tracts 4 & 19, E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the northwest corner of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Miller gave an overview of the request and discussion amongst the Commission commenced.

9. P2014-043

Discuss and consider a request by Bryan Powell, PE of Westwood Professional Services on behalf of David Booth of D. R. Horton Texas, LTD for the approval of a final plat for Castle Ridge, Phase 3 containing 62 single family lots on a 19.521-acre tract of land currently identified as Tract 37 of the J. Stricklans Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, general located east of SH-205, and take any action necessary.

Miller discussed the request.

10. SP2014-033

Discuss and consider a request by Paul Cragun of Cumulus Design on behalf of the owner Shawn Valk for the approval of a site plan for a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary.

Sanford presented the case to the Commission and the a brief discussion occurred.

11. SP2014-034

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a site plan for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, 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 intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

Miller explained the request to the Commission and a discussion took place.

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

- ✓ Z2014-033: Christian Brothers SUP Amendment (2nd Reading) [Approved]
- ✓ Z2014-035: Zoning Change PD-3 to SF-10 (1st Reading) [Approved]
- ✓ MIS2014-017: Special Request for a Four-Plex [Denied]

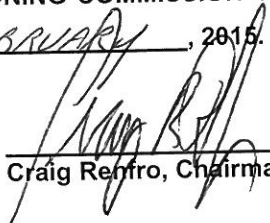
LaCroix gave a brief overview of the results for the above cases.

IV. ADJOURNMENT

The meeting adjourned at 6:57 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,

Texas, this 10 day of FEBRUARY, 2015.



 Craig Renfro, Chairman

Attest:



 Ryan Miller, Planning Manager