

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall,
Texas Council Chambers
January 9, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:01 p.m. The Commissioners present at the meeting were, Eric Chodun, Mark Moeller, Tracey Logan, Patrick Trowbridge, and Jerry Welch. Absent from the meeting was Commissioner Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Fire Marshall, Ariana Hargrove, City Engineer Amy Williams, and Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the December 26, 2017 Planning and Zoning Commission meeting.

2. P2017-066

Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a preliminary plat for the Whisper Rock Subdivision containing 28 single-family lots on a 9.477- acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 3231 Ridge Road, and take any action necessary.

3. P2017-068

Consider a request by Michael Duval of G & A Consultants on behalf of John Delin of R. W. Ladera, LLC for the approval of a preliminary plat for Lot 1, Block A, Ladera Rockwall being a 28.011-acre tract of land identified as Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

4. P2017-070

Consider a request by Cameron Slown of F. C. Cuny Corporation on behalf of Robert S. Whittle for the approval of a final plat for the Highlands Subdivision containing 46 single-family residential lots on a 11.655- acre tract of land identified as Tract 2 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the northwest corner of the intersection of SH-66 and FM-1141, and take any action necessary.

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

Commissioner Fishman arrived to the meeting at 6:04 p.m.

III. APPOINTMENTS

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

The Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

64 Chairman Lyons items noted that agenda items #7 and #8 would be moved up.
65
66

67 IV. PUBLIC HEARING ITEMS
68

69 6. Z2017-052

70 Hold a public hearing to discuss and consider a request by Pat Atkins of Saddlestar Land
71 Development on behalf of the Stagliano Family Trust for the approval of a zoning change from an
72 Agricultural (AG) District, Commercial (C) District and Heavy Commercial (HC) District to a Planned
73 Development District for commercial/retail, single-family and townhome land uses on a 63.72-acre
74 tract of land identified as Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall,
75 Rockwall County, Texas, zoned Agricultural (AG) District, Commercial (C) District and Heavy
76 Commercial (HC) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the
77 northwest corner of S. Goliad Street [SH-205] and Mims Road, and take any action necessary.
78

79 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the
80 applicant came before the Commission at the Public Hearing Planning and Zoning meeting that
81 was held November 28, 2017 and the item was tabled because the applicant requested to
82 provide the Commission with a Traffic Impact Analysis which the applicant has now provided.
83 Mr. Gonzales provided a brief highpoint of the request. He spoke on the subject property being
84 currently zoned Agricultural, Heavy Commercial, and Commercial Districts, with the
85 Agricultural District being located east of Mims Road, the Commercial District designation
86 being located adjacent to Mims Road and SH-205 and the Heavy Commercial District
87 designation being located on the interior of the subject property. In 2016, TXDOT established a
88 staging area for the SH-205 improvements at the southwestern corner of the subject property
89 being the corner of Mims Road and S. Goliad Street. The applicant is requesting to rezone the
90 property to a Planned Development District for single-family, townhome and commercial land
91 uses. Based on the concept plan, this will establish a horizontal mixed use development with
92 commercial/retail on the northwest quadrant of S. Goliad Street and Mims Road, while
93 transitioning to a 198 lot townhome being 22' x 75' minimum lot size development and
94 continuing west to a 65 single-family lot being 50' x 120' minimum lot size development
95 creating the Planned Development District. The requested overall density for this development
96 would be 4.50-dwelling units per acre, 263-units/63.72-acres – 5.30-commercial acres = 4.50
97 dwelling units/acre, with the density of Tract 2 which is the Townhomes being an estimated
98 7.50-dwelling units per acre and the density of Tract 3 the Single-Family Residential being an
99 estimated 2.68 dwelling units per acre. On Tract 1 the applicant is requesting limited General
100 Retail District land uses. However, the applicant is also requesting that a Retail Store with
101 Gasoline Product Sales be allowed as a use by right for this tract of land. It should be noted
102 that the General Retail District allows a Retail Store with Gasoline Sales use as of right with a
103 maximum of 2 dispensers. If more than 2 dispensers are requested, approval of a Specific Use
104 Permit would be required. In addition applicant is proposing a total of 12.7-acres of open space
105 being 19.9%, which is primarily flood plain and if the floodplain were calculated at 100% as
106 opposed to 50% the development would exceed the minimum 20% requirement and the
107 proposed open space standard is a discretionary decision for the City Council.
108

109 Mr. Gonzales further noted that on October 27, 2017, staff mailed 160 notices to property
110 owners and residents within 500-feet of the subject property and sent a notice to the Flagstone
111 Estates, Lynden Park, Hickory Ridge, and Hickory Ridge East Homeowner's Association and
112 staff received 2 notices opposed to the applicant's request.
113

114 Mr. Gonzales advised the Commission that the applicant was present and would be providing a
115 PowerPoint of the request and staff as well as the applicant would be available for questions.
116

117 Chairman Lyons asked for questions for staff from the Commission.
118

119 Commissioner Trowbridge asked if Commercial and Industrial zoning is considered to be a less
120 intense use than Residential or vice versa, is Commercial and Industrial considered to be a more
121 intense use than Residential. Mr. Gonzales explained that in the sense of the Future Land Use
122 Map and how the Code essentially looks at that, when looking at a High Density Residential as is
123 in this case it should be transitional from a Commercial use to the High Density Residential to a
124 Residential as the applicant has laid out in the concept plan.
125

126 Chairman Lyons asked the applicant to come forward to speak.
127

128 Pat Atkins
129 Saddle Star Development
130 Rockwall, TX
131

132 Mr. Atkins came forward and gave a brief explanation of the request provided a power point
133 presentation which talked about the plan for this Planned Development to be a pedestrian-
134 oriented neighborhood with access to retail, office and open space amenity areas that would
135 target young families, young professionals and empty nesters. The townhomes would be
136 starting at \$250K and include 198 units and the Single Family Residential would be starting at
137 \$350K and include 65 lots, they are requesting front entry garages. An amenity center would be
138 at the entry on SH 205 with improvements such as clubhouse, pool, playground 8' trail system
139 along the open space tying into 5' public sidewalks and have perimeter screening and landscape
140 buffer along SH 205, Mims Road. A master Home Owner's Association would be required for
141 maintenance of common areas. And additionally the request includes 5.3 acres tract for
142 Office/Retail that would be developed by others. The power point also touched on the applicant's
143 development outline which talked of how the request exceeds expectations of the
144 Comprehensive Master Plan and how the density is being based on guidelines in the
145 Comprehensive Plan, Improvement of Mims Road with the development of the residential uses,
146 Implementing John King Blvd. Design Requirements, City identity monumentation at the
147 northwest corner of F.M. 552 and the estimated \$129 million increase to City of Rockwall tax
148 base. Mr. Atkins added that a Traffic Analysis has been conducted and was provided for the
149 Commission for their review and he was available for any question.
150

151 Commissioner Chodun expressed concern with the amount of traffic such development would
152 create and asked what days and how long the traffic analysis was conducted. Mr. Atkins stated it
153 was within the last two week period. Commissioner Chodun generally expressed concern over
154 when the traffic study was done due to the school being on winter break and that causes traffic
155 to diminish during this time period.
156

157 Commissioner Logan asked concerning whether or not a four way signal intersection is
158 anticipated to be added at Sids and SH-205. Mr. Atkins stated it was his understanding there
159 would in the future be a four way intersection when traffic warrants it.
160

161 Commissioner Fishman asked concerning the 100% front facing garage, why they are opting to
162 go that direction. Mr. Atkins stated with the size lots it is the optimal option as opposed to j-
163 swing however the townhomes will be rear entry.
164

165 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
166 forward and do so.
167

168 Michael Hunter
169 220 W. Quail Run
170 Rockwall, TX
171

172 Mr. Hunter came forward expressed concern with the traffic issue such development will create.
173

174 Kevin Ruffing
175 2848 Wild Oak Lane
176 Rockwall, TX
177

178 Mr. Ruffing expressed concern with the traffic this development that includes retail would cause.
179

180 Chairman Lyons expressed concern with the traffic analysis provided due to the time it was
181 conducted, with the proximity to a school which was not in session. The Commission shared
182 this general concern.
183

184 Chairman Lyons asked the applicant to come forward and add any additional comments or
185 discussion. Mr. Atkins asked the Commission to consider tabling the item to allow him to
186 provide an additional Traffic Impact Analysis since they expressed concern over the time frame
187 in which the one he provided was done.
188

189 General discussion took place between the Commission expressing concern over the time the
190 Traffic Analysis was conducted as well as the overall impact the traffic of such development that

191 includes General Retail will bring to the area. Additional discussion took place concerning
192 asking the applicant to provide another Traffic Analysis to include all appendixes and to be
193 conducted during a time when school is not out of session.

194
195 Chairman Lyons closed the public hearing and brought the item back to the Commission for
196 discussion or action.

197
198 Commissioner Trowbridge made a motion to table Z2017-052. Commissioner Chodun seconded
199 the motion and asked for discussion. Commissioner Chodun indicated he felt the Commission
200 should take in consideration the information that has already been brought before them, he
201 generally expressed not feeling that any additional information the applicant may further provide
202 will make a significant difference in what they have already discussed. With a motion on the
203 floor, a vote was taken and the motion to table the item passed by a vote of 6-1 with
204 Commissioner Chodun dissenting.

205
206
207 7. P2017-067

208 Hold a public hearing to discuss and consider a request by Blake Sudduth of R-Delta Engineers,
209 Inc. on behalf of Peter Muhl of Rockwall Habitat for Humanity for the approval of a replat for Lots 1
210 & 2, Block A, Lamar Street Habitat No. 1 Addition being a 0.22-acre parcel of land identified as Lot
211 I, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single
212 Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO)
213 District, addressed as 801 Lamar Street, and take any action necessary.

214
215 Planner, Korey Brooks gave a brief explanation of the request stating that the Commission
216 recently approved special requests for lot size and minimum lot depth on the subject property.
217 The applicant is proposing to subdivide the existing lot into two lots for the purpose of
218 constructing a single family home on Lot 2. The plat meets the technical requirements of the
219 Unified Development Code and the reason the plat is being brought forward as a public hearing
220 because per the Texas Local Government Code, a residential replat that increases the number of
221 lots in an established residential subdivision requires a public hearing. Staff notified eleven
222 properties within 200 feet of the subject property and has received one notice in favor of the
223 request.

224
225 Mr. Brooks advised the Commission the applicant was present and available for questions as
226 well as staff.

227
228 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
229 speak.

230
231 Peter Muhl
232 Habitat for Humanity
233 Rockwall, TX

234
235 Mr. Muhl came forward and stated he is with Habitat for Humanity and they own several adjacent
236 and surrounding properties and are requesting approval to allow them to build another home for
237 their cause.

238
239 Chairman Lyons asked if anyone wished to speak to come forward and do so, there being no
240 one indicating such Chairman Lyons closed the public hearing and brought the item back to the
241 Commission for discussion or action.

242
243 No discussion took place concerning this agenda item.

244
245 Commissioner Trowbridge made a motion to approve with staff recommendations.
246 Commissioner Moeller seconded the motion which passed by a vote of 7-0.

247
248 8. P2017-046

249 Hold a public hearing to discuss and consider a request Theresa Briones for the approval of a replat for
250 Lots 1 & 2, Block A, Briones Addition being a 0.25-acre parcel of land identified as portion of
251 Block 7 of the Garner Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family
252 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as
253 905 N. Alamo Street, and take any action necessary.

254 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is
255 requesting to subdivide one lot into two for the purpose of building a single family home on the
256 second lot. The plat went before the Board of Adjustments to receive variances to lot size, lot
257 depth and the minimum square footage. The plat meets the technical requirements of the
258 Unified Development Code and as the last plat that was discussed is being brought forward as
259 a public hearing because per the Texas Local Government Code, a residential replat that
260 increases the number of lots in an established residential subdivision requires a public
261 hearing. Staff notified twenty properties within 200 feet of the subject property and received
262 one notice in favor of the request.

263
264 Mr. Brooks advised the Commission the applicant was present and available for questions as
265 well as staff.

266
267 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
268 speak.

269
270 Theresa Briones
271 906 Northwest
272 Rockwall, TX

273
274 Ms. Briones came forwarded and stated the request is to allow they build a single family home.

275
276 Chairman Lyons asked if anyone wished to speak to come forward and do so, there being no
277 one indicating such Chairman Lyons closed the public hearing and brought the item back to the
278 Commission for discussion or action.

279
280 No discussion took place concerning this agenda item.

281
282 Commissioner Trowbridge made a motion to approve P2017-046 with staff recommendations.
283 Commissioner Chodun seconded the motion which passed by a vote of 7-0.

284
285
286 9. Z2017-065

287 Hold a public hearing to discuss and consider a request by Randy Eardley, P.E. of Wier & Associates,
288 Inc. on behalf Getra Thomason-Saunders of Chick-Fil-A, Inc. for the approval of a Specific Use Permit
289 (SUP) for a restaurant with a drive-through or drive-in on a 0.656-acre tract of land being identified
290 as Lots 1 & 2, Block A, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned
291 General Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed
292 as 1902 & 2000 S. Goliad Street [SH-205], and take any action necessary.

293
294 Planner, Korey Brooks, gave a brief explanation of the request stating that last month the
295 Commission approved a site plan for the subject property and subsequently City Council
296 approved variances associated with it. However after approval of the site plan staff recognized
297 that the subject property was located in a General Retail District and would require a Specific
298 Use Permit for a restaurant greater than 2,000 SF with a drive-through facility. The facility will be
299 a drive through with a walk up window to order and some outside tables on the patio to allow
300 guests to eat however there will be no inside seating. The approval of a Specific Use Permit
301 discretionary to the Planning and Zoning Commission and the City Council, there are currently
302 several other restaurants with drive-throughs which are Taco Casa, Braums, and Chicken
303 Express that are located adjacent to the subject property and that are zoned General Retail. Mr.
304 Brooks further stated that on December 28, 2017, staff sent 39 notices to property owners and
305 residents within 500-feet of the subject property and did not receive any notices concerning this
306 case.

307
308 Mr. Brooks advised the Commission the applicant was present and available for questions.

309
310 Chairman Lyons asked the Commission for any questions for staff.

311
312 Chairman Trowbridge asked concerning the parking. Mr. Brooks stated that the site has stacking
313 for 19 cars and the UDC requires stacking for 6 cars per drive thru lane.

314
315 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
316 speak.

317 Priya Acharya
318 Weir & Associates
319 2201 E. Lamar Blvd. Ste 200E
320 Arlington, TX
321

322 Ms. Acharya came forward and stated staff presented the request well and she was available for
323 any questions the Commission may have.
324

325 Chairman Lyons asked if anyone wished to speak to come forward and do so.
326

327 Mario Smajli
328 2002 S. Goliad Street
329 Rockwall, TX
330

331 Mr. Smajli came forward stated he is the owner of Luigi's Italian Restaurant which is an adjacent
332 business to the subject property. Mr. Smajli generally expressed concern being in opposition of
333 the request he feels the restaurant in question does not have adequate parking for the traffic it
334 will generate and thus will cause the excess to flow onto his parking area and will negatively
335 impact his customer's ability to have accessibility to park when eating at his restaurant. He
336 strongly urged the Commission to consider voting against the request.
337

338 Chairman Lyons asked the applicant to come forward for rebuttal.
339

340 Ms. Acharya came forward and added that they are trying to keep the same grade in elevation in
341 the area there will be a retaining wall on the south side of the property which will be
342 approximately 2-3 feet in height. With concern of the parking they are adequately meeting the
343 parking requirement for the use.
344

345 Commissioner Trowbridge asked if there was any detail as of yet of the retaining wall will be
346 composed of. Ms. Acharya stated it will possibly be a stacked brick but as of now it has not been
347 decided.
348

349 Commissioner Logan asked if it was a possibility to provide a fence south of the property to
350 address the adjacent property owners concern. Ms. Acharya stated that currently there is a
351 retaining wall there that is made of railroad ties and it can be improved to address that concern.
352 Staff added that a fence would not be a City requirement.
353

354 Commissioner Welch expressed concern over the amount of parking employees would take in
355 taking into consideration the amount of parking they will be providing.
356

357 Commissioner Fishman asked if this prototype is one that they've incorporated before or is it
358 new. Ms. Acharya stated they have this concept in other areas but are not as prevalent as the sit
359 down restaurants.
360

361 Chairman Lyons closed the public hearing and brought the item back to the Commission for
362 discussion or action.
363

364 Commissioner Trowbridge noted that the site plan has already been approved and what is
365 before the Commission is approval for the Specific Use Permit.
366

367 General discussion took place between the Commission concerning the points brought up from
368 the adjacent property owner.
369

370 Commissioner Welch made a motion to approve Z2017-065 with staff recommendations.
371 Commissioner Logan seconded the motion which passed by a vote of 7-0.
372

373 Chairman Lyons called a ten minute recess at 7:33 p.m.
374 Chairman Lyons called the meeting back to order at 7:42 p.m.
375
376

377 10. Z2017-066

378 Hold a public hearing to discuss and consider a request by Trent Hyde for the approval of a Specific
379 Use Permit (SUP) to allow for a detached garage that does not meet the minimum requirements as

380 stipulated by Article IV, *Permissible Uses*, of the Unified Development Code for a 0.830-acre tract of
381 land identified as the Wilson Addition, City of Rockwall, Rockwall County, Texas, zoned Single-
382 Family 10 (SF-10) District, addressed as 218 W. Quail Run Road, and take any action necessary.
383

384 **Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is**
385 **requesting approval of a Specific Use Permit to allow for a detached garage that does not meet**
386 **the minimum requirements. On October 17, 2017 the City Council's motion to approve a Specific**
387 **Use Permit (SUP) for a metal accessory building that did not meet the minimum requirements of**
388 **the Unified Development Code failed to be approved by a vote of 2-5.**
389

390 **On October 24, 2017, the Planning and Zoning Commission approved a Change of Request to**
391 **allow the applicant to submit an applicant for a Specific Use Permit to allow a 700 SF detached**
392 **garage that would be clad with Hardie Board or similar cementaceous material. Since that time,**
393 **the applicant contacted the manufacturer of the metal building [i.e. Mueller] and was informed**
394 **that the metal building could not be clad with Hardie Board due to the structural design of the**
395 **building. Since the applicant was not able to clad the building with Hardie Board, the applicant**
396 **revised the exterior of the detached garage. Because the request was different from the approved**
397 **change of request, staff felt it necessary to allow the Planning and Zoning review a Change of**
398 **Request to determine if the applicant would be allowed to submit a request for a Specific Use**
399 **Permit for a detached garage. On November 28, 2017, the Planning and Zoning Commission**
400 **approved a Change of Request to allow a detached garage that did not meet the minimum**
401 **requirements of the Unified Development Code. The applicant is proposing to construct an 720**
402 **square feet detached garage that will have a three foot masonry/stone wainscot around the**
403 **building with a concrete foundation, a driveway and roll-up doors. The proposed detached garage**
404 **will be located behind the main structure 11-feet from the side property line and 70-feet from the**
405 **rear property line. According to the UDC, properties within a Single-Family 10 District are**
406 **permitted 2 accessory buildings that are a maximum of 225 square feet. In addition, the UDC**
407 **states that an accessory building shall be clad with the same materials that are found on the**
408 **primary structure. In this case, the proposed accessory building will be 495 SF larger than what**
409 **is permitted by the ordinance and clad with metal. Mr. Brooks added that on December 28, 2017,**
410 **staff mailed 43 notices to property owners and occupants within 500-feet of the subject property**
411 **and did not receive any notices concerning this case.**
412

413 **Mr. Brooks advised the Commission the applicant was present and available for questions as well**
414 **as staff.**
415

416 **Chairman Lyons opened up the public hearing and asked the applicant to come forward to speak.**
417

418 **Trent Hyde**
419 **218 W. Quail Run Road**
420 **Rockwall, TX**
421

422 **Mr. Trent came forward and stated he was available for any questions and respectfully is seeking**
423 **approval of his request.**
424

425 **Chairman Lyons asked if anyone wished to speak to come forward and do so.**
426

427 **Michael Hunter**
428 **220 W. Quail Run**
429 **Rockwall, TX**
430

431 **Mr. Hunter came forward and expressed being in favor of the request he is an adjacent neighbor.**
432

433 **Chairman Lyons asked if anyone else wished to speak to come forward and do so there being no**
434 **one indicating so Chairman Lyons closed the public hearing and brought the item back to the**
435 **Commission back to the Commission for discussion or action.**
436

437 **Chairman Lyons made a motion to approve Z2017-066 with staff recommendations.**
438 **Commissioner Chodun seconded the motion which passed by a vote of 6-1 with Commissioner**
439 **Logan dissenting.**
440

441
442 11. Z2017-067

443 Hold a public hearing to discuss and consider a request by Katherine Crane for the approval of a
444 zoning change from a Single Family 10 (SF-10) District to a Residential-Office (RO) District for a
445 0.210-acre parcel of land identified as Lot 17, Block 14, Highwood Addition, City of Rockwall,
446 Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 302 W. Kaufman
447 Street, and take any action necessary.
448

449 **Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is**
450 **requesting the approval of a zoning change from a Single Family 10 District to a Residential-**
451 **Office District. The applicant is requesting to rezone the property from a Single-Family 10**
452 **District to a Residential-Office District for the purpose of operating her counseling office from**
453 **her residence. According to the applicant, she will see approximately 3-5 clients per week.**
454 **Additionally, the applicant has stated that her driveway can accommodate 4 cars and does not**
455 **foresee parking being an issue; however, if the zoning change is approved, the property will**
456 **need to adhere to all of the parking requirements for an office land use [i.e. 1 space per 300 SF of**
457 **office area]. According to the Unified Development Code the office and single-family land uses**
458 **are permitted in a Residential-Office District. IN addition, the Residential-Office District does**
459 **allow for "live/work" arrangements to allow flexibility for transitioning structures. According to**
460 **the Unified Development Code, a Residential-Office District is intended to allow low-intensity**
461 **office uses providing professional, medical, and other office services to residents in adjacent**
462 **neighborhoods. The subject property is currently adjacent to 2 converted residential structures,**
463 **Rainbows End and Steeli Beans, on the south and east property lines and both of these**
464 **structures are within the Downtown District. On December 28, 2017 staffs sent 102 notices to**
465 **property owners and residents within 500-feet of the subject property and have not received any**
466 **notices concerning this case.**
467

468 **Mr. Brooks advised the Commission the applicant was present and available for questions as**
469 **well as staff.**
470

471 **Commissioner Trowbridge asked since clients are being seen would they have to adhere to ADA**
472 **requirements. Mr. Miller explained that they would be required to provide ADA accessibility to**
473 **the areas being used as well as meet the City parking requirements.**
474

475 **Chairman Lyons opened up the public hearing and asked the applicant to come forward and**
476 **speak.**
477

478 **Kathy Crane**
479 **302 W. Kauffman Street**
480 **Rockwall, TX**
481

482 **Ms. Crane came forward and stated she is a licensed professional counselor and sees individual**
483 **clients on a part time basis in her home office and she will eventually be transitioning into online**
484 **counseling.**
485

486 **Chairman Lyons asked where the clients park. Ms. Crane stated they park in her driveway but if**
487 **there needs to be any modifications she would be willing to meet any requirement.**
488

489 **Commissioner Trowbridge asked if it is their primary residence. Ms. Crane stated she has owned**
490 **the property for three years and has resided in it for two years.**
491

492 **Commissioner Trowbridge asked if the zoning was changed it would be tied to the lot and**
493 **therefore remain Residential Office and should it sell would be allowed to operate any use that is**
494 **allowed within that zoning. Mr. Brooks stated that was correct.**
495

496 **Commissioner Fishman asked what kind of signage they would have. Ms. Crane stated currently**
497 **they don't have plans for signage aside from a small sign in the front door.**
498

499 **Commissioner Moeller asked when she planned to transition into the online counseling. Ms.**
500 **Crane stated she is in the process currently she is trying to build her practice.**
501

502 **Commissioner Chodun expressed concern over the location being in a pocket of surrounding**
503 **residential homes.**
504

505 **Chairman Lyons asked if anyone who wished to speak to come forward and do so.**

506 **Paige Parks**
507 **402 W. Kauffman**
508 **Rockwall, TX**

509
510 **Ms. Parks came forward and expressed not necessarily being in opposition or in favor she is**
511 **concerned with how changing the zoning would affect her property should Ms. Crane sell the**
512 **property and the use stays in place what other use could possibly be brought in.**
513

514 **Chairman Lyons Chairman Lyons asked if anyone else wished to speak to come forward and do**
515 **so there being no one indicating so Chairman Lyons closed the public hearing and brought the**
516 **item back to the Commission back to the Commission for discussion or action.**
517

518 **Commissioner Trowbridge and Moeller generally expressed not being in favor of the request.**
519 **General discussion took place concerning the thoughts the citizen that spoke brought up and**
520 **whether or not allowing the zoning change would open up the possibility of additional requests**
521 **being brought up. The Commission generally expressed not being in favor of the request.**
522

523 **Chairman Lyons made a motion to deny Z2017-067. Commissioner Moeller seconded the motion**
524 **which passed by a vote of 7-0.**
525

526
527 **V. ACTION ITEMS**
528

529 **12. SP2017-041**

530 **Discuss and consider a request by David Naylor of Rayburn Country Electric Cooperative for the**
531 **approval of a site plan for an addition to an existing facility on an 18.875-acre tract of land identified**
532 **as Lots 1, 2 & 3, Block A, Rayburn Country Addition and a portion of Tract 3-13 of the W. H. Barnes**
533 **Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC)**
534 **District, addressed as 950 & 980 Sids Road, and take any action necessary.**
535

536 **Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant**
537 **is seeking to expand on their existing 15,300 square foot office building by constructing two**
538 **buildings one will be a 12,729 square foot office and the other will be a 27,000 square foot**
539 **warehouse. With regards to density and dimensional requirements they do meet the site plan,**
540 **landscape plan, photometric and building elevations generally required to conform within the**
541 **Unified Development Code however there are two variances that they are seeking from the**
542 **Unified Development Code and those two variances will require a simple majority vote from the**
543 **City Council as well as recommendation from the Commission.**
544

545 **Mr. Gonzales went on to state that the first variance is for the minimum parking standard, the**
546 **applicant is showing 65 parking spaces on their site plan however based on how the parking is**
547 **calculated, they are required to have 62 additional parking spaces over that. The second**
548 **variance they are seeking is for the building elevations. The materials that they are using, 90%**
549 **masonry is required on the exterior of the facility and what they are using is 50% cementitious**
550 **portion which is the tilt up wall construction and that makes up more than 50% when the fiber**
551 **cement board is included. Mr. Gonzales went on to talk of the breakdown for each building, for**
552 **the office building the south elevation will be using a little over 66% and on the east elevation**
553 **will be over 67% and for the warehouse building the north elevation will be 59%, the south**
554 **elevation 82%, the east elevation is 79% and the west elevation 54%. When the two materials, tilt**
555 **up wall and the fiber cement board, are combined that would also require a simple majority vote**
556 **from City Council. The variances went before the Architectural Review Board earlier in the**
557 **evening and the Board unanimously agreed to approve the elevations as well as one additional**
558 **item being a precast fence for screening.**
559

560 **Mr. Gonzales advised the Commission the applicant was present and available for questions as**
561 **well as staff.**
562

563 **Chairman Lyons asked the applicant to come forward and speak.**
564

565 **Bill Thomas**
566 **Engineering Concepts and Design**
567 **201 Winco Circle**
568 **Wylie, TX**

569 Mike Malone
570 HK Architects
571 350 North Saint Paul
572 Dallas TX
573

574 Chairman Lyons asked the applicants if they had anything they would wish to add to staffs
575 comments. Mr. Thomas indicated they did not however could answer any questions the
576 Commission may have.
577

578 No discussion took place concerning this agenda item.
579

580 Commissioner Trowbridge made a motion to approve SP2017-041 with staff recommendations.
581 Commissioner Chodun seconded the motion which passed by a vote of 7-0.
582

583 13. SP2017-042

584 Discuss and consider a request by Bob Leimberg of Clayco Construction on behalf of Alan Yu of
585 Lollicup USA, Inc. for the approval of a site plan for a manufacturing facility on a 34.23-acre tract of
586 land identified as a portion of Lot 1, Block A, Rockwall, Technology Park, Phase 2 and Tract 2-01
587 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned
588 Light Industrial (LI) District, located at the southeast corner of the intersection of Corporate Crossing
589 [FM-3549] and Capital Boulevard, situated within the FM-549 Overlay (FM-549 OV) District, and take
590 any action necessary.
591

592 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the
593 applicants are requesting a site plan for the subject property which is located within the
594 Technology Park and zoned Light Industrial. The applicant is requesting the site plan for a
595 650,000 square foot warehouse facility that will have an office facility associated with it as well.
596 In regards to the site plan, landscape plan, photometric plan and treescape plan, all those do
597 meet the technical requirements within the UDC. Mr. Gonzales indicated there were a few issues
598 that needed to be looked at such as the location of the dumpster. The applicant is requesting an
599 exception to allow for the dumpster to be located at the north side of the building by the truck
600 docks they are also requesting to add additional landscaping to serve as screening to those. In
601 addition Mr. Gonzales explained that according to the treescape plan they submitted they show
602 they will be removing 502 caliper inches of trees which are primarily hackberries that are
603 throughout the development. In looking at that from a mitigation standpoint it would only be
604 counted as 50% for those and therefore mitigation wise that would just be cut in half. They are
605 providing 147 inches of tree that would count towards the mitigation. In addition there is one
606 25inch Elm that they are saving and that would serve as another deduction in mitigation leaving
607 the total amount due to be 87 ½ inches at the time of final plat. Mr. Gonzales further noted that
608 in regards to the variances associated with the site plan approval there are six variances they
609 are seeking in which Mr. Gonzales went on to speak of in detail. In addition Mr. Gonzales
610 indicated that the applicants had met with the Architectural Review Board.
611

612 Mr. Gonzales advised the Commission the applicants were present and available for questions
613 as well as staff.
614

615 Chairman Lyons asked the Commission for any questions.

616 Commissioner Logan asked if there was any access off of Discovery Blvd. Mr. Gonzales
617 indicated the primary entrance is on the north side along Capitol Drive.
618

619 Chairman Lyons asked the applicant to come forward and speak.
620

621 Andy Sebacher
622 Clayco Construction
623 (No address given)
624

625 Mr. Sebacher came forward and stated staff detailed the request very well and he was available
626 for any questions the Commission may have.
627

628 Chairman Lyons brought the item back to the Commission for discussion or action.
629

630 Commissioner Moeller made a motion to approve SP2017-042 with staff recommendations.
631 Commissioner Logan seconded the motion which passed by a vote of 7-0.

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VI. DISCUSSION ITEMS

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

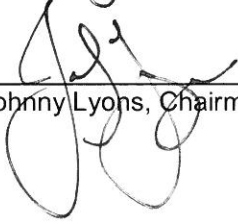
- ✓ P2017-069: Replat of Somerset Park, Phase 1 [Approved]
- ✓ P2017-071: Lot 1, Block A, Epton Addition [Approved]
- ✓ P2017-072: Lot 5, Block C, Rockwall Technology Park Addition [Approved]
- ✓ P2017-073: Lots 1, 2 & 3, Block A, Fannin Addition [Approved]
- ✓ Z2017-059: Amendment to Planned Development District 8 (PD-8) (1st Reading) [Postponed to February 5, 2018]
- ✓ Z2017-054: Amendment to Article IX, Tree Preservation of the UDC (2nd Reading) [Approved]
- ✓ Z2017-056: Amendment to Section 6.2 of Article II (2nd Reading) [Approved]
- ✓ Z2017-057: Amendment to Section 2.1.11 of Article IV (2nd Reading) [Approved]
- ✓ Z2017-058: Amendment to Article IV for Food Trucks/Trailers (2nd Reading) [Approved]
- ✓ Z2017-060: Zoning Change (AG to HC) (2nd Reading) [Approved]
- ✓ Z2017-061: Amendment to S-174 for Rockwall School of Music (2nd Reading) [Approved]
- ✓ Z2017-062: SUP for a Hotel in PD-32 (2nd Reading) [Approved]
- ✓ Z2017-063: Amendment to PD-82 (2nd Reading) [Approved]
- ✓ Z2017-064: SUP for a Detached Garage at 4 Soapberry Lane (2nd Reading) [Approved]
- ✓ SP2017-040: Variances for a Gas Station and Retail Strip Center [Articulation and Stone: Approved; 4- Sided Architecture and Vertical Walls: Denied]
- ✓ MIS2017-017: Waivers in the SRO for Property at the NWC of Emma Jane Street and Sam Houston Street [Approved]
- ✓ MIS2017-016: Waivers in the SRO for Property at 801 Lamar Street [Approved]

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

VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 8:45 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 30 day of January, 2018.



Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
January 30, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:02 p.m. The Commissioners present at the meeting were Eric Chodun, Annie Fishman, Jerry Welch, Tracey Logan, Mark Moeller, and Patrick Trowbridge. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the January 9, 2018 Planning and Zoning Commission meeting.

Commissioner Logan made a motion to approve the consent agenda. Commissioner Chodun seconded the motion which passed by a vote of 7-0.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

IV. PUBLIC HEARING ITEMS

3. Z2017-059

Hold a public hearing to discuss and consider a request by Ed Cavendish of Ed Cavendish Homes/VPS Construction on behalf of Jal Kumar of Rockwall Marina Development, LLC for the approval of an amendment to Planned Development District 8) [*Ordinance No. 92-39*] for the purpose of allowing townhomes on a 6.88-acre tract of land identified as Lot 4, Block A, Spyglass Hill #4 Addition and Tract 134-12 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) [*Ordinance No. 92-39*] for Zero Lot Line (ZL-5) District land uses, generally located south on the south side of Henry M. Chandler Drive west of Ridge Road [*FM-740*], and take any action necessary.

Planning Director, Ryan Miller, noted that this case originally came before the Commission on December 12, 2017 and a vote of 5-1 passed to recommend approval to the City Council, however at the City Council meeting it was pointed out that there was a "typo" in the case memo that indicated that the property was entitled for 44 zero lot line homes where as it is only entitled to 36 zero lot line homes and as a result the City Council remanded that back to the Planning and Zoning Commission and in response to the applicant's request for more time to work with the neighborhood and the case was tabled until tonight's meeting. Mr. Miller went on to give a brief explanation of the request stating that the subject property was annexed into the City of Rockwall and zoned Agricultural District on October 29, 1973 and on November 12, 1973, the subject property was rezoned to Planned Development District 8 and designated for a Multi-Family Structure or Condominium this designation was amended on October 19, 1992, which re-designated the subject property to allow 36 zero-lot-line, single-family homes. On October 13, 2017, the applicant requested to reinstate the preliminary plat that was approved in 1992 and in that preliminary plat it depicted the proposed layout for the 36 zero-lot-line, single-family homes. The Planning and Zoning Commission approved the reinstatement request October 24, 2017;

63 however, the applicant ultimately chose to submit an application on November 17, 2017
64 requesting to amend the ordinance to allow for a 48-unit townhome development. Since then the
65 applicant has provided a new concept plan that shows the proposed townhome development
66 will consist of 40 townhomes broken up into blocks of three to five homes. With this change the
67 overall density has been reduced from 6.98 down to 5.81 units per acre. The applicant has also
68 agreed to meet the material requirements. The development will incorporate approximately 42%
69 open space, the majority of which will be used to create a buffer between the proposed
70 development and Spyglass, Phase 3 which is located directly east of the subject property. The
71 concept plan also shows that half of the proposed lots will have front entry garages. The
72 remainder of the lots will incorporate rear entry garages which would be accessible from an
73 alleyway. The applicant has requested that the streets be private and maintained by the
74 Homeowner's Association and staff has included this condition in the proposed draft ordinance
75 with the stipulation that the applicant provide a 29-foot back-to-back concrete street built to the
76 City's standards. In looking at the Future Land Use Map it does not have any effect on it because
77 it currently is designated for high density residential which is defined anything that exceeds
78 three units and even with the decrease in units it will still meet the high density residential
79 designation.

80
81 Mr. Miller further noted that on November 30, 2017, staff mailed 269 notices to property owners
82 and residents within 500-feet of the subject property and sent a notice to the Chandler's
83 Landing, The Cabana's at Chandler's Landing, Matchpoint Townhomes, Cutter Hill Phases 1-3,
84 and the Spyglass Homeowner's Associations. Staff received 9 notices and one 1 email in
85 opposition of the applicant's request.

86
87 Mr. Miller advised the Commission the applicant was present and available for questions as well
88 as staff.

89
90 Chairman Lyons asked for any questions for staff from the Commission.

91
92 Commissioner Trowbridge asked how many units it was allowed when it was originally written
93 and approved and has there been an actual reduction in units that the developer is proposing.
94 Mr. Miller stated that as of today they can build 36 zero lot line homes and what the applicant is
95 requesting is to change the zoning to reduce it to 40 zero lot line homes.

96
97 Commissioner Welch noted that in looking at the concept plan it appeared that there were larger
98 gaps between the lots allowing the homes behind view to the lake, he asked if that was that the
99 case. Mr. Miller stated it did appear to be however he deferred that question to the applicant.

100
101 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
102 speak.

103
104 Ross Ramsey
105 2235 Ridge Road
106 Rockwall, TX

107
108 Mr. Ramsey came forward and gave a brief explanation of the request. He indicated that they
109 have increased the view corridors for Spyglass and have met with residents since having last
110 come before the Commission. They are single family detached on platted lots and will be sold in
111 the vicinity of \$350k. He spoke of the applicant Mr. Cavendish, who will be the builder, being an
112 established local home builder. He went on to explain with the concept plan provided that on the
113 east side of the project there is approximately 200 feet from the nearest Spyglass condominium
114 to the first house and further down there is a 75 foot down to the lake and the group of houses
115 along the lakeshore are so low that it would allow a lake view to be seen over them. Mr. Ramsey
116 respectfully asked the Commission's approval and stated he was open to any further questions.

117
118 Chairman Lyons asked for any questions for the applicant from the Commission.

119
120 Commissioner Moeller asked concerning elevations, specifically in regards to the peak elevation
121 is what they are proposing, (500 feet which is under what the Ordinance allows at 508 feet)
122 midrange of the roof or is it the actual peak. Mr. Ramsey explained that it measured at the actual
123 peak. Commissioner Moeller asked if they have received better feedback from the residents that
124 expressed concern at the last meeting now that that the view corridors and peak heights have

125 been changed. Mr. Ramsey stated that since the last meeting in November they have met with
126 those residents on several occasions and one of those residents is present and will be
127 expressing his thoughts, but overall he feels that with the changes they made they are a better
128 fit than what the Ordinance currently allows.

129
130 Commissioner Trowbridge asked if the homes would only be two story homes. Mr. Ramsey
131 stated they would only be building two story homes.

132
133 Chairman Lyons asked if there was anyone who wished to speak to come forward and do so.

134
135 Dennis Vierling
136 1121 Bayshore Drive
137 Rockwall, TX

138
139 Mr. Vierling came forward and stated he and his wife own a few condos in Spyglass and he feels
140 that Mr. Ramsey has done a good job in the design they are proposing. He generally expressed
141 being in favor of the request.

142
143 Chairman Lyons asked if there was anyone else who wished to speak to come forward and do
144 so, there being no one indicating such; Chairman Lyons closed the public hearing and brought
145 the item back to the Commission for discussion or action.

146
147 Commissioner Trowbridge made a motion to approve Z2017-059 with staff recommendations.
148 Commissioner Welch seconded the motion which passed by a vote of 7-0.

149
150
151 4. Z2017-052

152 Hold a public hearing to discuss and consider a request by Pat Atkins of Saddlestar Land Development
153 on behalf of the Stagliano Family Trust for the approval of a zoning change from an Agricultural (AG)
154 District, Commercial (C) District and Heavy Commercial (HC) District to a Planned Development District
155 for commercial/retail, single-family and townhome land uses on a 63.72-acre tract of land identified as
156 Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned
157 Agricultural (AG) District, Commercial (C) District and Heavy Commercial (HC) District, situated within
158 the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of S. Goliad Street [SH-205]
159 and Mims Road, and take any action necessary.

160
161 Senior Planner, David Gonzales, gave a brief highpoint of the request. He spoke on the subject
162 property being currently zoned Agricultural, Heavy Commercial, and Commercial Districts, with
163 the Agricultural District being located east of Mims Road, the Commercial District designation
164 being located adjacent to Mims Road and SH-205 and the Heavy Commercial District designation
165 being located on the interior of the subject property. In 2016, TXDOT established a staging area
166 for the SH-205 improvements at the southwestern corner of the subject property being the
167 corner of Mims Road and S. Goliad Street. The applicant is requesting to rezone the property to
168 a Planned Development District for single-family, townhome and commercial land uses. Based
169 on the concept plan, this will establish a horizontal mixed use development with
170 commercial/retail on the northwest quadrant of S. Goliad Street and Mims Road, while
171 transitioning to a 198 lot townhome being 22' x 75' minimum lot size development and
172 continuing west to a 65 single-family lot being 50' x 120' minimum lot size development creating
173 the Planned Development District. The requested overall density for this development would be
174 4.50-dwelling units per acre, 263-units/63.72-acres – 5.30-commercial acres = 4.50 dwelling
175 units/acre, with the density of Tract 2 which is the Townhomes being an estimated 7.50-dwelling
176 units per acre and the density of Tract 3 the Single-Family Residential being an estimated 2.68
177 dwelling units per acre. On Tract 1 the applicant is requesting limited General Retail District land
178 uses. However, the applicant is also requesting that a Retail Store with Gasoline Product Sales
179 be allowed as a use by right for this tract of land. It should be noted that the General Retail
180 District allows a Retail Store with Gasoline Sales use as of right with a maximum of 2
181 dispensers. If more than 2 dispensers are requested, approval of a Specific Use Permit would be
182 required. In addition applicant is proposing a total of 12.7-acres of open space being 19.9%,
183 which is primarily flood plain and if the floodplain were calculated at 100% as opposed to 50%
184 the development would exceed the minimum 20% requirement and the proposed open space
185 standard is a discretionary decision for the City Council.
186

187 Mr. Gonzales further noted that on October 27, 2017, staff mailed 160 notices to property owners
188 and residents within 500-feet of the subject property and sent a notice to the Flagstone Estates,
189 Lynden Park, Hickory Ridge, and Hickory Ridge East Homeowner's Association and staff
190 received 2 notices opposed to the applicant's request.
191

192 Mr. Gonzales advised the applicant was present along with the Traffic Engineer and would be
193 available for questions as well as staff.
194

195 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
196 speak.
197

198 Pat Atkins
199 3076 Hays Lane
200 Rockwall, TX
201

202 Mr. Atkins came forward and stated the traffic engineer, Tom Walton, was present to answer any
203 questions concerning the traffic analysis. Mr. Atkins went on to provide a power point
204 presentation that gave an overall description of the request.
205

206 Chairman Lyons asked for questions from the Commission for the applicant.
207

208 Commissioner Chodun expressed concern over the traffic the development will generate and
209 within the Traffic Impact Analysis that was provided that within it speaks of the issues it will
210 create.
211

212 Commissioner Welch asked what the expected date to start the development was anticipated to
213 be. Mr. Atkins explained that the development of the property based on the demand would be to
214 start fairly rapidly in two phases.
215

216 Commissioner Fishman asked concerning the price points. Mr. Atkins explained it would be
217 \$250k approximately.
218

219 Tom Walton
220 (No address given)
221

222 Mr. Walton came forward and stated he conducted the traffic analysis and was available for
223 questions the Commission may have.
224

225 Extensive discussion took place between the Commission concerning the traffic issues such
226 development will impose.
227

228 Chairman Lyons opened up the public hearing and asked if anyone who wished to speak to
229 come forward and do so, there being no one indicating such Chairman Lyons closed the public
230 hearing and brought the item back to the Commission for discussion or action.
231

232 General discussion took place concerning the timing of the project with the amount of traffic it
233 will generate with infrastructure in that area not complete.
234

235 Commissioner Moeller generally expressed not being in favor of the request, doesn't agree with
236 going against the Future Land Use Map in this case.
237

238 Commissioner Chodun generally expressed not being in favor of the request with points
239 including the traffic as well as the high density.
240

241 Commissioner Logan generally expressed not being in favor of the request based on the traffic
242 analysis that was conducted on December 20th which in what is considered to be a low traffic
243 time and according to the TIA it is already in a poor level of service. She feels there are already
244 traffic issues as is and by allowing an additional development it will only worsen the area.
245 Chairman Lyons noted that currently by right they can build Commercial and according to the
246 traffic analysis that was provided would create more traffic than what they are proposing
247 however that being debatable, he generally expressed being in favor of the request.
248

249 Further general discussion took place between the Commission of what would be currently
250 allowed and what is being proposed and the pros and cons of what traffic would impact.
251

252 Commissioner Chodun made a motion to deny Z2017-052. Commissioner Logan seconded the
253 motion which passed by a vote of 4-3 with Chairman Lyons, and Commissioners Fishman and
254 Trowbridge dissenting.
255

256 Chairman Lyons called a ten minute recess at 7:28 p.m.
257

258 Chairman Lyons called the meeting back to order at 7:37 p.m.
259

260
261 V. ACTION ITEMS
262

263 5. MIS2018-001

264 Discuss and consider a request by Kris Green for the approval of an exception to the minimum masonry
265 requirements stipulated in Section 3.1, *General Residential District Standards*, of Article V, *District*
266 *Development Standards*, of the Unified Development Code, for a 0.255-acre parcel of land identified as
267 Lot 7, Block A, Eagle Point Estates, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10
268 (SF-10) District, addressed as 1507 S. Alamo Drive, and take any action necessary.
269

270 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant has
271 submitted a request for an exception to the minimum masonry requirements for the purpose of
272 constructing a 3,100 square foot home on the subject property located at Eagle Point Estates
273 subdivision. The applicant is proposing to construct a modern farmhouse style and would
274 utilize 100% fiber-cement, Hardie Board siding in a vertical board- and-baton pattern that will be
275 painted white. Mr. Brooks explained that according to the District Development Standards, of the
276 Unified Development Code, all buildings 120 square feet or more and over 10 feet in height shall
277 have exterior walls constructed of at least 80% masonry materials with no more than 50% being
278 Hardie Board or other similar cementitious material. Buildings not meeting this requirement
279 would require special exceptions that may be permitted on a case-by-case basis by the City
280 Council upon submission and approval of elevation drawings of the subject structure and
281 material samples. The applicant has provided examples of the style of home and siding
282 proposed for the home.
283

284 Mr. Brooks advised the Commission the applicant was present and available for questions as
285 well as staff.
286

287 Chairman Lyons asked the applicant to come forward and speak.
288

289 Chris Green
290 (No address given)
291

292 Mr. Green came forward and stated he is a long time Rockwall resident and he recently
293 purchased the land from Mr. Bobst. He provided a picture of the house they are proposing.
294

295 Chairman Lyons asked the Commission for questions.
296

297 Chairman Lyons asked if there was anything else in that area with the type of masonry
298 exceptions he is requesting. Mr. Green stated that there have not been any houses built in
299 subject properties side of the street area in approximately 20-30 years however the newer homes
300 do have masonry.
301

302 Commissioner Moeller asked if there were other homes similar to what he is proposing in the
303 area and expressed concern with the 100% hardiboard not being in sync with the neighborhood,
304 asked if the applicant be willing to add any stone. Mr. Green stated he would be willing to add
305 maybe a 3 foot wall to keep the integrity of what is referred to as the modern farm house.
306

307 Commissioner Trowbridge generally expressed being in favor of the request noted he didn't feel
308 everything necessarily needed to match, the neighborhood was custom built with a variety of
309 homes and the request being brought forward is not too far off. He feels support should be given
310 to a Rockwall resident that wishes to build in the city.

311 Chairman Lyons generally expressed not being in favor of the request, he feels that although
312 diversity is good and there have been special exceptions made in other neighborhoods he feels
313 what the applicant is proposing, although it is a beautiful house, would not fit in this
314 neighborhood.
315

316 Commissioner Trowbridge made a motion to approve MIS2018-001 with staff recommendations.
317 Commissioner Fishman seconded the motion and added an amendment to incorporate stone
318 into the overall design scheme. General discussion took place between the Commission and the
319 applicant concerning how much stone could the applicant add. After said discussion
320 Commissioner Fishman withdrew the amendment and seconded the motion as originally made.
321 The motion to approve Z2018-001 with staff recommendations passed by a vote of 5-2 with
322 Chairman Lyons and Commissioner Welch dissenting.
323
324

325 6. MIS2018-002

326 Discuss and consider a request by Kay Uhlig of Sabrina's Flowers and Gifts for the approval of a
327 variance to the district development standards of the SH-205 Overlay (SH-205 OV) District for the
328 approval of a LED message sign on an existing pole sign on a 0.407-acre parcel of land identified as the
329 J. J. Jones Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated
330 within the SH-205 Overlay (SH-205 OV) District, addressed as 1903 S. Goliad Street [SH-205], and take
331 any action necessary.
332

333 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the in August
334 of last year the Commission heard a case on this property for a replacement of a manual reader
335 board on a legally non-conforming pole sign specifically for the applicant was requesting a
336 variance. Currently the sign code does not allow that type of variance to be requested however
337 because the subject property is in an Overlay District there is a section that allows for the
338 signage requirement to allow for a variance request to be made. Mr. Miller went on to state that
339 on August 29, 2017 the Planning and Zoning Commission approved a motion to recommend
340 denial and subsequently the City Council denied the case after that. Since the Council did not
341 indicate a position of prejudice it is considered to be denied without prejudice. Typically in a
342 public hearing case a denial with prejudice would restrict the application from coming back for a
343 period of one year however since this is a simple variance case there is no one year prohibition
344 from making the same application and therefore that is what the applicant has done, submitted
345 another application requesting the exact variance.
346

347 Mr. Miller stated the applicant was present and available for questions as well as staff.
348

349 Chairman Lyons asked for questions for staff.
350

351 Commissioner Trowbridge asked if there were any changes to the answers that the Commission
352 brought up when the request came before them last year. Mr. Miller indicated there were not.
353

354 Chairman Lyons asked the applicant to come forward and speak.
355

356 Jamie Kahler
357 Signature Signs and Graphics
358 880 E. Rockwall Pkwy
359 Rockwall, TX
360

361 Mr. Kahler came forward and stated that the stand that is currently on the property is an old
362 reader board with tracks that are falling off and has not had a message on it in years. They are
363 before the Commission with the request because Taco Casa was allowed when their building
364 was built to add a message center to their existing sign, where their request is not adding but
365 taking the existing 32 square feet that is there for a message center and are looking to put a
366 retro fit into the existing cabinet so keeping the structure itself will stay the same. He went on to
367 state that Ms. Kay (the owner) has painted the building to enhance the appearance. The existing
368 pole is old and outdated and they are looking to paint it and put landscaping around it, they will
369 retrofit the sign to match the building with an LED message center to allow her to advertise. Mr.
370 Khaler advised that their intent is to give it all a fresh look that will flow with the look and
371 increase in growth in the area.
372

373 Commissioner Trowbridge asked concerning how the signage is lighted. Explained that that the
374 lower portion currently has fluorescent bulbs that old letters are placed on there and what they
375 are wanting to do is to take that off and put a new electric LED message board and they will
376 abide by all the lighting rules and regulations that the City requires.

377
378 Commissioner Fishman asked what type messages would be displayed. Mr. Kahler explained it
379 would advertise related specials pertaining to her store such as sales and special occasion
380 messages that type thing.

381
382 Commissioner Chodun generally expressed being in favor of the request.

383
384 Chairman Lyons noted it is an improvement to what is currently there and generally expressed
385 being in favor of the request.

386
387 Chairman Lyons made a motion to approve MIS2017-002 with staff recommendations.
388 Commissioner Logan seconded the motion, which passed by a vote of 5-2 with Commissioners
389 Logan and Trowbridge dissenting.

390
391
392 VI. DISCUSSION ITEMS

393
394 7. Z2018-001
395 Hold a public hearing to discuss and consider a request by Cameron Slown of F. C. Cuny, Corporation
396 on behalf of Phillip McNeill, Jr. of McNeill Hotel Company and Jason Lentz of Atticus Summer Lee
397 Townhomes for the approval of a PD Development Plan amending *Ordinance No.'s 16-48 & 16-54* and
398 in accordance with *Ordinance No. 10-21*, for a 9.081-acre tract of land identified as Lot 2A of the Isaac
399 Brown Addition, and Lots 1 & 2, Block A, Harbor Village Addition, City of Rockwall, Rockwall County,
400 Texas, zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV)
401 District and the *Interior and Residential Subdistricts* of Planned Development District 32 (PD-32),
402 located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and
403 Summer Lee Drive, and take any action necessary.

404
405 Senior Planner, David Gonzales, gave a brief explanation of the request and added that this
406 request is going to require two property owners who will be doing a land swap in order to
407 accommodate the hotel for additional parking. Mr. Gonzales noted that staff provided the
408 Commission with an updated concept plan not only for the hotel but also for the townhome site
409 as well.

410
411 Mr. Gonzales advised the Commission the applicant representing the townhomes was unable to
412 attend tonight's meeting but a representative for the hotel was present and available for
413 questions as well as staff.

414
415 Chairman Lyons asked the applicant to come forward and speak.

416
417 Cameron Slown
418 FC Cuny Corporation
419 2 Horizon Court
420 Rockwall, TX

421
422
423 Mr. Slown came forward and stated that what they are trying to do with the new proposed
424 concept plan they intend to adhere more to PD-32 ordinances. They look to shift the buildings
425 closer to Summer Lee Drive they will be working with engineering staff with the proximity of the
426 existing drive and will be asking for a variance to the parking. They will continue to work with
427 City staff. He advised the Commission he was available for any questions.

428
429 Chairman Lyons asked the Commission for any questions for the applicant.
430 Commissioner Chodun asked if the materials changed from the last concept plan that was
431 provided were the two new buildings shown on the south side there before. Mr. Slown indicated
432 that was part of the land swap. Commissioner Chodun asked if the square footage of the hotel
433 be changing or simply shifting. Mr. Slown indicated that originally they had the hotel along the
434 southern property line and all the parking would basically extend to the east but with this swap

435 they would be able to shift the building closer to Summer Lee Drive and get some help with the
436 grade as it goes down the hill.

437
438 Commissioner Moeller asked if the number of townhomes in PD-32 be affected or is it simply
439 condominiums. Mr. Gonzales stated the overall number would be affected, currently there are
440 182 units that are available should it get approved it would drop it to 178.

441
442 Commissioner Trowbridge expressed concern over the elevations noting that the new concept
443 plan shows building a three story up against a five story wrapped building and expressed
444 concern over affecting views.

445
446 There being no further questions Chairman Lyons indicated the case will return to the
447 Commission for action at the next scheduled meeting.

448
449
450 8. Z2018-002

451 Hold a public hearing to discuss and consider a request by David Naylor of Rayburn Country Electric
452 Cooperative for the approval of a Specific Use Permit (SUP) for the replacement of a
453 telecommunications tower exceeding 125-feet in a Heavy Commercial (HC) District on a 5.053-acre
454 tract of land identified as Lot 1, Block A, Rayburn Country Addition and a portion of Tract 3-13 of the W.
455 H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Heavy
456 Commercial (HC) District, addressed as 950 & 980 Sids Road, and take any action necessary.

457
458 Senior Planner, David Gonzales, advised the Commission the applicant was present and would
459 give a brief summary of the request and staff would be available to answer questions.

460
461 David Naylor
462 950 Sids Road
463 Rockwall, TX

464
465 Mr. Naylor came forward and stated that they are requesting the SUP to replace existing 320'
466 guyed communications tower with a new 320' self-supported communications tower which will
467 be located approximately 30 feet of the existing tower. Once the new one is in place they will
468 remove the existing tower.

469
470 Chairman Lyons asked for questions from the Commission.

471
472 There being no questions Chairman Lyons indicated the case will return to the Commission for
473 action at the next scheduled meeting.

474
475
476 9. Z2018-003

477 Hold a public hearing to discuss and consider a request by Randy Eardley, P.E. of Wier & Associates,
478 Inc. on behalf Getra Thomason-Saunders of Chick-Fil-A, Inc. for the approval of a Specific Use Permit
479 (SUP) for a restaurant with a drive-through or drive-in on a 0.656-acre tract of land being identified as
480 Lots 1 & 2, Block A, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General
481 Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 &
482 2000 S. Goliad Street [SH-205], and take any action necessary.

483
484 Planner, Korey Brooks, gave a brief explanation of the request which came before the
485 Commission last month where a recommendation for approval of a Specific Use Permit was
486 forwarded to City Council. Subsequently City Council denied the case without prejudice to allow
487 Chick-fil-a to address three points that they requested those being a traffic impact analysis to be
488 conducted, a four foot rod iron fence to be put in place on the south and west property lines, and
489 lastly to get a parking agreement with the adjacent property owner. Mr. Brooks went on to state
490 that staff has received a new site plan showing a rod iron and according to the applicant they are
491 working out a parking agreement for twenty additional parking spaces and also working to get
492 the traffic impact analysis and they have indicated they should be providing that at the next
493 scheduled meeting.

494
495 Mr. Brooks advised the Commission the applicant was present and available for questions as
496 well as staff.

497 Chairman Lyons asked the applicant to come forward and speak.

498
499 Randy Eardley
500 Wier and Associates
501 211 E. Lamar
502 Arlington, TX
503

504 Mr. Eardley came forward and provided a power point which detailed the proposal and showed
505 the concept plan that was changed to provide a four foot retaining wall and went on to explain
506 that they are working with the adjacent property owners to obtain a cross parking access
507 agreement. providing. Mr. Eardley advised the Commission he was available for any questions
508 the Commission may have.
509

510 No discussion took place concerning this agenda item.

511
512 There being no questions Chairman Lyons indicated the case will return to the Commission for
513 action at the next scheduled meeting.
514

515
516 10. P2018-001

517 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of
518 BH Phase 8, LLC for the approval of a preliminary plat for Breezy Hill, Phase VIII containing 72 single-
519 family residential lots on 30.785-acres of land identified as Tract 7 of the J. Strickland Survey, Abstract
520 No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for
521 Single Family 10 (SF-10) District land uses, located along the eastern side of Breezy Hill Lane, and take
522 any action necessary.
523

524 Planner, Korey Brooks, gave a brief explanation of the request stating that the request is for the
525 approval of a preliminary plat for Breezy Hill Phase VIII. Currently there are some issues with the
526 zoning of Breezy Hill Road that are being worked out and the case will be postponed until those
527 issues are worked out between the property owners, therefore as of now the plat does not meet
528 the technical requirements of the UDC and cannot move forward until those requirements are
529 met.
530

531 Mr. Brooks advised the Commission staff was available for questions.

532
533 No discussion took place concerning this agenda item.
534

535 There being no questions Chairman Lyons indicated the case will return to the Commission for
536 action at the next scheduled meeting.
537

538 11. SP2018-001

539 Discuss and consider a request by Larae Tucker of Verdad Real Estate for the approval of a site plan
540 for a retail store with gasoline sales on a 1.67-acre tract of land identified as Tract 11-1 of the W. B.
541 Bowles Survey, Abstract No. 12, City of Rockwall, Rockwall County, Texas, zoned Planned
542 Development District 48 (PD-48) for General Retail (GR) District land uses, situated within the SH-66
543 Overlay (SH-66 OV) District, situated west of the intersection of W. Rusk Street [SH-66] and N.
544 Lakeshore Drive, and take any action necessary.
545

546
547 Planner, Korey Brooks, gave a brief explanation of the request stating that the site plan went
548 before the Architectural Review Board and recommendations were made to match this gas
549 station with the one on John King Blvd and SH276 and the applicant has agreed to do that.
550

551 Mr. Brooks advised the Commission the applicant was present and would further detail there
552 request and staff would be available for questions.

553 Chairman Lyons asked the applicant to come forward and speak.
554

555 Cody Woodruff
556 4220 Throckmorton
557 Fort Worth, TX
558

559 Mr. Woodruff came forward and stated the request is for a 3,062 square foot 7-11 gas
560 station/retail store. He advised the Commission he was available for any questions the
561 Commission may have.
562

563 Mr. Brooks added that the site plan is required to go before the City Council for approval of the
564 technical requirements and additionally the PD was written to say that a Rockwall entryway sign
565 is required and the applicant will work on signage and bring that to the ARB for their review.
566

567 Commissioner Logan asked what the requested change was. Mr. Brooks explained that the way
568 the ARB preferred a flat roof as opposed to the pitched like the existing 7-11 on John King Blvd.
569

570 Commissioner Logan asked if the zoning allowed for the use being requested. Mr. Brooks stated
571 the use was allowed by right.
572

573 There being no further questions Chairman Lyons indicated the case will return to the
574 Commission for action at the next scheduled meeting.
575

576
577 12. SP2018-002

578 Discuss and consider a request by Matthew Peterson of D. B. Contractors, Inc. on behalf of Jeff Fleming
579 of J. R. Investments, LLC for the approval of a manufacturing facility on an 11.155-acre parcel of land
580 identified as a portion of Lot 6 and all of Lot 7, Block D, Rockwall Technology Park Addition, City of
581 Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the southwest corner of
582 the intersection of Innovation Drive and Observation Trail, and take any action necessary.
583

584 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the case
585 went before the Architectural Review Board and the elevations that they submitted were
586 unanimously approved and no changes to the elevations will be required moving forward
587 however there are a few variances that the applicant is seeking within not only the elevations as
588 an exception but also to the parking.
589

590 Mr. Gonzales advised the Commission the applicant was present and available for questions as
591 well as staff.
592

593 Matthew Peterson
594 (No address given)
595

596 Mr. Peterson came forward and stated it is a large manufacturing facility approximately 230,000
597 square feet about 800 feet wide. The variances that they are seeking are with parking and
598 articulation. Mr. Peterson advised the Commission he was available for questions the
599 Commission may have.
600

601 Chairman Lyons asked the Commissions for any questions.
602

603 Commissioner Trowbridge asked concerning the articulation that is not being met and would it
604 be built to suit one company. Mr. Peterson stated that it would be for one company that
605 specialized in wire.
606

607
608 There being no further questions Chairman Lyons indicated the case will return to the
609 Commission for action at the next scheduled meeting.
610

611 13. SP2018-003

612 Discuss and consider a request by Eddie Bond of Groundbreakers, LLC on behalf of Jerry Kissick of
613 Jerry Kissick Custom Homes for the approval of a site plan for a retail center on a 2.113-acre tract of
614 land identified as Lot 6, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas,
615 zoned Commercial (C) District, located at the northwest corner of the intersection of Ranch Trail Road
616 and Horizon Road [FM-3097], and take any action necessary.
617

618 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the case
619 went before the Architectural Review Board and there were a few minor things that the ARB

620 wanted changed such as where there is some brick they would rather see stone. The applicant
621 will make those changes and provide them at the next meeting.
622

623 Mr. Gonzales advised the applicant was present and available for questions as well as staff.
624

625 Chairman Lyons asked the applicant to come forward and speak.
626

627 Eddie Bond
628 Groundbreakers
629 3023 E. IH30
630 Rockwall, TX
631

632 Mr. Bond came forward and stated he was available for questions.
633

634 No discussion took place concerning this agenda item.
635

636 There being no questions Chairman Lyons indicated the case will return to the Commission for
637 action at the next scheduled meeting.
638

639 14. Director's Report of post Council meeting outcomes of Planning & Zoning cases.
640

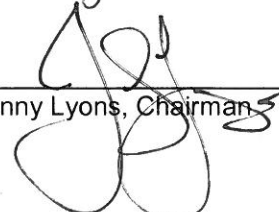
- 641 ✓ P2017-046: Lots 1 & 2, Block A, Briones Addition [Approved]
- 642 ✓ P2017-066: Preliminary Plat for Whisper Rock Subdivision [Approved]
- 643 ✓ P2017-067: Lots 1 & 2, Block A, Lamar Street Habitat No. 1 [Approved]
- 644 ✓ P2017-068: Preliminary Plat for Ladera of Rockwall Subdivision [Approved]
- 645 ✓ P2017-070: Final Plat for the Highlands Subdivision [Approved]
- 646 ✓ Z2017-052: Zoning Change (C & HC to PD) (1st Reading) [Postponed to February 5, 2018]
- 647 ✓ Z2017-065: SUP for a Restaurant w/ Drive-Through (1st Reading) [Denied Without Prejudice]
- 648 ✓ Z2017-066: SUP for a Detached Garage at 218 W. Quail Run Road (1st Reading) [Approved]
- 649 ✓ Z2017-067: Zoning Change from SF-10 to RO (1st Reading) [Failed Due to Lack of a Motion]
- 650 ✓ SP2017-041: Variances for Rayburn Electric Cooperative [Approved]
- 651 ✓ SP2017-042: Variances for Lollicup [Approved]
- 652
- 653

654 Planning Director, Ryan Miller, provided a brief update about the outcome of the above
655 referenced case at the City Council meeting.
656
657

658 VII. ADJOURNMENT
659

660 Chairman Lyons adjourned the meeting at 8:44 p.m.
661
662

663 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
664 ROCKWALL, Texas, this 13 day of February, 2017.
665

666
667
668 
669 _____
670 Johnny Lyons, Chairman

671 Attest:
672 
673 _____
674 Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
February 13, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:02 p.m. The Commissioners present at the meeting were, Jerry Welch, Tracey Logan, Mark Moeller, and Patrick Trowbridge. Absent from the meeting were Commissioners Eric Chodun and Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the January 30, 2018 Planning and Zoning Commission meeting.

2. P2018-002

Consider a request by Lizandro Ormeno of Livay, LLC for the approval of a final plat for Lot 1, Block A, Lizandro Ormeno Addition being a 1.24-acre tract of land identified as Tract 3 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1201 N. Goliad Street [SH-205], and take any action necessary.

Chairman Lyons noted that agenda item #12 would be moved to the consent agenda. Commissioner Trowbridge made a motion to approve the consent agenda which passed by a vote of 5-0, with Commissioners Chodun and Fishman absent.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

IV. ACTION ITEMS

4. MIS2018-003

Discuss and consider a request by Jim Lawson of the Rockwall Independent School District (RISD) for the approval of an exception to the minimum masonry requirements for the purpose of constructing an accessory building on a 25.569-acre parcel of land identified as Lot 1, Block 1, Rockwall Middle School No. 4 Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 16 (SF-16), situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 625 FM-552, and take any action necessary.

Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant Jim Lawson of the Rockwall Independent School District is requesting for an exception to the minimum masonry requirements for the purpose of constructing an accessory building at Nebbie Williams Middle School. According to the applicant's letter, the purpose of the storage building will be to store athletic and track equipment, which is currently being stored underneath the bleachers and these items are currently unsecured and susceptible to weather damage, theft, and vandalism. The proposed accessory building will be a 12' x 20' 240 square feet pre-fabricated metal building manufactured by Tuff Shed. The building will be placed along the east

63 side of the subject property, adjacent to an existing press box. This structure will be screened
64 from FM-552 by the school and screened from John King Blvd. by an existing tree line
65 Williams Elementary School being situated in a Single-Family 16 District, but not being a
66 residential building is subject to all the development requirements for a general commercial
67 property as stated in the Unified Development Code that states that each exterior wall shall
68 consist of 90 percent masonry materials including 20 percent stone and that the City Council
69 can grant exceptions to this requirement on a case-by-case basis after reviewing the building
70 elevations of the proposed structure. The applicant has submitted building elevations and a site
71 plan for the proposed property.

72
73 Mr. Brooks advised the Commission that the applicant was present and available for questions
74 as well as staff.

75
76 Chairman Lyons asked for questions from the Commission.

77
78 Commissioner Welch asked what the material was for the press box. Mr. Brooks indicated the
79 applicant would be able to answer that question.

80
81 Chairman Lyons asked the applicant to come forward and speak.

82
83 Jim Lawson
84 Rockwall ISD Director of Maintenance
85 (No address given)

86
87 Mr. Lawson came forward and answered Commissioner Welch's question stating that it is a
88 masonry press box original to the campus that matches the masonry of the main campus
89 building.

90
91 Chairman Lyons asked if it would be visible from the street. Mr. Brooks indicated it would not as
92 there is a tree line obscuring the view from the street.

93
94 Commissioner Moeller made a motion to approve MIS2018-003 with staff recommendations.
95 Commissioner Trowbridge seconded the motion which passed by a vote of 5-0 with
96 Commissioners Chodun and Fishman absent.

97
98 5. MIS2018-004

99 Discuss and consider a request by Tom Kirkland of TEKMAK Development Company on behalf of
100 Randall Noe of Rockwall Rental Properties, LP for the approval of an extension to a Specific Use Permit
101 [S-161; Ordinance No. 17-07] that allows a *Residence Hotel* on a three (3) acre portion of a larger
102 8.613-acre tract of land identified as Tract 4 of the J. D. McFarland Survey, Abstract No. 145, and Lot 1,
103 Block B, Goldencrest Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
104 District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the intersection of
105 Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.

106
107 Senior Planner, David Gonzales, gave a brief explanation of the request stating that On February
108 6, 2017, the City Council approved a request for a Specific Use Permit to allow a residence hotel
109 on a three 3 acre tract of land located at the northeast corner of the intersection of Greencrest
110 Blvd. and the IH-30 Frontage Road. On March 20, 2017, the City Council approved a text
111 amendment to Section 4, Specific Use Permits, of Article IV, Permissible Uses, of the Unified
112 Development Code that established requirements and procedures for Specific Use Permits to
113 prevent future inactive entitlements from accruing throughout the city once the SUP was
114 approved. This has been accomplished by establishing abandonment, expiration, and
115 revocation procedures of the SUP for certain conditions as outlined in the UDC. The text
116 amendment also established the ability of a property owner to request a one-time extension of
117 the SUP for a period not to exceed one year. The applicant, Thomas E. Kirkland of TEKMAK
118 Development, is requesting a one-time extension of SUP No. S-161 after learning of the
119 impending expiration of his current Specific Use Permit. The applicant has provided a letter of
120 request outlining the purpose for the extension of the SUP. Approval of a onetime extension of
121 a time period up to one year for an SUP is discretionary upon the City Council.

122 Mr. Gonzales advised the Commission the applicant was present and available for questions as
123 well as staff.
124

125 Chairman Lyons asked for questions from the Commission.

126
127 Chairman Lyons asked the applicant to come forward and speak

128
129 Cameron Slown
130 FC Cuny Corporation
131 2 Heath Road
132 Rockwall, TX
133

134 Mr. Slown came forward and stated that their client has gone through the franchise process and
135 the surveyor has been contacted who is getting together a tree survey and topo and Mr. Slown
136 indicated they are successfully moving forward with the project.

137
138 Commissioner Trowbridge asked if the financing and capitalization has been put in place. Mr.
139 Slown stated that yes that is in place.

140
141 Commissioner Welch made a motion to approve MIS2018-004 with staff recommendations.
142 Chairman Lyons seconded the motion which passed by a vote of 5-0, with Commissioners
143 Chodun and Fishman absent.

144
145 6. MIS2018-005

146 Discuss and consider a request by John Delin of R. W. Ladera, LLC for the approval of variances to
147 Planned Development District 85 (PD-85) [*Ordinance No. 17-18*] on a 28.011-acre tract of land
148 identified as Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County,
149 Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205
150 BY-OV) and the East SH-66 Overlay (E. SH-66 OV) District, located at the northeast corner of the
151 intersection of SH-66 and John King Boulevard, and take any action necessary.

152
153 Planning Director, Ryan Miller, gave a brief explanation of the request stating that late last year
154 the Commission approved a Planned Development District PD-85 that allowed for 84-88 single
155 family homes on a condominium type of setup that would be age restricted senior living. The PD
156 also had a component of residential that was across the street and the subject property is
157 located at John King and SH-66 and once the zoning for that was approved the applicant moved
158 forward with the residential component and received approvals for both the master and
159 preliminary plat however, upon actually proceeding with the civils, the applicant was notified
160 that there was a 30 foot that the title company had missed locating a 30' North Texas Municipal
161 Water District easement on the survey that runs parallel to SH-66 and this easement conflicts
162 with the landscape and hardscape requirements approved with PD-85. The applicant is now
163 coming forward under a section of the code requesting variances to some of the requirements
164 that were approved in the zoning ordinance specifically that the easement that runs along SH-66
165 that prevents the applicant from planting trees in that area. In lieu of conforming to the
166 landscaping requirements in PD-85, the applicant has submitted an alternative landscape plan
167 showing a three foot berm and increased shrub and ground cover planting. In addition, the
168 applicant has indicated two possible alternatives for the fence location and construction: (1) the
169 fence be located within the easement without the masonry columns not in conformance with PD-
170 85, and (2) the fence be located outside of the easement with the masonry columns that is in
171 conformance with PD-85. The applicant's letter states a preference for Option 1 due to the
172 separation of the fence from the back of the proposed homes. Mr. Miller further explained that
173 according to the PD-85 Ordinance the variance process and procedures are the same as outlined
174 in the Unified Development Code. The applicant is requesting that the City Council grant
175 variances to the landscape, hardscape and fencing requirements in accordance with the
176 variance procedures outlined in PD-85. These requirements state, "(t)he variance procedures
177 and standards for approval that are set forth in the Unified Development Code [*Ordinance No.*
178 *04-38*] shall apply to any application for variances to this ordinance." [*Section N, Exhibit 'C';*
179 *Ordinance No. 17-55*] This would translate to the following: 1) Landscape and Hardscape
180 Requirements. The landscape and hardscape requirements were inserted into the ordinance in
181 accordance with the SH-66 Overlay (SH-66 OV) District. The variance procedures for this district
182 require that any variance to the overlay district requirements be subject to a three-quarter ($\frac{3}{4}$)
183 majority vote of all City Council members present for approval of the request, with a minimum of
184 four (4) affirmative votes. 2) Fencing Requirements. The fencing requirements were inserted
185 in accordance with the typical Planned Development District standards contained in Article X,
186 Planned Development Regulations, of the Unified Development Code. This section states that all

187 variances shall be subject to the Criteria for Granting Special Exceptions contained in Section
188 8.5 of Article II, Authority and Administrative Procedures, of the Unified Development Code
189 which means that the variance to the fence requirements will require a simple majority vote of all
190 City Council members present.

191
192 Mr. Miller advised the Commission that the applicant was present and available for questions as
193 well as staff.

194
195 Chairman Lyons asked the Commission for questions.

196
197 Commissioner Logan asked if the 30 foot easement was within the SH-66 right-of-way. Mr. Miller
198 explained that the 30 foot easement is from their property line 30 feet in.

199
200 Commissioner Trowbridge asked for clarification. Mr. Miller explained that the 30 foot easement
201 will require the applicant to reconfigure the lots which they've had a tough time doing because it
202 was a tight sight, they would have to move the lots back which would increase the setback from
203 what was originally approved. The trade off with that would be the reduction in landscaping
204 because they can't place the trees per the easement and the options on the fence would be to
205 have the upgraded stone columns but they would be closer to the back of those homes or the
206 other option the applicant is proposing, pending approval, is having the fence in front but in the
207 easement but they would not be able to provide the masonry columns because the piers would
208 have to be dug down.

209
210 Chairman Lyons asked the applicant to come forward and speak.

211
212 John Delin
213 361 W. Byron Nelson Blvd. Ste. 104
214 Roanoke, TX

215
216 Mr. Delin came forward and explained the predicament they are in due to the mistake made by
217 the title company by missing the 30 foot easement, he indicated Mr. Miller explained the request
218 well but added that all the plantings will be approximately 2 feet tall when they are planted and
219 will grow as high as 4 foot plus therefore they feel it is a viable alternative although they are not
220 getting the trees they will be providing a substantially denser cover. In addition to that they have
221 been given the clearance that they can go as far as 4 ½ feet high on the berm, therefore in
222 trading off the stone columns what they would like to do is to plant a Savannah holly or
223 something of that nature they've already had to move the houses back further and re-design the
224 street up through there, at one point the houses were 32 feet back from the property line
225 whereas with this option they will now be 35 almost 37 feet back from the roadway. Mr. Delin
226 respectfully requested the Commission for their approval and stated he was available for
227 questions.

228
229 Chairman Lyons asked for questions from the Commission.

230
231 Chairman Lyons generally expressed being in favor of the request, noted liking that the houses
232 will now sit further back from the roadway.

233
234 Commissioner Logan asked the reason for not wanting the trees. Mr. Delin stated if they plant
235 trees it would cause issues because of the root system.

236
237 Commissioner Trowbridge made a motion to approve MIS2018-005 with staff recommendations.
238 Commissioner Moeller seconded the motion which passed by a vote of 5-0, with Commissioners
239 Chodun and Fishman absent.

240
241
242 V. PUBLIC HEARING ITEMS

243
244 7. Z2018-001

245 Hold a public hearing to discuss and consider a request by Cameron Slown of F. C. Cuny, Corporation
246 on behalf of Phillip McNeill, Jr. of McNeill Hotel Company and Jason Lentz of Atticus Summer Lee
247 Townhomes for the approval of a PD Development Plan amending *Ordinance No.'s 16-48 & 16-54* and
248 in accordance with *Ordinance No. 10-21*, for a 9.081-acre tract of land identified as Lot 2A of the Isaac

249 Brown Addition, and Lots 1 & 2, Block A, Harbor Village Addition, City of Rockwall, Rockwall County,
250 Texas, zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV)
251 District and the *Interior* and *Residential Subdistricts* of Planned Development District 32 (PD-32),
252 located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and
253 Summer Lee Drive, and take any action necessary.

254
255 Senior Planner, David Gonzales, gave a brief explanation of the request stating that on
256 September 19, 2016, the City Council approved Ordinance No. 16-48, which established a PD
257 Development Plan for a 36-unit townhome development situated within the Residential
258 Subdistrict. At the following meeting on October 3, 2016, the City Council approved Ordinance
259 No. 16-54, which established a PD Development Plan for a 228-unit condominium development
260 situated within the Interior Subdistrict. As part of this approval, the City Council approved an
261 alternative roadway cross section replacing the Street Type 'G', which was called out in the
262 Planned Development District 32 concept plan. Currently, the condominium development and
263 street Glen Hill Way are under construction. On January 2, 2018, the City Council approved a
264 Specific Use Permit for a TRU hotel by Hilton on a 2.166-acre tract of land, which is directly
265 adjacent to the aforementioned condominium and townhome developments. At the time of
266 approval, the applicant, Cameron Slown with F. C. Cuny Corporation, was working with Jason
267 Lentz of Atticus Real Estate Services which is the owner of the condominium and townhome
268 development to swap land benefitting all three developments. Now that this land swap is
269 complete, the Hotel property is requesting the approval of a PD Development Plan as required by
270 Ordinance No. 17-22, and since the land area of the townhomes and condominiums have
271 changed from the approved Ordinance No.'s 16-48 & 16-54 an amended PD Development Plan
272 reflecting the changes is required. As part of this request, Jason Lentz of Atticus Real Estate
273 Services is requesting an additional six townhome units be added to the 36-unit townhome
274 development. If approved this would decrease the number of available units within the district
275 from 182 to 176. The condominium development and roadway cross section/alignment have
276 remained the same.

277
278 Mr. Gonzales went on to explain that the PD Development Plan submitted by the applicant shows
279 the layout for the proposed hotel and townhouse development with regard to the land swap
280 which will provide additional parking and access to the hotel via Glen Hill Way Drive. The PD
281 Development Plan also indicates the addition of 6 townhomes to the concept plan, increasing
282 the number of approved townhomes from 36 to a total of 42 townhomes. Additionally, the layout
283 of the approved concept plan for the townhomes has changed, having a direct effect on the
284 connectivity of the pedestrian mew and amenities; however, the proposed concept plan provides
285 an acceptable level of walkability and amenities consistent with the intent of the district. This
286 PD Development Plan should not have an effect on the condominium development as prescribed
287 in Ordinance No. 16-54, as it is currently under construction. With regard to the concept plan
288 approved with the SUP for the hotel, this PD Development Plan will establish building placement
289 and form by setting the building closer to the property line, creating articulation, redirecting the
290 parking spaces behind the hotel which is less visible from Summer Lee Drive, and with the intent
291 of creating a pedestrian environment. In granting a PD Development Plan within Planned
292 Development District 32 the City Council needs to decide if the proposed development meets the
293 following criteria: (a) meets the general intent of the PD District; and, (b) will result in an
294 improved project which will be an attractive contribution to the PD District; and, (c) will not
295 prevent the implementation of the intent of this PD District. A PD Development Plan is a
296 discretionary approval for the City Council, and should the City Council choose to grant the
297 request this request the applicant will still need to submit a PD site plan that will be reviewed by
298 the Architectural Review Board and the Planning and Zoning Commission.

299
300 Mr. Gonzales further stated that on January 30, 2018, staff mailed 105 notices to property owners
301 and residents within 500-feet of the subject property and emailed notices to the Lago Vista,
302 Lakeside Village, and Signal Ridge Homeowner's Associations Staff has received two responses
303 opposed to the request.

304
305 Mr. Gonzales advised the Commission that the applicants were present and available for
306 questions.

307
308
309 Chairman Lyons asked the applicants to come forward and speak.
310

311 Cameron Slown
312 FC Cuny Corporation
313 2 Heath Road
314 Rockwall, TX
315

316 Mr. Slown came forward and stated they have been working with the Atticus Group to work the
317 land around so that both sides can create a better flow, before part of their land was unusable
318 for their site and now with the incorporation of the land swap they feel it is a better fit for overall
319 for both the Hotel and the Townhome development. He advised the Commission he was
320 available to answer any question concerning the Hotel site.
321

322 Jason Lentz
323 Atticus Real Estate
324 5339 Alpha Road Suite 300
325 Dallas, TX
326

327 Mr. Lentz came forward and gave a brief explanation of the request and explained that their plan
328 was to move forward as they were entitled with the 36 townhomes however a few factors
329 necessitated a change. When they started doing some clearing trees and grading they realized
330 that the topography on that part of the site was more severe than what they thought, and there
331 was a second jurisdictional stream Waters of the US that was on the site that could not be
332 impacted more than 300 feet and the existing layout as they had presented it did, requiring them
333 to buy stream credits which are very expensive and the project could not afford. At that point
334 they looked at different options that would be more feasible and that is when they were
335 approached about the land swap and although the layout looks different they feel it will benefit
336 both parties.
337

338 Chairman Lyons asked for questions from the Commission.
339

340 Commissioner Welch asked if by approving the request it would take from the total number of
341 units in the Harbor area. Mr. Gonzales explained that the 228 for the condominiums and 36 for
342 the townhomes are part of the number within the Harbor. Commissioner Welch expressed some
343 concern with nibbling away at the total number with requests such as this. Mr. Miller added that
344 there are 182 units currently left in the Harbor District and what the applicant is requesting is an
345 additional 6 which would decrease the number to 176 and that would still remain within the
346 District for condominiums and townhomes.
347

348 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
349 forward and do so there being no one indicating such Chairman Lyons closed the public hearing
350 and brought the item back to the Commission for discussion or a motion.
351

352 Commissioner Trowbridge made a motion to approve Z2018-001 with staff recommendations.
353 Commissioner Logan seconded the motion which passed by a vote of 5-0 with Commissioners
354 Chodun and Fishman absent.
355

356
357 8. Z2018-002

358 Hold a public hearing to discuss and consider a request by David Naylor of Rayburn Country Electric
359 Cooperative for the approval of a Specific Use Permit (SUP) for the replacement of a
360 telecommunications tower exceeding 125-feet in a Heavy Commercial (HC) District on a 5.053-acre
361 tract of land identified as Lot 1, Block A, Rayburn Country Addition and a portion of Tract 3-13 of the W.
362 H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Heavy
363 Commercial (HC) District, addressed as 950 & 980 Sids Road, and take any action necessary.
364

365 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the
366 applicant, David Naylor of Rayburn Country Electric Cooperative, is requesting the approval of a
367 Specific Use Permit to allow for the replacement of an existing 320-foot tall telecommunications
368 tower. The proposed replacement telecommunications tower will be equal in height to the
369 existing 320-foot tower and will be self-supported and will be located north of and within the
370 general vicinity of the existing tower. The existing equipment building will remain in its current
371 location. The equipment building is fenced and has sufficient parking, meeting the standards for
372 antenna towers according the Unified Development Code however a Specific Use Permit is

373 required for the replacement of an existing legally non-conforming freestanding commercial
374 antenna that is situated in a Heavy Commercial, Light Industrial or Heavy Industrial District.
375 Granting this SUP remains a discretionary act for the City Council and if approved, the applicant
376 will be required to submit a building permit prior to erecting the replacement antenna tower.
377

378 Mr. Gonzales went on to state that on January 31, 2018, staff mailed 13 notices to property
379 owners and residents within 500-feet of the subject property and also notified the Flagstone
380 Estates and Lynden Park Homeowner's Associations. Staff received one notice in favor of the
381 request.
382

383 Mr. Gonzales advised the Commission that the applicant was present and available for questions
384 as well as staff.
385

386 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
387 speak.
388

389 David Naylor
390 950 Sids Road
391 Rockwall, TX
392

393 Mr. Naylor came forward and advised the Commission he was available for questions.
394

395 Commissioner Logan asked if they had the engineer plan ready for the tower. Mr. Naylor stated
396 they did.
397

398 Chairman Lyons asked anyone if they wished to speak to come forward and do so, there being
399 no one indicating such Chairman Lyons closed the public hearing and brought the item back to
400 the Commission for discussion or a motion.
401

402 Commissioner Welch made a motion to approve Z2018-002 with staff recommendations.
403 Commissioner Logan seconded the motion which passed by a vote of 5-0, with Commissioners
404 Chodun and Fishman absent.
405

406
407 9. Z2018-003

408 Hold a public hearing to discuss and consider a request by Randy Eardley, P.E. of Wier & Associates,
409 Inc. on behalf Getra Thomason-Saunders of Chick-Fil-A, Inc. for the approval of a Specific Use Permit
410 (SUP) for a restaurant with a drive-through or drive-in on a 0.656-acre tract of land being identified as
411 Lots 1 & 2, Block A, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General
412 Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 &
413 2000 S. Goliad Street [SH-205], and take any action necessary.
414

415
416 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is
417 requesting a Specific Use Permit to construct a restaurant with a drive-through. In December of
418 last year the Planning and Zoning Commission approved by a vote of 7-0 a site plan for a Chick-
419 fil-a restaurant and subsequently the City Council approved variances associated with the site
420 plan. However during the review of the site plan staff recognized that the subject property was
421 located in a General Retail District and would require a Specific Use Permit and rather than delay
422 the applicant they were allowed to go forward with the site plan and come back with the SUP. Mr.
423 Brooks noted that although the approval of a Specific Use Permit is discretionary to the
424 Planning and Zoning Commission and City Council, there currently are several other restaurants
425 with drive-throughs which are Taco Casa, Braums, and Chicken Express that are located
426 adjacent to the subject property and are also zoned General Retail.
427

428 Mr. Brooks went on to state that on December 2017 the applicant submitted a request for a
429 Specific Use Permit for a restaurant with a drive-through on the subject property and on January
430 9, 2018, the Planning and Commission approved a motion to recommend approval.
431 Subsequently, on January 16, 2018, the City Council denied the request without prejudice to
432 allow the applicant to address issues concerning traffic, parking, and cross-access. To address
433 these issues, the applicant has submitted a revised the site plan that incorporates a 4-foot
434 wrought-iron fence adjacent to the south and west property lines. Additionally, the applicant has

435 indicated that they are working with the neighboring properties to obtain a parking agreement
436 for 20 spaces for employee parking. This means that all parking spaces on the site plan will be
437 dedicated to customer parking that parking agreement is in its final stages and the applicant will
438 submit once it is finalized and to address the traffic the applicant has submitted a Traffic
439 Analysis Report. Staff has incorporated these as operational conditions in the attached draft
440 ordinance and these items will have to be satisfied prior to the issuance of a building permit. Mr.
441 Brooks noted that for the parking agreement it will be required to be filed with the County at the
442 time of final plat.

443
444 Mr. Brooks further stated that on February 1, 2018, staff sent 39 notices to property owners and
445 residents within 500-feet of the subject property. There are no Neighborhood
446 Associations/HOA's located within 1,500-feet of the subject property participating in the
447 Neighborhood Notification Program. Staff did not receive any notices in favor or opposition.
448

449 Mr. Brooks advised the applicant was present and available for questions as well as staff.
450

451 Chairman Lyons asked the Commission for any questions.
452

453 Commissioner Trowbridge asked for clarification of what was being approved. Mr. Brooks stated
454 the site plan and variances associated with it have already been approved; what is before the
455 Commission to approve is the Specific Use Permit to allow a restaurant with a drive-through in a
456 General Retail District.
457

458 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
459 speak.
460

461 Randy Eardley
462 Weir and Associates
463 2201 E. Lamar Suite 200E
464 Arlington, TX
465

466 Mr. Eardley came forward and provided a power point presentation which gave an explanation of
467 the request and provided renderings of the proposed restaurant. He indicated that the two
468 existing structures that are on the subject property currently being a Pizza Hut and a EZ Mart will
469 be demolished to construct the drive-through only Chick-fil-a with a walk up. And the drive-
470 through means they are expecting about 95% of the business to be drive-through and 5% walk
471 up customers. He indicated that the three points that the City Council asked they address have
472 been addressed they have updated the site plan to reflect the fence. They are working with
473 adjacent property owners on a parking agreement to have employees park off site and allow the
474 full 15 allotted parking spots for customers. As to the concern with traffic they have prepared
475 and provided staff a traffic study. Mr. Eardley advised the Commission he as well as a
476 representative for Chick-fil- a corporate were available for questions.
477

478 Chairman Lyons asked for questions from the Commission.
479

480 Commissioner Moeller asked concerning the parking agreement that they are working with
481 adjacent property owners to provide for employee parking, has it been agreed where that will be
482 designated. Mr. Eardley stated they are still working out the details and he did not know at this
483 time where exactly it will be but they hope it will be in close proximity. They anticipate to have
484 that decided when the case goes before the City Council.
485

486 Commissioner Trowbridge noted that this being a new concept with a drive-through only and
487 currently the City only has one with a sit down and playground, he asked if they anticipate the
488 proposed drive-through Chick-fil-a will take traffic or some of the load of the existing Chick-fil-a.
489 Mr. Eardley stated the representative with Chick-fil-a may better answer that however he feels it
490 would take some of the load off the other establishment.
491

492 Chairman Lyons asked if anyone to wished to speak to come forward and do so.
493

494 Harold Snyder
495 1519 Murphy Drive
496 Rockwall, TX

497 Mr. Snyder came forward stated he is present representing the Waterstone Estates Homeowners
498 Association and they are in opposition of the request partly with the issues related to traffic. In
499 looking at the site plan they have concerns with the fire lane that comes only a short distance
500 which would require emergency vehicles to back out onto Yellow Jacket Lane to exit. Their other
501 issue with traffic, internally the back corner which would be what delivery vehicles and trash
502 pickup would use will cause further traffic issues.
503

504 Charles Corbit
505 2835 Marcie Lane
506 Rockwall, TX
507

508 Mr. Corbit came forward and expressed being in opposition of the request due to the traffic it
509 would create. He drives on Yellow Jacket daily and knows what that corner is like and he is
510 concerned with a double drive-through narrowing down to a single lane. He does not feel it is the
511 optimum flow of traffic because the flow will not be determined by the speed of service provided
512 at the restaurant but rather on the timing of the traffic light. He expressed being very concerned
513 with the flow of traffic.
514

515 Michelle Ratcliffe
516 1010 Ralph Hall Parkway
517 Rockwall, TX
518

519 Ms. Ratcliffe came forward and stated that she present on behalf of Mario Smagli who is the
520 owner of Luigis a restaurant adjacent to the subject property. She provided a depiction of the
521 traffic flow in the area and she spoke of the location and configuration of the proposed Chick-fil-
522 a site plan does not make the city better instead creates major safety issues and worsens
523 already congested intersections. She spoke of the Traffic Impact Analysis report that was
524 provided by the applicant and the negative impact a Chick-fil-a restaurant will have on the traffic
525 in this area with the depictions she provided. She strongly urged the Commission to vote
526 against the request for the safety and well-being of Rockwall residents.
527

528 Mario Smagli
529 1422 Murphy Drive
530 Rockwall, TX
531

532 Mr. Smagli came forward and stated he is the owner of Luigis and expressed his opposition to
533 the request. He has been in business at the location for over 20 years and sees daily what traffic
534 issues exist with the intersection. He provided a depiction of what the traffic flow is and would
535 be should the Chick-fil-a be added to this location. He stated that although he understand the
536 popularity of Chick-fil-a and is a fan himself because they are a good company that provide good
537 service this location is not where they need to be. He urged the Commission to vote against the
538 request.
539

540 Michael Williams
541 4002 Poplar Point
542 Rockwall, TX
543

544 Mr. Williams came forward and stated his opposition of the request due to the traffic issues it
545 will create and although he loves Chick-fil-a he feels this is the wrong location as it will add
546 further congestion on this already overcrowded intersection.
547

548 Peter Collins
549 1490 Avonloe Drive
550 Rockwall, TX
551

552 Mr. Collins came forward and stated his opposition of the request due to the traffic issues it will
553 create. He feels Chick-fil-a is a great company but this is a terrible location it will only add to the
554 everyday traffic issues that are seen daily at this intersection.
555

556 Wayne Sauer
557 604 Amherst Drive
558 Rockwall, TX

559 Mr. Sauer came forward and stated he is a retired Colonel and understands the responsibility
560 that the Commission has in making a decision that will impact the City because of the decisions
561 he during his service had to make. He stated his strong opposition of the request due to the
562 immense traffic and safety issues it will create. The proximity of the high school will further
563 create additional traffic during high peak hours when school is released. He strongly urged the
564 Commission to deny the request.
565

566 Carol Childress
567 1507 Murphy Drive
568 Rockwall, TX
569

570 Ms. Childress came forward and stated her property which she has resided in for the last twenty
571 years is three tenths of a mile to the subject property. She is a fan of Chick-fil-a has friends that
572 are franchise owners and agrees that it is a great company; however she feels that that is not
573 what is in question, what is being brought up is the safety, traffic flow and the best use of the
574 property which she feels is not best served by a fast food with a drive-through especially one
575 with the popularity of Chick-fil-a. The proximity of the schools in the area will only further create
576 a safety issue with the additional traffic. She is in opposition of the request and urged the
577 Commission to vote against the request.
578

579 Linda Diaz
580 1935 Coper Ridge Circle
581 Rockwall, TX
582

583 Ms. Diaz came forward and stated she agrees with all the comments that everyone before her
584 has made and she too is in opposition of the request. She is a business owner in the shopping
585 center of the neighboring Hobby Lobby and therefore uses this intersection on a daily basis and
586 agrees that the traffic issues will only intensify with the addition of a Chick-fil-a.
587

588 Marcia Hasenyager
589 828 Trumpeter Way
590 Rockwall, TX
591

592 Ms. Hasenyager came forward and stated she is in agreement with what has been said by the
593 residents that have spoken. She is in opposition of the request due to the traffic and safety
594 issues it will create.
595

596 Mike Larriviere
597 1425 E. Quail Run Road
598 Rockwall, TX
599

600 Mr. Larriviere came forward and stated his opposition to the request because of the traffic and
601 safety issues. He agrees with all the comments that were made by the residents that spoke.
602

603 Chairman Lyons closed the public hearing and asked the applicant to come forward for rebuttal.
604

605 Joe Tocco
606 1233 Lake Estates Court
607 Dallas, TX
608

609 Mr. Tocco came forward and addressed the comments and concerns that were brought up. He
610 spoke of the subject property being a 2,100 square foot site which is half of the square footage
611 of a typical Chick-fil-a site therefore the traffic to this site would not match that of a typical 5,000
612 square foot site. They were able to get 18 stacking capacity parking on the site and provide a
613 canopy that allows an employee to take orders using an iPad that optimizes the speed and
614 promptness of taking orders. He added that they have been willing to work with staff to date and
615 welcome any suggestions the Commission may have.
616

617 Chairman Lyons brought the item back to the Commission for discussion.
618

619 Commissioner Trowbridge asked if there had been any discussion to have any alternatives as to
620 how the it would flow and be oriented.

621 Mr. Tocco there were over a dozen interations that were discussed before coming forward, the
622 drive-through only concept is not a common footprint in Texas however in California they have
623 sites much smaller than this, and therefore this drive-through only unit is there solution that is
624 being used in urban areas that have comparable challenges and given the amount of stack for a
625 lot of this size relatively speaking they felt it would work as proposed.
626

627 Commissioner Trowbridge asked if the Chick-fil-a here will pull people that would normally not
628 go to this location and how much would be pulled from the existing location on Ridge that is
629 already considered a dangerous site. Mr. Tocco stated that the grades that the traffic engineer
630 provided are the same before and after there is a two second difference the grades didn't get
631 worse the traffic report is intended to be objective the traffic engineer is not being told what to
632 put in the report, in the event there is the need to do multiple traffic reports they are open to do
633 that.
634

635 Commissioner Logan asked how many vehicles can be stacked at the existing Chick-fil-a
636 location. Mr. Tocco indicated he did not but his expectation is that it is more than eighteen.
637

638 Extensive general discussion took place between the Commission concerning the comments
639 and concerns the citizens that spoke brought up.
640

641 Chairman Lyons made a motion to deny Z2018-003. Commissioner Welch seconded the motion.
642 The motion to deny passed by a vote of 4-1 with Commissioner Trowbridge dissenting.
643

644 Chairman Lyons called a recess at 8:24.
645

646 Chairman Lyon called the meeting back to order at 8:36 p.m.
647

648 VI. ACTION ITEMS

649 10. SP2018-001

650 Discuss and consider a request by Larae Tucker of Verdad Real Estate for the approval of a site plan
651 for a retail store with gasoline sales on a 1.67-acre tract of land identified as Tract 11-1 of the W. B.
652 Bowles Survey, Abstract No. 12, City of Rockwall, Rockwall County, Texas, zoned Planned
653 Development District 48 (PD-48) for General Retail (GR) District land uses, situated within the SH-66
654 Overlay (SH-66 OV) District, situated west of the intersection of W. Rusk Street [SH-66] and N.
655 Lakeshore Drive, and take any action necessary.
656
657
658

659 Planner, Korey Brooks, gave a brief explanation of the request stating that in 1999 the City
660 Council adopted Ordinance No. 99-21, which established the development requirements for
661 Planned Development District 48, which allows a retail store with gasoline sales by-right. The
662 applicant is requesting approval of a site plan for a 7-11 gas station. The proposed gas station
663 is 3,100 square feet and will have 6 pumps with 12 dispensers. According to the Planned
664 Development District 48 development standards, the development is required to have an 8-foot
665 masonry wall adjacent to the north property line, adjacent to North Shore Estates. Additionally,
666 PD-48 restricts the gas station from having a car wash. Although PD-48 requires the roof of the
667 gas station to be designed and constructed in residential character consisting of composition
668 shingles, the Architectural Review Board reviewed the proposed building elevations and
669 determined that a flat roof design would be more consistent with the neighboring commercial
670 developments. This will require approval of a variance from the City Council. Planned
671 Development District 48 also requires an architectural entryway monument sign on the subject
672 property. The location and design of the sign is to be approved by the City Council. The
673 Architectural Review Board approved the variances to the site plan with the condition that the
674 monument sign come back for their review once that is submitted by the applicant and that
675 would be made as a condition of approval. Mr. Brooks went over the treescape plan as well.
676

677 Mr. Brooks advised the Commission the applicant was present and available for questions.
678

679 Chairman Lyons asked for questions from the Commission.
680

681 Commissioner Logan asked concerning the ARB's conditional approval. Mr. Brooks explained
682 that it would be a condition of approval that the monument sign come back before the ARB's
approval, the Commission would need to condition their approval.

683 Chairman Lyons asked the applicant to come forward and speak.

684
685 Cody Woodruff
686 (No address given)

687
688 Chris Brasher
689 Intrepid Design

690
691 Mr. Brasher came forward and stated they addressed comments that were given to them by the
692 ARB and staff.

693
694 Chairman Lyons made a motion to approve SP2018-001 with staff recommendations and with the
695 condition for the monument sign to come before the Architectural Review Board for approval.
696 Commissioner Moeller seconded the vote which passed by a vote of 4-1with Commissioner
697 Logan dissenting.

698
699 11. SP2018-002

700 Discuss and consider a request by Matthew Peterson of D. B. Contractors, Inc. on behalf of Jeff Fleming
701 of J. R. Investments, LLC for the approval of a manufacturing facility on an 11.155-acre parcel of land
702 identified as a portion of Lot 6 and all of Lot 7, Block D, Rockwall Technology Park Addition, City of
703 Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the southwest corner of
704 the intersection of Innovation Drive and Observation Trail, and take any action necessary.

705
706
707 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant
708 is requesting approval of a site plan for the purpose of constructing an approximately 228,421
709 square foot warehouse/manufacturing/office which is Interstate Wire Co., Inc. facility within the
710 REDC Technology Park. They went thru ARB two weeks ago and they did approve unanimously
711 and forwarded a recommendation of approval to the elevations as well to the variances
712 associated. The site plan meets the requirements of the UDC with the exception of the variances
713 to the stone and one exception of the parking, Mr. Gonzales explained briefly what those would
714 entail.

715
716 Mr. Gonzales advised the Commission the applicant was present and available for questions as
717 well as staff.

718
719 Chairman Lyons asked the applicant to come forward and speak.

720
721 Matthew Peterson
722 (No address given)

723
724 Mr. Peterson came forward and stated he was available for questions.

725
726 No discussion took place concerning this agenda item.

727
728 Commissioner Moeller made a motion to approve with staff recommendations. Commissioner
729 Trowbridge seconded the motion which passed by a vote of 5-0 with Commissioners Chodun
730 and Fishman absent.

731
732
733 12. SP2018-003

734 Discuss and consider a request by Eddie Bond of Groundbreakers, LLC on behalf of Jerry Kissick of
735 Jerry Kissick Custom Homes for the approval of a site plan for a retail center on a 2.113-acre tract of
736 land identified as Lot 6, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas,
737 zoned Commercial (C) District, located at the northwest corner of the intersection of Ranch Trail Road
738 and Horizon Road [FM-3097], and take any action necessary.

739
740 This agenda item was moved to the Consent Agenda.

741
742 13. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

743
744 ✓ Z2017-052: Zoning Change (C & HC to PD) (1st Reading) [Withdrawn]

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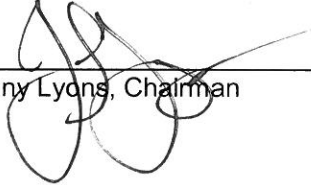
- ✓ Z2017-059: Amendment to PD-8 for Townhomes (1st Reading) [Denied]
- ✓ Z2017-066: SUP for a Detached Garage at 218 W. Quail Run Road (2nd Reading) [Approved]
- ✓ MIS2018-001: Masonry Exception for 1507 S. Alamo Drive [Postponed to February 19, 2018]
- ✓ MIS2018-002: Sign Variance for 1903 S. Goliad Street [Denied]

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

VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 9:00 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 07 day of February, 2018.



Johnny Lyons, Chairman

Attest:



Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
February 27, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:10 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Eric Chodun, Annie Fishman and Patrick Trowbridge. Absent from the meeting was Tracey Logan. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the February 13, 2018 Planning and Zoning Commission meeting.

2. P2018-004

Consider a request by Mike Whittle on behalf of Randall Noe of Rockwall Rental Properties, LP for the approval of a replat for Lots 14 & 15, Block 2, Alliance Addition, Phase 2 being a 0.98-acre tract of land identified as Lots 2 & 3, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6520 & 6530 Alliance Addition, and take any action necessary.

3. P2018-005

Consider a request by Michael Salcedo of Salcedo Group, Inc. on behalf of Russ Porter for the approval of a replat for Lot 1, Block A, Rockwall School of Music Addition being a 0.747-acre portion of a larger 2.49-acre parcel of land identified as Lot 9, Block A, Flagstone Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 60 (PD-60) for Residential-Office (RO) District land uses, addressed as 1830 & 1842 Mims Road, and take any action necessary.

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

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

IV. DISCUSSION ITEMS

5. Z2018-004

Hold a public hearing to discuss and consider a request by Jim & Kelly Matthews for the approval of a Specific Use Permit (SUP) for a carport on a 0.254-acre tract of land identified as Lot 33, Block A, Stonebridge Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 706 Stillwater Drive, and take any action necessary.

Planning Director, Ryan Miller, advised the Commission the applicant was present and would discuss the request and staff would be available for questions.

Chairman Lyons asked the applicant to come forward.

63 Jim Kelly
64 706 Stillwater Drive
65 Rockwall, TX
66

67 Mr. Kelly came forward and stated his request is for the carport in the back of his house in the
68 alley driveway and a picture of the carport was provided.
69

70 Mr. Miller added that what the applicant is requesting is permission for the current carport that
71 was constructed to exist as is. A specific use permit is required because it was built too close to
72 the property line and staff will provide more detail on that at the next scheduled Public Hearing
73 meeting.
74

75 Commissioner Trowbridge asked how long the carport has been in place. Mr. Kelly stated it has
76 been up about six months.
77

78 Commissioner Moeller asked if there were any carports such as this his surrounding
79 neighborhood. Mr. Kelly stated there are several. Mr. Miller added that there has only been one
80 permit issued in this phase of the neighborhood for a carport and that was for a front loaded
81 garage and it met needed requirements.
82

83 There being no further questions Chairman Lyons indicated the case will return to the
84 Commission for action at the next scheduled meeting.
85
86

87 6. Z2018-005

88 Hold a public hearing to discuss and consider a request by Joe Wimpee for the approval of a Specific
89 Use Permit (SUP) for an accessory building on an 8.1232-acre tract of land identified as Lot 1, Block A,
90 Wimpee Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 4.0
91 (SFE-4.0) District, addressed as 1800 Dalton Road, and take any action necessary.
92

93 Planning Director, Ryan Miller advised the Commission the applicant was present and would
94 detail the request.
95

96 Chairman Lyons asked the applicant to come forward and speak.
97

98 Joe Wimpee
99 1800 Dalton Road
100 Rockwall, TX
101

102 Mr. Wimpee came forward and stated he is requesting to build a barn that would be located in
103 the back part of his property behind the main structure that is currently under construction.
104 They wish to not build it 100% stone and brick but rather a metal barn structure with a metal roof
105 with concrete slab and stone exterior approximately 30% of the building and will have a two-tone
106 metal siding with a brown colored roof to match the main structure. He added that it will be
107 extremely attractive sits 1500 feet from the road and would be completely covered by trees.
108

109 Mr. Miller added that the SUP is for the accessory building, currently in a SFE-4 District it is
110 allowed to build up to a 2,000 square foot accessory structure however in this case the
111 accessory building is 2,400 square feet which is 1,800 square feet of enclosed building area and
112 a 600 square foot covered porch. Also, according to the Code it is a requirement to build
113 accessory buildings in the same proportions as the materials used on the primary structure
114 which in this case the applicant is using a metal siding and a stone along the bottom but is
115 going for more of a "barn" look and that would require the SUP.
116

117 Chairman Lyons asked the Commission for any questions.
118

119 There being no questions Chairman Lyons indicated the case will return to the Commission for
120 action at the next scheduled meeting.
121
122

123 7. Z2018-006

124 Hold a public hearing to discuss and consider a request by Billy Wayne Peoples for the approval of a
125 zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.509-acre
126 tract of land identified as a portion of Lot 80 (*Lot 80B*), B. F. Boydston Addition, City of Rockwall,
127 Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 106 St. Mary Street, and
128 take any action necessary.
129

130 Planning Director, Ryan Miller, gave a brief explanation of the request stating that there are two
131 cases that although submitted two separate applications will be presented together as that was
132 the original intend and they are two adjoining properties and both properties are requesting to
133 change zoning from a Single Family 7 to a Residential-Office District. Mr. Miller advised the
134 Commission that the applicants were present.
135

136 Chairman Lyons asked the applicants to come forward and speak.
137

138 Craig Merritt
139 504 Barnes Street
140 Rockwall, TX
141

142 Billy Peoples
143 302 S. Goliad Street
144 Rockwall, TX
145

146 Mr. Merritt came forward and stated he is looking to change the zoning to potentially remodel the
147 existing structure or perhaps demolishing and rebuilding to build residential office/professional
148 type buildings, whatever the zoning would allow.
149

150 Chairman Lyons asked if they had a tenant in mind currently or would they themselves be
151 occupying the office. Mr. Peoples stated currently they do not have anything in mind yet, they
152 are starting at square one with the request to change the zoning.
153

154 Commissioner Trowbridge asked if the properties fell within the SH-205 Overlay District. Mr.
155 Miller stated that they do not. Commissioner Trowbridge asked if the homes on the properties
156 are currently being rented as single family homes and if so for how long. Both applicants stated
157 they have been rental properties for approximately fifteen years. Commissioner Trowbridge
158 expressed concern over a zoning change to this particular area of the City.
159

160 Commissioner Moeller asked if it was decided to demolish the existing structures and rebuild
161 would they combine parking and have that in the rear of the properties. Mr. Merritt clarified that
162 he and Mr. Peoples are not in any partnership or have plans to be, they both just would like to
163 pursue the zoning change.
164

165 Commissioner Chodun asked if there were any partitions from the east or west of the property,
166 what separates the properties from the PD on the east side. Mr. Peoples explained that there is a
167 fence on the east side as well as a tree line.
168

169 Commissioner Trowbridge asked Engineering staff concerning detention. City Engineer, Amy
170 Williams, explained that if the structures were to be torn down the entire lot or have any addition
171 it would be required to have detention.
172

173 There being no further questions Chairman Lyons indicated the case will return to the
174 Commission for action at the next scheduled meeting.
175
176

177 8. Z2018-007

178 Hold a public hearing to discuss and consider a request by Craig Merritt for the approval of a zoning
179 change from Single Family 7 (SF-7) District to a Residential-Office (RO) District for a 0.507-acre
180 tract of land identified as a portion of Lot 80 (*Lot 80C*), B. F. Boydston Addition, City of Rockwall, Rockwall
181 County, Texas, zoned Single Family 7 (SF-7) District, addressed as 108 St. Mary Street, and take any
182 action necessary.
183

184 Planning Director, Ryan Miller, advised the Commission staff will confer with the City attorney to
185 make sure that both cases can be brought forward as one case for the scheduled Public Hearing
186 meeting March 13th.
187

188 There being no questions Chairman Lyons indicated the case will return to the Commission for
189 action at the next scheduled meeting.
190

191
192 9. Z2018-008

193 Hold a public hearing to discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on
194 behalf of Shailesh C. Vora of DFW Hospitality of Rockwall, LLC for the approval of a Specific Use
195 Permit (SUP) for a hotel in a Commercial (C) District that exceeds 36-feet in height within the Scenic
196 Overlay (SOV) District on a 2.056-acre tract of land being identified as Lot 7 and a portion of Lot 8,
197 Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned
198 Commercial (C) District, situated within the Scenic Overlay (SOV) District and the IH-30 Overlay (IH-30
199 OV) District, situated south of the intersection of Carmel Circle and Laguna Drive, and take any action
200 necessary.
201

202 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the requests
203 as well as the following agenda item are in the general vicinity one is for a hotel and one will be
204 for an office building. Due to the subject property being in the Overlay District and the hotel
205 being over 36 feet it requires a Specific Use Permit. Mr. Gonzales advised the Commission the
206 applicant was present and would be providing a presentation of the request.
207

208 Chairman Lyons asked the applicant to come forward and speak.
209

210 Phan Sribhen
211 17819 Davenport Road Suite 215
212 Dallas, TX
213

214 Mr. Sribhen came forward and stated he is with PSA Engineering and represents DFW
215 Hospitality of Rockwall. He provided a power point presentation that showed detail of the
216 request including the concept plan, renderings and elevations. The Avid is a new brand hotel
217 that is a modern millennium concept that they wish to bring the first to Texas to Rockwall. The
218 presentation provided details that showed the hotel to be four stories with a maximum height of
219 54 feet. The AVID is a new concept mid-scale hotel brand that will offer traveler's clear and
220 simple booking with 87 king or queen rooms with a modern design. They have conducted a
221 market study that identified that there is a need for this type of hotel in Rockwall. They anticipate
222 the typical guest to be college educated business travelers that will generate demand for local
223 business and sales tax during the duration of their stay which the majority of stay is typically 1-3
224 days. The hotel will be 85% masonry and would fit with the similar uses along the IH-30 Corridor.
225 The presentation provided the master plan for the eleven acres which showed where the hotel as
226 well as the 4-story office building they are requesting as well would be located and Mr. Sribhen
227 indicated they anticipate to build four additional office/commercial buildings in the future. Mr.
228 Sribhen advised the Commission he was available for questions.
229

230 Chairman Lyons asked for questions from the Commission.
231

232 Chairman Lyons asked how many of these hotels have been built presently. Mr. Sribhen stated
233 none have been built as of present the first will be in Atlanta and an additional seven are seeking
234 approval one of which is the proposed in Rockwall.
235

236 Chairman Lyons asked staff how many hotels are currently slated to be built that have been
237 approved. Mr. Gonzales stated there are currently five one of which is currently going thru an
238 SUP renewal.
239

240 Commissioner Trowbridge asked if they have had any discussion with the surrounding
241 neighborhood and if so, has there been any feedback. Mr. Sribhen stated he spoke with two
242 neighbors both of which did not indicate they were against the hotel.
243

244 Chairman Trowbridge asked how hotel demand was calculated. Mr. Sribhen indicated it is his
245 understanding that the study was done based on the city population.

246 Chairman Trowbridge asked if it would be franchise owned. Mr. Sribhen stated the franchise has
247 been branded to DFW Hospitality of Rockwall and AVID will manage the hotel.
248

249 Commissioner Chodun asked why they feel the AVID brand is a right fit to bring to Rockwall as
250 opposed to a higher end brand. Mr. Sribhen indicated the study that was conducted showed
251 there is a demand for this type hotel in Rockwall they also wish to build here due to the
252 proximity to the lake.
253

254 Commissioner Fishman asked of the seven additional AVID hotels that they anticipate to build in
255 what other city in Texas would another be built. Mr. Sribhen stated there will be one in Sugarland
256 and Richardson.
257

258 Commissioner Moeller asked if the anticipated additional office/commercial buildings as well as
259 the 4-story office building they are currently proposing is contingent to approval of the hotel, if
260 the hotel is not approved would they not continue with the plan to build those. Mr. Sribhen
261 stated that it is his understanding that the real estate contract indicates that if the SUP for the
262 hotel is not approved they will not close on the property.
263

264 There being no further questions Chairman Lyons indicated the case will return to the
265 Commission for action at the next scheduled meeting.
266
267

268 10. Z2018-009

269 Hold a public hearing to discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on
270 behalf of Shailesh C. Vora of DFW Hospitality of Rockwall, LLC for the approval of a Specific Use
271 Permit (SUP) for an office building in excess of 36-feet in the Scenic Overlay (SOV) District on a 1.330-
272 acre tract of land being identified as a portion of Lot 6, Block A, La Jolla Pointe Addition, Phase 2, City
273 of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay
274 (SOV) District and the IH-30 Overlay (IH-30 OV) District, situated west of the intersection of Laguna
275 Drive and Ridge Road [FM-740], and take any action necessary.
276

277 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the
278 proposed office building would be situated east of the proposed hotel that was just discussed
279 and the reason for the SUP is because it exceeds 36 feet within the Scenic Overlay District
280 otherwise it would be allowed by right. Mr. Gonzales advised the Commission the applicant
281 would further detail the request.
282

283 Phan Sribhen
284 17819 Davenport Road Suite 215
285 Dallas, TX
286

287 Mr. Sribhen provided a power point presentation that showed concept plan, renderings and
288 elevations of the proposed 4-story 54 foot office building. It will be high quality Class A modern
289 style office building that will have two of the floors dedicated for medical offices/clinics. The
290 anticipated potential tenants would be physicians, attorneys and business professionals and the
291 typical lease terms are 3-10 years. A study was conducted that identified more Class A office
292 buildings are in demand in Rockwall. Lease rates are \$21 to \$28 per square feet and will provide
293 a plush lobby and public areas. The exterior will be 85% masonry and stone and have similar
294 color to the AVID hotel and will be adjacent to a natural creek and pathways. Mr. Sribhen advised
295 the Commission he was available for questions.
296

297 Chairman Lyons asked for questions from the Commission.
298

299 Commissioner Trowbridge asked the reason for wanting to build 4-story when the required
300 36feet was put in place to ensure the views of the lake were not compromised. Mr. Sribhen
301 stated they wish to have the four floors because two will be for the medical offices and the other
302 two will be for professional offices and another reason for requesting the four stories is to have
303 both the hotel and the office building looking similar to each other.
304

305 There being no further questions Chairman Lyons indicated the case will return to the
306 Commission for action at the next scheduled meeting.
307

308 11. Z2018-010

309 Hold a public hearing to discuss and consider a request by Kevin Kessler, PE of Jacobs Engineering,
310 Inc. on behalf of Mike Wallace of Wallace Partners, LP for the approval of a zoning change from
311 Agricultural (AG) District to Planned Development District for Single Family 7 (SF-7) District land uses
312 on 262.06-acre tract of land identified as Tracts 43, 43-01, 44 & 44-01 of the W. W. Ford Survey,
313 Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally
314 situated at the northwest corner of the intersection of H. Wallace Lane and Horizon Road [FM-3097],
315 and take any action necessary.

316
317 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant
318 is requesting to rezone the subject property that is currently Agricultural to a Planned
319 Development District that would allow for a Single Family 7 District land use. They are proposing
320 approximately 645 lots that will incorporate lots that range in size from 50' x 110' to 70' x 120',
321 and have an overall density of 2.50 dwelling units per acre. Mr. Miller advised the Commission
322 the applicants were present and would further detail the request.

323
324 Chairman Lyons asked the applicants to come forward and speak. Commissioner Trowbridge
325 recused himself from this agenda item.

326
327 Ben Brewer
328 Hines
329 2200 Ross Avenue Suite 4200 W
330 Dallas, TX

331
332 Mr. Brewer who is with Hines Development came forward and provided a power point
333 presentation that detailed the request. The Wallace family has owned the subject property for
334 many years and in 2005 it was annexed into the City. The vision for the project is to have all
335 single family homes with high end amenities, enhanced landscaping, creative play structures
336 and first class entry features. They are aware that in this area (area 13) there isn't much
337 development currently and therefore have been working with the Parks Department and are
338 looking into incorporating a regional park, open space and trail systems. There will be an HOA
339 that would manage the landscaping and amenities.

340
341 Kevin Kessler
342 Jacobs Engineering
343 1999 Bryan Street #1200
344 Dallas, TX

345
346 Mr. Kessler came forward and stated he is with Jacobs Engineering and provided a power point
347 that spoke of the request. He stated that they have had extensive discussions with staff
348 concerning engineering improvements that will be associated with the project including
349 significant off site water lines, major road construction, hike and bike trail regional extension
350 and it will open up a portion of the City for sanitary sewer. The project would be built in phases
351 and transition in lot sizes with the ultimate goal being to make the improvements to the public
352 infrastructure of the City. There is a large amount of floodplain on the site and therefore will
353 provide significant open space and trails. The intent is to have improvements in the amenity
354 areas that are above a typical standard it will be a high end Hines project.

355
356 Chairman Lyons asked the Commission for questions.

357
358 Commissioner Chodun asked staff if it falls within medium density. Mr. Miller stated that
359 technically it is low density residential because they're proposing right at 2.5 units per acre and
360 is what the Future Land Use Map calls out for this area.

361
362 Commissioner Chodun expressed concern with the traffic that would be generated since
363 Horizon Road is a two way road and with no foreseen plan for expansion. He asked the
364 applicants if they have considered conducting a traffic study. Mr. Brewer stated they have not as
365 of yet but they will work on that moving forward. Commissioner Chodun asked where they
366 anticipate most of the entry traffic be would it be Horizon Road or would it flow to the east side
367 somehow. Mr. Brewer stated that Horizon Road would be the main entrance however on County
368 Line Road there is another exit there but they will continue to work with staff on the flow of
369 traffic.

370 Chairman Lyons asked what percentage they are proposing to be front entry garage product. Mr.
371 Brewer indicated that it would be 100% front entry. Mr. Miller added that it would be 100% in the
372 50 foot lots and 70% in the remaining two phases consisting of either j-swing or the recessed 20
373 foot behind the front façade.

374
375 Chairman Lyons asked why they were doing 50's instead of perhaps adding some 80's. Mr.
376 Brewer explained that to the top left of the property there is a mobile home park and it would
377 there transition into 50's and as far as their overall density of 2.5 there is a lot of open space and
378 on the east side the lots that abut to Buffalo Way those will be the 70's product. Their builder has
379 three different product types to allow for a variety of lots.

380
381 Commissioner Moeller asked if they planned to preserve the native prairie grass that is one of
382 the unique aspects of this tract and were there any plans to perhaps a historical monument to
383 highlight the uniqueness of it. Mr. Brewer indicated a family member could better answer that.

384
385 Mike Wallace
386 Wallace Lane
387 Rockwall, TX

388
389 Mr. Wallace came forward and spoke concerning the native grass that is within the property and
390 they are discussing options with staff.

391
392 Mr. Miller added that as part of the request there are changes requested to the Master
393 Thoroughfare Plan specifically Wallace Lane will not be upgraded and the applicant submitted a
394 letter explaining the reasoning for that which was provided to the Commission. They are
395 requesting that Wallace Lane be removed from the Thoroughfare Plan as well as Cullins Drive.
396 Concerning the City Park the City's minimum standard is 11 acres high and dry and in this case
397 the applicant is proposing 11.5 acres however only 9 acres are high and dry therefore it will take
398 discretionary approval by the Council after recommendation from the Parks Board and that will
399 come after the zoning process. Also the applicant is requesting a waiver to the garages and staff
400 provided the Commission a draft copy of the ordinance.

401
402 There being no further questions Chairman Lyons indicated the case will return to the
403 Commission for action at the next scheduled meeting.

404
405 Chairman Lyons called for a five minute recess at 7:36 p.m.

406
407 Chairman Lyons called the meeting back to order at 7:44 p.m.

408
409
410 12. Z2018-011
411 Hold a public hearing to discuss and consider a request by Worth Williams of Moore Worth Investment,
412 LLC for the approval of a Specific Use Permit (SUP) for a restaurant with drive-through facilities in a
413 General Retail (GR) District on a 0.81-acre parcel of land identified as Lot 3, Block A, Lakeshore
414 Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65
415 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205
416 OV) District, addressed as 1945 N. Goliad Street, and take any action necessary.

417
418 Planning Director, Ryan Miller, advised the Commission the applicant was present and would be
419 presenting his request.

420
421 Chairman Lyons asked the applicant to come forward and speak.

422
423 Worth Williams
424 (No address given)

425
426 Mr. Williams came forward and stated they are requesting a Specific Use Permit to allow for a
427 drive through for a 2,200 square foot free standing Starbucks that would sit on approximately
428 35,000 square feet of land. The required parking is 22 spaces and they would provide 31 spaces,
429 staking requirement is 6 however they have 122 feet for staking which would get them to about
430 12 cars from the remote menu to the pickup window. Mr. Williams advised the Commission he
431 was available for questions.

432 Chairman Lyons asked for questions from the Commission.

433
434 Commissioner Welch when the completion date is anticipated to be. Mr. Williams stated they
435 hope to deliver for the finish out in October of this year no later than first of next year.

436
437 There being no further questions Chairman Lyons indicated the case will return to the
438 Commission for action at the next scheduled meeting.

439
440
441 13. Z2018-012

442 Hold a public hearing to discuss and consider a request by Ed Hicks, Jr. of Clay Cooley Automotive for
443 the approval of an amendment to a Specific Use Permit (SUP) (i.e. SUP S-131 [Ordinance No. 15-05])
444 that allows for outside storage and a new motor vehicle dealership on a ten (10) acre tract of land
445 identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna
446 Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District,
447 situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any
448 action necessary.

449
450 Planning Director, Ryan Miller advised the Commission the applicant was present and available
451 for questions as well as staff.

452
453 Chairman Lyons asked the applicant to come forward and speak.

454
455 Ed Hicks
456 (No address given)

457
458 Mr. Hicks came forward and stated they purchased the Hyundai dealership from the Young
459 family and were allowed at that time to continue with the SUP on the property next to the
460 Hyundai dealership. They have two applications in with two different franchises and those are
461 progressing positively, and what they would like to ask when talking about the phases, they
462 have finished the phases with the concreting and the next and final phase was going to be ACM
463 panels on the building; however based on the timing of acquiring the new franchise and the
464 expense of the ACM panels they are requesting the SUP to be amended to be allowed to tear that
465 building down instead of making the cost of the panels.

466
467 Mr. Miller added that the applicant went before Council to request deferred action on the
468 Ordinance to allow them to submit the application and Council did grant that which means the
469 Ordinance will not have expired.

470
471 Commissioner Trowbridge asked what the three original phases that they had been required to
472 complete were. Mr. Miller explained phase one was drainage and detention which was
473 completed, phase two was the paving which has also been completed and they were about to
474 start phase three which was to install the ACM paneling when this request came forward.

475
476 There being no further questions Chairman Lyons indicated the case will return to the
477 Commission for action at the next scheduled meeting.

478
479 14. P2017-058

480 Discuss and consider a request by John Arnold of Stone Creek Phase 9, LTD for the approval of a final
481 plat for Stone Creek, Phase IX containing 63 single-family residential lots on a 17.371-acre tract of land
482 identified as a portion of Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall
483 County, Texas, zoned Planned Development District 70 (PD-70) for Single Family-10 (SF-10) District
484 land uses, generally located along Hay Road south of the intersection of John King Boulevard and Hays
485 Road, and take any action necessary.

486
487 Senior Planner, David Gonzales, explained that the reason the plat is coming before the
488 Commission is because it has to go to the Parks Board to access fees and will be on the consent
489 agenda on the next scheduled meeting.

490
491 No discussion took place concerning this agenda item.

492
493

494 15. SP2018-005
495 Discuss and consider a request by Crystal Vasquez of Huckabee on behalf Will Salee of the Rockwall
496 Independent School District for the approval of a site plan for a school on a 6.983-acre parcel of land
497 identified as Lot 1, Block A, Rockwall School Addition #2, City of Rockwall, Rockwall County, Texas,
498 zoned Single Family 10 (SF-10) District, addressed as 615 Highland Drive, and take any action
499 necessary.
500

501 Senior Planner, David Gonzales, advised the Commission that the applicant was present to go
502 present the case and added that the Architectural Review Board met with the applicant and did
503 make recommendation for approval.
504

505 Chairman Lyons asked the applicant to come forward and speak.
506

507 Will Salee
508 1191 T.L. Townsend Drive
509 Rockwall, TX
510

511 Mr. Salee came forward and stated he is representing Rockwall IDS and the intent of the project
512 is to improve the facility that was approved by a bond project after review financially it made
513 more sense to tear the building down and construct a new facility.
514

515 Jimmy Strohmeyer
516 2701 Sunset Ridge Drive Suite 607
517 Rockwall, TX
518

519 Mr. Strohmeyer came forward and gave a brief explanation of the request and provided a short
520 power point that included the site plan and renderings. The new facility will be two stories with
521 one story in the front connecting to a two story building that drops down taking advantage of the
522 sites slope. They are working on the congestion of traffic on Highland Drive by reconfiguring the
523 drop off/pickup of students from how it currently is which they feel will highly improve the traffic
524 issues during start/end of the school day. Mr. Strohmeyer went on to explain that the front of the
525 building will be modern/progressive and the rear of the building will have a more residential look
526 with residential features. There will be an outside courtyard in between both buildings that will
527 have artificial turf which will be mostly shaded that will be used as an outside learning area.
528

529 Chairman Lyons asked for questions from the Commission.
530

531 Commissioner Chodun asked concerning the queing of the vehicles, if currently Driftwood is
532 being used. Mr. Strohmeyer used the diagram he provided to explain how the vehicles would be
533 queued and how they anticipate that will be done.
534

535 Commissioner Moeller asked how long they anticipated the project to take and would they be
536 phasing it in or do it operationally. Mr. Salee explained that with the new Dobbs Elementary
537 opening up this summer it leaves the existing Dobbs facility and they will have the Reinhardt
538 campus for one year housed at the existing Dobbs location which will allow them to tear down
539 the existing building and complete it all in one academic year. They will start this summer and
540 go thru the academic year and be done the following summer.
541

542 Chairman Lyons commented on how that will likely cause traffic flow issues at the Dobbs
543 location. Mr. Salee stated they are working on the site plan for Dobbs adding additional parking,
544 adding traffic barriers and adding additional crossing guards to help manage the traffic flow.
545

546 There being no further questions Chairman Lyons indicated the case will return to the
547 Commission for action at the next scheduled meeting.
548

549
550 16. Director's Report of post Council meeting outcomes of Planning & Zoning cases.
551

- 552 ✓ P2018-002: Lot 1, Block A, Lizandro Ormeno Addition [Approved]
- 553 ✓ Z2018-001: Amended PD Development Plan (1st Reading) [Approved; Without the Additional Units]
- 554 ✓ Z2018-002: SUP for the Replacement of a Telecommunications Tower (1st Reading) [Approved]
- 555 ✓ Z2018-003: SUP for a Restaurant w/ Drive-Through (1st Reading) [Denied]

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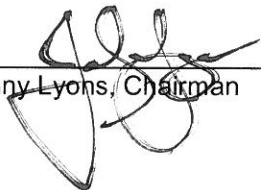
- ✓ SP2018-001: Site Plan for 7/11 [Approved]
- ✓ SP2018-002: Variances for Interstate Wire Co. [Approved]
- ✓ MIS2018-001: Variances to the Masonry Requirements for 1507 S. Alamo Street [Approved]
- ✓ MIS2018-003: Variances to the Masonry Requirements for J. W. Williams Middle School [Approved]
- ✓ MIS2018-004: Renewal of SUP S-161; Ordinance No. 17-07 [Approved]
- ✓ MIS2018-005: Variances to PD-85 [Approved]

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

V. ADJOURNMENT

Chairman Lyons adjourned the meeting at 8:14 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 13 day of March, 2018.



Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
March 13, 2018
6:00 P.M.

I. CALL TO ORDER

Commissioner Logan called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Annie Fishman and Eric Chodun. Absent from the meeting were Chairman Lyons and Vice-Chairman Patrick Trowbridge. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the February 27, 2018 Planning and Zoning Commission meeting.

2. P2017-058 (David)

Discuss and consider a request by John Arnold of Stone Creek Phase 9, LTD for the approval of a final plat for Stone Creek, Phase IX containing 63 single-family residential lots on a 17.371-acre tract of land identified as a portion of Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single Family-10 (SF-10) District land uses, generally located along Hay Road south of the intersection of John King Boulevard and Hays Road, and take any action necessary.

3. P2018-006 (David)

Discuss and consider a request by Aaron L. Stringfellow of Weir & Associates for the approval of a final plat for Lot 2, Block A, Rockwall Technology Park, Phase IV Addition being a 34.229-acre tract of land identified as a portion of Tract 1 & 2-01 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549 Overlay (FM-549 OV) District, generally located at the southeast corner of the intersection of Corporate Crossing [FM-3549] and Capital Boulevard, and take any action necessary.

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

III. APPOINTMENTS

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

Planning Director, Ryan Miller, advised the Commission that no cases were brought to the Architectural Review Board.

IV. PUBLIC HEARING ITEMS

5. Z2018-004

Hold a public hearing to discuss and consider a request by Jim & Kelly Matthews for the approval of a Specific Use Permit (SUP) for a carport on a 0.254-acre tract of land identified as Lot 33, Block A, Stonebridge Meadows Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 706 Stillwater Drive, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation of the request stating that the case was originated from Neighborhood Improvement Services Department when they initiated a code

63 compliance case for the construction of a carport without a building permit. At that time, the
64 homeowner was instructed to submit an application for a building permit, and did so on
65 February 14, 2018. Upon inspection of the carport it was determined that the carport did not
66 meet the minimum standards stipulated by the UDC, and the homeowner was instructed to
67 submit for a Specific Use Permit through the Planning and Zoning Department. The carport is a
68 20-foot by 20-foot metal structure that is set on wooden post and has one sheet of R-Panel
69 estimated to be 2 feet by ten 10 feet extending from the roof, down each side of the structure.
70 The structure is listed as being between 8 feet and 8½ feet tall. According to the UDC, carports
71 in residential districts must be 1] open on at least two 2 sides, 2] be situated 20-feet behind the
72 front façade of the primary structure, 3] meet the same setbacks as a garage when adjacent to
73 an alley, and 4] when visible from a public street be constructed of materials matching those of
74 the primary residential structure. In this case, the constructed carport does not meet the
75 minimum setbacks for a carport in this district. According to the UDC, garages are required to
76 be a minimum of 20-feet from public right-of-way. In addition, the minimum building setback in a
77 SF-10 District is 10 feet. The rear setback of the constructed carport was inspected and the
78 structure is approximately 8 feet from the rear property line which means that the carport
79 encroaches the garage setback by approximately 12-feet and the minimum building setback by 2
80 feet. The UDC however, does allow the City Council to consider non-conforming carports on a
81 discretionary basis through a Specific Use Permit pending recommendation from the Planning
82 and Zoning Commission.
83

84 Mr. Miller pointed out that only one carport has been permitted through a building permit in the
85 Stonebridge subdivision and that that carport met all the requirements and did not require a
86 SUP; however, based on the information at the work session where the applicant indicated there
87 may be other carports in the neighborhood a Neighborhood Improvements representative was
88 sent out to the area and did identify 7 additional carports exists within the notification area. It
89 was determined by aerials that 6 of the 7 carports were built between 2001 and 2005 with the
90 remaining carport being constructed in 2012. The current carport ordinance was adopted in
91 2006 therefore only one of the carports would have been constructed during that time period and
92 do not have record of permits on the others.
93

94 Mr. Miller further noted that on February 27, 2018, staff mailed 68 notices to property owners and
95 occupants within 500-feet of the subject property and also notified the Stonebridge Meadows
96 Homeowner's Associations. Staff had received 3 notices and 1 email in opposition to this
97 request and 2 notices in favor of the request.
98

99 Mr. Miller advised the Commission that the applicant was present and available for questions as
100 well as staff.
101

102 Commissioner Chodun asked 20 feet was possible with the configuration of the subject
103 property's driveway. Mr. Miller stated not for a garage that is facing onto an alley it would have
104 to be turned at a j-swing which in this case it is not. Commissioner Chodun asked of the other 7
105 existing carports is it know if those are within compliance. Mr. Miller stated none were in
106 compliance.
107

108 Commissioner Fishman asked for clarification as to why the SUP was required, is it simply
109 because the carport was built too close to the rear of the property otherwise no SUP would be
110 needed. Mr. Miller stated that was correct, it is a permitted use.
111

112 Commissioner Logan asked the applicant to come forward and speak.
113

114 James Mathews
115 706 Stillwater
116 Rockwall, TX
117

118 Mr. Mathews came forward and stated that the carport was constructed without a permit he
119 explained that it is made by Mueller and it is all metal. He added that he believes that one of the
120 carports existing did pull a permit and he believes had to get some special square footage and is
121 at the corner of Stillwater. Mr. Miller stated that the only one that was permitted was in
122 compliance with the requirements it was constructed with stone columns and was constructed
123 for a forward facing garage that was built 20 feet behind the front property line. Mr. Mathews
124 added that he constructed it with good material and wants to comply to make it look good for his

125 neighborhood and there are several of his neighbors that are present to speak in favor of the
126 request.

127
128 Commissioner Logan opened up the public hearing and asked if anyone wished to speak to
129 come forward and do so.

130
131 Lisa Samford
132 907 Lake Meadows Drive
133 Rockwall, TX

134
135 Ms. Stanford came forward and stated she lives directly behind the subject property and thinks
136 the carport looks great. She is in favor of the request.

137
138 Commissioner Logan asked if anyone else wished to speak to come forward and do so, there
139 being no one indicating such; Commissioner Logan closed the public hearing and brought the
140 item back to the Commission for discussion or action.

141
142 Commissioner Logan noted that there were responses received 4 of which were against the
143 request 2 not opposed, but generally expressed not being in favor.

144
145 Commissioner Chodun stated that with exception of the setback he doesn't feel it is a big issue
146 and given the configuration of the driveway there is no other real alternative. Commissioner
147 Logan added that the other alternative would be to have the applicant remove it. Commissioner
148 Chodun added that it appears the responses received in opposition are more generally against
149 carports altogether but it is a permitted use.

150
151 Commissioner Welch agreed with Commissioner Chodun's thoughts feels since it is not causing
152 a hazard and it is a nice looking structure it should be allowed to remain intact.

153
154 Commissioner Fishman reiterated both Commissioners Chodun and Welch's comments feels
155 had it not been for the setback requirement it is a permitted use.

156
157 Commissioner Welch made a motion to approve Z2018-004. Commissioner Chodun seconded
158 the motion which passed by a vote of 4-1 with Commissioner Logan dissenting and Chairman
159 Lyons and Vice-Chairman Trowbridge absent.

160
161
162 6. Z2018-005

163 Hold a public hearing to discuss and consider a request by Joe Wimpee for the approval of a Specific
164 Use Permit (SUP) for an accessory building on an 8.1232-acre tract of land identified as Lot 1, Block A,
165 Wimpee Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 4.0
166 (SFE-4.0) District, addressed as 1800 Dalton Road, and take any action necessary.

167
168 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant
169 is requesting the approval of a Specific Use Permit to allow for an accessory building that does
170 not meet the minimum requirements stipulated by the UDC. The applicant is proposing to
171 construct an accessory building that will be clad in aluminum siding with a 2 foot stone
172 wainscot, and metal roof. The building will be 60-feet by 40-feet or approximately 2,400 square
173 feet, and will incorporate 1,800 square feet of enclosed building area and a 600 square feet
174 covered porch. The structure will stand approximately 19-feet in height, and will be situated
175 behind the primary structure. According to the UDC, in a SFE-4.0 District, property owners are
176 permitted to construct a single accessory building no larger than 2,000 square feet and 15-feet in
177 height or less, provided the exterior materials of the accessory building are the same materials
178 as found on the primary structure in roughly the same proportions. In this case, the applicants
179 requesting deviations from the material requirements, the primary structure adheres to the
180 required 80% masonry materials required for residential structures, the maximum permissible
181 height requirements to exceed the permissible 15-feet by approximately 4 feet, and to the
182 maximum square footage requirements to exceed the 2,000 square feet by 400 square feet. The
183 UDC permits the City Council to review deviations from the accessory building requirements on
184 a discretionary basis through a SUP. Mr. Miller added that the accessory building will be
185 situated so that it is not visible from any adjacent public right-of-way or open space, and will be
186 located an estimated 50-feet behind the primary structure.

187 Mr. Miller further stated that on February 27, 2018, staff mailed 52 notices to property owners
188 and residents within 500-feet of the subject property and also notified the Promenade Harbor
189 and the Shores/Ray Hubbard Homeowner's Associations. No notices were received in favor or
190 against the request.

191
192 Mr. Miller advised the Commission that the applicant was present and available for questions as
193 well as staff.

194
195 Commissioner Logan asked the Commission for any questions for staff.

196
197 Commissioner Logan asked what the property to the east was. Mr. Miller stated it was a large
198 estate style single-family home built on large acreage.

199
200 Commissioner Fishman asked if a driveway was required when adding a detached garage. Mr.
201 Miller explained that typically the driveway is only required on detached garages which roughly
202 have the same requirements however this one is not meant to be a garage, the applicant has
203 indicated it will be an accessory building and will feel connected.

204
205 Commissioner Logan asked the applicant to come forward and speak.

206
207 Joe Wimpee
208 1800 Dalton Road
209 Rockwall, TX
210

211 Mr. Wimpee came forward and stated that that in answer to Commissioner Fishman's question
212 concerning the driveway, there will be a driveway there is a breezeway that passes thru and that
213 will connect to the building.

214
215 Commissioner Logan opened up the public hearing and asked if anyone wished to speak to
216 come forward and do so there being no one indicating such Commissioner Logan closed the
217 public hearing and brought the item back to the Commission for discussion or action.

218
219 Commissioner Logan stated that she typically is not in favor of metal buildings but expressed
220 generally being in favor of this one.

221
222 Commissioner Moeller generally expressed being in favor of the request stated that although it
223 is metal it is incorporating stone and it is a good looking building the fact that the lot sits on 8
224 acres and will be situated in the back of the property will fit well.

225
226 Commissioner Moeller made a motion to approve Z2017-005 with staff recommendations.
227 Commissioner Fishman seconded the motion which passed by a vote of 5-0 with Chairman
228 Lyons and Vice-Chairman Trowbridge absent.

229
230
231 7. Z2018-006 & Z2018-007

232 Hold a public hearing to discuss and consider a request by Billy Wayne Peoples and Craig Merritt for
233 the approval of a zoning change from Single Family 7 (SF-7) District to a Residential-Office (RO) District
234 for a 1.016-acre tract of land identified as Lot 80 (i.e. Lot 80B & 80C), B. F. Boydston Addition, City of
235 Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 106 & 108 St.
236 Mary Street, and take any action necessary.

237
238 Planning Director, Ryan Miller, gave a brief explanation of the request stating that subject
239 property is 106 and 108 St. Mary's Street and is east of South Goliad Street and zoned Single
240 Family 7 District. The applicants are requesting to rezone the property to a Residential Office
241 District. Originally it came forward as two cases but the applicant's submitted a letter requesting
242 to combine stating that was the original intent. Currently on the property there are 2 single
243 family homes and what the applicants have stated that they want to do is to convert those
244 homes into professional offices. If the applicants were to be approved for the zoning they would
245 be required to go thru a site planning process to officially change use from a Single Family use
246 to a Commercial use and they would also be required to meet all Engineering and platting
247 requirements as well as pull building permits for any improvements on the property. Looking at
248 the adjacent uses, the properties do have Commercial adjacency on three sides with the post

249 office being on the rear and professional offices being on the south and north. East of the
250 subject property is the St. Mary's Place Subdivision, which consists of 14 single-family,
251 detached and single-family attached homes. In looking at the Future Land Use Map, it designates
252 the subject property for Medium Density Residential land uses and would require the
253 Commission to recommend to amend the Future Land Use Map to the City Council to a
254 Commercial designation.
255

256 Mr. Miller further stated that notices were sent out for both cases on February 27, 2018; 84
257 notices were sent out for 106 and 92 notices for 108 and staff has received 4 notices in favor of
258 the request from 2 property owners and 1 notice in opposition of the request. Staff also notified
259 the Stonebridge Meadows and Bent Creek Condos Home Owner's Association.
260

261 Mr. Miller advised the Commission that the applicants are present and available for questions as
262 well as staff.
263

264 Commissioner Logan asked for questions from the Commission.
265

266 Commissioner Chodun asked why it would have the Commercial designation from Residential
267 Office. Mr. Miller explained that the Residential Office while there really is no interim zoning
268 classification in the Future Land Use Map, therefore currently Residential Office falls under the
269 Commercial designation as does General Retail and Commercial. Commissioner Chodun asked
270 if it is not used for Residential Office would it open the door to allow any Commercial
271 application. Mr. Miller stated that a request could be made but it would require discretionary
272 approval and in this case the adjacencies along the east side would probably be taken into
273 consideration.
274

275 Commissioner Logan asked the applicants to come forward and speak.
276

277 Craig Merritt
278 504 Barnes
279 Rockwall, TX
280

281 Billy Peoples
282 (No address given)
283

284 Mr. Merritt came forward and indicated the reason for the request is to upgrade the current
285 structures to Residential Office. Both structures are fairly old and have primarily been used as
286 rental properties for the last 15 or so years. Mr. Merritt provided the Commission with 4
287 additional letters from residents in Old Towne in favor of the request but were unable to attend
288 due to Spring Break.
289

290 Commissioner Logan asked for questions from the Commission for the applicants.
291

292 Commissioner Fishman asked if any of the properties are currently being rented and what type
293 business did they anticipated having. Mr. Merritt stated one of the properties is currently being
294 rented and for the anticipated use, it would be some type of low impact professional type
295 building since neither of the structures at approximately 1,200 square feet are very big.
296

297 Commissioner Chodun asked if they intended to use the existing structures. Mr. Merritt stated
298 that it is the intention to remodel and use the existing structures to keep the residential style
299 look.
300

301 Commissioner Moeller noted that when looking at the options that they will have when they
302 remodel, and with the amount of land that exists behind the structures he suggested that
303 perhaps the properties would be better suited to have a single driveway between the two
304 structures with the parking in the rear. Mr. Merritt stated he agreed with that idea.
305

306 Commissioner Welch asked staff if the existing structures were to be demolished and the
307 applicants built one structure in the middle would that have to come back before the
308 Commission for approval. Mr. Miller explained that it would have to come back as a site plan first
309 followed by an Engineering phase and then a platting phase to assemble the lots.
310

311 Commissioner Welch asked if it were to be approved for Residential Office could it still continue
312 to be rented as residential. Mr. Miller stated that it could until it is site planned as a Commercial
313 property.

314
315 Commissioner Chodun asked what the intent was and why the desire to change it to Residential
316 Office had the applicants been approached by a potential tenants. Mr. Merritt stated that he has
317 been approached and currently has a contract contingent on the approval to sell it to a tenant
318 that has indicated would have four people in the office. Commissioner Chodun asked what kind
319 of office would it be and Mr. Merritt stated he did not know. Mr. Merritt added that the house has
320 been in his family for years and basically is tired of the upkeep of maintaining it as a rent house
321 and would prefer to sell and he feels it would be an upgrade due to the amount of money that
322 would be spent on renovations. Commissioner Chodun asked Mr. Peoples of his intent. Mr.
323 Peoples stated he feels it would be better for the property to be Residential Office because it's a
324 big piece of property for a small rent house.

325
326 Commissioner Logan opened up the public hearing and asked if anyone wished to speak to
327 come forward and do so.

328
329 Mary Falone
330 204 St. Mary's Place
331 Rockwall, TX

332
333 Ms. Falone came forward and stated that the subject properties are right behind her back fence
334 and generally is opposed to the request due to the uncertainty of what kind of business it would
335 become she would rather it continue to be used for residential use only.

336
337 Carol Crow
338 504 Williams Street
339 Rockwall, TX

340
341 Ms. Crow came forward and stated her strong opposition to the request she feels Residential
342 Office has already claimed so many old homes and streets and she expressed concern of not
343 knowing what type of office before approving with the allowed uses listed for Residential Office
344 that could possibly go in such as a strip mall spa nail salon and those type uses. She is very
345 concerned at the amount of commercial that "creeps in" and before long it'll continue to expand
346 around the surrounding areas if uses such as this are approved. She urged the Commission to
347 not approve the request.

348
349 Alison Odom
350 405 N. Fannin Street
351 Rockwall, TX

352
353 Ms. Odom came forward and stated that she agreed with Ms. Crow's comments and she too is in
354 opposition of the request. She is the President of Old Towne Rockwall Neighborhood
355 Association she feels a responsibility to voice to the Commission her concerns and asked the
356 Commission to not take requests such as these lightly as they do affect her neighborhood.

357
358 Michael Caffey
359 311 S. Fannin Street
360 Rockwall, TX

361
362 Mr. Caffey came forward and stated he lives in a high contributing historical home and is in favor
363 of the request. He feels that with Mr. Merritt having served as a volunteer firefighter in Rockwall
364 for over thirty years and with that not having to be taken into consideration, he feels that with
365 Mr. Merritt residing in Rockwall he has a vested interest in the community. He added that where
366 the subject property is located is already a commercial area and doesn't feel that what is being
367 proposed is going to be a highly trafficked use. He feels this type use would be a better fit with
368 the renovations that are intended as opposed to remaining rentals where renters do not always
369 take care of the property because they don't have a vested interest in doing so. He added that
370 he does not agree on changing every single home that may come forward with a request, but in
371 this case it will be a better fit than remaining rentals. The fact that the subject properties are not
372 historical should also be taken into consideration in approving the request.

373 Gay Anderson
374 206 St. Mary's
375 Rockwall, TX
376

377 Ms. Anderson and stated her and her brother own 206 St. Mary's where her elderly mother lives
378 and intends to live there for the rest of her life while she is able. Ms. Anderson expressed
379 concern with a potential parking lot being built behind the subject property that could potentially
380 cause light to go into her mother's bedroom window. She is also concerned with anything that
381 may cause flooding because there is flooding issues currently she experienced flooding last
382 month. She would like to see her mother's neighborhood protected because it is her home.
383

384 Commissioner Logan asked if anyone else wished to speak to come forward there being no one
385 indicating so Commissioner Logan asked the applicants to come forward for any rebuttal.
386

387 Mr. Merritt came forward and stated that it will be low impact and he intends for it to make the
388 neighborhood better he feels it will not have a negative impact and the properties are not within
389 the historical Old Towne.
390

391 Mr. Peoples stated that he does not want to see it turn General Retail his intention is to have a
392 professional building, he currently has it rented and there are no immediate plans of doing
393 anything he would just like to have the zoning in place.
394

395 Commissioner Welch asked with it being Residential Office would they be required to screen
396 from the residential adjacent properties. Mr. Miller stated that it would be a requirement to fully
397 screen any headlights or visual impacts and it's been allowed to allow flexible screening to
398 maintain a residential scale.
399

400 Commissioner Moeller noted that in the work session it was discussed that there currently is a
401 privacy fence down the property line. Mr. Merritt stated that it is the individual home owners
402 along the St. Mary's place that have the 6 foot wood fence that is solid that goes all along the
403 back of the property from the post office almost all the way to St. Mary's. Commissioner Moeller
404 asked staff since there is existing screening would additional screening be required from the
405 applicants. Mr. Miller stated that could be required but it would be reviewed at the time of site
406 plan it would probably be asked that the applicant incorporate landscape screening along the
407 back side.
408

409 Commissioner Logan closed the public hearing and brought the item back to the Commission
410 for discussion or action.
411

412 Commissioner Welch generally expressed being in favor of the request looking at it as a
413 business standpoint it makes sense noting that the size of the properties.
414

415 Commissioner Chodun generally expressed not being in favor of the request would rather it
416 remain as a residential use, he noted that the UDC that allowed to change residential houses and
417 convert them to residential offices in the extent that we can expand the economic life of the
418 existing structures, and as the applicant has indicated one if not both of the structures are
419 already providing rental income. He also expressed concern with a Commercial designation
420 moving forward should new buyers come in and although there are adjacent commercial uses
421 he feels it is not a strong enough basis to change.
422

423 Commissioner Welch made a motion to approve Z2018-006 and Z2018-007 with staff
424 recommendations. Commissioner Fishman seconded the vote which passed with a vote of 3-2
425 with Commissioners Chodun and Logan dissenting and Chairman Lyons and Vice-Chairman
426 Trowbridge absent.
427

428
429 8. Z2018-008

430 Hold a public hearing to discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on
431 behalf of Shailesh C. Vora of DFW Hospitality of Rockwall, LLC for the approval of a Specific Use
432 Permit (SUP) for a hotel in a Commercial (C) District that exceeds 36-feet in height within the Scenic
433 Overlay (SOV) District on a 2.056-acre tract of land being identified as Lot 7 and a portion of Lot 8,
434 Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned

435 Commercial (C) District, situated within the Scenic Overlay (SOV) District and the IH-30 Overlay (IH-30
436 OV) District, situated south of the intersection of Carmel Circle and Laguna Drive, and take any action
437 necessary.
438

439 Senior Planner, David Gonzales, gave a brief explanation of the request stating Senior Planner,
440 David Gonzales, advised the Commission that the applicant is requesting the approval of a
441 Specific Use Permit to allow a hotel on a 2.056-acre tract of land located north of IH-30 and
442 situated south of the intersection of Carmel Circle and Laguna Drive. North of the subject
443 property is Lakeside Village which is zoned PD-2 and separated by a tree line and railroad
444 tracks. South of the property is restaurants and east of the property are vacant tracts of land that
445 are zoned Commercial and west of the property is Hampton Inn as well as other hotels that were
446 recently approved such as the Hyatt which is also zoned Commercial. There are two items within
447 the SUP request when the request originally came forward, with it being in the Scenic Overlay
448 District there are special use standards that if a structure exceeds 36 feet in height it requires a
449 Specific Use Permit but also according to the UDC a hotel requires a SUP within a Commercial
450 District. Originally the applicant was proposing a 4 story hotel, however, after the Planning and
451 Zoning Commission work session on February 27, 2018 the applicant has opted to reduce the
452 hotel to 3 stories and not exceed 36-feet in height.
453

454 Mr. Gonzales further stated that the proposed 3-story Hotel will be an AVID brand hotel, and will
455 have approximately 87 rooms available for general stay not extended/residency stay. Although
456 the subject property is within the IH-30 Overlay and the Scenic Overlay Districts, it does not have
457 direct frontage along IH-30 and therefore would not be allowed to have a pole sign; however, the
458 portion of property along Ridge Road at La Jolla Pointe does create a flag lot that meets the
459 frontage requirements. According to the concept plan, access to the subject property will be
460 located along La Jolla Pointe with future secondary access located off Carmel Circle. The
461 applicant's request conforms to all applicable requirements regarding a Specific Use Permit
462 however, remains a discretionary act of the City Council. If approved, the applicant will be
463 required to submit a site plan and replat.
464

465 Mr. Gonzales further stated that on February 28, 2018, staff mailed 45 notices to property owners
466 and residents within 500-feet of the subject property and also emailed a notice to the Turtle Cove
467 and Lakeside Village Homeowner's Associations. Staff received 1 notice in favor of and 1 notice
468 opposed to the applicant's request and 1 additional notice was received this afternoon in
469 opposition.
470

471 Mr. Gonzales advised the Commission the applicant was present and available for questions as
472 well as staff.
473

474 Commissioner Logan asked the applicant to come forward and speak.
475

476 Pan S. Sribhen
477 17819 Davenport Road
478 Dallas, TX
479

480 Mr. Sribhen came forward and stated Dr. Vora who is the managing director and partner of the
481 Vora Properties which will be who will develop the site was present and had a presentation for
482 the Commission.
483

484 Dr. Vora
485 (No address given)
486

487 Dr. Vora came forward and provided a power point presentation that gave details of the AVID
488 Hotel they are proposing which will be a three to four star hotel according to Star Report which
489 meets the Rockwall need of Rockwall. AVID was launched by IHG Hotel with 86 hotels signing
490 since September 2017 with 30+ Texas hotels to begin construction in 2018 and set to open in
491 2020 and Dr. Vora indicated a representative from IHG was present and would be speaking after
492 his presentation. The power point went on to show that AVID will provide clear and simple on-
493 line reservation with the ability to select choice of room at time of reservation and provide a
494 modern exterior with airy inspired entries. Guests would generate demand for local businesses
495 and sales tax during their stays and the typical stay is 1-3 days. According to an independent
496 feasibility study by Source Strategies identified a market demand in Rockwall based on a need

497 for midscale hotels and AVID price point will be approximately \$129-\$149 per night. The project
498 size is approximately 2 acres of the 10 acres where next to the hotel is a plan to build a 24,000
499 square foot class A office building. The Independent Feasibility Study also showed an
500 occupancy rate of 73% with projected revenue of \$2.5 million by the 3rd year of operation and
501 according to the Smith Travel Report, Rockwall hotels occupancy is 70% with an average daily
502 rate of \$115 and it also identified that there are no IHG hotels located between Royce City and
503 Garland. The subject property is a preferred site for a hotel due to its proximity to major
504 highways. The hotel will generate local jobs and produce annual revenue of \$2.2-2.9 million as
505 well as property tax valued at \$7.5 million over the next ten years. Dr. Vora respectfully asked for
506 approval from the Commission for his request.
507

508 Mr. Sribhen came forward and added that the AVID hotel will be a 3-story approximately 33 feet
509 in height with 87 guest rooms. The building will have 85% masonry and they meet all the parking
510 requirements and they conform to the Comprehensive Plan. Mr. Sribhen showed the concept
511 plan that will incorporate the proposed office buildings within the site.
512

513 Cooper Gannon
514 (No address given)
515

516 Ms. Gannon came forward and stated she is with part of the development team with IHG and
517 gave some background of how AVID came about which is by having done market research and it
518 was decided that there was a \$20 billion untucked market segment in the midscale hotel
519 segment and having had success with the Holiday Inn Express brands and Holiday Inn IHD
520 decided to create a new brand in the midscale segment and that is how the AVID brand came
521 about. They at IHD pride themselves in putting the right hotel owner with the right brand in the
522 right location and they feel Dr. Vora fits those qualifications. They look forward to providing the
523 AVID hotel to Rockwall.
524

525 Commissioner Logan asked for questions from the Commission.
526

527 Commissioner Chodun asked concerning the current number of hotels under SUP's that are
528 being developed and how many that have approved SUP's but are not under development. Mr.
529 Gonzales explained that currently there are 12 entitlements 7 of which are on the ground and 5
530 that are proposed, of those 1 which is the Home 2 Suites will have its SUP expiring due to the
531 Ordinance that was approved last year that states if no activity is presented on a site then the
532 site will drop off. Commissioner Chodun asked how many rooms had that particular hotel been
533 approved for. Mr. Gonzales stated it was for 91 one rooms and it was a residence hotel.
534

535 Commissioner Welch asked concerning discussion that took place at the work session where
536 the applicant indicated that the rates were less than what is being proposed now as well as the
537 star rating which is higher than what was indicated at that work session. Commissioner Welch
538 also asked why they felt that Rockwall could not support a high end hotel instead of a midscale.
539 Dr. Vora provided a report that explained the star ratings as well as the rates that a midscale
540 hotel is considered, he apologized for any misunderstanding that was indicated at the work
541 session because at that time they did not have the report that was just provided to the
542 Commission.
543

544 Commissioner Fishman asked if they are going from four stories to three stories and keeping
545 the same amount of rooms would the rooms be smaller. Mr. Sribhen stated the footprint is
546 longer and therefore the rooms will not be smaller. Commissioner Fishman asked if this was a
547 prototype or if there were any already constructed. Ms. Gannon explained that there is currently
548 one under construction.
549

550 Commissioner Logan opened up the public hearing and asked if anyone wished to speak to
551 come forward and do so there being no one indicating such Chairman Logan brought the item
552 back to the Commission for discussion or motion.
553

554 Commissioner Logan generally expressed concern over approving more
555

556 General discussion took place between the Commission discussing the number of already
557 approved hotels the addition of one more that is midscale as opposed to a higher end brand
where generally they expressed not being in favor of approval.

558 Commissioner Chodun made a motion to deny Z2018-008. Commissioner Moeller seconded the
559 motion which passed by a vote of 5-0 with Chairman Lyons and Vice-Chairman Trowbridge
560 absent.

561
562 Commissioner Logan called for a five minute recess at 7:48 p.m.

563
564 Chairman Logan called the meeting back to order at 7:57 p.m.

565
566
567 9. Z2018-009 (David) *[Request to Withdraw Case]*

568 Hold a public hearing to discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on
569 behalf of Shailesh C. Vora of DFW Hospitality of Rockwall, LLC for the approval of a Specific Use
570 Permit (SUP) for an office building in excess of 36-feet in the Scenic Overlay (SOV) District on a 1.330-
571 acre tract of land being identified as a portion of Lot 6, Block A, La Jolla Pointe Addition, Phase 2, City
572 of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay
573 (SOV) District and the IH-30 Overlay (IH-30 OV) District, situated west of the intersection of Laguna
574 Drive and Ridge Road [FM-740], and take any action necessary.

575
576 Senior Planner, David Gonzales, advised the Commission that the applicant changed the height
577 of the building to bring it down to 36 feet from 4 stories to 3 stories from when they came
578 forward in the work session and therefore a Specific Use is no longer needed because it is an
579 allowed use, the applicant would just need to pull necessary building permits to move forward.
580 The applicant is requesting to withdraw the case and the Commission would need to take action
581 to forward a recommendation to City Council.

582
583 Commissioner Chodun made a motion to approve the request to withdraw Z2018-009.
584 Commissioner Fishman seconded the motion which was approved by a vote of 5-0 with
585 Chairman Lyons and Vice-Chairman Trowbridge absent.

586
587
588 10. Z2018-010

589 Hold a public hearing to discuss and consider a request by Kevin Kessler, PE of Jacobs Engineering,
590 Inc. on behalf of Mike Wallace of Wallace Partners, LP for the approval of a zoning change from
591 Agricultural (AG) District to Planned Development District for Single Family 7 (SF-7) District land uses
592 on 262.06-acre tract of land identified as Tracts 43, 43-01, 44 & 44-01 of the W. W. Ford Survey,
593 Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally
594 situated at the northwest corner of the intersection of H. Wallace Lane and Horizon Road [FM-3097],
595 and take any action necessary.

596
597 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the subject
598 property is a 262.06-acre tract of land that is generally located at the northwest corner of the
599 intersection of H. Wallace Lane and Horizon Road. A 1,000-foot strip of this property was
600 annexed into the City of Rockwall in 2004 and the remainder of the property was annexed in
601 2008. The applicant is requesting to establish a Planned Development District on the subject
602 property. Specifically, the applicant is proposing to entitle the subject property for a 645 lot
603 residential subdivision that will incorporate three different lot types that will be 50' x 110' "60 x
604 120" and 70' x 120', and have an overall density of 2.50 dwelling units per acre and the Planned
605 Development District would be subject to Single Family 7 District land uses and development
606 standards. The concept plan shows that the 262.06-acre subject property will consist of 645
607 single-family residential lots that will be broken down into the three lot types specifically it will
608 incorporate 150, 50' x 110' lots, 385, 60' x 120' lots and 110, 70' x 120' lots, and have an overall
609 average lot size of 7,000 square feet. The proposed minimum area of each dwelling unit air-
610 conditioned space will vary based on the lot size and range from 2,000 square feet to 2,500
611 square feet. The overall proposed density for the development will be 2.50 dwelling units per
612 acre. The proposed housing product will meet the City's minimum masonry requirements and
613 anti-monotony standards, and will incorporate a mixture of traditional swing j-swing and flat
614 front entry garages. Specifically, the applicant is proposing to incorporate 100% flat front entry
615 garages for the 50' x 110' lot product and 70% flat front entry garages on the remaining product
616 types. This departs from the City's minimum standards and will require discretionary approval
617 from the City Council. The applicant has incorporated language into the Planned Development
618 District ordinance that would require homes to incorporate an enhanced garage door and
619 driveway finish.

620 Mr. Miller went on to explain that the concept plan also depicts the inclusion of a 22.00-acre park
621 that consists of 13.00-acres of land outside of the floodplain and 9 acres of floodplain. This
622 meets the City's minimum neighborhood park requirements which requires a minimum
623 dedication of 11.00-acres of land outside of the floodplain, but will require discretionary approval
624 by the City Council, pending recommendation by the Parks and Recreation Board, along with the
625 Master Plat/Open Space Master Plan. The concept plan also depicts a dedicated parking lot
626 adjacent to the parkland. Overall, the proposed development will incorporate approximately
627 73.25-acres or 27.95% open space, 77.50-acres of floodplain and in addition, the concept plan
628 indicates the incorporation of an amenity center and the applicant has provided a layout for the
629 amenity center lot. The applicant has also provided staff with a map showing areas that are
630 anticipated to incorporate enhanced landscape elements, and incorporated language into the
631 Planned Development District ordinance stating that these areas will be designed at the time of
632 PD Site Plan. The amenity center layout and map of enhanced landscape areas have been
633 incorporated into the Planned Development District ordinance.

634
635 Mr. Miller further spoke of the street improvements that will be required with this property the
636 applicant has submitted a letter requesting that the City Council amend the Master Thoroughfare
637 Plan to call for no expansion to the existing Wallace Lane to reflect the road's sparsely traveled
638 status. They also point out that they have oriented their development so that it will not take
639 access from H. Wallace Lane. The concept plan does show the provision of John King
640 Boulevard; however, it is unclear if this roadway will be built to the M4U. minor collector, [4]
641 lane, undivided roadway standards required by the current Master Thoroughfare Plan. Recently
642 staff has looked into the possibility of reducing the section of John King Boulevard, from S.
643 Goliad Street to Horizon Road, from a M4U to a Minor Collector and will be proposing this
644 change with the future revisions to the Master Thoroughfare Plan; however, this has not been
645 proposed to the City Council and will require their discretionary approval before this change is
646 incorporated into the plan. With regard to County Line Road and Lofland Circle, the applicant
647 indicated at the February 27, 2018 Planning and Zoning Commission Work Session meeting that
648 the development will be dedicating the necessary right-of-way for these roadways, but is not
649 proposing to improve these right-of-ways. Staff should note that the City is currently in the
650 acquisition of right-of-way phase of improving County Line Road and that the improvements to
651 this roadway were included in the budget for this Capital Improvements Project (CIP) (with the
652 exception of the sidewalk which will be the applicant's responsibility at the time of construction).
653 In addition, the concept plan does not show the incorporation of Cullins Road. Based on this
654 information the City Council will need to [1] waive the improvements to County Line Road and
655 Lofland Circle, and [2] amend the Master Thoroughfare Plan to remove H. Wallace Lane and
656 Cullins Road and [3] reduce the designation of John King Boulevard from S. Goliad Street to
657 Horizon Road to a Minor Collector and these changes are discretionary for the Planning and
658 Zoning Commission as well as City Council.

659
660 Mr. Miller went on to state that in looking at the overall request the applicant is deviating from
661 the typical standards in two respects. The first is that they are proposing the front entry garage
662 which as has been discussed in previous cases, the Comprehensive Plan and the Engineering
663 Standards of Design Manual both require alley ways on lots less than 16,000 square feet
664 however the UDC does allow for front entry product but only in a j-swing or a recessed entry
665 which is 20 feet behind the front façade of the primary structure. In lieu of alleyways, the
666 applicant is proposing flat front entry garages on 100% of the 50' x 110' lots and 70% on the
667 remaining lot types which is 270, 60' x 70' lots and 77, 70' x 120' lots. The remainder of the
668 garages will be either j-swing or recessed front entry product type and the applicant is requiring
669 the use of upgraded garage doors and driveways. The other waiver that the applicant is seeking
670 is for a lay down curbs. Currently the City's Standards of Design don't allow for lay down curbs
671 what is required is a minimum of a 6 inch curb on all minor collector and residential street cross
672 sections. The applicant is proposing a street cross section that incorporates a Lay Down Curb
673 which is also referred to as a Roll Up Curb. However it should be noted that when Lay Down or
674 Roll Up Curbs are utilized it shrinks the space for City utilities by 1 foot on either side of the
675 roadway, 2 feet overall. Approval will require discretionary approval by the City Council.

676
677 Mr. Miller further stated that the zoning proposal conforms to the majority of the policies and
678 guidelines contained in the Comprehensive Plan; however, in reviewing the proposed concept
679 plan staff did recommend to the applicant how to bring the request closer into conformance with
680 the Comprehensive Plan by considering reducing the flat front entry product type to 30% or less
681 of the overall garages, and consider all flat front entry garages incorporate a minimum of a 25-

682 foot front yard setback to ensure that vehicles parked in the driveways will not encroach into
683 public right-of-way. In the applicant's comments, the applicant has agreed to require a 25-foot
684 front yard building setback on 50% of the 50, x 110' lots. The remainder of the 50' x 110' lots and
685 other flat front entry product types would incorporate a 20-foot front yard building setback. Staff
686 also asked the applicant to consider incorporating additional single loaded streets and reducing
687 the number of cul-de-sacs which the applicant has adjusted the concept plan since the last
688 meeting incorporating some of the comments staff provided to them. In looking at the Future
689 Land Use Map the Land Use Map designates this property for Low Density Residential which is
690 designated as 2 units per acre with the ability for the Planning and Zoning Commission and City
691 Council to grant up to an additional half unit per acre up to one and a half units per acre in cases
692 where additional amenity is incorporated into the plan. The additional amenities are described as
693 parks and open space, golf course, neighborhood amenity/recreation center, integration of
694 schools into the community fabric, development of trails and parks in floodplains, and/or the
695 development of municipal parks and recreation facilities. In this case, the applicant is proposing
696 a neighborhood amenity/recreation center, additional dedication of open space and the
697 dedication of a public park; however, the public park will require a future discretionary decision
698 of the City Council at the time of Master Plat/Open Space Master Plan. These provisions may
699 constitute an increased amenity and warrant the increase in density; however, this is
700 discretionary to the City Council. In addition, the Future Land Use Map designates the subject
701 property for Low Density Residential, Medium Density Residential, and Parks and Open Space
702 land use since the 2012 Comprehensive Plan Update. The proposed zoning change does
703 conform to the Future Land Use Map; however, it does necessitate a change to the map to adjust
704 the Parks and Open Space and Medium Density Residential land use designations and if the City
705 Council chooses to approve the applicant's request it will be a condition of approval that would
706 amend the Future Land Use Map to reflect the change.
707

708 Mr. Miller went on to state that on February 27, 2018, staff mailed 170 notices to property owners
709 and occupants within 500-feet of the subject property and also notified the Oaks of Buffalo Way
710 Homeowner's Associations. Staff received 3 emails and 27 notices in opposition and 1 notice in
711 support of the request.
712

713 Mr. Miller advised the Commission that the applicant was present and available for questions as
714 well as staff.
715

716 Commissioner Logan asked for questions from the Commission.
717

718 Commissioner Chodun asked for clarification of how the Master Thoroughfare Plan works in
719 regards to a lot of the roads being minor collectors, and when the development is added it would
720 then become possibly major collector. Mr. Miller explained that the Master Thoroughfare Plan is
721 basically a determination based on the Future Land Use Map, it's the roadways needed to
722 support that area if it were to develop in accordance with the Future Land Use Map. When
723 speaking of the applicant's request to waive those roadways it was determined by City Council
724 at the time of adoption that those roadways were needed to support a Low Density Residential
725 and Medium Density Residential use on the subject property. Commissioner Chodun asked if
726 there were studies that go into that determination. Mr. Miller explained that typically it is
727 determined by the study done by the North Central Texas Council of Government which is done
728 County wide analysis. Commissioner Chodun expressed the need for a new study to be
729 performed should any of the waivers be granted.
730

731 Commissioner Logan opened up the public hearing and asked the applicant to come forward.
732

733 Kevin Kessler
734 Jacobs Engineering
735 1999 Bryan Street.
736 Dallas, TX
737

738 Mr. Kessler came forward and stated he is with Jacobs Engineering he spoke of the changes
739 they have made to the concept plan since the work session which includes removing 30% of the
740 cul-de-sacs and adjusted the plan to add some lots that face open space and increased the size
741 of the regional park area. They have also made adjustments to the 50 foot lots and the allowed
742 front yard setbacks he provided a picture of the concept plan and indicated that they have
743 defined the lots on the western side as the smaller of the 3 proposed size lots they believe those

744 would be appropriate in that particular location due to its close proximity to future commercial
745 property and other high density properties to the north and west. Thru staff discussion they
746 initially had more of the 50 foot lots but have adjusted that and decreased it to only about a
747 quarter of the lots that have been identified at the west/north corner. Also they initially had a 20
748 foot front yard setback and have now adjusted that to about 50% of those lots being a 25 foot
749 front yard setback. They have also provided detail descriptions of the garages and driveway
750 finishes. As to the rollover curb which is unique but they believe that it makes the project overall
751 look better it has a better aesthetic feel and the City wouldn't have to deal with differential
752 settlement between driveways and connections that are within the public street. Mr. Kessler then
753 provided a power point presentation that briefly showed the changes that he spoke of, he
754 advised the Commission he was available for questions.

755
756 Commissioner Logan asked for questions from the Commission.

757
758 Commissioner Chodun asked if the waivers they are seeking for the requirements for the Master
759 Thoroughfare would be a "deal breaker" if not approved. Mr. Kessler indicated that when they
760 first approached the City there were some discussions of an improvement district with that there
761 was no discussion of removing the thoroughfare requirements however with the improvement
762 district going away essentially they've looked at the project and after discussions with staff, and
763 identified what the connections really do. The original plan that was submitted had multiple
764 connections to Wallace Lane, however the current plan being presented has zero connection to
765 Wallace Lane so ideally, although they are prepared to provide right of way for Wallace Lane but
766 don't want to make connections to it, decrease its existing condition, not have additional traffic
767 to it. Commissioner Chodun expressed concern with the amount of points of entry that would be
768 available for the size of development. Mr. Kessler stated they will provide two points of
769 connection and they have rerouted a few of the streets to ensure that there is always two points
770 of access. They have also made sure that the connection to Horizon has an appropriate storage
771 and stacking, however Horizon is a TXDOT road and they will be approaching TXDOT to acquire
772 permission to access and get driveway permits, they will be also be preparing a Traffic Impact
773 Analysis Report in the preliminary plat phase to ensure any traffic issues that they are able to
774 address will be done. Commissioner Chodun noted that Cain Middle School as well as an
775 elementary would be in close proximity of the development which during peak school hours
776 would be difficult to leave from one of the two points of entry.

777
778 Commissioner Logan opened up the public hearing and asked anyone who wished to speak to
779 come forward and do so.

780
781 Mike Pollock
782 1885 Broken Lance Lane
783 Rockwall, TX

784
785 Mr. Pollock came forward and expressed being in opposition of the request due to the amount of
786 traffic it will generate and feels even with a traffic study being conducted those studies generally
787 just give a base line the minimum acceptable level which he feels is not always what is right to
788 do for a surrounding neighborhoods. He is also concerned with the overcrowding of the schools
789 adding this amount of additional homes to the already approved homes in the surrounding area.
790 He would like to have clarification of the number that will actually be on the ground not just an
791 approximation as what is being presented in relation to the usable space when considering the
792 floodplain in the area because he feels that will definitely have an impact the values of the
793 homes in the surrounding area.

794
795 Commissioner Chodun asked staff for clarification of the 2.5 units per acre being proposed. Mr.
796 Miller explained that the applicant is proposing 2. 5 units per acre and that is how the City
797 calculates density, based on the gross acreage because a 20% open space dedication with all
798 land is required.

799
800 Susan Langdon
801 5050 Bear Claw Lane
802 Rockwall, TX

803

804 Ms. Langdon came forward and expressed being in opposition of the request. She is concerned
805 with possible drainage issues as well as the traffic issues and general impact it will have to the
806 schools and emergency city services that will be highly impacted.
807

808 David Thompson
809 721 Country Club
810 Heath, TX
811

812 Mr. Thompson came forward and expressed being in opposition of the request. He expressed
813 concern for the density that is being proposed as well as the front entry garages. He is also
814 concerned with the impact it will have to the schools and traffic.
815

816 Tim McCallum
817 5140 Standing Oak
818 Rockwall, TX
819

820 Mr. McCallum came forward and stated his strong opposition to the request. He served on the
821 City Council when the City annexed the subject property and noted that at that time the property
822 owners of the Wallace property were in opposition of being annexed because they did not have
823 any intent to ever develop the property. He feels the Master Thoroughfare Plan is important and
824 the entry and exit is an issue with the condition of the roads which many are un-drivable. Also
825 from a health safety standpoint he is concerned with adding the 600+ homes would require
826 adding an additional fire station to give adequate protection. He expressed concern also with the
827 size lots that are being proposed.
828

829 Lewis Johnson
830 150 Willowcrest
831 Rockwall, TX
832

833 Mr. Johnson came forward and stated his opposition to the request. He serves as president for
834 the Willowcrest Home Owner's Association. He is not in favor of the density they are proposing
835 which he feels will impact the property value of his and his neighbors' homes.
836

837 Dan Everts
838 2080 Broken Lance Lane
839 Rockwall, TX
840

841 Mr. Everts came forward and stated his strong opposition to the request. He expressed concern
842 with the exit and entry access, possible drainage and traffic issues as well as the density that is
843 being proposed. He feels it does not conform to what the Comprehensive Plan as written.
844

845 Greg Podleski
846 1950 Broken Lance
847 Rockwall, TX
848

849 Mr. Podleski came forward and stated his opposition to the request and agreed with all the
850 previous comments that have already been expressed. He expressed concern with the public
851 meeting being held during the week of Spring Break he feels the request should be tabled for a
852 later date to ensure anyone that wanted to be present to voice opposition possibly was unable to
853 due to the Spring Break holiday. His opposition is with the traffic, density and overcrowding that
854 will be greatly impacted to the surrounding community in which he lives in. He urged the
855 Commission to not approve.
856

857 Cliff Taylor
858 905 H. Wallace Lane
859 Rockwall, TX
860

861 Mr. Taylor came forward and stated he is against the request. He agrees with the comments that
862 have been shared, and added that his two main concerns for being opposed to the development
863 such as this is the impact it will have on the schools and the roads.
864
865

866 Chris Arnold
867 5170 Bear Claw Lane
868 Rockwall, TX

869
870 Mr. Arnold came forward and stated his opposition of the request. His main concern is with the
871 over-crowding of the schools adding the development will cause, as a father of twins that will be
872 attending those schools in the future.

873
874 Wilbur A. Westmoreland
875 1920 Broken Lance Lane
876 Rockwall, TX

877
878 Mr. Westmoreland came forward and stated his strong opposition to the request. He expressed
879 concern with the traffic, safety issues, possible flooding, and the impact of the value of the
880 homes this development would cause.

881
882 Trish Heinrich
883 4945 Bear Claw Lane
884 Rockwall, TX

885
886 Ms. Heinrich came forward and stated her opposition of the request. Her main concern is with
887 the impact it will have on the schools, she is a teacher at Pullen Elementary and therefore knows
888 how overcrowded the schools already are. She is also concerned with the amount of traffic it will
889 generate which poses a safety issue to the kids attending school in the area. She urged the
890 Commission to strongly consider denying the request.

891
892 Edward Burzair
893 2175 Arrowhead Court
894 Rockwall, TX

895
896 Mr. Burzair came forward and stated his opposition to the request. He agrees with all the
897 comments made and added that he feels the amount of wrecks will increase by all the additional
898 traffic that will be generated and is also opposed with the proposed density.

899
900 Joan Haddock
901 155 Willowcrest
902 Rockwall, TX

903
904 Ms. Haddock came forward and stated being opposed to the request. Her concern is the
905 condition of Lofland and Wallace are deplorable and by adding 600 homes it will only deteriorate
906 further as well as the amount of traffic it will generate. The surrounding homes are an acre and a
907 half and to add a development such as what is being proposed does not fit the area.

908
909 Steve Rummel
910 2230 Arrowhead Court
911 Rockwall, TX

912
913 Mr. Rummel came forward and stated his opposition to the request and agrees with all the
914 comments that have been stated. He feels the already overcrowded schools will be impacted,
915 and the addition of this amount of homes will cause flooding issues. He feels this property
916 should be preserved as is.

917
918 Marcus Bater
919 1940 Broken Lance Lane
920 Rockwall, TX

921
922 Mr. Bater came forward and stated his opposition to the request. His property backs up to the
923 subject property and he agrees with all the comments that have been made.

924
925 Marc Clark
926 4755 Bear Claw Lane
927 Rockwall, TX

928 Mr. Clark came forward and stated he is opposed to the request and agrees with all the
929 comments that have already been shared.

930
931 Bob Lyon
932 1900 Broken Lance Lane
933 Rockwall, TX

934
935 Mr. Lyon came forward and stated his opposition to the request. He feels the floodplain needs to
936 be looked at with more detail because adding this large of a development would cause flooding
937 issues. He expressed strong concerns with traffic issues it will generate, public safety and
938 infrastructure.

939
940 Rex Latham
941 631 H. Wallace Lane
942 Rockwall, TX

943
944 Mr. Latham came forward and stated he is opposed to the proposed plan, he is aware that one
945 day that property will be developed however what is being proposed is not consistent with the
946 surrounding homes.

947
948 Mike Wallace
949 6271 Horizon Road
950 Rockwall, TX

951
952 Mr. Wallace the property owner of the subject property came forward and gave a background of
953 his property since his family obtained it when it was just cotton fields and unpaved. He spoke of
954 how over time the surrounding areas have developed and how the growth that has taken place
955 surrounding their property that was considered to be progress and change that they weren't
956 always in favor with because change does not come as an easy thing. He acknowledged that at
957 the time of annexation they were in opposition of it and at that time didn't have any plan to
958 develop and in fact turned down the development agreement that was offered and accepted that
959 they were going to be annexed, however that has changed and now that they are looking into
960 developing he feels that they have rights as well and those rights seem to be being infringed
961 upon. He indicated the case may be withdrawn and reevaluated but that would be up to who has
962 the invested interest in it. He added that although change is something that is difficult it is
963 inevitable and he feels they should be allowed to be part of the change that is taking place.

964
965 Commissioner Logan asked the applicant to come forward and offer any rebuttal.

966
967 Mr. Kessler came forward and first addressed the drainage issue that was brought up, he stated
968 that they have had numerous discussions with the City Engineering staff and they are aware of
969 the FEMA and City of Rockwall requirements and there will be vigorous studies associated with
970 the floodplain, the dam structure, the areas around the FEMA designated floodplain and the
971 ultimate condition to the project. They understand they are not allowed to release any more
972 water and improvements will be made from a drainage standpoint when the project is under
973 construction. Mr. Kessler went on to state that he is involved with a number of projects
974 throughout the metroplex and has dealt with many different developers and feels Hines is one of
975 those developers that is internationally known and all of their projects are of the highest level
976 and he believes that the completed product would be of value to the community. Mr. Kessler
977 stated that they would like to table the item to the next scheduled meeting because they feel
978 there are a few issues that they believe they can address given additional time such as the traffic
979 and other concerns that were brought up.

980
981 Commissioner Logan closed the public hearing and brought the item back to the Commission
982 for discussion or motion and asked staff for clarification/direction from staff of what options the
983 Commission had before them with the request from the applicant to table the item.

984
985 Mr. Miller stated that the Commission has three options, to make a recommendation to approve,
986 to make a recommendation to deny or grant tabling the item to the next scheduled meeting.
987

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Commissioner Chodun asked if what the Commission chooses to do would it the ultimate decision be made by the City Council. Mr. Miller stated that what the no matter what the Commission chooses the applicant has the ability to go forward to City Council.

Mr. Kessler added that he respects the Commission and respectfully is asking approval from them to have the item tabled to allow them to bring back some adjustments at the next scheduled meeting.

Commissioner Logan expressed reservation because a lot of citizens have already shown up to the meeting to express their opinions and although Mr. Wallace certainly has a right to develop his property, the request is asking for a lot of variances. She expressed hesitation as to putting forward a recommendation to table the item when perhaps better consideration could have been made prior coming forward.

Commissioner Welch asked Engineering staff that in looking at an aerial it wasn't clear if Wallace Lake is a retention pond and if so how does it overflow and in what direction. City Engineer, Amy Williams, discussed by a map provided the direction it flowed.

Commissioner Welch generally expressed not being in favor of the request, although it is within Mr. Wallace's right to do as he wishes with his property, he feels if they would have come forward with anywhere from one to five acre tracts it would not have been met with so much opposition.

Commissioner Moeller expressed generally not being in favor of the request as being proposed his concern is with the density and echoed Commissioner Welch's comments that he felt a development such as The Oaks of Buffalo Way to be more of an Estate development. He also expressed concern over the roadways, traffic and would like to see something highlighting the virgin grass land that is on the property.

Commissioner Fishman stated that there were many good points that were brought up and feels there is a good happy medium between no development and the development being proposed and she would be willing to entertain a different plan that incorporates the issues and concerns that were brought up and that reflects the standards of Rockwall.

Commissioner Chodun generally expressed not being in favor of the request as the general consensus seems to be towards low density and although the Future Land Use Map designates a portion of that to be designated as medium density and that may eventually be the case, he feels it may have been wise if the applicant had reached out to the surrounding community to get their concerns and thoughts and then made a recommendation, but having so many people come out, he indicated he didn't want to entertain the option to table the item he feels there is not much more can be done with the proposed plan other than a completely redraw of the project.

Commissioner Welch made a motion to deny Z2018-010. Commissioner Chodun seconded the motion which passed by a vote of 4-1 with Commissioner Fishman dissenting and Chairman Lyons and Vice-Chairman Trowbridge absent.

11. Z2018-011

Hold a public hearing to discuss and consider a request by Worth Williams of Moore Worth Investment, LLC for the approval of a Specific Use Permit (SUP) for a restaurant with drive-through facilities in a General Retail (GR) District on a 0.81-acre parcel of land identified as Lot 3, Block A, Lakeshore Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1945 N. Goliad Street, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation of the request stating that the subject property is in the Lakeshore Commons shopping center which is currently under construction and faces Lakeshore Drive and zoned Planned Development 65 for General Retail District land use and located within the N. SH-205 Overlay District and therefore has increased requirements with regard to design and landscaping. The applicant is seeking a Specific Use Permit for a restaurant with a drive-through that's greater than 2,000 square feet and they are appropriately

1050 parked for a restaurant at 1 per 100 and they have provided a stacking plan that indicates
1051 conformance with the UDC requirements of six cars being able to que while one car is at the
1052 drive-through window.

1053
1054 Mr. Miller further stated that on February 27, 2018, staff mailed 29 notices to property owners
1055 and residents within 500-feet of the subject property and also notified the Random Oaks/Shores,
1056 Stone Creek, Quail Run Valley and Lakeview Summit Homeowner's Associations. Staff did not
1057 receive any notices for or against the request.

1058
1059 Mr. Miller advised the Commission the applicant was present and available for questions as well
1060 as staff.

1061
1062 Commissioner Chodun asked staff if traffic would be coming in and out of SH-205. Mr. Miller
1063 stated there are one entrance off of North Lakeshore and one entrance off of SH-205.

1064
1065 Commissioner Logan asked the applicant to come forward and speak.

1066
1067 Worth Williams
1068 7700 Eastern Avenue
1069 Dallas, TX

1070
1071 Mr. Williams came forward and stated they are proposing a free standing Starbucks that will be
1072 2,200 square feet, they have reciprocal agreements throughout the property they have four
1073 parcels and the request is for parcel three. They will have 31 parking spaces and the Code only
1074 calls out for 22 and have 122 feet of stacking from the remote menu boards to the pickup window
1075 which will accommodate approximately 12 cars.

1076
1077 Commissioner Logan opened up the public hearing and asked anyone who wished to speak to
1078 come forward and do so.

1079
1080 Tina Renick
1081 442 Sonoma Dr.
1082 Rockwall, TX

1083
1084 Ms. Renick came forward and stated her property backs up to the subject property and she
1085 generally expressed being in opposition to the request due to the traffic it will produce, she feels
1086 there is already very bad traffic on SH-205 being a two lane road. She expressed concern with all
1087 the building and construction that is being done on SH-205 she believes that is making Rockwall
1088 lose the "small town" feel that so many people move to Rockwall to enjoy.

1089
1090 Linda Baxtor
1091 454 Sonoma Dr.
1092 Rockwall, TX

1093
1094 Ms. Baxtor came forward and stated her concern is the traffic issues it will cause on an already
1095 congested road.

1096
1097 Commissioner Logan asked the applicant to come forward and offer any rebuttal.

1098
1099 Mr. Williams came forward and stated that they work very closely with TXDOT on the approach
1100 on Memorial Drive and embellished the shoulder on SH-205 to accommodate some additional
1101 traffic heading south to come into the shopping center.

1102
1103 Commissioner Moeller made a motion to approve Z2018-011 with staff recommendations.
1104 Commissioner Logan seconded the motion which passed by a vote of 5-0 with Chairman Lyons
1105 and Vice-Chairman Trowbridge absent.

1106
1107
1108 12. Z2018-012

1109 Hold a public hearing to discuss and consider a request by Ed Hicks, Jr. of Clay Cooley Automotive for
1110 the approval of an amendment to a Specific Use Permit (SUP) (i.e. SUP S-131 [Ordinance No. 15-05])
1111 that allows for outside storage and a new motor vehicle dealership on a ten (10) acre tract of land

1112 identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna
1113 Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District,
1114 situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any
1115 action necessary.
1116

1117 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant
1118 is requesting approval of an amendment to S-131 to allow for the demolition of an existing metal
1119 building at 1530 E. IH-30. Under Ordinance No. 15-05, the applicant is required to meet certain
1120 benchmarks associated with improvements on the property to keep the current SUP active. This
1121 SUP allows for limited outside storage of new automobiles on the subject property, and has the
1122 ability for the applicant to convert this use to a New Automotive Dealership without amending
1123 the SUP if all phases of the improvements outlined in the ordinance are completed. Currently,
1124 the applicant has finished Phases 1 & 2 which includes various paving and drainage
1125 improvements and is in the process of commencing Phase 3, which requires the exterior of the
1126 metal building to be clad in an Aluminum Composite Material however the applicant has
1127 indicated to staff that they are close to reaching a deal with a new automotive dealership, and
1128 will be demolishing the building to accommodate the new user and would like to amend the SUP
1129 to allow for the demolition of the metal building as opposed to improving a building they plan on
1130 demolishing. At the February 5, 2018 City Council meeting, the applicant met with the City
1131 Council and requested that they take deferred action on enforcing the SUP expiration
1132 requirements and the purpose of that request was to allow additional time to amend the SUP to
1133 change the Phase 3 requirements.
1134

1135 Mr. Miller further noted that staff mailed 33 notices to property owners and occupants within
1136 500-feet of the subject property on February 27, 2018 and received 6 notices from 3 property
1137 owners in favor of the applicant's request.
1138

1139 Mr. Miller advised the Commission that the applicant was present and available for questions as
1140 well as staff.
1141

1142 Commissioner Logan asked if the building was currently an operating business. Mr. Miller stated
1143 the building was not being used.
1144

1145 Commissioner Logan asked the applicant to come forward and speak.
1146

1147 Ed Hicks Jr.
1148 4585 Newcastle Drive
1149 Rockwall, TX
1150

1151 Mr. Hicks came forward and spoke briefly of his request stating that they priced the paneling and
1152 is approximately \$150,000 they are currently in the application process for two different
1153 franchises and should have a commitment by the end of the year, the condition of the existing
1154 building is deteriorated and by demolishing it will save them time and money.
1155

1156 Commissioner Logan opened up the public hearing and asked if anyone wished to speak to
1157 come forward.
1158

1159 Zachary Amick
1160 1957 Stevens
1161 Rockwall, TX
1162

1163 Mr. Amick came forward and spoke of being in favor of the request.
1164

1165 Commissioner Logan asked if anyone else wished to speak to come forward there being no one
1166 indicating such, Commissioner Logan closed the public hearing and brought the item back to
1167 the Commission for discussion or action.
1168

1169 Commissioner Welch made a motion to approve Z2018-012 with staff recommendations.
1170 Commissioner Chodun seconded the motion which passed by a vote of 5-0 with Chairman
1171 Lyons and Vice-Chairman Trowbridge absent.
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V. ACTION ITEMS

13. SP2018-005

Discuss and consider a request by Crystal Vasquez of Huckabee on behalf Will Salee of the Rockwall Independent School District for the approval of a site plan for a school on a 6.983-acre parcel of land identified as Lot 1, Block A, Rockwall School Addition #2, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 615 Highland Drive, and take any action necessary.

Senior Planner, David Gonzales, gave a brief explanation of the request requesting stating that the applicant is seeking approval of a site plan for the purpose of constructing a two-story, 88,000 square foot public school. The existing Reinhardt Elementary School that is located on a 6.983-acre parcel of land will be demolished in order to construct the proposed public school facility. The property is zoned Single Family 10 District and is situated at the northwest quadrant of Highland Drive and Driftwood Street, and is addressed as 615 Highland Drive. The proposed elementary school will have 28 classrooms and accommodate approximately 750 students. Parking for the facility is calculated at 1 space per 25 students, requiring a minimum of 30 parking spaces. The site will incorporate a total of 105 parking spaces that will accommodate the faculty, visitors, and any additional events that may necessitate additional parking. The re-design of the site is to alleviate traffic congestion that currently occurs during drop-off and pick-up times along Highland Drive. This will be accomplished by creating a one-way entrance and stacking lanes at the rear of the facility that can be accessed from adjacent streets being Driftwood Street, Carriage Trail, and Aspen Court, and will exit at Highland Drive. The primary entrance to the elementary school can be accessed via a one-way drive from Highland Drive. This entrance will also be used for buses.

Mr. Gonzales further explained that the treescape plan provided by the applicant indicates 599 caliper inches of trees will be removed from the site and will require mitigation. The applicant will be installing 184 caliper inches on site, which will be applied toward the mitigation balance. Additionally, 2 Elm trees Tree No. 48 = 42 caliper inches & Tree No. 78 = 27 caliper inches -- totaling 69 caliper inches will be saved and qualify for the Tree Preservation Credit that will be applied to the mitigation balance. Taking into account the trees being installed on site and the saved Elm trees, the total mitigation balance due is 443 caliper inches. The applicant can satisfy the mitigation balance by either a) installing additional trees on site, b) petition the Parks and Recreations Department to accept the mitigation balance based on a required number of three (3) inch caliper trees meeting the mitigation balance, or c) purchase tree credits for up to 20% of the total mitigation balance and satisfy the remaining 80% balance as indicated in a) and/or b) above. The applicant may also request by recommendation of the Planning and Zoning Commission an Alternative Tree Mitigation Settlement Agreement that requires approval by the City Council. The applicant has not indicated to staff how the mitigation balance will be satisfied. However, the removal of the trees has been included as a condition of approval, including the method for satisfying the mitigation balance. The site plan, building elevations, landscape plan, treescape plan and photometric plan are in substantial compliance and conform to the technical requirements of the UDC, with the exception of the stone material on the north, south, and west elevations. The case went before the Architectural Review Board at the last meeting on February 27th and the Board unanimously forwarded a recommendation of approval.

Mr. Gonzales advised the Commission that the applicant was present and available for questions as well as staff.

Commissioner Logan asked the applicant to come forward and speak.

Will Salee
Rockwall ISD

Mr. Salee came forward and stated they are going to improve the traffic flow with this property even though they are adding significant square footage they are not adding a tremendous amount of capacity. Mr. Salee stated that he has spoken with the Parks Department in regards to the tree mitigation and because of the limited size of the property there really isn't the opportunity to mitigate and plant the trees on site and therefore will likely make a payment to the extent possible to the tree mitigation fund to satisfy those requirements and after will likely be able to be handled administratively.

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Commissioner Logan asked concerning the traffic flow. Mr. Salee explained that the former Dobbs Elementary will be house Reinhardt students and faculty for a year and a staggered start time will be implemented and they will be working with the transportation department to do a 30 minute offset to help alleviate any traffic concern. They will also add additional parking south of the Dobbs building to allow enough parking for staff and have also spoken with both principals of the schools who will be working together to not have any assembly's or events on a same night.

Commissioner Moeller made a motion to approve Z2018-012 with staff recommendations. Commissioner Chodun seconded the motion which passed by a vote of 5-0 with Chairman Lyons and Vice-Chairman Trowbridge absent.

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

- ✓ P2018-004: Lots 14 & 15, Block 2, Alliance Addition [Approved]
- ✓ P2018-005: Lot 1, Block A, Rockwall School of Music Addition [Approved]
- ✓ Z2018-001: Amended PD Development Plan (2nd Reading) [Approved]
- ✓ Z2018-002: SUP for the Replacement of a Telecommunications Tower (2nd Reading) [Approved]

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

VI. ADJOURNMENT

Commissioner Logan adjourned the meeting at 10:12 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 27 day of March, 2018.



Johnny Lyons, Chairman

Attest



Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
March 27, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:04 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Annie Fishman, Eric Chodun and Patrick Trowbridge. Absent from the meeting was Commissioner Logan. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the March 13, 2018 Planning and Zoning Commission meeting.

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

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

Chairman Lyons advised the Commission that Agenda Item #6 would be moved up on the agenda.

IV. DISCUSSION ITEMS

3. Z2018-013

Hold a public hearing to discuss and consider a request by John Arnold of the Skorburg Company on behalf of BH Balance 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) [*Ordinance No. 17-60*] to amend the concept plan and for the purpose of incorporating changes to the lot composition and land uses stipulated by the development standards and concept plan contained in *Exhibits 'B' & 'C' of Ordinance No. 17-60* for a 405.184-acre tract of land identified as the Breezy Hill Subdivision and situated within the J. Strickland Survey, Abstract No. 187, the T. R. Bailey Survey, Abstract No. 30, and the J. Simmons Survey, Abstract No. 190, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

Planner, Korey Brooks, advised the Commission that the applicant was present and staff was available for questions.

Chairman Lyons asked the applicant to come forward and speak.

Adam Buzcek
Skorburg Company
8214 Westchester Drive #710
Dallas, TX

Mr. Buzcek came forward and provided a power point presentation that gave an overview of the zoning request, proposed master plat and the development standards. The current master plat consists of 750 residential lots and 20 acres will be the only area impacted will consist of 794 lots the density will remain below 2.0 at 1.95 and the residential portion will total approximately

63 11 acres leaving an optimal commercial acreage of approximately 9 acres that predominantly
64 frontages FM-552. The presentation also detailed the type lots and sizes. Mr. Buzcek advised the
65 Commission he was available for questions.
66

67 Chairman Lyons asked for questions from the Commission.
68

69 Commissioner Trowbridge expressed concern with the request now limiting the retail that could
70 potentially go in with downsizing the size.
71

72 Commercial Moeller commented that his hope is that they do not come back and request
73 additional changes in the future totally eliminating the Commercial development in that area.
74

75 Commissioner Fishman asked what the original total number of houses that was originally
76 approved. Mr. Brooks indicated that with the original 212 Agreement it was 810 then went to 658
77 and then 691 and lastly to 742 lots.
78

79 General discussion took place between the Commission concerning the loss of possible retail
80 with the reduction in size.
81

82 There being no further questions Chairman Lyons indicated the case will return to the
83 Commission for action at the next scheduled meeting.
84

85
86 4. Z2018-014

87 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
88 amendment to various sections of Article V, *District Development Standards*, of the Unified
89 Development Code [*Ordinance No. 04-38*] for the purpose of amending the variance process relating to
90 signage for properties in an overlay district, and take any action necessary.
91

92 Planning Director, Ryan Miller, gave a brief explanation of the request stating that recently there
93 was a case come before the Commission and City Council that dealt with a variance to signage
94 requirements in the Overlay District typically signage requirements are dealt with by the
95 Municipal Code of Ordinances thru the Building Inspections department with variances going to
96 City Council however there are clauses in each of the Overlay Districts that allows a case to be
97 brought forward. After the case it was brought up that the clause should potentially be removed
98 and City Council then directed staff to bring forward a text amendment that would remove those
99 clauses from the Overlay District requirements. The clause was modified leaving the three
100 quarter majority vote but would subjugate the request to be required to go through the current
101 process for signage variance meaning it would go straight to City Council but if in an Overlay
102 District it would require a super majority vote for approval.
103

104 Mr. Miller advised the Commission staff was available for questions.
105

106 Chairman Lyons indicated the case will return to the Commission for action at the next
107 scheduled meeting.
108

109 5. Z2018-015

110 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
111 amendment to various sections of Article II, *Authority and Administrative Procedures*, of the Unified
112 Development Code [*Ordinance No. 04-38*] for the purpose of clarifying the reapplication procedures for
113 applications that have been denied by the City Council, and take any action necessary.
114

115 Planning Director, Ryan Miller, gave a brief explanation of the request stating that it is a text
116 amendment brought under the same circumstances to Article II Authority and Administrative
117 Procedures. Currently the only restriction on re-application is through the zoning application
118 and if the zoning application is denied without an indication of prejudice it is subject to a one
119 year waiting requirement with the Planning and Zoning Commission able to hear a case by case
120 for substantial change. The text amendment would make all cases heard by the Planning and
121 Zoning Commission and City Council subject to the same requirements.
122

123 Chairman Lyons indicated the case will return to the Commission for action at the next
124 scheduled meeting.

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6. Z2018-016

Hold a public hearing to discuss and consider a request by Clark Staggs on behalf of Vinod Miranda for the approval of a zoning change from a Commercial (C) District to a Planned Development District for an age-restricted multi-family apartment complex and limited Commercial (C) District land uses on a on 9.70-acre tract of land identified as Tract 15 of the 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 southwestern corner of the intersection of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary.

Senior Planner, David Gonzales, advised the Commission that the applicant was present and would be providing a presentation of the request and staff would add any additional information if needed.

Chairman Lyons asked the applicant to come forward and speak.

Robert LaCroix
4517 Scenic Drive
Rowlett, TX

Mr. LaCroix came forward and stated they have been working with the architect, property owner and engineer with the comments and feedback that they have been receiving from staff, and additionally changes have since been made from the information the Commission received in the packets sent to them Friday before this evenings meeting. Mr. LaCroix indicated he would provide detail of the changes but first wanted to discuss the request. He spoke of the subject property being a good piece of property however there are several problems associated with the property such as the slope coming from Ridge Road and the railroad right of way in the back and part of the issue over the years with the property has been that the uses have been difficult to align although it is zoned Commercial and although there are a lot of uses that are allowed, the issue with not having direct access from Ridge Road has poses a challenge in addition with the build out over the years that is now complete which is Turtle Cove and since that build out of Turtle Cove has been completed the state has since placed an additional signal at Turtle Cove Drive which has and would alleviate any traffic concern with the addition of this controlled intersection. Mr. LaCroix went on to discuss the request which is an age restricted high quality residential facility that will consist of 160 units approximately 840 square feet restricted based on federal housing laws that will be put into deed restrictions and will be starting at the restricted age of 62 and older. There is a high demand for this type facility. Associated with the 160 age restricted units there is also 7 unit "villas" townhome type product. Along with that they are proposing to leave the zoning open for general office, medical office, and medical clinic, nursing care, convalescent care which are uses that tie into the memory care and it will be left open for hospice care. Additionally they have offered to the Emergency Services of Rockwall County the opportunity to have a sub-station on site and which they have agreed to do should the request be approved. Mr. LaCroix went on to discuss the elevations and parking they are proposing for the building.

Chairman Lyons asked for questions from the Commission.

Commissioner Chodun asked if a senior facility has recently been approved by the library. Mr. Miller stated there was a recent approval for a senior facility. Commissioner Chodun asked concerning the deed restrictions. Commissioner Trowbridge asked concerning the views and falls on the property and how it would affect the properties behind the railroad track.

Tom Jones
5815 Meadowcrest
Dallas, TX

Mr. Jones came forward and explained that across the angle of the site there is about fifty foot of fall from the corner of Ridge Road to the corner of Turtle Cove Drive at the railroad.

Clark Staggs
1601 Seascape
Rockwall, TX

187 Mr. Staggs came forward and spoke of the need that an additional EMS location due to the one
188 currently on SH-205 will be moving to the north part of the City. By positioning an ambulance
189 and a crew within their proposed building it would give EMS 30 second access to Ridge Road
190 and Turtle Cove as well as Lakeside Village. It would be an advantage and benefit the entire
191 community.
192

193 Chairman Lyons indicated the case will return to the Commission for action at the next
194 scheduled meeting.
195

196
197 7. Z2018-017

198 Hold a public hearing to discuss and consider a request by Pat Atkins of Saddlestar Land Development
199 on behalf of the Stagliano Family Trust for the approval of a zoning change from an Agricultural (AG)
200 District, Commercial (C) District and Heavy Commercial (HC) District to a Planned Development District
201 for commercial/retail, single-family and townhome land uses on a 63.72-acre tract of land identified as
202 Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned
203 Agricultural (AG) District, Commercial (C) District and Heavy Commercial (HC) District, situated within
204 the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of S. Goliad Street [SH-205]
205 and Mims Road, and take any action necessary.
206

207 Senior Planner, David Gonzales, gave a brief background of the request stating that earlier in the
208 year the applicant had requested a zoning change and the Commission forwarded a
209 recommendation to City Council to deny the applicant's request however before the public
210 hearing took place at the City Council meeting on February 5, 2018 the applicant submitted a
211 request to withdraw the case and City Council accepted the withdrawal.
212

213 Mr. Gonzales further noted that the applicant has since made changes and is present to discuss
214 those changes and staff was available for questions as well.
215

216 Chairman Lyons asked the applicant to come forward and speak.
217

218 Richard Hovas
219 Engineering Concepts
220 2001 Winco
221 Wylie, TX
222

223 Mr. Hovas came forward and discussed the changes they have made to the proposal from the
224 last time it was brought forward those changes include construction of the two lanes of SH-205
225 with a facilities agreement, changes to meet the 20% open space requirement, changes to the
226 orientation of the garages, conducting a traffic study, and addressing architectural comments
227 that were brought up. He advised the Commission he was filling in for Pat Atkins who was
228 unable to attend the meeting however he would answer any questions the Commission as best
229 he could.
230

231 Chairman Lyons asked for any questions from the Commission.
232

233 Commissioner Choudun asked concerning a change listed in the SUP requirement for gasoline
234 services uses in General Retail District. Mr. Hovas indicated he was not clear on what that
235 change involved. Mr. Gonzales added that the applicant requested the last time for that to be a
236 by right use for the General Retail portion and essentially what the applicant is requesting is for
237 that use to be thru a Specific Use Permit should it be approved as opposed to a right by use.
238

239 Commissioner Welch asked concerning the paving concept that they have provided that shows
240 SH-205 and some expansion lanes for turning and so forth, is that strictly conceptual or has it
241 been proposed to TXDOT and has TXDOT agreed to the plan. Mr. Hovas stated he did not believe
242 that it has been approved by TXDOT at this time.
243

244 There being no further questions Chairman Lyons indicated the case will return to the
245 Commission for action at the next scheduled meeting.
246

247
248 8. MIS2018-006

249 Hold a public hearing to discuss and consider a City initiated request to amend the Comprehensive Plan
250 by approving changes to the Master Thoroughfare Plan Map contained within the *Transportation* section
251 of the plan for the purpose of [1] reclassifying Horizon Road [FM-3097] from a M4U (*minor arterial, four*
252 *[4] lane, undivided roadway*) to a TXDOT4D (*TXDOT, four [4] lane, roadway*) and [2] realigning Breezy
253 Hill Road to reflect existing public right-of-way, and take any action necessary.

254
255 **Planning Director, Ryan Miller gave a brief explanation of the request stating that currently the**
256 **Rockwall County is in the process of reviewing and amending their thoroughfare plan and they**
257 **have asked for the City's input. Through that review process staff identified two changes that**
258 **warranted bringing an amendment to the City's Thoroughfare Plan and staff wanted to make City**
259 **Council aware of those two changes ahead of Rockwall County approving their thoroughfare**
260 **plan. Staff brought the proposed changes before the City Council on March 19, 2018 and at this**
261 **meeting, staff was directed to proceed with making the following changes to the City's Master**
262 **Thoroughfare Plan: [1] a change showing the realignment of Breezy Hill Road to follow existing**
263 **right-of-way, and [2] increasing Horizon Road from a M4D, minor collector, four lane, divided**
264 **roadway, to a TXDOT4D, four lane TXDOT roadway.**

265
266 **Mr. Miller advised the Commission staff was available for questions.**

267
268 **Chairman Lyons indicated the case will return to the Commission for action at the next**
269 **scheduled meeting.**

270
271 9. P2018-001

272 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of
273 BH Phase 8, LLC for the approval of a preliminary plat for Breezy Hill, Phase VIII containing 72 single-
274 family residential lots on 30.785-acres of land identified as Tract 7 of the J. Strickland Survey, Abstract
275 No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for
276 Single Family 10 (SF-10) District land uses, located along the eastern side of Breezy Hill Lane, and take
277 any action necessary.

278
279 **Planner, Korey Brooks, gave a brief explanation of the request stating that this was a preliminary**
280 **plat for Phase VIII of Breezy Hill for 72 lots. The case recently went before the Board of**
281 **Adjustments to allow a decrease in lot depth for the majority of lots along Breezy Hill Road. The**
282 **PD states that those lots are to be 180 feet and the Board of Adjustments made an adjustment to**
283 **allow for 175 feet allowing for a 10 foot landscape buffer adjacent to Breezy Hill Road.**

284
285 **Mr. Brooks advised the Commission the applicant was present and available for questions as**
286 **well as staff.**

287
288 **Chairman Lyons asked the applicant to come forward.**

289
290 **Adam Buzcek**
291 **Skorburg Company**
292 **8214 Westchester Drive #710**
293 **Dallas, TX**

294
295 **Mr. Buzcek came forward and stated he was available for questions.**

296
297 **No discussion took place concerning this agenda item.**

298
299 **Chairman Lyons indicated the case will return to the Commission for action at the next**
300 **scheduled meeting.**

301
302 10. P2018-007

303 Discuss and consider a request by Johnathan Fitzgerald of Binkley & Barfield, Inc. for the approval of a
304 final plat for Park Place West, Phase III containing 82 single-family residential lots on a 25.291-acre
305 tract of land being identified as Tracts 55-1 & 55-2 of the R. Ballard Survey, Abstract No. 29, City of
306 Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single Family 7
307 (SF-7) District land uses, generally located at the terminus of Park Place Boulevard, and take any action
308 necessary.
309

310 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is
311 requesting to final plat 82 single family lots for the Park Place West Phase III. It is coming before
312 the Commission because it will be going before the Parks Board on April 3, 2018 to have park
313 fees assessed.
314

315 Mr. Brooks advised the Commission that the applicant was not present however staff could
316 answer any additional questions they may have.
317

318 There being no questions Chairman Lyons indicated the case will return to the Commission for
319 action at the next scheduled meeting.
320

321
322 11. P2018-008

323 Discuss and consider a request by Stephen Selinger on behalf of Pham Bang Kim for the approval of a
324 preliminary plat for Southridge Estates containing 320 single-family residential lots on a 72.6049-acre
325 tract of land being identified as Tract 6 of the R. Dickens Survey, Abstract No. 73, Rockwall County,
326 Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located north of
327 the intersection of SH-276 and FM-551, and take any action necessary.
328

329 Senior Planner, David Gonzales, stated that the case went before the County today for
330 discussion and the City is waiting to get a response from the County prior to moving forward.
331 Mr. Gonzales advised the Commission that a representative of the applicant was present and
332 could further detail the request.
333

334 Chairman Lyons asked the applicant to come forward and speak.

335 Richard Hovas
336 2001 Winco
337 Wylie, TX
338

339 Mr. Hovas came forward and stated they went before the County and will be bringing additional
340 information when the County gets it to them.
341

342 Commissioner Trowbridge asked if lot sizes would all consist of 50 foot lots and would they be
343 asking for all front entry garages. Mr. Hovas indicated that was correct however the corner and
344 cul-de-sac lots would be somewhat larger.
345

346 Mr. Miller added that this being in the City's ETJ they were not required to build to the City's
347 standards so long as it meets the technical requirements thru the inner local agreement.
348

349 There being no further questions Chairman Lyons indicated the case will return to the
350 Commission for action at the next scheduled meeting.
351

352
353 12. SP2018-007

354 Discuss and consider a request by Worth Williams of Moore Worth Investment, LLC for the approval of
355 a site plan for a restaurant with drive-through facilities on a 0.81-acre parcel of land identified as Lot 3,
356 Block A, Lakeshore Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
357 Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North
358 SH-205 Overlay (N. SH-205 OV) District, addressed as 1945 N. Goliad Street, and take any action
359 necessary.
360

361 Planner, Korey Brooks, advised the Commission that the applicant was present to discuss the
362 case and staff was available for questions.
363

364 Chairman Lyons asked the applicant to come forward and speak.
365

366 Worth Williams
367 7700 Eastern Avenue
368 Dallas, TX
369

370 Mr. Worth came forward and stated he was available for questions.
371

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Mr. Brooks added that at the last meeting the Commission recommended approval of a Specific Use Permit to allow this restaurant with a drive-through.

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

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

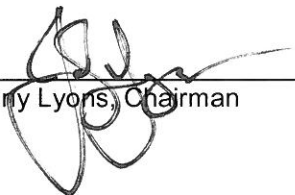
- ✓ P2017-058: Final Plat of Stone Creek, Phase 9 [Approved]
- ✓ P2018-006: Final Plat of Lot 2, Block A, Technology Park, Phase IV Addition [Approved]
- ✓ Z2018-004: SUP for a Carport at 706 Stillwater Drive (1st Reading) [Denied]
- ✓ Z2018-005: SUP for an Accessory Building at 1800 Dalton Road (1st Reading) [Approved]
- ✓ Z2018-006 & Z2018-007: Zoning Change (SF-7 to RO) (1st Reading) [Approved]
- ✓ Z2018-008: SUP for an Avid Hotel (1st Reading) [Approved]
- ✓ Z2018-010: Zoning Change (AG to PD for SF-7) (1st Reading) [Withdrawn]
- ✓ Z2018-011: SUP for a Restaurant with Drive-Through (1st Reading) [Approved]
- ✓ Z2018-012: Amendment to S-131 (1st Reading) [Approved]
- ✓ SP2018-005: Exception to the Material Requirements for a School [Approved]
- ✓

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

V. ADJOURNMENT

Chairman Lyons adjourned the meeting at 7:54 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 12 day of June, 2018.



Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
April 10, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Eric Chodun, Tracy Logan and Patrick Trowbridge. Absent from the meeting were Commissioners Moeller and Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. P2018-001

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 8, LLC for the approval of a preliminary plat for Breezy Hill, Phase VIII containing 72 single-family residential lots on 30.785-acres of land identified as Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located along the eastern side of Breezy Hill Lane, and take any action necessary.

2. P2018-007

Discuss and consider a request by Johnathan Fitzgerald of Binkley & Barfield, Inc. for the approval of a final plat for Park Place West, Phase III containing 82 single-family residential lots on a 25.291-acre tract of land being identified as Tracts 55-1 & 55-2 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Single Family 7 (SF-7) District land uses, generally located at the terminus of Park Place Boulevard, and take any action necessary.

Commissioner Welch made a motion to approve the consent agenda. Commissioner Trowbridge seconded the motion which passed by a vote of 6-0 with Commissioners Moeller and Fishman absent.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

IV. PUBLIC HEARING ITEMS

4. Z2018-013

Hold a public hearing to discuss and consider a request by John Arnold of the Skorburg Company on behalf of BH Balance 405, LTD for the approval of a zoning amendment to Planned Development District 74 (PD-74) [Ordinance No. 17-60] to amend the concept plan and for the purpose of incorporating changes to the lot composition and land uses stipulated by the development standards and concept plan contained in Exhibits 'B' & 'C' of Ordinance No. 17-60 for a 405.184-acre tract of land identified as the Breezy Hill Subdivision and situated within the J. Strickland Survey, Abstract No. 187, the T. R. Bailey Survey, Abstract No. 30, and the J. Simmons Survey, Abstract No. 190, Rockwall, Rockwall County, Texas, generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

63 Planner, Korey Brooks, gave a brief explanation and background of the request stating that the
64 subject property was annexed in 2008 after three years of litigation that lead to the execution of
65 a Chapter 212 Development Agreement. In accordance with this agreement, the property was
66 zoned to Planned Development District 74 on April 20, 2009 with the intention of being a master
67 planned residential community that offered tracts of land designated for retail/office, residential,
68 and institutional land uses. The approval of this zoning change altered the existing 212
69 Development Agreement which originally permitted 810 single-family residential lots and did not
70 contain any retail acreage to include 658 single-family residential lots and a 59-acre tract of land
71 designated for general retail land uses. The retail tract of land is located at the northeast corner
72 of the intersection of FM-552 and John King Boulevard. On October 1, 2012 the City Council
73 approved an amendment to Planned Development District 74 modifying the concept plan to
74 remove the school sites that were originally required by the Facilities Agreement and to adjust
75 the lot mix accordingly increasing the number of lots from 658 to 691. The lot mix was again
76 increased on July 7, 2014 from 691 lots to 742 lots for the purpose of incorporating two
77 additional phases and to reduce the land designated as commercial/retail from 59.4-acres to
78 33.7-acres. On November 7, 2017, the City Council approved another amendment to Planned
79 Development District 74 modifying the concept plan to further reduce the commercial/retail land
80 from 33.7-acres to 19.49-acres for the purpose of adding 40, 60' x 120' lots and increasing the
81 overall lot count from 742 to 776. As part of this amendment, the applicant was granted
82 entitlement to allow 50%, of the additional 40 lots, to incorporate a flat front entry garage.
83 Subsequently, on November 6 2017, the City Council approved an amendment to Planned
84 Development District 74 reducing the number of lots in the subdivision from 776 to 750 for the
85 purpose of allowing additional 100' x 200' lots and 100' x 180' lots and as part of this request, the
86 applicant was also requested to allow 50% of the remaining 94, 70' x 120' lots be allowed to
87 incorporate flat front entry garages.

88
89 Mr. Brooks went on to explain that the applicant is requesting to amend Planned Development
90 District 74 to approve an alternate concept plan and development standards. Specifically, the
91 applicant is requesting to increase the number of lots in the subdivision from 750 to 794 for the
92 purpose of constructing additional 60' x 120' lots that would include the front entry garages.
93 Currently, PD-74 allows the applicant to construct 164, 60' x 120' Type 'E' lots. The applicant is
94 requesting to increase this to 208, 60' x 120' lots for the purpose of adding 44 lots and
95 decreasing the commercial tract from 19.4-acres to 8.99-acres. These changes will increase the
96 overall lot count from 750 lots to 794 lots, increasing the overall density of the development from
97 1.85-units/acre to 1.95-units/acre. Additionally, Type 'E' lots allow for a maximum of 50% flat-
98 front entry garages. The proposed changes will increase the maximum number of allowable flat-
99 front entry garages for Type 'E' lots from 20 lots to 42 which would be 22 additional allowable
100 flat-front entry lots. The Future Land Use Map contained within the Comprehensive Plan
101 designates the subject property for Commercial land uses. If approved, this request would
102 necessitate an amendment to the Future Land use map from Commercial land uses to
103 Commercial and Low-Density land uses.

104
105 Mr. Brooks further noted that on March 23, 2018, staff mailed 539 notices to property owners and
106 residents within 500-feet of the subject property. Staff also emailed a notice to the Breezy Hill
107 Homeowner's Association, which is the only HOA located within 1,500 feet of the subject
108 property. At the time the case memo was drafted staff had received 4 notices and 1 email in
109 opposition of this request however since then staff has received 4 additional notices in
110 opposition and 1 notice in favor, 6 emails in opposition and 12 emails in favor.

111
112 Mr. Brooks indicated that the applicant was present and available for questions as well as staff.

113
114 Chairman Lyons opened up the public hearing and asked the applicant to come forward.

115
116 Adam Buzcek
117 8214 Westchester Drive Suite 210
118 Dallas, TX
119

120 Mr. Buzcek came forward and gave a brief explanation of the request and provided a power point
121 presentation that outlined details of the proposal. He generally explained that the "retail
122 apocalypse" which is causing big retail companies to go bankrupt or close down due to the
123 declining brick and mortar retail market which they feel is due to Amazon and other online
124 retailers taking over the retail industry therefore there is not a large market for these types of

125 businesses. In looking at their current master plat only 11.4 acres would be impacted by the
126 zoning request and the zoning agrees with existing quality and development standards. Mr.
127 Buzcek indicated he was available for questions.

128
129 Chairman Lyons asked for questions from the Commission.

130
131 Commissioner Chodun asked how long the Commercial property been on the market. Mr.
132 Buzcek stated since 2007 since they purchased it.

133
134 Commissioner Trowbridge generally expressed a need for retail space for smaller
135 "neighborhood commercial" businesses for the residential area.

136
137 Commissioner Logan asked if this was the third time the applicant is coming before them asking
138 to make it smaller. Mr. Buzcek stated it is the third time they are asking to decrease on the
139 commercial lot.

140
141 Chairman Lyons asked if anyone wished to speak to come forward and speak.

142
143 Erin Neal & Jeremy Neal
144 3410 Ridgexcross Drive
145 Rockwall, TX

146
147 Mrs. Neal came forward and stated her house backs up to the commercial development and both
148 she and her husband are in full support of the proposal they prefer decreasing that tract. They
149 urged the Commission to consider approving the request.

150
151 Chairman Lyons asked if there was anyone who wished to speak to come forward and do so,
152 here being no one indicating such Chairman Lyons closed the public hearing and brought the
153 item back to the Commission for discussion or action.

154
155 Chairman Welch made a motion to approve Z2018-013 with staff recommendations.
156 Commissioner Chodun seconded the motion which passed by a vote of 3-2 with Commissioners
157 Trowbridge and Logan dissenting and Commissioners Moeller and Fishman absent.

158
159
160 5. Z2018-016

161 Hold a public hearing to discuss and consider a request by Clark Staggs on behalf of Vinod Miranda for
162 the approval of a zoning change from a Commercial (C) District to a Planned Development District for
163 an age-restricted multi-family apartment complex and limited Commercial (C) District land uses on a on
164 9.70-acre tract of land identified as Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of
165 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay
166 (SOV) District, located at the southwestern corner of the intersection of Ridge Road [FM-740] and Turtle
167 Cove Boulevard, and take any action necessary.

168
169 Senior Planner, David Gonzales, stated that he had provided the Commission with an updated
170 case memo that contained additional notices that were received since the original memo had
171 been sent out. He went on to give a brief explanation of the request stating that the applicant
172 submitted an application requesting to rezone the subject property from a Commercial District to
173 a Planned Development District for an age restricted, multi-family apartment complex. The
174 applicant has submitted a concept plan, building elevations, and development standards for the
175 proposed age restricted multi-family apartment complex, townhome, and limited Commercial
176 District land use development. The concept plan shows that the proposed 160-unit age
177 restricted, multi-family apartment complex will be constructed as a four story building. The
178 proposed four story building design will incorporate an architectural style that surrounds the
179 courtyard and pool, which is located at the center of the facility. The concept plan also indicates
180 the inclusion of two separate buildings to be constructed as a three unit and a four unit
181 residential cottage styled townhomes. In taking a look at the Future Land Use Map a condition of
182 approval would be included to amend the Future Land Use Map to reflect the proposed change
183 in land use on a portion of the subject property from a Commercial designation to a High Density
184 Residential designation for Area I and Area II. The remainder of the property will remain under
185 the Commercial designation which is for Area III. In addition, The Master Thoroughfare Plan
186 contained in the Comprehensive Plan indicates that certain roadways will need to be upgraded

187 with this development. Specifically, the applicant would be responsible for the dedication of
188 right-of-way and proportional improvements of minor collector thoroughfare from La Jolla Point
189 Drive to Turtle Cove Blvd. The minor collector requires a minimum of a 60-foot right-of-way with
190 a 41-foot, back-to-back roadway with five feet sidewalks on each side. During Phase I the
191 applicant would build a 24 foot section and that would connect Turtle Cove all the way to La
192 Jolla Pointe. Once Phase II happens which is the Commercial portion then the remainder of the
193 60 foot right-of-way would be built at that time. They will be providing walking trails that will
194 provide connectivity with the development. In taking a look at the concept plan the development
195 will also include a walking trail, landscaped courtyards, pool amenity, and an indoor recreation
196 area. Additional accessory uses such as a barber and beauty shop, chapel, cafeteria/common
197 dining facilities, health studio, will be available to the residents. This will include the use of an
198 on-site emergency ambulance service, Rockwall EMS, housed within the multi-family apartment
199 complex.
200

201 Mr. Gonzales further explained a breakdown of the units which will be 1, 2 and 3 bedrooms of
202 which 92 will be 1 bedroom units, 62 units will be 2 bedroom and six 3 bedroom units. In addition
203 to that there will be 7 townhome units that will be associated with the property. With that unit
204 composition equals a net average unit size of 841 square feet for the multi-family apartment
205 complex and 1,572 SF for the townhome units. Based on the size of the subject property and the
206 number of units proposed (i.e. 160 MF units + 7 townhome units = 167 units/8.166-acres), the
207 requested density will be 20.45 units per acre, which does not meet the standards established
208 for a Multi-Family 14 District. However, the applicant is requesting the underlying zoning to
209 remain as a Commercial District. This would be considered a deviation from the City's
210 requirements to have residential land uses within a Commercial District, but a Planned
211 Development District is considered to be flexible zoning and could allow the proposed change
212 and that would require a discretionary approval by the City Council. In addition due to this
213 request being for an age restricted facility the applicant has requested a reduction in parking.
214 The UDC stipulates that multi-family apartment complexes be parked as follows: [1] one (1)
215 bedroom or efficiency units require 1½ parking spaces per unit, [2] two (2) bedroom units
216 require two (2) parking spaces per unit, and [3] three (3) bedroom units require 2½ parking
217 spaces per unit. The applicant has indicated that the age restricted, multi-family apartment
218 complex will have one (1) bedroom, two (2) bedroom, and three (3) bedroom units. This equates
219 to 277 required parking spaces for the proposed multi-family apartment complex. The applicant
220 is proposing a 1.2 spaces/unit parking standard for a total of 192 surface parking spaces for the
221 multi-family apartment complex. This will require approval of the Planning and Zoning
222 Commission and City Council for the reduced number of parking spaces (i.e. 85 parking spaces
223 less than required). It should be noted that the reduced parking total has been included in the
224 draft ordinance and is considered to be a condition of approval. The PD Concept Plan indicates
225 that a mixture of 171 surface parking spaces, 21 garage parking spaces, and 4 surface parking
226 spaces dedicated to the emergency ambulance service will be utilized (i.e. 196 total surface
227 parking spaces), which means the development will incorporate 100% surface parking. The ratio
228 of garages to parking units equals 21:192 or 10.94% of all parking spaces. The townhome units
229 are required to be parked with a minimum of two (2) off-street parking spaces, and are not
230 accounted for in the parking requirement. The townhomes meet the requirements stipulated by
231 the UDC for off-street parking. The building elevations submitted by the applicant show that
232 both the multi-family apartment complex and the cottage styled townhomes will utilize a mixture
233 of stone, brick, and HardiePlank lap siding on the exterior façades, and a composition shingled
234 roof. In addition, the elevations appear to conform to the four (4) sided architecture
235 requirements stipulated by the Scenic Overlay District as required by the UDC. However if
236 approved it would go before the Architectural Review Board at the time of site plan and is a
237 requirement of the proposed zoning district. In regards to the infrastructure, staff received a
238 report today that shows the water waste water infrastructure study. The concept plan that they
239 have laid out is not consistent for the development therefore a revised infrastructure study will
240 be required at their expense and that is listed as a condition of approval.
241

242 Mr. Gonzales further noted that the applicant is requesting five waivers which are 1) Density.
243 The highest permitted density according to the UDC is 14 units/acre. The applicant is requesting
244 a density of 20.45 units/acre, or an additional 6.55 units/acre. 2) Traffic Impact Analysis. The UDC
245 requires a traffic impact analysis be submitted to the City's transportation engineer with the
246 proposed PD Development. In this case, the applicant is requesting the City Council waive this
247 requirement. In lieu of a TIA, the applicant has provided a traffic signal warrant study performed
248 in April of 2014 by the TXDOT, specifically for the examination of the potential for improving the

249 intersection operations at Ridge Road and Turtle Cove Boulevard. 3) Structure Exceeding 36-ft in
250 Height. The Scenic Overlay District of the UDC incorporates special use standards for structures
251 exceeding 36-ft in height. Should the applicants request for the age restricted multi-family
252 apartment complex be approved, staff has included a condition of approval allowing the
253 structure to have an overall height of four stories and not exceeding an overall height of 55-feet
254 and the applicant has provided a site-line exhibit demonstrating the view of these buildings from
255 Ridge Road. 4) Parking. Based on the number of multi-family units and the number of
256 bedrooms for the development, the UDC requires a total of 277 parking spaces. The applicant is
257 proposing to reduce the amount of required parking by 85 spaces and providing a total of 192
258 surface parking spaces. 5) Limited Commercial District uses. The applicant is requesting
259 that the underlying zoning remain as a Commercial District for limited land uses, and certain
260 uses to be permitted as of right not requiring a Specific Use Permit or to allow a use that may
261 not otherwise be allowed within this district such as residential uses, assisted living. This
262 would be considered a deviation from the City's requirements within a Commercial District, but a
263 Planned Development District is considered to be flexible zoning and could allow the proposed
264 change being requested however is discretionary approval by the City Council.
265

266 Mr. Gonzales went on to state that on March 28, 2018, staff mailed 103 notices to property
267 owners and residents within 500-feet of the subject property and emailed a notice to the Turtle
268 Cove and Lakeside Village Homeowner's Associations which are the only HOA's located within
269 1,500-feet of the subject property participating in the notification program. As of today staff
270 received 3 notices in favor and 67 notices in opposition.
271

272 Mr. Gonzales advised the Commission that the applicant was present and available for questions
273 as well as staff.
274

275 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
276 speak.
277

278 Robert LaCroix
279 4517 Scenic Drive
280 Rowlett, TX
281

282 Mr. LaCroix came forward and provided a power point presentation that went over the request.
283 He spoke of the market being in need for age restricted facility as the population gets older,
284 many residents wish to relocate aging parents, or people that are looking to downsize from a
285 larger home, or widowers that are looking for this type of community to integrate into. Mr.
286 LaCroix indicated that the property owner intends to deed restrict and they have written in the
287 requirements into the PD that reflect what the deed restrictions will be. The age restriction they
288 have is age 62. They are requesting the waiver to the parking because generally people that live
289 in these type facilities generally only have one car and in regards to the traffic it would generate
290 the land use being proposed is significantly less than Commercial usage which is a
291 considerable advantage in terms of traffic impact to the surrounding neighborhood. They would
292 be restricting the uses which they feel is an important factor in terms of a Planned Development.
293

294 Mr. LaCroix indicated he was available for questions and that additional team members as well
295 as a member of the EMS were available also to add a few points.
296

297 Mark Tolson
298 Arrive Architecture Group
299 2344 Hwy 121
300 Bedford, TX
301

302 Mr. Tolson came forward and indicted his firm has been doing senior housing for 20 years and
303 only work on independent living development. He provided a power point presentation that gave
304 detail of the renderings and building elevations as well as what the interior of the facility would
305 look like. They meet all the masonry requirements and will be a high scale modern building with
306 high end amenities.
307

308 Mitch Ownby
309 Rockwall EMS Services
310 809 S. Goliad St.

311 Rockwall, TX

312
313 Mr. Ownby came forward and stated he is the Chief for Rockwall County EMS and EMS has been
314 providing service in Rockwall since 1996 and have seen a lot of growth over the years in the
315 community over that time. He provided a diagram that showed current locations and that of one
316 future site that will be further north, when that move happens it will move the ambulance
317 approximately four minutes further north. This creates a real need for an additional location they
318 feel it is an ideal location to add a unit where it is being proposed to be within this development
319 it would be in closer proximity to the retail corridor along IH-30 as well as to the Lakeside Village
320 and Turtle Cove residents. It would be a permanent location and they are looking at a five year
321 lease initially that would be renewable. They have a letter of intent it would be primarily a day
322 time station at the beginning but as the need increased could move to be a 24 hour facility. Mr.
323 Ownby stated he was available for any questions the Commission may have.

324
325 Commissioner Trowbridge asked if they were a private service. Mr. Ownby stated they were a
326 private service not part of the City.

327
328 Clark Staggs
329 1601 Seascape
330 Rockwall, TX

331
332 Mr. Staggs came forward and spoke of when they first began assessing the property and all the
333 impact it would have on the communities they were aware there would be concerns from both
334 surrounding residents as well as the Commission about the impact on the appraised values on
335 the surrounding properties that are close to multi-family or an independent facility. The only
336 examples they had to work from were subdivisions so they went looking for subdivisions that
337 were in immediate proximity adjoining multi-family properties specifically within the City of
338 Rockwall. Mr. Staggs provided a chart of those findings that showed that there is no variation in
339 the values of homes that abut for example the Sonoma Court Apartments where residential
340 homes back up to those homes, on the contrary the homes show that the valuations are on a
341 steady climb just as all the other homes in the Rockwall area. He provided other examples of
342 multi-family near residential within the city and found no depreciation of the homes values. Mr.
343 Staggs advised the Commission he was available for questions.

344
345 Chairman Lyons asked for questions from the Commission.

346
347 Commissioner Logan asked if Mr. Staggs has done his due diligence with his potential new
348 neighbors since it appears there are significantly more people opposed than those that are in
349 favor. Mr. Staggs stated they did have a meeting with the neighbors back in August of last year
350 where approximately 35-40 people came out where they laid out their vision and the residents
351 voiced their concerns and at that time it caused them to pull back the project and rework it a
352 little bit to address some of those concerns. Mr. Staggs feels this is a viable project one of which
353 is needed within the city. They also met with the residents in October and after that did their own
354 survey they mailed to surrounding residents.

355
356 Commissioner Trowbridge generally expressed concern with adding additional units to the
357 already approved units as a whole within the City; however quality product it is, his concern is
358 with the timing of it.

359
360 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
361 forward and do so.

362
363 John Flater
364 926 Briar Oaks
365 Rockwall, TX

366
367 Mr. Flater came forward and expressed his opposition to the request he feels it does not fit with
368 the City's comprehensive plan. He does not agree with the applicant's request to variances that
369 the city puts in place for a reason. He strongly urged the Commission to protect his
370 neighborhood and vote against the proposal.

373 Sally Meek
374 939 Briar Oak
375 Rockwall, TX
376

377 Ms. Meek came forward and stated her opposition to the zoning change she feels it is contrary to
378 the public's interest and the citizens of Rockwall she feels the loss of commercial property will
379 cause the city loss of revenue. She urged the Commission to deny the request.
380

381 Lorilee Litherland
382 627 Harbor Cove
383 Rockwall, TX
384

385 Ms. Litherland came forward and stated her opposition to the request she feels having a multi-
386 family development will affect the property values.
387

388 Paul Davis
389 510 Turtle Cove
390 Rockwall, TX
391

392 Mr. Davis came forward and expressed his opposition to the request would like for it to remain
393 Commercial.
394

395 Melba Jeffus
396 1903 S. FM 549
397 Rockwall, TX
398

399 Ms. Jeffus came forward and indicated she first came to the meeting to voice her opposition but
400 after seeing what the applicant is proposing has changed her mind she generally expressed
401 being in favor of the request because she feels the plans they are proposing is a beautiful
402 development that will benefit many families looking for this type of facility.
403

404 Laura Carr
405 667 Stafford Circle
406 Rockwall, TX
407

408 Ms. Carr came forward and expressed her opposition to the request she urged the Commission
409 to deny the proposal.
410

411 Tom Galli
412 645 Stafford Circle
413 Rockwall, TX
414

415 Mr. Galli came forward and stated his opposition to the request he has worked as a civil
416 engineer and is concerned with the flood issues such development will pose he provided a
417 diagram and spoke and explained the concerns he feels it would cause because of the
418 topography of the subject property among other things. Would like to see the Commission
419 support the neighborhood and deny the request.
420

421 Kenneth Hood
422 935 Briar Oaks
423 Rockwall, TX
424

425 Mr. Hood came forward and stated his opposition to the request his property would be facing the
426 development and he does not wish to look at the top of a building from his front yard.
427

428 Bradly Garfield
429 677 Channel Ridge
430 Rockwall, TX
431

432 Mr. Garfield came forward and expressed being in opposition of the request he is concerned
433 with the traffic impact on Turtle Cove Drive which is already in some disrepair.
434

435 Chairman Lyons asked the applicant to come forward and offer any rebuttal.

436
437 Mr. LaCroix came forward and addressed the concerns the citizens brought up.

438
439 Chairman Lyons closed the public hearing and brought the item back to the Commission for
440 discussion or action.

441
442 Commissioner Trowbridge generally expressed not being in favor of the request feels allowing
443 such density however well proposed the project is.

444
445 Commissioner Welch generally expressed not being in favor of the request although he likes the
446 look of the project but due to the issue of the City not being able to control the regulations of the
447 age restrictions.

448
449 Commissioner Chodun generally expressed not being in favor the request there is a backlog of
450 inventory and adding additional the timing is not right. He feels the traffic will be an issue to an
451 already busy area. In addition to the community being in such opposition it is important to hear
452 the voice of those that spoke out against it since they will be the most impacted.

453
454 Commissioner Trowbridge made a motion to deny Z2018-016. Commissioner Welch seconded
455 the vote which passed by a vote of 5-0 with Commissioners Moeller and Fishman absent.

456
457
458 6. Z2018-017

459 Hold a public hearing to discuss and consider a request by Pat Atkins of Saddlestar Land Development
460 on behalf of the Stagliano Family Trust for the approval of a zoning change from an Agricultural (AG)
461 District, Commercial (C) District and Heavy Commercial (HC) District to a Planned Development District
462 for commercial/retail, single-family and townhome land uses on a 63.72-acre tract of land identified as
463 Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned
464 Agricultural (AG) District, Commercial (C) District and Heavy Commercial (HC) District, situated within
465 the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of S. Goliad Street [SH-205]
466 and Mims Road, and take any action necessary.

467
468 Senior Planner, David Gonzales, gave a brief explanation of the request noting that on March 16,
469 2018, the applicant submitted an application requesting to rezone the property from Agricultural,
470 Heavy Commercial, and Commercial Districts to a Planned Development District for single-
471 family, townhome and commercial land uses. Based on the concept plan, this would establish a
472 horizontal mixed use development with commercial/retail at the northwest corner of S. Goliad
473 Street and Mims Road, while transitioning to a 196 lot townhome development and continuing
474 west to a 65 single-family lot development. The applicant submitted a similar zoning change
475 request in October 2017. After postponing the public hearings on two separate occasions, one
476 meeting in which the Planning and Zoning Commission requested a traffic impact analysis the
477 Planning and Zoning Commission ultimately denied the case on January 30, 2018. The applicant
478 then requested that the City Council withdraw the case. Since the original case was withdrawn,
479 the applicant was not restricted from submitting the same request. However, the applicant has
480 made some minor modifications to the concept plan and has provided a letter from their traffic
481 engineer and has provided an updated traffic counts performed in March 2018, updating the
482 Traffic Impact Analysis that was performed in December of 2017. The applicant has submitted a
483 concept plan and development standards outlining the proposed development. The concept
484 plan shows that an approximately 5.30-acre tract of commercial/retail land Tract 1 on the
485 concept plan will be situated at the hard corner of Mims Road and S. Goliad Street. North and
486 west of the non-residential land uses will be a 16.89-acre tract of land designated for 196, 22' x
487 75' townhome lots. This is identified as Tract 2 on the concept plan. Parking for the townhomes
488 will be to the rear of the properties. Additionally, niche parking will be located at the front of the
489 townhomes. East of the townhomes is Tract 3 on the concept plan, which is composed of a
490 12.60-acre tract of land and a 2.21-acre tract of land reserved for the construction of 65 single-
491 family home lots that will measure 50' x 150'. This portion of the development will be located
492 adjacent to the Highland Meadows Subdivision. In addition, the concept plan shows that
493 approximately 20.88-acres of open space will be provided; however, staff should note that the
494 majority of this open space is situated within existing floodplain and would only count at a rate
495 of 1/2-acre for every acre of the 20% open space requirement. The floodplain totals 17.6-acres
496 and will equate to 8.8-acres total open space based on the 50% maximum allowed by the UDC;

497 therefore, the adjusted acreage of open space for the development will equal to 12.08-acres,
498 which meets the minimum 20% requirement stipulated by the UDC. Additionally an amenity
499 center will be constructed at the northeast quadrant of the property, and a proposed eight foot
500 hike and bike trail which will be situated along the outer edge of the development. This will
501 provide access to SH-205 and Mims Road and is generally in conformance with the City Master
502 Trail Plan.
503

504 Mr. Gonzales further explained that that the requested overall density for this development
505 would be 4.47-dwelling units per acre, with the density of Tract 2 the Townhomes being an
506 estimated 8.08-dwelling units per acre and the density of Tract 3 the Single-Family Residential
507 being an estimated 2.37 dwelling units per acre. On Tract 1 the applicant is requesting limited
508 General Retail District land uses specifically, the applicant is proposing to prohibit certain land
509 uses, which are currently permitted by-right or by Specific Use Permit within the General Retail
510 and those have been provided to the Commission for their review. Due to the high density
511 development that is associated with the property City Engineering department got ahold of the
512 City Engineering Consultant to review the wastewater and water collecting systems and they
513 determined that the capacity for the site needs to be reevaluated therefore staff is requiring an
514 infrastructure study due to the zoning change being proposed. In regards to Water
515 Improvements the water distribution system can provide adequate service for the proposed
516 development and the existing gravity sewer lines will have adequate capacity for the proposed
517 development; however, the Mims Lift Station will require a third pump to be installed by the
518 applicant in order to meet the increased capacity requirements to serve the development. The
519 Master Thoroughfare Plan indicates Mims Road as minor collector, four lane divided highway,
520 which requires a minimum of a 60-foot right-of-way with a 45-foot, back-to-back roadway. The
521 applicant is responsible for dedicating the ROW for this roadway and paving twenty-four feet of
522 the proposed roadway where the property abuts one portion of the roadway. The applicant will
523 also be responsible for all of the right-of-way and the entire road section where the property
524 abuts both sides of the roadway. The applicant has also indicated to staff that in regards to the 2
525 lane bypass along the western portion of SH-205 to help alleviate some of the traffic the
526 applicant plans on providing that and what staff has done is to include a facilities agreement
527 between TXDOT and the City and the developer in order to meet the paving plan that the
528 applicant has provided in the concept plan as exhibit D in the draft ordinance.
529

530 Mr. Gonzales went on to state that in regards to conformance with the Unified Development
531 Code the applicant is requesting two waivers, one being 100% flat front facing entry for the
532 single family homes with a five foot recess and the other having to do with the minimum lot area
533 requirement the applicant is requesting to allow the townhome product be situated on 1,650
534 square feet, 22' x 75' lots and this would deviate from the UDC's minimum requirement by 350
535 square feet per lot.
536

537 Mr. Gonzales further stated that on March 28, 2018, staff mailed 155 notices to property owners
538 and residents within 500-feet of the subject property and also sent a notice to the Flagstone
539 Estates, Lynden Park, Hickory Ridge, and Hickory Ridge East Homeowner's Association. Staff
540 received two notices against the request. He advised the Commission the applicant was present
541 and available for questions as well as staff.
542

543 Chairman Lyons asked the applicant to come forward and speak.

544
545 Pat Atkins
546 Saddle Star Development
547 3076 Hays Drive
548 Rockwall, TX
549

550 Mr. Atkins came forward and stated they are coming forward with modifications to the project
551 that they feel makes sense under the Planned Development District as far as the type of
552 transitional uses in this location to create the commercial use, the residential mix and the open
553 space conditions that make sense. Mr. Atkins spoke further on the proposal and provided a
554 power point that gave a detailed outline of the request and the proposed changes.
555

556
557 Chairman Lyons asked for questions from the Commission.
558

559 General Chodun commented that although he appreciates the applicant's effort to make changes
560 he is not in favor of the request primarily due to the traffic issues the development will create.
561 Also the lot sizes are a bit small for the single family.
562

563 Commissioner Welch made comment on blending commercial to residential would it not be
564 better served if all the townhouses be against the northern boundary where all commercial
565 space would be. He generally expressed feeling there was not much changed from the original
566 request that was turned down.
567

568 Commissioner Trowbridge asked if the high quality wood doors that are depicted in the pictures
569 provided of the front facing garage be a requirement in the Planned Development they are
570 proposing. Mr. Atkins stated it does not list is as a requirement but he believes it could be added
571 to the ordinance.
572

573 General discussion took place between the applicant and the Commission concerning traffic, lot
574 sizes, the front entry garage and timing of the road improvements that TXDOT has planned.
575

576 Chairman Lyons generally expressed being in favor of the request he feels the community needs
577 some diversity of product and with the eventual expansion of the roads the traffic issue will be
578 manageable.
579

580 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
581 forward and do so.
582

583 Melba Jeffus
584 1903 FM 549
585 Rockwall, TX
586

587 Ms. Jeffus came forward and expressed not being in favor of the request she is concerned with
588 the traffic it will generate to an already over congested area. She urged the Commission to
589 please consider the citizens of the city and the impact the additional traffic will cause.
590

591 Chairman Lyons asked if anyone else wished to speak to come forward and do so, there being
592 no one indicating such, Chairman Lyons closed the public hearing and brought the item back to
593 the Commission for discussion or a motion.
594

595 Discussion took place concerning the timing of the development and the impact the traffic will
596 have now and what may be developed in the future if the request is not approved.
597

598 Chairman Lyons made a motion to approve Z2018-017 with staff recommendations and with the
599 stipulation for the garage doors to be cedar. Commissioner Logan seconded the motion which
600 failed with a vote of 2-3 with Commissioners Trowbridge, Chodun and Welch dissenting and
601 Commissioners Moeller and Fishman absent.
602

603 Chairman Lyons moved the Action Items up on the agenda.
604
605

606 7. Z2018-014

607 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
608 amendment to various sections of Article V, *District Development Standards*, of the Unified
609 Development Code [*Ordinance No. 04-38*] for the purpose of amending the variance process relating to
610 signage for properties in an overlay district, and take any action necessary.
611

612 Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the March 5,
613 2018 City Council meeting, the City Council directed staff to prepare a text amendment
614 amending Article V, *District Development Standards*, of the UDC for the purpose of removing the
615 ability to request signage variances through the zoning code. Currently, all signage variances
616 are required to submit in accordance with the requirements of Chapter 32, Signs, of the
617 Municipal Code of Ordinances, which lays out specific criteria for variances to the sign code;
618 however, if a property is situated within an established overlay district the applicant can
619 circumvent these requirements and submit a request that is outside the typical criteria for
620 requesting a variance. The proposed changes would make all properties in the City subject to

621 the same criteria when requesting variances to the signage requirements. Staff has kept the ¾-
622 majority vote requirement for approving signage variances in overlay districts to maintain the
623 restrictive approval process for properties in these areas.

624
625 Mr. Miller advised the Commission staff was available for questions.
626

627 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
628 forward and do so there being no one indicating such Chairman Lyons closed the public hearing
629 and brought the item back to the Commission for discussion or a motion.
630

631 Commissioner Trowbridge made a motion to approve Z2018-014. Commissioner Logan
632 seconded the motion which passed by a vote of 5-0 with Commissioners Moeller and Fishman
633 absent.
634

635
636 8. Z2018-015

637 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
638 amendment to various sections of Article II, *Authority and Administrative Procedures*, of the Unified
639 Development Code [*Ordinance No. 04-38*] for the purpose of clarifying the reapplication procedures for
640 applications that have been denied by the City Council, and take any action necessary.
641

642 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the City
643 Council directed staff to prepare a text amendment amending Article II, *Authority and*
644 *Administrative Procedures*, UDC for the purpose of establishing criteria for the resubmittal of an
645 application which has previously been denied by the City Council. Under the City's current
646 ordinances, if an applicant's request is denied regardless of being denied with or without
647 prejudice by the City Council the applicant can resubmit the same application without
648 prohibition for all non-zoning related cases. The proposed text amendment would change this
649 requirement by prohibiting applicants from resubmitting an application that was denied with
650 prejudice without [1] a one (1) year waiting period, or [2] a ruling of substantial change by the
651 Planning and Zoning Commission. Applications that are denied without prejudice would be
652 exempt from these criteria and could be resubmitted without prohibition. This is the same
653 procedure that zoning related applications are currently required to follow.
654

655 Mr. Miller noted that staff has sent out a 15-day notice to the Rockwall Herald Banner in
656 accordance with all applicable state and local laws and staff is available for questions.
657

658 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
659 forward and do so there being no one indicating such Chairman Lyons closed the public hearing
660 and brought the item back to the Commission for discussion or a motion.
661

662 Commissioner Chodun made a motion to approve Z2018-015. Commissioner Welch seconded
663 the vote which passed by a vote of 5-0 with Commissioners Moeller and Fishman absent.
664
665

666 9. MIS2018-006

667 Hold a public hearing to discuss and consider a City initiated request to amend the Comprehensive Plan
668 by approving changes to the Master Thoroughfare Plan Map contained within the *Transportation* section
669 of the plan for the purpose of [1] reclassifying Horizon Road [*FM-3097*] from a M4U (*minor arterial, four*
670 [*4*] *lane, undivided roadway*) to a TXDOT4D (*TXDOT, four [4] lane, roadway*) and [2] realigning Breezy
671 Hill Road to reflect existing public right-of-way, and take any action necessary.
672

673 Planning Director, Ryan Miller gave a brief explanation of the request stating that Rockwall
674 County is currently in the process of updating the County's Master Thoroughfare Plan and has
675 requested that the City of Rockwall review the proposed changes and provide comments.
676 Through staff's review, two changes on the City's current MTP were identified. In order to
677 assure that the Planning and Zoning Commission and City Council had a chance to review the
678 proposed changes prior to the adoption of the County's plan staff brought the proposed
679 changes before the City Council on March 19, 2018. At this meeting, staff was directed to
680 proceed with making the following changes to the City's MTP: [1] a change showing the
681 realignment of Breezy Hill Road to follow existing right-of-way, and [2] increasing Horizon Road
682 from a M4D minor collector, four lane, divided roadway to a TXDOT4D four lane TXDOT roadway.

683 Mr. Miller advised the Commission staff was available for questions.

684
685 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
686 forward and do so there being no one indicating such Chairman Lyons closed the public hearing
687 and brought the item back to the Commission for discussion or a motion.

688
689 Chairman Lyons made a motion to approve Z2018-006. Commissioner Logan seconded the
690 motion which passed by a vote of 5-0 with Commissioners Moeller and Fishman absent.

691 V. ACTION ITEMS

692
693
694 10. MIS2018-008

695 Discuss and consider a request by Richard Beckert for the approval of an alternate screening plan in
696 conjunction with the outside storage of recreational vehicles as stipulated by the Unified Development
697 Code in conjunction with a request for a Certificate of Occupancy for a RV Sales and Service facility on
698 a 1.9014-acre tract of land identified as Tract 2-21, of the J R Johnson Survey, Abstract No. 128, City of
699 Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, generally located at the
700 southwest quadrant of the intersection of Mims Road and S. Goliad Street and addressed as 368
701 National Drive, and take any action necessary.

702
703 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant
704 requesting for an alternative screening plan. Currently the R.V. sales facility operates at 311
705 National Drive. Subsequently, the applicant has relocated across the street to 368 National
706 Drive. The UDC states that outside storage, recreation vehicles must be screened from streets
707 and public areas. According to the applicant, several mature trees are planted along the
708 property line of the subject property however there are several areas where no trees exist. The
709 applicant is proposing to add landscape screening consisting of Redtip Photinias, and Wax Leaf
710 Ligustrums along the property line where there no landscaping. According to the applicant, at
711 full maturity, the proposed landscaping will be 10-12-feet tall and have an 8-foot wide canopy
712 when fully matured. The applicant has provided photos of the existing conditions of the subject
713 property along with the proposed landscape plan. In this case, the Planning and Zoning
714 Commission is being asked to review and tack action on the proposed alternate screening plan.

715
716 Mr. Brooks advised the Commission the applicant was present and available for questions as
717 well as staff.

718
719 Chairman Lyons asked the applicant to come forward and speak.

720
721 Rich Beckert
722 Quest RV
723 368 National Drive
724 Rockwall, TX

725
726 Mr. Beckert came forward and stated the property was run down they took over and are fixing it
727 up and they feel what they are proposing seems like the right thing to do.

728
729 Chairman Lyons asked the Commission for any questions or discussion.

730
731 Commissioner Trowbridge made a motion to approve MIS2018- 008 with staff recommendations.
732 Commissioner Welch seconded the motion which passed by a vote of 5-0 with Commissioners
733 Moeller and Fishman absent.

734
735
736 11. SP2018-003

737 Discuss and consider a request by Todd Winters, P.E. of Engineering Concepts and Design, L.P. for the
738 approval of an amended site plan for a retail center on a 2.113-acre tract of land identified as Lot 6,
739 Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
740 District, located at the northwest corner of the intersection of Ranch Trail Road and Horizon Road [FM-
741 3097], and take any action necessary.

742
743 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the site plan
744 was originally approved administratively in 2012 and came back before the Commission after it

745 expired in February of this year which was approved however the approval did not include a
746 variance to allow for parking to be allowed within the landscape buffer therefore essentially it
747 would require a simple majority vote by the City Council for approval.
748

749 Chairman Lyons asked the applicant to come forward and speak.

750
751 Bill Thomas
752 (no address given)
753

754 Mr. Thomas came forward and stated he was present representing Mr. Todd Winters who was
755 unable to make the meeting. He is requesting a variance to accommodate the ten foot right-of-
756 way dedication that was a condition of the approval of the site plan that was approved in
757 February.
758

759 Chairman Lyons asked the Commission for any questions or discussion.
760

761 Commissioner Welch made a motion to approve SP2018-003 with staff recommendations.
762 Chairman Lyons seconded the motion which passed by a vote of 5-0 with Commissioners
763 Moeller and Fishman absent.
764

765
766 12. SP2018-007

767 Discuss and consider a request by Worth Williams of Moore Worth Investment, LLC for the approval of
768 a site plan for a restaurant with drive-through facilities on a 0.81-acre parcel of land identified as Lot 3,
769 Block A, Lakeshore Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
770 Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North
771 SH-205 Overlay (N. SH-205 OV) District, addressed as 1945 N. Goliad Street, and take any action
772 necessary.
773

774 Planner, Korey Brooks, gave a brief explanation of the request stating that on January 3, 2006
775 the City Council adopted Ordinance No. 06-02, establishing the development requirements for
776 Planned Development District 65 which allows a restaurant with drive-through facilities with a
777 Specific Use Permit. On March 19, 2018, the City Council approved a Specific Use Permit to
778 allow a restaurant with drive-through facilities on the subject property. The applicant is
779 requesting approval of a site plan for a restaurant with drive-through facilities for a Starbucks.
780 The proposed restaurant is 2,418 square feet. The Architectural Review Board reviewed the
781 revised elevations and made recommendations for one more revision and forwarded
782 recommendation for the variances. The submitted site plan, landscape plan, photometric plan
783 and building elevations do conform to the technical requirements of the UDC. According to the
784 site plan the restaurant will utilize a flat roof construction and according to the UDC Commercial
785 building that are less than 6,000 square feet require a pitch roof system therefore that requires a
786 variance. Additionally, the applicant is proposing to use cultured stone to match the neighboring
787 buildings and the ARB did recommend approval of that variance. Those two variances being
788 requested require a three quarter majority vote for approval.
789

790 Mr. Brooks advised the applicant is present and available for questions as well as staff.
791

792 Worth Williams
793 7700 Eastern Avenue
794 Dallas, TX
795

796 Mr. Williams came forward and stated they are excited to bring a free standing Starbucks to the
797 community and he was available for any questions.
798

799 Chairman Lyons asked for questions from the Commission.
800

801 Commissioner Trowbridge made a motion to approve SP2018-007 with staff recommendations.
802 Commissioner Logan seconded the motion which passed by a vote of 5-0 with Commissioners
803 Moeller and Fishman absent.
804

805
806 13. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).

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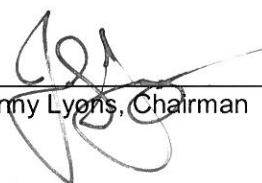
- ✓ Z2018-005: SUP for an Accessory Building at 1800 Dalton Road (2nd Reading) [Approved]
- ✓ Z2018-006 & Z2018-007: Zoning Change (SF-7 to RO) (2nd Reading) [Approved]
- ✓ Z2018-008: SUP for an Avid Hotel (2nd Reading) [Approved]
- ✓ Z2018-011: SUP for a Restaurant with Drive-Through (2nd Reading) [Approved]
- ✓ Z2018-012: Amendment to S-131 (2nd Reading) [Approved]

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

VI. ADJOURNMENT

Chairman Lyons adjourned the meeting at 11:09 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 31 day of July, 2018.



Johnny Lyons, Chairman

Attest.


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
April 24, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Annie Fishman, Eric Chodun and Tracy Logan. Absent from the meeting was Commissioner Trowbridge. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. P2018-009

Consider a request by Mitchell Lenamond, PE on behalf of Eric L. Davis Engineering, Inc. for the approval of a replat for Lot 7, Block A, Bodin Industrial Addition being a 2.029-acre parcel of land identified as Lot 1B, Block A, Bodin Industrial Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2040 Kristy Lane, and take any action necessary.

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

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

Chairman Lyons noted that agenda items # 5-8 would be moved up on the agenda.

IV. DISCUSSION ITEMS

3. Z2018-018

Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text amendment to the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of allowing the *Furniture Upholstery, Refinishing or Resale* land use by Specific Use Permit (SUP) in the Commercial (C) District, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the April 2, 2018 City Council meeting, the City Council directed staff to prepare a text amendment amending Article IV, *Permissible Uses*, of the UDC for the purpose of allowing the *Furniture Upholstery/Refinishing and Resale* land use in the Commercial District by a Specific Use Permit. This direction came as the result of an appointment with the owner of the Rustic Warehouse who was requesting the text amendment to bring her business into compliance with the UDC. Currently, the *Furniture Upholstery/Refinishing and Resale* land use is only permitted by-right in the Heavy Commercial and Light Industrial District. The proposed amendment would extend this use to the Commercial District by Specific Use Permit with the condition that the use is ancillary to a general retail store for example a business whose primary purpose is to sell finished goods. The purpose of this condition is to prevent a standalone Furniture Upholstery/Refinishing and

63 Resale land use (which is more of an industrial land use) from locating within an established
64 commercial/retail area, reducing the possibility of creating incompatible land uses.

65
66 Mr. Miller went on to state that staff sent out a fifteen day notice to the Rockwall Harold Banner
67 and will meet all other regulatory requirements associated with the case. Mr. Miller advised the
68 Commission was available for questions.

69
70 Chairman Lyons asked how the amount of pieces worked on would be enforced, is there
71 anything that could be put in place to prevent massive amount of pieces be done. Mr. Miller
72 explained that it could be done thru the Specific Use Permit the applicant could be asked to
73 provide a floor plan with each case because they will have to demonstrate that it is truly a
74 secondary use to retail.

75
76 Commissioner Welch asked how would paint fumes, flammability be addressed would it be
77 something that the Fire Marshal would automatically check on. Mr. Miller explained that in such
78 a case where there is painting on site it would require a paint booth that meets City requirements
79 and that would be heavily regulated.

80
81 There being no further questions Chairman Lyons indicated the case will return to the
82 Commission for action at the next scheduled meeting.

83
84
85 4. Z2018-019

86 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
87 amendment to the *Permissible Use Charts and Use Standards* contained in Article IV, *Permissible*
88 *Uses*, of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of allowing the *Brewery*
89 *or Distillery (Excluding Brew Pub)* land use by Specific Use Permit (SUP) in the Downtown (DT) District,
90 and take any action necessary.

91
92 Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the April 2,
93 2018 City Council meeting, the City Council directed staff to prepare a text amendment
94 amending Article IV, *Permissible Uses*, of the Unified Development Code for the purpose of
95 allowing the Brewery and Distillery excluding Brew Pub land use in the Downtown District by
96 Specific Use Permit. When Planned Development District 1 added this use by Specific Use
97 Permit the Brewery or Distillery land use has been relegated to the Light Industrial and Heavy
98 Industrial Districts because the code approaches those uses somewhat differently than the way
99 they are being used today and until recently a Brewery or Distillery was looked at more of a
100 manufacturing/industrial type use however in 2013 the Texas Alcoholic Beverage Commission
101 changed the rules and passed amendments designed to loosen the restrictions and treat
102 microbreweries and craft breweries more like they do wineries and currently wineries are
103 allowed in the Downtown District by Specific Use Permit. Mr. Miller further noted that the
104 amendment that was before the Commission simply makes the change in the use chart to
105 change the use to a Specific Use Permit with the idea that they would be regulated on a case by
106 case basis thru the Specific Use Permit based on what an applicant would be proposing. Staff is
107 bringing it before the Commission in accordance with the Unified Development Code and staff
108 for a recommendation to the City Council. Staff mailed out a 15 day notice and will meet all State
109 and local applicable requirements.

110
111 Chairman Lyons asked for questions from the Commission.

112
113 Commissioner Logan asked for clarification of the mention of excluding Brew Pub would there
114 be serving of any alcohol. Mr. Miller explained that a brew pub is something that is likened more
115 to a restaurant that also makes beer on site but they typically only serve their beer but they have
116 the ability to have additional licenses thru the TABC to allow them to serve multiple things. The
117 particular use that is being discussed would be a brewery which is not the same as a brew pub
118 their primary activity would be to manufacture beer or ale. TABC has set limitations on how
119 much they can manufacture and still be called a microbrewery or craft brewery under certain
120 licenses that they have. One of the things a brewery allows, very similar to a winery, is a tasting
121 room where they are able to serve only their product on site and are limited to a certain volume
122 per year.
123

124 Commissioner Logan asked if there would be food sold. Mr. Miller stated if they serve food then
125 it would be a more of a restaurant or brew pub.
126

127 Commissioner Welch asked concerning the possibility of patron's ability to walk out of the
128 establishment with an open container to possibly attend the music provided on the square. Mr.
129 Miller explained that the open container only applies to a specific area on the square therefore it
130 would depend on the location of the brewery for that to be a possibility.
131

132 Commissioner Fishman asked if there are wineries currently within the Downtown District. Mr.
133 Miller stated that the winery that was downtown closed down and currently there are no others.
134

135 Commissioner Moeller made comment on the stringent regulations that TABC has as well as the
136 City if the brewery will consist of only a tasting room with only one product and limited
137 quantities should alleviate any concerns about open containers because of the regulations in
138 place.
139

140 Commissioner Chodun asked if the product will be for both private and public sale. Mr. Miller
141 explained that it was his understanding that they would have to sell their product to a distributor
142 in accordance with TABC rules however Mr. Miller indicated he would provide additional
143 information that explained further at the next meeting.
144

145 There being no further questions Chairman Lyons indicated the case will return to the
146 Commission for action at the next scheduled meeting.
147

148
149 5. Z2018-020
150 Hold a public hearing to discuss and consider a request by Chris Tarrant for the approval of a Specific
151 Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the
152 Unified Development Code (UDC) on a 1.5087-acre tract of land identified as Lot 22, Block A, Sterling
153 Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5)
154 District, addressed as 3075 Golden Trail, and take any action necessary.
155

156 Planner, Korey Brooks, advised the Commission that the applicant was present and would
157 discuss the request.
158

159 Chairman Lyons asked the applicant to come forward and speak.
160

161 Christ Tarrant
162 3075 Golden Trail
163 Rockwall, TX
164

165 Mr. Tarrant came forward and stated he is looking to build a metal shop behind his house to
166 store his toys and hot rods that would allow for him no longer needing to rent a place to store
167 them.
168

169 Mr. Brooks added that the applicant is proposing a metal building with four bays and does
170 exceed the maximum size requirement for the District the largest allowed being 1,250 square feet
171 and the proposed building is approximately 1,500 square feet. The SUP would cover the
172 minimum masonry requirements to allow for a metal building.
173

174 Chairman Lyons asked for questions from the Commission.
175

176 Commissioner Fishman asked the applicant if there were any additional accessory buildings on
177 the property. Mr. Tarrant stated he has two currently and both are 10x20 one is a brick building
178 that was built when the house was built and the other is a wood shed where lawn equipment is
179 kept. Commissioner Fishman asked staff if there were any restrictions on the number of
180 buildings that can be on a property. Mr. Brooks stated that in this District two are allowed
181 however the applicant is requesting the third but would be willing to remove one if necessary.
182

183 Commissioner Fishman asked if the building would be used for any commercial use. Mr. Tarrant
184 stated it would not it will only be used for storage purposes.
185

186 Commissioner Welch asked if any surrounding properties have anything similar to what he is
187 proposing. Mr. Tarrant stated that several of the neighbors that also have shops. Mr. Brooks
188 added that from the site visit staff did it does not appear there are any within the surrounding
189 area that are of the size and number of bays being proposed.
190

191 There being no further questions Chairman Lyons indicated the case will return to the
192 Commission for action at the next scheduled meeting.
193

194 6. Z2018-021

195 Hold a public hearing to discuss and consider a request by Stephanie Marshall and Natalie Kirkley on
196 behalf of Susan Gamez for the approval of a Specific Use Permit (SUP) for a daycare facility in a
197 Residential-Office (RO) District on a 0.23-acre parcel of land identified as Lot 1, Block A, Gamez
198 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 53 (PD-53) for
199 Residential-Office (RO) District land uses, addressed as 1024 Ridge Road [FM-740], and take any
200 action necessary.
201

202 Planner, Korey Brooks, advised the Commission that the applicants were present and could
203 speak of the request.
204

205 Natalie Kirkley
206 (No address given)
207

208 Ms. Kirkley came forward and gave a brief explanation of the request and provided a short power
209 presentation that discussed details of the request. She indicated she and Ms. Stephanie Marshall
210 are both certified teachers in Rockwall ISD and are looking to open up a Pre-K where they will be
211 writing their own curriculum which will be a faith based curriculum. She clarified that it will not
212 be a daycare there are no school busses it is strictly for the year before kindergarten to prepare
213 kids for kindergarten. It will only be the both of them teaching and are looking for a low ration
214 about 24 kids they feel many parents are looking for such programs for their kids that is not
215 daycare since they currently are within the RISD they are familiar with the curriculum. In regards
216 to the possible concern with the traffic flow she explained that vehicles would go down Ridge
217 Road and there is a mutual access that would allow them to go thru that and back onto Ridge
218 Road. They will provide seven parking spaces and could cone off a section to allow parents to
219 pull up into the parking spaces if necessary.
220

221 Chairman Lyons asked for questions from the Commission.
222

223 Chairman Lyons asked how many cars could be stacked. Mr. Brooks stated they are required to
224 have a loading area for at least four cars. Mr. Miller added that staff can ask the applicant to
225 provide a stacking plan that will show they meet the UDC's requirements.
226

227 Commissioner Fishman asked if they had plans to grow or adding additional students or age
228 levels from the 24 they plan to start off with. Ms. Kirkley stated the plan is to stay with only the
229 pre-k level and if in the future they grow they would look for a bigger building.
230

231 Commissioner Moeller asked is they have talked with the owner of the building with whom the
232 access is shared. Ms. Kirkley stated they have made contact with that owner and since the drop
233 off/pickup times will be only twice a day they don't have issues with it.
234

235 Commissioner Chodun asked if there would be any outdoor activities. Ms. Kirkley there will not
236 be any playground equipment however there will be outside time to meet all the requirements
237 the State requires.
238

239 There being no further questions Chairman Lyons indicated the case will return to the
240 Commission for action at the next scheduled meeting.
241

242 7. SP2018-008

243 Discuss and consider a request by Worth Williams of Moore Worth Investment, LLC for the approval of
244 a site plan for a restaurant on a 0.778-acre parcel of land identified as Lot 4, Block A, Lakeshore
245 Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65
246 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205
247 OV) District, addressed as 1901 N. Goliad Street, and take any action necessary.

248 Planner, Korey Brooks, advised the Commission that the applicant was present and would
249 provide a presentation of the case and would be available for questions as well as staff.

250
251 Worth Williams
252 8445 Freeport Parkway
253 Irving, TX

254
255 Mr. Williams came forward and stated that the request is for a free standing 2,800 square foot
256 restaurant to be a ModPizza they will provide 34 parking spaces.

257
258 Chairman Lyons asked if they would be following the ARB's recommendations. Mr. Worth stated
259 they would.

260
261 Commissioner Fishman asked if the restaurant would have a patio and outdoor seating. Mr.
262 Williams stated it would provide outside seating on a patio.

263
264 There being no further questions Chairman Lyons indicated the case will return to the
265 Commission for action at the next scheduled meeting.

266
267
268 8. SP2018-009
269 Discuss and consider a request by Scott Roberts of Creative Architects on behalf of Adam Cunningham
270 of Patriot Paws for site plan for a *Residential Care Facility* on a 3.466-acre parcel of land identified as
271 Lot 1, Block A, Patriot Paws Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
272 District, addressed as 302 Ranch Trail, and take any action necessary.

273
274 Senior Planner, David Gonzales, stated that an SUP was approved for the property in October
275 2017 for a residential care facility and indicated the applicant was present and would further
276 expand on the request.

277
278
279 A representative came forward and spoke in regards to the request he indicated the house that a
280 was existing on the property has now been demolished and the Dallas Builders Association is in
281 the process of rebuilding and will be building a new home that will be accessible for veterans.
282 They will abide by the recommendations that the Architectural Review Board provided.

283
284 Chairman Lyons asked for questions from the Commission.

285
286 There being no questions Chairman Lyons indicated the case will return to the Commission for
287 action at the next scheduled meeting.

288
289
290
291 9. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).

- 292
293 ✓ P2018-001: Preliminary Plat for Breezy Hill, Phase VIII [*Postponed to May 7, 2018*]
294 ✓ P2018-007: Final Plat of Park Place, Phase 3 [*Approved*]
295 ✓ Z2018-013: Amendment to PD-74 (*1st Reading*) [*Denied*]
296 ✓ Z2018-014: Text Amendment to Article V (*1st Reading*) [*Approved*]
297 ✓ Z2018-015: Text Amendment to Article II (*1st Reading*) [*Approved*]
298 ✓ Z2018-016: Zoning Change (C to PD) for Waterview Ridge (*1st Reading*) [*Withdrawn*]
299 ✓ Z2018-017: Zoning Change (AG, C & HC to PD) (*1st Reading*) [*Denied*]
300 ✓ MIS2018-006: Amendment to the Master Thoroughfare Plan (*1st Reading*) [*Postponed to May 7,*
301 *2018*]
302 ✓ SP2018-003: Variance for Maverick Ranch Shopping Center [*Approved*]
303 ✓ SP2018-007: Variance for Starbucks [*Approved*]

304
305 Planning Director, Ryan Miller, provided a brief update about the outcome of the above
306 referenced case at the City Council meeting.

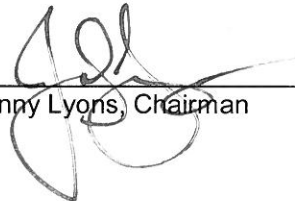
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V. ADJOURNMENT

Chairman Lyons adjourned the meeting at 6:57 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 31 day of July, 2018.



Johnpy Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
May 29, 2018
6:00 P.M.

I. CALL TO ORDER

Commissioner Logan called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, and Eric Chodun. Absent from the meeting was Chairman Lyons and one vacant seat. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. P2018-010

Consider a request by Bill Thomas of Engineering Concepts & Design on behalf of David Naylor of Rayburn Country Electric Cooperative for the approval a replat for Lots 8 & 9, Block A, Rayburn Country Addition being a 20.415-acre tract of land identified as Lots 4 & 5, Block A, Rayburn Country Addition, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, generally located northeast of the intersection of Mims Road and Sids Road, and take any action necessary.

2. P2018-011

Consider a request by Billy Duckworth of A & W Surveyors, Inc. for the approval of a replat for Lots 1 & 2, Block A, Kayce Lynn Addition No. 1 being a 0.310-acre tract of land identified as Lots 33 & 34, Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, located at the southeast corner of Emma Jane Road and Sam Houston Street, and take any action necessary.

3. P2018-012

Consider a request by Billy Duckworth of A & W Surveyors, Inc. for the approval of a replat for Lot 1, Block A, Kayce Lynn Addition No. 2 being a 0.172-acre tract of land identified as a portion of Lot 53 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, located at the northwest corner of Emma Jane Road and Sam Houston Street, and take any action necessary.

4. P2018-013

Consider a request by Bart Tinsley of Adlers Rockwall SIL Property, LLC on behalf of Rob Cameron of Cameron & Cameron for the approval of a conveyance plat for Lots 1 & 2, Block A, Rockwall Seniors Addition being a 12.40-acre tract of land identified as Tract 8 of the B. J. T. Lewis, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 86 (PD-86) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located south of the intersection of TL Townsend Drive and Justin Road, and take any action necessary.

5. P2018-014

Consider a request by Robby Widboom for the approval of a final plat of Lot 1, Block A, Widboom Addition being a one (1) acre tract of land identified as Tract 11-2 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Single Family 1 (SF-1) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 770 SH-66, and take any action necessary.

6. P2018-015

Consider a request by David M. Ellis for the approval of a replat for Lot 1, Block D, Ellis Centre, Phase 2 being a 7.25-acre tract of land identified as Lot 2, Block A and Lots 4 & 5, Block C, Ellis Centre, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the end of Alpha Drive, and take any action necessary.

7. P2018-016

Consider a request by Bassam Ziada for the approval of a replat for Lot 7, Block A, Wal-Mart Supercenter Addition being a 1.0131-acre tract of land identified as Lot 5, Block A, Wal-Mart

64 Supercenter Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,
65 situated within the IH-30 Overlay (IH-30 OV) District, addressed as 776 E. IH-30, and take any action
66 necessary.
67

68 **Commissioner Chodun made a motion to approve the consent agenda. Commissioner Fishman**
69 **seconded the motion which passed by a vote of 5-0 with Chairman Lyons absent and one vacant**
70 **seat.**
71

72
73 III. APPOINTMENTS
74

- 75 8. Appointment with Architectural Review Board representative to receive the Board's
76 recommendations and comments for items on the agenda requiring architectural review.
77

78 **Architectural Review representative gave a brief explanation concerning agenda items that**
79 **were discussed at the Architectural Review Board meeting.**
80

- 81
82 9. Appointment with Pat Atkins of Saddlestar Land Development on behalf of the Stagliano Family
83 Trust to consider a request to submit a new zoning application for a zoning change from an
84 Agricultural (AG) District, Commercial (C) District and Heavy Commercial (HC) District to a Planned
85 Development District for single family and commercial land uses on a 63.72-acre tract of land
86 identified as Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall
87 County, Texas, zoned Agricultural (AG) District, Commercial (C) District and Heavy Commercial
88 (HC) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest
89 corner of S. Goliad Street [SH-205] and Mims Road, and take any action necessary.
90

91 **Senior Planner, David Gonzales, gave a brief explanation of the request stating that in April**
92 **of this year City Council denied the applicants zoning change request with prejudice which**
93 **means that the applicant cannot come forward with anything for a year not unless there is**
94 **something more restrictive or less intense use. The applicant is coming forward with a plan**
95 **that he feels is a less intense use by removing the townhomes uses as well as the total**
96 **single family dwelling units per acre from the 4.13 to 2.48. The Code allows for the applicant**
97 **to come forward by submitting a letter to the Director of Planning. Staff reviewed the letter**
98 **and felt it was a substantial enough change to bring it before the Commission for their**
99 **determination of whether or not it is a substantial enough change that would allow the**
100 **applicant to make an application if the Commission approves the application would come**
101 **before them next month.**
102

103 **Mr. Gonzales advised the Commission that the applicant was present and available for**
104 **questions as well as staff.**
105

106 **Commissioner Logan asked the applicant to come forward and speak.**
107

108 **Pat Atkins**
109 **Saddle Star Development**
110 **3076 Hays Lane**
111 **Rockwall, TX**
112

113 **Mr. Atkins came forward and gave a brief explanation of the new proposal and indicated**
114 **that they have reviewed and discussed the concerns that have been brought up by both the**
115 **Commission and the Council and they feel that the new proposal they are bringing forward**
116 **has changed substantially and would respectfully ask they be allowed to put forward an**
117 **application.**
118

119 **Commissioner Chodun asked the number of units. Mr. Atkins stated it was now 150 units**
120 **and previously was 263 units. Commissioner Chodun asked of those how many were**
121 **townhomes. Mr. Atkins stated on the original request it included 190 units to be designated**
122 **to be townhomes.**
123

124 **General discussion took place concerning the improvements of SH-205 relating to the**
125 **request and whether or not there was substantial enough change.**

126 Commissioner Moeller expressed not feeling there was significant change and doesn't feel
127 the residential component would be a suitable fit for that area.

128
129 Commissioner Chodun made a motion to deny the request. Commissioner Moeller seconded
130 the motion which passed by a vote of 4-1 with Commissioner Logan dissenting, Chairman
131 Lyons absent and one vacant seat.

132
133
134 IV. ACTION ITEMS

135
136 10. Hold an election to elect a Vice-Chairman for the Planning and Zoning Commission.

137
138 Commissioner Logan made a motion to nominate Commissioner Chodun for Vice-Chairman.
139 Commissioner Moeller seconded the motion which passed by a vote of 5-0 with Chairman Lyons
140 absent and one vacant seat.

141
142
143 11. MIS2018-010

144 Discuss and consider a request by John Arnold of the Skorburg Company for the approval of a tree
145 mitigation plan for Phases X, XI & XII of the Breezy Hill Subdivision and off-site easements associated
146 with these phases of the development being a 405.184-acre residential subdivision situated within the J.
147 Strickland Survey, Abstract No. 187, the T. R. Bailey Survey, Abstract No. 30, and the J. Simmons
148 Survey, Abstract No. 190, Rockwall, Rockwall County, Texas, generally located north of FM-552 and
149 west of Breezy Hill Road, and take any action necessary.

150
151 Planner, Korey Brooks, gave a brief explanation of the request stating that The applicant, John
152 Arnold of the Skorburg Company, has submitted a Tree Survey and Mitigation Plan for phases
153 the Breezy Hill Subdivision for the purpose of removing trees to develop the these phases. The
154 applicant has identified a total of 2,219.5 caliper-inches of trees being removed. Currently, the
155 development has a credit from Breezy Hill, Phase VI of 226 caliper-inches. Additionally,
156 subtracting the required landscaping for Phase X ,468 caliper-inches being planted, Phase XI, 96
157 caliper-inches being planted, and Phase XII ,204 caliper-inches being planted, the development
158 has a mitigation balance of 925.5 caliper-inches. The UDC allows for up to 20% being 185.10
159 caliper-inches of the mitigation balance at \$200.00 per caliper-inch being \$37,020.00 to be paid to
160 the Rockwall Tree Fund. Additionally, the UDC states that since the applicant is planting at least
161 one tree in the development, the cash mitigation balance is reduced to ½ of the required
162 payment due being \$18,510, leaving a balance of 740.4 caliper-inches required for mitigation.
163 The applicant is proposing to provide the remaining mitigation balance to the Parks Department
164 in the form of trees. The removed trees contain several feature trees Oak, Pecan, or Elm trees
165 with a dbh over four caliper inches or any trees with a dbh over 30 caliper-inches that are being
166 removed. The Unified Development Code requires approval from the Planning and Zoning
167 Commission to remove feature trees. In this case, 132 feature trees, totaling 108 caliper inches
168 of Pecan trees and 1,558 caliper-inches of Cedar Elm trees, are being removed and require
169 approval from the Planning and Zoning Commission. The remaining trees are not feature trees
170 and do not require approval from the Planning and Zoning Commission.

171
172 Mr. Brooks advised the Commission that the applicant was present and available for questions
173 as well as staff.

174
175 Commissioner Chodun and Welch asked for clarification of what they are being tasked to do
176 concerning any decision. Mr. Brooks explained that the Commission is taking action on is the
177 approval of the removing of "feature" trees. Mr. Miller added further clarification in indicating
178 that the applicant was asked to do an off-site easement and they were under the impression that
179 they had permission to go and clear those trees because it was an easement that had already
180 been filed with the City. Typically clearing of those "featured" trees would have come before the
181 Commission prior to their removal. What is before the Commission now is approval of a
182 mitigation plan.

183
184 Commissioner Logan asked the applicant to come forward.

185
186 John Arnold
187 Skorburg Company

188 8214 Westchester Drive
189 Dallas, TX
190

191 Mr. Arnold came forward and indicated that the mitigation plan covers the off-site drainage
192 easement in the flood plain and will also cover all the remaining phases on the east side of John
193 King Boulevard. They will pay \$18,000 and 740 caliper inches that will be planted.
194

195 Commissioner Welch made a motion to approve MIS2018-010 with staff recommendations.
196 Commissioner Fishman seconded the motion which passed by a vote of 5-0 with Chairman
197 Lyons absent and one vacant seat.
198

199
200 V. DISCUSSION ITEMS
201

202 12. Z2018-022

203 Hold a public hearing to discuss and consider a request by Tara Migneault for the approval of a zoning
204 change from a Single Family 7 (SF-7) District to a Residential Office (RO) District on a 0.50-acre parcel
205 of land identified as Block 79, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned
206 Single Family 7 (SF-7) District, situated within the Historic Overlay (HOV) District, identified as a Local
207 Landmarked Property, addressed as 506 Barnes Street, and take any action necessary.
208

209 Planner, Korey Brooks, gave a brief explanation of the request stating that since the subject
210 property is located within the Historic Overlay District the request was required to go before the
211 Historic Preservation Advisory Board for recommendation and it did so on May 17, 2018 and at
212 that time the Board recommended denial of the zoning change request. Mr. Brooks went on to
213 explain that the applicant is requesting to rezone for the purpose of operating a property
214 management company out of the location.
215

216 Mr. Brooks indicated that the applicant was unable to attend the meeting but a representative
217 was present to answer questions as well as staff.
218

219 Commissioner Logan asked the applicants representative to come forward.
220

221 Rick Johnson
222 1035 St. Thomas Court
223 Rockwall, TX
224

225 Mr. Johnson came forward and stated that the property was purchased in 2003 by William
226 Migneault and has always been used as a property management company since that time and
227 the owner was told by the City that could be done so long as they did not place a sign outside.
228 Mr. Johnson indicated that a year and a half ago Mr. Migneault was diagnosed with brain cancer
229 and approximately four months ago the City notified the owners that they were in violation due
230 to complaints. Since then Mr. Migneault has since passed away in April which leaves Mrs. Tara
231 Migneault with her three kids and this business and she is requesting she be allowed to
232 continue to run her business. He added that across the street from the subject property there is
233 a nursing home causing a lot of non-residential activity in addition Mrs. Migneault currently does
234 have the property listed to be sold because she is unsure of what the outcome of the case will
235 be.
236

237 Commissioner Logan asked if there were any questions.
238

239 Commissioner Welch asked staff concerning the complaints that Mr. Johnson referred to that
240 brought on the request. Mr. Brooks indicated that what the applicant may be referring to is the
241 Home Occupation Ordinance that allows for home occupation and it was brought to the City's
242 attention that the home was not being operating meeting the home occupation regulations but
243 rather more as a Residential Office use. Mr. Miller added that the Home Occupation Ordinance
244 that stipulates that one can have a home occupation without requiring a Certificate of
245 Occupancy but certain criteria needs to be met such as not having employees. When the two
246 properties to the south were going thru a zoning change requesting to be Residential Office it
247 was pointed out by several residents in the area that the subject property was being operated as
248 a commercial business and as a result the City followed up and discovered that there were
249 employees on site which is a direct violation of the Home Occupation Ordinance.

250 There being no further questions Commissioner Logan indicated the case will return to the
251 Commission for action at the next scheduled meeting.

252
253
254 13. Z2018-023

255 Hold a public hearing to discuss and consider a request by John Abbott for the approval of a Specific
256 Use Permit (SUP) for a *Private School* in the Downtown (DT) District on a 0.4591-acre parcel of land
257 identified as Lots C & D, Block 1, Griffith Addition, City of Rockwall, Rockwall County, Texas, zoned
258 Downtown (DT) District, addressed as 306 E. Rusk Street, and take any action necessary.

259
260 Planner, Korey Brooks, indicated the applicant was present and would provide a presentation of
261 the request and staff would be available for questions.

262
263 Commissioner Logan asked the applicant to come forward.

264
265 Jake Abbott
266 408 Willow Springs
267 Heath, TX

268
269 Mr. Abbott came forward and indicated he is Chairman of the Board of Providence Academy and
270 provided a power point presentation and gave a brief explanation of the request. He spoke of
271 Providence Academy being a University Model school that has been providing a classical
272 education since 2009 that has been accredited by University Model School International in 2013.
273 Students meet on a different schedule K-5 student's meet on Monday and Wednesday and 6th -8th
274 meet on Monday, Wednesday and Friday that allows them to provide both a private and home
275 school type education. Enrollment will be approximately 80 students representing about 40
276 families. They at one point operated out of a small church in Rockwall however when they
277 outgrew that had to relocate to a facility in Rowlett but they have outgrown that one now as well
278 and is the reason they are requesting to return to Rockwall. They chose Rockwall because
279 approximately 75% of the students reside in Rockwall County and they feel it would offer an
280 excellent chance to introduce to families the downtown area and provide a positive impact for
281 both the school and downtown community. Another positive aspect they feel is that by
282 partnering with a local church would allow for maximum use of the facility. The presentation
283 went over the pick-up and drop off plan which will include staggered start time to alleviate any
284 concern with traffic to neighboring schools. Mr. Abbott indicated that he was available for
285 questions.

286
287 Commissioner Logan asked if they planned to use the City parking area. Mr. Abbott indicated
288 they plan on using that for pick-up and drop off alone.

289
290 Commissioner Chodun asked how many teachers would be on site and taking parking spaces.
291 Mr. Abbott indicated there will be ten teachers taking ten of the twenty parking spaces along St.
292 Augustine. Commissioner Chodun asked what the church's capacity was. Mr. Abbott indicated
293 that the church holds 256 and there will be 9 classrooms.

294
295 Commissioner Moeller asked what how long they anticipate that the church will fit their needs as
296 they continue to grow. Mr. Abbott stated they believe around three to four years because the
297 enrollment tends to fluctuate and also that the church itself is also looking to be long term
298 partners with them and they are already seeing they may outgrow that location.

299
300 General discussion took place concerning the parking both what is private and public and those
301 requirements within the Downtown core.

302
303 There being no further questions Commissioner Logan indicated the case will return to the
304 Commission for action at the next scheduled meeting.

305
306 14. Z2018-024

307 Hold a public hearing to discuss and consider a request by Randall Eardley of Wier & Associates, Inc.
308 on behalf of Getra Thomason-Sanders of Chick-Fil-A, Inc. for the approval of a Specific Use Permit
309 (SUP) for a *Restaurant, 2,000 SF or More with Drive Through* in a General Retail (GR) District on a
310 1.40-acre parcel of land identified as Lot 2, Block A, Lakeshores Commons Addition, City of Rockwall,
311 Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR)

312 District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1979
313 N. Goliad Street, and take any action necessary.

314
315 **Planner, Corey Brooks, gave a brief explanation and background of the request stating that as**
316 **the Commission may recall a Starbucks was recently approved south of the subject parcel and**
317 **south of the Starbuck a MOD Pizza was recently approved as well and this will be the final**
318 **proposal for this tract of land. Mr. Brooks advised the Commission that the applicant was**
319 **present and would speak of the request further and answer any questions as well as staff.**

320
321 **Randall Eardley**
322 **2201 E. Lamar Street**
323 **Arlington, TX**

324
325 **Mr. Eardley came forward and indicated he was available to answer any questions concerning**
326 **their request for a SUP to allow a drive thru for the Chick-fil-A.**

327
328 **Mr. Brooks added that should the SUP be approved the applicant would be required to come**
329 **back and provide a site plan that would go before the Architectural Review Board for**
330 **recommendations for the elevations.**

331
332 **Commissioner Moeller asked concerning the proposed detention and drainage easement on the**
333 **south side of the building that the drive through goes through that. City Engineer, Amy Williams,**
334 **indicated that it is underground.**

335
336 **There being no further questions Commissioner Logan indicated the case will return to the**
337 **Commission for action at the next scheduled meeting.**

338
339
340 15. SP2018-012

341 **Discuss and consider a request by Bart Tinsley of Adlers Rockwall SIL Property, LLC on behalf of Rob**
342 **Cameron of Cameron & Cameron for the approval of a site plan for a multi-family apartment complex on**
343 **a 10.3103-acre portion of a larger 12.40-acre tract of land identified as Tract 8 of the B. J. T. Lewis,**
344 **Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 86**
345 **(PD-86) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 Overlay (SH-205 OV)**
346 **District, generally located south of the intersection of TL Townsend Drive and Justin Road, and take any**
347 **action necessary.**

348
349 **Senior Planner, David Gonzales, indicated that both this agenda item and agenda item #16 could**
350 **be discussed simultaneously because they are both from a PD that was approved December of**
351 **last year. The developer is the same for both and is coming forward with the SIL component for**
352 **the 10 acre portion 144 units as well as for the front portion which will be for the memory care.**
353 **Mr. Gonzales indicated that the Architectural Review Board met with the applicant and provided**
354 **recommendations for both developments to be in sync with the same materials.**

355
356 **Mr. Gonzales advised the Commission that the applicant and his team were present and could**
357 **answer any questions as well as staff.**

358
359 **Bart Tinsley**
360 **1625 Clark Springs Drive**
361 **Allen, TX**

362
363 **Mr. Tinsley came forward and explained that the financing for the SIL is different than the**
364 **financing for the memory care and therefore have to plat it as two properties and therefore that**
365 **is the reason it is being done this way.**

366
367 **Tom Lunzman**
368 **3130 Long Bow Court**
369 **Houston, TX**

370
371 **Mr. Lunzman came forward and indicated he is the civil engineer on the project and could**
372 **answer any engineering questions the Commission may have.**

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Commissioner Chodun asked if the ARB had approved most of materials that are being brought forward. Mr. Tinsley indicated there was a missing component on their part with regards to the materials matching on both buildings but they will make that revision.

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

16. SP2018-013

Discuss and consider a request by Chris Allen of D. L. Marketplace Partners, LLC on behalf of Rob Cameron of Cameron & Cameron for the approval of a site plan for a memory care facility on a 2.0896-acre portion of a larger 12.40-acre tract of land identified as Tract 8 of the B. J. T. Lewis, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 86 (PD-86) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located south of the intersection of TL Townsend Drive and Justin Road, and take any action necessary.

Commissioner Logan asked for any further discussion on this agenda item seeing as it was discussed with Agenda Item #15 there being no further questions Commissioner Logan indicated the case will return to the Commission for action at the next scheduled meeting.

17. SP2018-014

Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Jeff Johnston of Woodhill Dental for the approval of a site plan for a medical office building on a 0.85-acre parcel of land identified as Lot 12, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 149 H. Wallace Lane, and take any action necessary.

Planner, Korey Brooks, gave a brief explanation and background of the request stating that there are a number of buildings surrounding the subject property which is on Horizon Road and Wallace Lane that consist of Austin stone with green roofs and the Planned Development District 57 standards indicate that buildings need to have a consistent theme. The Architectural Review Board made recommendations to the applicant and they will be providing revisions.

Mr. Brooks advised the Commission that the applicant was present and available for questions as well as staff.

Commissioner Logan asked the applicant to come forward.

Wayne Mershawn
Mershawn Architects
313 Ridge Road
Rockwall, TX

Mr. Mershawn came forward and indicated he was available for any questions.

Commissioner Chodun asked if the ARB tabled the item to allow them to make revisions. Mr. Mershawn stated that the ARB did table and they will make revisions.

Commissioner Moeller asked concerning the

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

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

- ✓ Z2018-018: Text Amendment for Furniture Upholstery, Refinishing or Resale (1st Reading)
[Approved]

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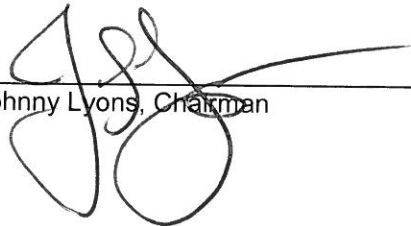
- ✓ Z2018-019: Text Amendment for Brewery and/or Distillery (Excluding Brew Pub) (1st Reading) [Approved]
- ✓ Z2018-020: SUP for an Accessory Structure at 3075 Golden Trail (1st Reading) [Denied]
- ✓ Z2018-021: SUP for a Day Care at 1024 Ridge Road (1st Reading) [Denied]
- ✓ MIS2018-006: Amendment to the Master Thoroughfare Plan (1st Reading) [Approved]
- ✓ P2018-001: Preliminary Plat for Breezy Hill, Phase VIII [Approved]
- ✓ SP2018-008: Variance for Lollicup USA [Table to June 4, 2018]
- ✓ SP2018-011: Variance for Mod Pizza [Approved]

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

VI. ADJOURNMENT

Commissioner Logan adjourned the meeting at 7:21 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 14 day of August, 2017.



Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
May 8, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Eric Chodun, Tracy Logan, Annie Fishman and Patrick Trowbridge. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

Chairman Lyons noted that item #5 would be moved up on the agenda.

III. PUBLIC HEARING ITEMS

2. Z2018-020

Hold a public hearing to discuss and consider a request by Chris Tarrant for the approval of a Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the Unified Development Code (UDC) on a 1.5087-acre tract of land identified as Lot 22, Block A, Sterling Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, addressed as 3075 Golden Trail, and take any action necessary.

Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is requesting the approval of a Specific Use Permit to allow a commercial-grade accessory building that does not meet the requirements stipulated by the UDC. The 1,500 square foot structure will stand approximately 15-feet in height, and will be situated behind the primary structure and will have four roll-up doors. The purpose of the proposed accessory building is to store go-karts and go-kart trailers. Currently there are two existing accessory buildings on the subject property one is a 10' x 20' brick building that was constructed with the primary structure, and meets the masonry and size requirements and the second is an 10' x 12' wood shed that was permitted and constructed in 2012, and is used to store lawn mowers and yard equipment. The wood shed, in conjunction with the other existing accessory building, meets the maximum allowable square footage for accessory buildings on the subject property; however, the wood shed does not meet the current masonry requirements stipulated by the UDC. The property is situated in a Single Family Estate 1.5 District, which according to the UDC property owners are permitted to construct no more than two accessory buildings up to 625 square feet or a single accessory building no larger than 1,250 square feet and 15-feet in height or less, provided the exterior materials of the accessory building are the same materials as found on the primary structure in roughly the same proportions. In this case, the applicant is requesting deviations from the material requirements for a 100% metal building, to exceed the maximum permissible square footage requirements by 875 square feet and to exceed the maximum permissible number of accessory buildings allowed on a property by one building. The UDC permits the City Council to review deviations from the accessory building requirements on a discretionary basis through a Specific Use Permit and in this case, the accessory building will be situated 150 feet behind the main structure and be partially screened by a solid wood fence that will provide limited visibility from any adjacent public right-of-way or open space.

63 Mr. Brooks further noted that the subject property has a history of complaints for operating as a
64 commercial use however the applicant has indicated that a commercial business was in
65 operation during that time, but has since been discontinued. As a result, staff has included in
66 the draft ordinance as a condition of approval that the subject property shall not be operated as
67 a commercial use.
68

69 Mr. Brooks went on to state that on April 30, 2018 staff sent 39 notices to property owners and
70 residents within 500 feet of the subject property and additionally notified the Lofland Farms HOA
71 and staff has not received any notices in favor or in opposition.
72

73 Mr. Brooks advised the Commission that the applicant was present and available for questions
74 as well as staff.
75

76 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
77 speak.
78

79 Cathy Tarrant
80 3075 Golden Trail
81 Rockwall, TX
82

83 Mrs. Tarrant came forward and indicated she is the spouse of the applicant Chris Tarrant. She
84 shared that her husband and kids race cars as a hobby. They moved to Rockwall in 2009 and
85 bought their home on the large lot with the intent to someday build an accessory building. The
86 approval of the building would allow them to have the room to strictly store the numerous race
87 cars, go carts and additional equipment that are used for the cars and it would allow them not to
88 have to continue renting a facility to store them.
89

90 Chairman Lyons asked for questions from the Commission for the applicant.
91

92 Commissioner Chodun asked if they would be willing to remove one of the already existing
93 buildings. Mrs. Tarrant indicated that the wood shed would be removed because currently it is
94 being used to store lawn equipment and such should the request be approved they could then
95 move what is housed there into the new building. Mr. Brooks added that the draft ordinance
96 could be changed to indicate that the wood shed be removed if the applicant is indicating that it
97 would be removed.
98

99 Commissioner Logan asked if they considered something more permanent with an exterior
100 finish that met the City's regulations. Mrs. Tarrant indicated that they chose and went with metal
101 due to the cost involved and added that there currently are five other houses in her
102 neighborhood with similar buildings.
103

104 Commissioner Moeller asked about screening. Mrs. Tarrant indicated that as is a wood fence
105 that surrounds the property which would screen the building.
106

107 Chairman Lyons generally expressed being in favor since the applicant has indicated that one of
108 the existing buildings would be removed.
109

110 Commissioner Chodun asked what the size the existing fence is and what the size of the new
111 building would be. Mrs. Tarrant stated it is an 8 foot fence and Mr. Brooks stated that the
112 applicant has indicated the building will be 14 feet however the UDC allows for it to be up to 15
113 feet.
114

115 Chairman Lyons asked if anyone wished to speak to come forward and do so there being no on
116 indicating such, Chairman Lyons closed the public hearing and brought the item back to the
117 Commission for discussion or a motion.
118

119 Chairman Lyons made a motion to approve Z2018-020 with staff recommendations and the
120 stipulation that the wood shed be removed. Commissioner Moeller seconded the motion which
121 passed by a vote of 4-3 with Commissioners Trowbridge, Chodun and Welch dissenting.
122

123 3. Z2018-021

124 Hold a public hearing to discuss and consider a request by Stephanie Marshall and Natalie Kirkley on
125 behalf of Susan Gamez for the approval of a Specific Use Permit (SUP) for a daycare facility in a
126 Residential-Office (RO) District on a 0.23-acre parcel of land identified as Lot 1, Block A, Gamez
127 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 53 (PD-53) for
128 Residential-Office (RO) District land uses, addressed as 1024 Ridge Road [FM-740], and take any
129 action necessary.
130

131 Planner, Corey Brooks, gave a brief explanation of the request stating that the applicants are
132 requesting a Specific Use Permit for the purpose of establishing a daycare facility on the subject
133 property. According to the applicants, they will have approximately 28 students, aged three to
134 six years old enrolled. The applicants are proposing to provide circulation via a mutual access
135 easement with the property to the north and have provided a circulation plan. According to the
136 applicants, the hours of operation will be Monday-Friday from 8:30 a.m. to 2:30 p.m. with drop off
137 times being staggered from 8:00 a.m. to 8:30 a.m. and pickup times being staggered from 2:30
138 p.m. to 3:00 p.m. The applicants have also indicated they will provide a circulation and stacking
139 plan and according to the UDC a daycare facility must provide stacking for at least four vehicles.
140 In this case, the applicants have stated that by utilizing the cross-access easement, the
141 proposed daycare could provide approximately stacking for ten vehicles and accommodates
142 parking for seven vehicles. According to the applicants, they do not foresee any circulation
143 conflicts with their proposed drop-off and pickup times. According to the UDC a daycare facility
144 is allowed with a Specific Use Permit in a Residential-Office District. The intent for Residential-
145 Office Districts is to allow for live/work arrangements to allow flexibility for transitioning
146 structures and is intended to allow low-intensity office uses providing professional, medical, and
147 other office services to residents in adjacent neighborhoods. In this case, the Specific Use
148 Permit is intended to allow the Planning and Zoning Commission and the City Council the ability
149 to review the land-use to ensure the operations will not create issues for adjacent businesses or
150 residential properties, or with and adjacent roadways. The approval of a Specific Use Permit is
151 discretionary to the Planning and Zoning Commission and the City Council and should the
152 request be approved the applicant would be required to submit a site plan.
153

154 Mr. Brooks went on to state that on April 30, 2018 staff sent 50 notices to property owners and
155 residents within 500-feet of the subject property and also notified the Waterstone Estates and
156 Southside Residential HOA's and at the time the memo provided to the Commission was written
157 no notices had been received however since then staff has received an email in opposition.
158

159 Mr. Brooks advised the Commission that the applicant was present and available for questions
160 as well as staff.
161

162 Chairman Lyons asked for questions for staff.
163

164 Commissioner Trowbridge asked what the speed limit of Ridge Road coming down from the top
165 of the hill to the subject property. Mr. Brooks indicated it was 45mph and is a TXDOT six lane
166 divided roadway.
167

168 Commissioner Logan asked concerning the parking requirements. Mr. Brooks indicated that the
169 site has parking for seven vehicles which does conform to the parking requirements based upon
170 the square footage and the use.
171

172 Commissioner Welch asked concerning the wording of the request being called a "daycare"
173 when at the work session the applicant was referring to it more as a tutoring service which
174 appeared to be a less busy use. Mr. Brooks indicated that according to the use chart it would fall
175 into a daycare use however the applicant could speak further on the difference. Commissioner
176 Welch expressed concern with vehicles backing up onto Ridge Road.
177

178 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
179

180 Natalie Kirkley and Stephanie Marshall
181

182 Ms. Kirkley and Ms. Marshall came forward and provided a short power point presentation that
183 went over the request. She shared that they are both are certified RISD teachers and what they
184 are proposing is not a daycare but rather a faith based kindergarten readiness program to
185 prepare kids for kindergarten. They will operate from September to May and may have a summer

186 prep camp that would last two weeks and may host two camps depending on demand. Ms.
187 Kirkley shared a video that simulated what a typical drop off would entail and indicated that
188 eleven cars can fit in line to the drop off area with 3-4 feet in between as well as three additional
189 cars can fit past the drop off area with a 30 minute drop off/pick up window. With regards to
190 outside spay for play they will be adding a fence and they will be meeting State guidelines
191 pertaining to how much available outside space is needed per square footage of the building.
192

193 Chairman Lyons asked for questions for the applicants from the Commission.
194

195 Commissioner Chodun asked if events could be hosted. Ms. Kirkley indicated there could
196 possibly be all day events on occasion that would allow parents to come and go throughout the
197 day however if they planned on for example a Christmas program they would ask for permission
198 from the neighboring properties to park on their properties which would be after those business
199 hours of operation.
200

201 Chairman Lyons asked if anyone wished to speak to come forward and do so.
202

203 Tom Walker
204

205 Mr. Walker came forward and shared that he has resided in Rockwall for thirty-nine years and
206 owns the two properties next door to the subject property and expressed his opposition to the
207 request. He is concerned with the traffic he believes the it will not flow well and will pose safety
208 issues and will be disruptive to neighboring businesses. He agrees that what they are proposing
209 is needed but the proposed location is simply not suitable.
210

211 Joe Wells
212 1303 S. Alamo Road
213 Rockwall, TX
214

215 Mr. Wells came forward and stated he lives in the house directly behind the subject property and
216 generally expressed not being against the request shared concern with a fence that is shared
217 with both his property and the subject property that is in disrepair that he would like to see
218 repaired to ensure the safety of the kids.
219

220 Chairman Lyons closed the public hearing and asked the applicants to come forward if they
221 wished to offer any rebuttal.
222

223 Ms. Kirkley and Ms. Marshall came forward and addressed the concern of the fence and
224 indicated they will be fixing the fence to avoid any safety hazard.
225

226 Chairman Lyons generally expressed being in favor of the request with the circulation plan they
227 are proposing and breaking up the time of the drop off/pickup should alleviate traffic concerns.
228

229 Commissioner Fishman expressed that although the location is not the most favorable she feels
230 is a much needed service for the community.
231

232 Commissioner Moeller shared that he too agrees that the use they are proposing is much
233 needed to the community but expressed concern with the circulation flow and suggested to the
234 applicants to educate the parents at the orientation to not impede traffic on Ridge should they
235 not be able to get into the location due to backup of cars they should continue and loop around
236 and try again not stop on Ridge as that would be a very dangerous situation. Commissioner
237 Logan expressed concern with the traffic flow. Commissioner Trowbridge shared agreeing with
238 Commissioner Moeller's comments.
239

240 Commissioner Welch made a motion to approve Z2018-021 with staff recommendations.
241 Chairman Lyons seconded the motion which passed by a vote of 6-1 with Commissioner Logan
242 dissenting.
243
244

245 4. Z2018-018

246 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
247 amendment to the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified

248 Development Code [*Ordinance No. 04-38*] for the purpose of allowing the *Furniture Upholstery,*
249 *Refinishing or Resale* land use by Specific Use Permit (SUP) in the Commercial (C) District, and take
250 any action necessary.
251

252 Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the April 2,
253 2018 City Council meeting, the City Council directed staff to prepare a text amendment
254 amending Article IV, Permissible Uses, of the Unified Development Code for the purpose of
255 allowing the Furniture Upholstery/Refinishing and Resale land use in the Commercial District by
256 a Specific Use Permit. This direction came as the result of an appointment with the owner of the
257 Rustic Warehouse who was requesting the text amendment to bring the business into
258 compliance with the Unified Development Code. Currently the Furniture Upholstery/Refinishing
259 and Resale land use is only permitted by-right in the Heavy Commercial and Light Industrial
260 District. The proposed amendment would extend this use to the Commercial District by Specific
261 Use Permit with the condition that the use is ancillary to a general retail store. The purpose of
262 this condition is to prevent a standalone Furniture Upholstery/Refinishing and Resale land use
263 from locating within an established commercial/retail area, reducing the possibility of creating
264 incompatible land uses.
265

266 Mr. Miller further noted that in accordance, with the UDC the amendment is being brought
267 forward to the Planning and Zoning Commission for a recommendation to the City Council.
268 Additionally changes to the original draft ordinance have been drafted to address the
269 Commission's comments from the work session specifically the concerns the Commission
270 shared requesting that staff clarify the amount of floor area that can be dedicated to ensure that
271 it remains ancillary to the general retail land use. As a result of this request staff has added a
272 provision to the draft ordinance that would allow these businesses to use up to 30% of the floor
273 area to be dedicated to the Furniture Upholstery/Refinishing and Resale land use. This
274 requirement will be assessed on a case-by-case basis by the Planning and Zoning Commission
275 and City Council at the time of the Specific Use Permit request.
276

277 Mr. Miller went on to state that staff sent out a 15-day notice that was posted to the Rockwall
278 Herald Banner.
279

280 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
281 forward and do so there being no one indicating such Chairman Lyons closed the public hearing
282 and brought the item back to the Commission for discussion or a motion.
283

284 Extensive general discussion took place concerning the percentage requirement for the amount
285 of square footage.
286

287 Commissioner Chodun made a motion to approve Z2018-018 removing Subsection 2.1.7 in the
288 proposed amendment. Commissioner Trowbridge seconded the vote which passed by a vote of
289 7-0.
290

291 5. Z2018-019

292 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
293 amendment to the *Permissible Use Charts and Use Standards* contained in Article IV, *Permissible*
294 *Uses*, of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of allowing the *Brewery*
295 *or Distillery (Excluding Brew Pub)* land use by Specific Use Permit (SUP) in the Downtown (DT) District,
296 and take any action necessary.
297

298 Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the April 2,
299 2018 City Council meeting, the City Council directed staff to prepare a text amendment
300 amending Article IV of the Unified Development Code for the purpose of allowing the Brewery
301 and Distillery excluding Brew Pub land use in the Downtown District by Specific Use Permit.
302 Currently the Code treats brewery or distillery as more of an industrial use and only allows it in a
303 Light Industrial and Heavy Industrial Districts however since about 2013 the Texas Alcoholic
304 Beverage Commission has passed amendments designed on microbreweries and craft
305 breweries. The text amendment was discussed at the work session and based on discussion
306 and the questions asked by the Planning and Zoning Commission, staff prepared two options for
307 the proposed text amendment. The first option would simply allow the Brewery or Distillery
308 excluding Brew Pub land use in the Downtown District by Specific Use Permit. This would rely
309 on the Planning and Zoning Commission and City Council to set regulations on a case-by-case

310 basis through the Specific Use Permit process. The second option creates a new land use,
311 Craft/Micro Brewery, Distillery and/or Winery, which would be allowed through discretionary
312 approval in the Downtown, General Retail and Commercial Districts and by-right in the Light
313 Industrial and Heavy Industrial Districts which are the same districts that allow the current
314 Winery land use. In addition, the new land use would restrict the size of these operations to
315 12,000 square feet, the size of their non-manufacturing or retail sales space to be 40% of the
316 total building area, and the permitted accessory land uses. Under Option 2, larger Brewery or
317 Distillery land uses would continue to be allowed only in industrial districts and the Winery land
318 use would be restricted to the Agricultural District by Specific Use Permit and Light Industrial
319 and Heavy Industrial Districts by-right. By doing this, the code makes the distinction between
320 smaller wineries which typically do not have vineyards or an agricultural component on premise
321 and larger scale wineries which typically have vineyards and an agricultural component on
322 premise. Finally, the code amendment would decouple the Private Club and Brewpub land uses
323 in order to establish a definition of Brewpub. The permitted land use districts would not change
324 for either the Private Club or Brewpub land uses. Option 2 is designed to make distinctions
325 between the various alcohol related land uses and provide specific regulations for each, but
326 does not increase the districts where these uses are allowed. The only exception is the addition
327 of the Craft/Micro Brewery, Distillery and/or Winery in the Downtown District, which already
328 permits wineries by Specific Use Permit.

329
330 Mr. Miller further noted that in accordance the UDC the proposed amendments are being brought
331 forward to the Planning and Zoning Commission for a recommendation to the City Council and
332 while two options were provided the Commission is not limited in making a recommendation to
333 the City Council. Additionally staff sent out a 15-day notice to the Rockwall Herald Banner in
334 accordance to the Unified Development Code.

335
336 Mr. Miller advised the Commission staff was available for questions.

337
338 Chairman Lyons asked for questions for staff.

339
340 Commissioner Trowbridge asked if what was before the Commission is only the text amendment
341 at this point in time and not for a specific place. Mr. Miller stated what is before them is about
342 changing the use chart.

343
344 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
345 forward and do so.

346
347 Lorne Liechty
348 502 Terry Lane
349 Heath, TX

350
351 Mr. Liechty came forward and indicated he is an attorney representing the Corey and Eva
352 Cannon who are requesting the approval of an amendment to allow a brewery. Mr. Liechty went
353 on to state that breweries are not only regulated by the City it would be highly regulated by the
354 Texas Alcoholic Beverage Commission. With concerns having to do with the possibility of "open
355 container" patrons would not be able to purchase a beer and take it out of the facility and walk
356 into downtown because that is prohibited by TABC regulations as well as the City. What his
357 clients are proposing is not a bar nor do they want to create a bar but rather the opposite by
358 creating a family friendly environment that would allow people to enjoy the beer tastings and
359 possibly specialty food that would be brought in which is what microbreweries have developed
360 into. Mr. Liechty further noted that another distinction between a bar and a brewery is that in a
361 bar there is different kinds of varieties of alcohol that is served where as his client would only be
362 selling their beer product. Craft breweries have grown with Texas being the eight largest state in
363 the United States as far as the number of breweries. At this time his clients are only requesting
364 the approval of the amendment to allow breweries into Downtown they would still need to go
365 before the City Council and request approval for a Specific Use Permit. They feel the request is
366 consistent with what has been done in the past regarding wineries and believe it is something
367 the citizens of Rockwall would enjoy and bring revenue to the City.

368
369 Corey and Eva Cannon
370 421 Bedford Falls
371 Rockwall, TX

372 Mr. and Mrs. Cannon came forward and provided a brief power point presentation that showed
373 the microbrewery concept and he noted that although what is before the Commission is only the
374 text amendment they felt the presentation would allow the Commission an opportunity to get an
375 idea of what micro brewing entails and clear up and answer any possible misconceptions of
376 what a craft brewery is about. The presentation also showed and they spoke of what they would
377 propose to bring forward should the text amendment be approved. Their target location is
378 across the street from City Hall off SH-205 near downtown which they are under contract
379 currently and they feel the location has the potential for great expandability. Ms. Cannon shared
380 that it was important to note that it would not be a bar or late night establishment. The brewery
381 production will happen during the day and the tasting room will be open from 4pm-9pm Wed-
382 Friday, 12pm-9pm on Saturday and 12pm-6pm on Sunday. They plan on partnering with local
383 restaurants in the area to serve food at the facility as well as food trucks on the weekends.

384
385 Deidra Roe
386 1100 Ridge Road West
387 Rockwall, TX
388

389 Ms. Roe came forward and indicated she is in favor of the request to allow the brewery in the
390 Downtown and shared that she had a retail clothing business in the Downtown for five years that
391 unfortunately had to close but is currently in the process of opening a new store in the
392 downtown area because of her love for the downtown area. Her husband is a home brewer and
393 they both have been in the brewery community for many years and travel to different cities
394 specifically to visit breweries located within downtown areas because it allows her the
395 opportunity to shop therefore she feels allowing such a use within the downtown area will
396 increase tourism, tax revenue and it would have a major positive impact in the City and
397 especially Downtown. She strongly urged the Commission to consider approving the request.

398
399 Chris Vandenburg
400 132 Oxford Drive
401 Heath, TX
402

403 Mr. Vandenburg came forward and expressed his support for the request he shared he is fairly
404 new to the Rockwall/Heath area and has visited breweries and agrees that it would draw a lot of
405 people into the area.

406
407 Chairman Trowbridge asked if anyone else wished to speak to come forward and do so, there
408 being no one indicating such Chairman Lyons close the public hearing and brought the item
409 back to the Commission for a motion or discussion.

410
411 Commissioner Trowbridge generally expressed being in favor of the request he feels with the
412 right kind of zoning that has been proposed specifically with option 2 he sees it as a well-
413 structured way to be able to capitalize on future business not necessarily with the Cannons but
414 in general as a land use going forward.

415
416 Commissioner Fishman agreed with Commissioner Trowbridge's thoughts as there is an
417 increasing demand for craft beer and it would enhance the downtown area. She posed the
418 question that if the current two breweries that are currently in business in the Light Industrial
419 area would want to move to the downtown area would there be limitations as to the number that
420 would be allowed to be in business in the downtown area. Mr. Miller indicated that that would be
421 a discretionary decision for the Planning and Zoning Commission and City Council however it
422 would not be limited to just the people that brought the request forward that initiated the
423 process anybody would have the ability to apply and handled as a case by case basis.

424
425 Commissioner Chodun generally expressed being in favor of the request however is leaning
426 more towards option one because it affords the Commission more flexibility than option two.

427
428 Commissioner Moeller generally agreed with the comments expressed by the Commissioners he
429 feels it would be an enhancement to downtown and would bring more diversity. He expressed
430 liking the family friendly aspect and the fact that they will not be closing late into the evening
431 feels it is not a bar but rather a gathering place that would provide options to the residents. He
432 indicated leaning more in favor of option two that would have size limitations.
433

434 Chairman Lyons generally shared that he initially was not very excited about it unless there
435 would be a food element involved however it appears they will have options that will offset that
436 concern and if would bring more people to the downtown area the pros may offset some of the
437 cons and the plus would be that requests that came forward if approved would be discretionary
438 and they would have the ability to handle them on a case by case basis.
439

440 Commissioner Logan agreed with Chairman Lyons thoughts that at first she too was skeptical of
441 the concept but with the information that has been provided she feels she understands the
442 concept better.
443

444 Commissioner Welch made a motion to approve Z2018-019 with Option two. Chairman Lyons
445 seconded the motion which passed by a vote of 7-0.
446
447

448 IV. ACTION ITEMS
449

450 6. SP2018-008

451 Discuss and consider a request by Worth Williams of Moore Worth Investment, LLC for the approval of
452 a site plan for a restaurant on a 0.778-acre parcel of land identified as Lot 4, Block A, Lakeshore
453 Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65
454 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205
455 OV) District, addressed as 1901 N. Goliad Street, and take any action necessary.
456

457 Planner, Korey Brooks, gave a brief explanation and background of the request stating that On
458 January 3, 2006, the City Council adopted Ordinance No. 06-02, establishing the development
459 requirements for Planned Development District 65 which allows a restaurant without drive-
460 through facilities as a by-right use. Subsequently the PD-65 ordinance was amended in 2008,
461 2010, and in 2017. The applicant is requesting approval of a site plan for a restaurant. The
462 submitted site plan, landscape plan, photometric plan, and building elevations conform to the
463 technical requirements contained within the UDC with the exception of a few variances.
464 Additionally, the proposed restaurant will have a 1,200 square foot patio with outdoor seating.
465 The proposed restaurant will have access to North Lakeshore Drive via a cross-access easement
466 with the parcel located to the north and will have direct access to SH-205.
467

468 Mr. Brooks went on to state that according to the applicant's submittal there are some variances.
469 The first is a variance is to the North SH-205 Overlay Corridor District standards. According to
470 the submitted site plan, the restaurant will be constructed utilizing a flat roof design and
471 according to the UDC structures having a footprint of 6,000 square feet or less must be
472 constructed with a pitched roof system. In this case, the applicant is proposing to utilize a flat
473 roof design to match the existing retail strip center and restaurant located on the adjacent
474 properties. The second variance is in regards to the building materials. According to the UDC
475 each exterior wall of a structure must consist of 90% masonry including a minimum of 20%
476 natural or quarried stone on each façade. In this case, the applicant is proposing to utilize 13.6%
477 cultured stone on the front elevation and 26% cultured stone on the north elevation. The
478 applicant is not providing stone on the west and south elevations. Additionally, the UDC states
479 that cementitious materials such as stucco shall be limited to 50% of the building's façade. The
480 applicant is proposing to utilize 78% stucco on the west elevation and 82% stucco on the south
481 elevation. To mitigate for this, the applicant is providing a cluster of Bald Cypress trees to
482 provide landscape screening to the south and west of the building. Finally, the UDC states that
483 secondary materials, metal panels shall be less than 10% per façade. In this case, the applicant
484 is proposing to utilize 28% metal panels on the front façade and 38% metal panels on the north
485 façade and the applicant has indicated that the reason for these requests is brand identity for
486 the proposed restaurant. The third variance is in regards to the parking. According to the UDC
487 restaurants must have one parking space for every 100 square feet of building area. In this case,
488 the restaurant is 2,800 which would require 28 parking spaces. In addition, the applicant is
489 proposing a 1,200 square feet outdoor patio with seating. This means the overall restaurant
490 would be 4,000 SF which would require a minimum of 40 parking spaces. In this case, the
491 applicant is requesting a variance to the parking requirement to provide 34 parking spaces
492 which is 6 spaces below the minimum requirement. This request shall require a simple-majority
493 vote to be approved by the City Council.
494

495 Mr. Brooks further noted that the Architectural Review Board met with the applicant on April 24,
496 2018 and requested some revisions and those revisions were turned in and the ARB reviewed
497 those this evening and did recommend approval of all the variances.
498

499 Mr. Brooks advised the Commission that the applicant was present and available for questions
500 as well as staff.
501

502 Chairman Lyons asked the applicant to come forward and speak.
503

504 Worth Williams
505 7700 Eastern Avenue
506 Dallas, TX
507

508 Mr. Williams came forward and shared that they are seeking a variance to the parking they are
509 providing 34 spaces on the MOD pad site but will be short based upon 58 seats 9 parking spaces
510 therefore they are asking for a variance for those 9 spaces; however they do have reciprocal
511 easements throughout the entire project and have 9 additional parking spaces extra throughout
512 the balance of the project that could accommodate the additional overflow necessary.
513

514 Mr. Brooks went over the parking requirements and clarified how those numbers are calculated.
515

516 Commissioner Moeller made a motion to approve SP2018-008 with staff recommendations.
517 Commissioner Chodun seconded the motion which passed by a vote of 7-0.
518

519 7. SP2018-009

520 Discuss and consider a request by Scott Roberts of Creative Architects on behalf of Adam Cunningham
521 of Patriot Paws for site plan for a *Residential Care Facility* on a 3.466-acre parcel of land identified as
522 Lot 1, Block A, Patriot Paws Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
523 District, addressed as 302 Ranch Trail, and take any action necessary.
524

525 Senior Planner, David Gonzales, gave a brief explanation and background information on the
526 request stating that The applicant is requesting the approval of a site plan for the purpose of
527 constructing a, single-story, 2,015 square foot Residential Care Facility. On October 2, 2017, the
528 City Council approved a Specific Use Permit to allow for a Residential Care Facility in a
529 Commercial District. The SUP establishes operational conditions that are specific to this
530 property. At the time of approval of the SUP, there was an existing two bedroom, single-story
531 home on the subject property. The home has since been demolished to make way for the new
532 facility and parking will be in accordance with the UDC, which requires a minimum of one space
533 per bedroom and the facility will provide two parking spaces, and meet this requirement.
534 According to the UDC, a residential care facility operation is a use permitted by a SUP within the
535 Commercial District. The submitted site plan, landscape plan, and building elevations conform
536 to the technical requirements contained within the UDC and the Commercial District.
537

538 Mr. Gonzales further noted that the Architectural Review Board reviewed the site plan and did
539 recommend approval based on revisions that were made. Mr. Gonzales advised the Commission
540 that the applicant was present and available for questions.
541

542 Chairman Lyons asked the applicant to come forward and speak.
543

544 Scott Roberts
545 Creative Architects
546 1026 Creekwood
547 Garland, TX
548

549 Mr. Roberts came forward and shared that he is a Director with the Dallas Builders Association
550 who is the group that is working with Patriot Paws in the construction with little to no cost. He
551 indicated he was available for questions.
552

553 Commissioner Chodun made a motion to approve SP2018-009 with staff recommendations.
554 Commissioner Logan seconded the motion which passed by a vote of 7-0.
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8. SP2018-011

Discuss and consider a request by Andy Sebacher of Forum Studio Architects, Inc. on behalf of Alan Yu of Lollicup USA, Inc. for the approval of an amended site plan for a manufacturing facility on a 34.23-acre tract of land identified as a portion of Lot 1, Block A, Rockwall, Technology Park, Phase 2 and Tract 2-01 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the southeast corner of the intersection of Corporate Crossing [FM-3549] and Capital Boulevard, situated within the FM-549 Overlay (FM-549 OV) District, and take any action necessary.

Senior Planner, David Gonzales, gave a brief explanation and background of the request stating that the applicant, Lollicup, is requesting the approval of an amended site plan for the purpose of allowing a form-liner used to replicate the use of stone rather than using the required stone product that was approved for the north elevation. If approved, the applicant intends to provide integrally cast concrete wall panels that appear as split-face stone. This request is in conjunction with an approved site plan for an approximately 650,000 square foot warehouse/manufacturing facility within the REDC Technology Park. The site plan was approved for the subject property earlier this year. The approval granted a variance to the FM-549 Overlay Districts' 20% stone requirement by allowing no stone on the east, west, and south elevations, while allowing 12% on the north elevation. The revised building elevations indicate the appearance of a split-face stone i.e. form-liner application for the north (13%), east (1%), and west (2%) elevations. Mr. Gonzales indicated the applicant could provide additional details an noted that a variance request to the FM-549 Overlay (FM-549 OV) District requires passage by a ¾ majority vote of those City Council members present.

Mr. Gonzales advised the Commission that the applicant was present and available for questions as well as staff.

Commissioner Chodun asked that to clarify what was approved was a variance for less stone initially and now for the lesser stone that was agreed upon the applicant is now requesting to replace that with the form liner. Mr. Gonzales indicated that was correct.

Chairman Lyons asked the applicant to come forward.

Tony Williams
1640 East Justin
Rockwall, TX

Mr. Williams came forward and stated he is the project manager for Clayco who is the general contractor for who will be building the facility. He shared that there are two parts to the system they are looking to obtain there is the form-liner as well as the knockoff finish. The finish is a concrete finish that gives the stone look and the form liner gives it more of the texture. He provided pictures that showed the product look on different buildings as examples. He added that it would fit very well with the surrounding buildings.

Chairman Lyons asked how the product held up over time compared to stone. Mr. Williams indicated that it holds up very well and has a twenty five year warranty on the finish itself.

Commissioner Chodun asked what prompted the change from what was initially approved. Mr. Williams indicated when he came on board with the project the form-liner was being discussed as a possible use within the park itself however he does not know specifics as to what prompted the change.

Chairman Chodun asked staff if the request were to be denied what would be the process is there an appeal of some sort. Mr. Gonzales indicated that it would go to City Council next as it is a recommendation that the Commission is forwarding to City Council.

Commissioner Moeller asked staff if this type of product has been allowed within the Tech Park in the past. Mr. Gonzales indicated that form-liner is on other buildings but not to the extent of this request. Mr. Miller added that it has been allowed it in the Tech Park however what separates this property is that it is in an Overlay District and it would be visible.

General discussion took place.

619 Commissioner Welch made a motion to deny SP2018-011. Commissioner Logan seconded the
620 motion which passed by a vote of 7-0.
621

622 9. MIS2018-019

623 Discuss and consider a request by John Arnold of BH Phase 8, LLC for the approval of a variance to the
624 minimum landscape buffer requirements stipulated by Planned Development District 74 (PD-74)
625 [Ordinance No. 17-60] for Breezy Hill, Phase VIII on 30.785-acres of land identified as Tract 7 of the J.
626 Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned
627 Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located along the
628 eastern side of Breezy Hill Lane, and take any action necessary.
629

630 Planning Director, Ryan Miller, provided background information explaining that on April 20,
631 2009, the City Council approved Planned Development District 74 establishing the zoning for a
632 405.184-acre tract of land identified as the Breezy Hill Subdivision. Contained in this zoning
633 ordinance was a provision that, "(a) landscape buffer strip with a minimum width of ten feet shall
634 be provided between any residential area and Breezy Hill Road." Since this original approval,
635 PD-74 has been amended four times, but this requirement has not changed. Recently, there has
636 been some dispute over the alignment of Breezy Hill Road, which necessitated the City to hire a
637 surveyor to identify the location of the prescriptive right-of-way of the roadway. Prior to the
638 completion of this survey, the applicant adjusted the lot sizes in Phase VIII of the subdivision
639 which is directly adjacent to the roadway, first through rezoning the property to increase the size
640 of the lots and then through the Board of Adjustments to reduce eight of the lots' width
641 requirements by five feet from 180-feet to 175-feet. In addition, the applicant has recently
642 submitted a preliminary plat for Phase VIII of the subdivision, which was recommended for
643 approval by the Planning and Zoning Commission on April 10, 2018 but was tabled by the City
644 Council on April 16, 2018 in anticipation of this variance request. Now that the survey has been
645 completed, there does appear to be some overlap in the prescriptive right-of-way and the
646 applicant's property line that requires resolution prior to the City Council being able to accept
647 the preliminary plat. Specifically, the width of overlap or encroachment varies from 5.1-feet
648 along the southeastern boundary to 4.1-feet along the northeastern boundary. To remedy this
649 issue staff has suggested that in lieu of going back to the BOA for a further reduction in lot size
650 the applicant request a variance to the landscape buffer requirement in accordance with the
651 procedures contained in PD-74. This section reads as follows: "Variances. The variance
652 procedures and standards for approval set forth in the Unified Development Code shall apply to
653 any application for variances to this ordinance...", and according to the UDC a variance to the
654 landscape buffer requirements can be requested pending a recommendation from the Planning
655 and Zoning Commission. The variance that needs to be requested in this case is to reduce the
656 minimum landscape buffer from ten feet to 4.9-feet along Breezy Hill Road.
657

658 Mr. Miller further noted that in evaluating variance requests, the Planning and Zoning
659 Commission and City Council is asked to review the request to establish if there is a unique or
660 extraordinary condition that would constitute a hardship or that would prohibit an applicant from
661 conforming to the requirements of the zoning. In this case, the applicant was not aware of the
662 prescriptive right-of-way until after the zoning was approved. The applicant's situation may
663 constitute a hardship; however, variance requests are discretionary decisions for the City
664 Council pending a recommendation from the Planning and Zoning Commission. If approved the
665 variance would only apply to Phase VIII of the subdivision.
666

667 Mr. Miller advised the Commission that the applicant was present and available for questions as
668 well as staff.
669

670 Chairman Lyons asked the applicant to come forward and speak.
671

672 Adam Buzcek
673 Skorkburg Company
674 8214 Westchester Drive Suite 710
675 Dallas, TX
676

677 Mr. Buzcek they are following the City's lead and are hopeful the Commission approves the
678 request to allow them to move forward to Council at the same time with the plat the Commission
679 has already approved to allow them to start construction.
680

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Commissioner Trowbridge made a motion to approve MIS2018-019 with staff recommendations.
Commissioner Logan seconded the motion which passed by a vote of 7-0.

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

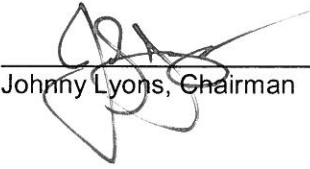
✓ P2018-009: Lot 7, Block A, Bodin Industrial Addition [Approved]

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

V. ADJOURNMENT

Chairman Lyons adjourned the meeting at 8:40 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 31 day of July, 2018.



Johnny Lyons, Chairman

Attest:



Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
June 12, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Eric Chodun, Annie Fishman, and Tracey Logan and one vacant seat. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the November 14, 2017 Planning and Zoning Commission meeting.

2. Approval of Minutes for the March 27, 2018 Planning and Zoning Commission meeting.

3. MIS2018-012

Discuss and consider a request by Rayburn Electric Cooperative for the approval of a Treescape Plan on a 30.351-acre tract of land identified as Lot 6 & 9, Block A, Rayburn Country Addition, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, situated within the SH-205 Overlay (SH-205 OV) District, situated south of Sids Road in between S. Goliad Street [SH-205] and Mims Road, and take any action necessary.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

IV. PUBLIC HEARING ITEMS

5. Z2018-022

Hold a public hearing to discuss and consider a request by Tara Migneault for the approval of a zoning change from a Single Family 7 (SF-7) District to a Residential Office (RO) District on a 0.50-acre parcel of land identified as Block 79, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Historic Overlay (HOV) District, identified as a Local Landmarked Property, addressed as 506 Barnes Street, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation and background of the request stating that The applicant is requesting the Planning and Zoning Commission consider a request to recommend approval of a change in zoning from a Single-Family 7 District to a Residential Office District for the purpose of converting an 1,640 square foot single-family residential home into a residential-office building for the operation of a property management company. The property is identified as a Local Landmark property known as the "Underwood House" situated within the Historic Overlay District. On May 17, 2018, the Historic Preservation Advisory Board reviewed the applicant's request and recommended denial of the zoning change. In this case, the Historic Preservation Advisory Board is a recommending body for zoning changes within the Historic Overlay District, and approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. According to the Unified Development Code, the Residential Office District is for low intensity office development

63 providing professional, medical and other office services and to allow existing residential
64 houses to be converted from single-family and two-family residences to low-intensity office uses
65 in order to extend the economic life of these structure. The reason for the zoning change
66 request is because they have been operating a property management company out of the home
67 since about 2005 with employees which is a violation of the home occupation ordinance. The
68 applicant conveyed to staff that they had been granted permission by the City to operate a
69 business however there is no record of such.
70

71 Mr. Miller further noted that the Future Land Use Map designates the subject property for
72 Medium Density Residential land uses and should the City Council approve the applicant's
73 request, staff has included a condition of approval that would amend the Future Land Use Map
74 to reflect the proposed change in land use from a Medium Density Residential designation to a
75 Commercial designation. When analyzing the applicant's request to convert an existing single-
76 family home to a property management office, the Residential Office District is an appropriate
77 zoning district for the proposed use; however, in this case, there is a single-family home to the
78 north and a single-family home to the south of the subject property. Additionally, the applicant
79 has stated that she does not intend to change the exterior of the structure and will maintain the
80 historic architectural features presented on the façade of the subject property; however, since
81 the applicant is proposing to convert the existing home from a single-family land use to a
82 general office land use, the applicant is required to construct a parking lot to accommodate the
83 required parking, six parking spaces, and to provide screening for any adjacent residential
84 property. Should this request be approved, the applicant would be required to submit a site plan
85 showing the required parking and screening. Additionally, any modifications to the exterior of
86 the structure would require approval from the Historic Preservation Advisory Board.
87

88 Mr. Miller went on to say that on May 29, 2018, staff mailed 103 notices to property owners and
89 residents within 500-feet of the subject property and notified the Bent Creek Condos and
90 Stonebridge Meadows Homeowner's Associations, which are the only HOA's/Neighborhood
91 Associations within 1,500-feet of the subject property participating in the Neighborhood
92 Notification Program. Staff received three notifications and two emails in favor of the request.
93

94 Mr. Miller advised the Commission the applicant was present and available for questions as well
95 as staff.
96

97 Commissioner Fishman asked if the property was currently up for sale. Mr. Miller indicated he
98 believed it was but the applicant could better answer that.
99

100 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
101

102 Ms. Migneault
103 506 Barnes
104 Rockwall, TX
105

106 Mrs. Migneault came forward and explained additional background information pertaining to
107 her reasons behind putting forth this request. She explained that when her husband purchased
108 the property they were under the understanding that the property was zoned Commercial. She
109 noted that the property was currently up for sale because she wants to be pro-active should her
110 request not be granted because the business is her only source of income. She feels the use is a
111 good fit for the area and strongly urged the Commission for approval.
112

113 Rick Johnson
114 1035 St. Thomas Court
115 Rockwall, TX
116

117 Mr. Johnson, a friend of the applicant, added general comments in support of the request.
118

119 Commissioner Fishman asked if the request were to be approved would the property remain up
120 for sale. Mrs. Migneault indicated that it would depend on the cost of the improvements they
121 have to make.
122

123 Chairman Lyons asked if anyone wished to speak to come forward and do so.
124

125 Jay Odom
126 503 N. Fannin Street
127 Rockwall, TX
128

129 Mr. Odom came forward and indicated that he is a Board member for the Historical Preservation
130 Board who voted unanimously against the request. He believes the house needs to be
131 conserved as residential with it being only one of two “landmark” properties therefore he is
132 opposed of the request.
133

134 Carol Crow
135 504 Williams Street
136 Rockwall, TX
137

138 Ms. Crow came forward and indicated that her home is located within the “city initiated” Historic
139 District meaning the City’s intention for the Historic District is to preserve the history of
140 Rockwall. She generally expressed her strong opposition of the request.
141

142 Chairman Lyons asked the applicant to come forward and offer any rebuttal.
143

144 Mrs. Migneault came forward and added a few additional comments.
145

146 Chairman Lyons closed the public hearing and brought the item back to the Commission for
147 discussion or a motion.
148

149 Commissioner Chodun asked if the only option is to change the zoning or would there be an
150 option for an Specific Use Permit. Mr. Miller stated that commercial operation are not allowed in
151 Single Family Districts.
152

153 Commissioner Logan asked if the zoning changes would it lose its historic designation. Mr.
154 Miller indicated it would not and would continue to be subject to the guidelines of the Historic
155 District what would change on the property is the parking lot would have to meet all the
156 commercial standards. Commissioner Logan generally expressed the importance in preserving
157 the historical structures in Rockwall.
158

159 General discussion took place between the Commission concerning preserving the historic
160 landmark properties.
161

162 Commissioner Welch made a motion to deny Z2018-022. Commissioner Logan seconded the
163 motion which passed by a vote of 6-0 with one vacant seat.
164
165

166 6. Z2018-023

167 Hold a public hearing to discuss and consider a request by John Abbott for the approval of a Specific
168 Use Permit (SUP) for a *Private School* in the Downtown (DT) District on a 0.4591-acre parcel of land
169 identified as Lots C & D, Block 1, Griffith Addition, City of Rockwall, Rockwall County, Texas, zoned
170 Downtown (DT) District, addressed as 306 E. Rusk Street, and take any action necessary.
171
172

173 Planning Director, Ryan Miller, gave a brief explanation of the request. The applicant is
174 requesting approval of a Specific Use Permit for the purpose of relocating and operating a
175 private school in an existing church on the subject property. According to the applicant, the
176 private school will have approximately 80 students enrolled with grades K - 5th meeting on
177 Monday and Wednesday and grades 6th – 8th meeting on Monday, Wednesday, and Friday. The
178 applicant is proposing to provide circulation for drop-off and pickup via public right-of-way and
179 public parking lots. According to the applicant, the hours of operation will be Monday-Friday
180 from 8:45 a.m. to 3:45 p.m. According to the Unified Development Code a private school shall
181 provide parking in the ratio of one parking space per 25 students. In this case, the subject
182 property does not have any parking belonging to the property owner; however, there are public
183 parking spaces adjacent to the church. According to the UDC, on-street public parking which is
184 directly in front of the development site may be counted toward the parking requirement being
185 four parking spaces for properties located within the Downtown Core. In this case, there are 26
186 parking spaces in front of the development which meets the parking requirement as stipulated in

187 the Unified Development Code for properties located within the Downtown Core. Additionally
188 according to the UDC a primary public or private school must provide adequate drop-off areas
189 so as not to unnecessarily impede street traffic. In this case, the applicant has provided a
190 parking and drop-off/pickup plan that shows staggered queuing in the right-of-way of San
191 Augustine and along E. Rusk Street, utilizing the public parking spaces for one group of
192 students, and along E. Washington Street and S. Fannin Street that terminates in the public
193 parking lot south of the church for a second group of students. Additionally, the applicant is
194 proposing to utilize 12 public spaces for staff. Since the parking spaces along San Augustine
195 and south of the church are public parking spaces, there is a possibility that they will be
196 unavailable for staff parking and/or drop-off and pickup since they are public parking spaces. In
197 addition, since the proposed loading spaces are within public right of way and in a public
198 parking lot that they could restrict the flow of traffic during drop-off and pickup times.
199 Alternatively, the drop-off and pickup circulation could impede the public's ability to park in
200 those parking spaces. Since the proposed concept plan includes utilizing public parking as a
201 loading zone and to meet the necessary parking requirement, this is a discretionary decision for
202 the Planning and Zoning Commission and the City Council. Mr. Miller further noted that
203 according to the Unified Development Code a private school is allowed with a Specific Use
204 Permit in the Downtown District. In this case, the SUP is intended to allow the Planning and
205 Zoning Commission and the City Council the ability to review the land-use to ensure the
206 operations will not create issues for adjacent businesses or residential properties, or with and
207 adjacent roadways and the approval of a Specific Use Permit is discretionary to the Planning
208 and Zoning Commission and the City Council.
209

210 Mr. Miller went on to state that on May 29, 2018, staff sent 121 notices to property owners and
211 residents within 500-feet of the subject property and also notified the Bent Creek Condos
212 Homeowner's Association which is the only HOA/Neighborhood Association within 1,500 feet of
213 the subject property. Staff had received one notice in favor and one notice in opposition of the
214 request.
215

216 Mr. Miller advised the Commission the applicant was present and available for questions as well
217 as staff.
218

219 Commissioner Logan asked staff to speak further concerning the decision making for the City
220 building the public parking lot. Mr. Miller explained that the purpose of the parking area were
221 intended to serve the Downtown Square and the properties that have less parking areas and
222 generally intended to provide public parking for the Downtown because many of the older
223 buildings were designed in a manner that didn't have adequate parking.
224

225 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
226

227 John Abbott
228 1005 Ralph Hall Parkway #211
229 Rockwall, TX
230

231 Mr. Abbott came forward shared that he is Chairman of the Board of Providence Academy. He
232 provided a power point presentation that detailed the request for the SUP. He added that he has
233 met with the surrounding homeowners and business owners and they have all expressed their
234 support as well as the church members. He indicated that he was available to answer any
235 questions the Commission may have.
236

237 Commissioner Logan expressed concern with the pick-up/drop off and the lack of actual area on
238 the church property to accommodate that.
239

240 Commissioner Fishman asked concerning the number of kids enrolled. Mr. Abbott indicated the
241 max would be 120 students.
242

243 Commissioner Moeller also expressed sharing the same concerns Commissioner Logan made.
244

245
246 Chairman Lyons opened up the public hearing and asked anyone who wished to speak to come
247 forward and do so.
248

249 Lisa Dunn
250 115 Larry Drive
251 Heath, TX
252

253 Ms. Dunn came forward and shared she helped with the proposed drop-off/pick up concept of
254 the plan and she feels it will work smoothly and not pose a traffic issue. She expressed her
255 support for the request.
256

257 Julie Myer
258 2070 Aberdeen Lane
259 Rockwall, TX
260

261 Ms. Myer came forward and shared that she is Director of Operations for the Presbyterian
262 Church and she generally expressed her support for the request.
263

264 Chairman Lyons asked if anyone else wished to speak to come forward and do so there not
265 being anyone indicating such Chairman Lyons closed the public hearing and brought the item
266 back to the Commission for discussion or action.
267

268 Extensive general discussion took place concerning whether or not a time stipulation could be
269 placed on the duration of the SUP and the drop-off/pickup location and plan that is being
270 proposed.
271

272 Commissioner Welch made a motion to approve Z2018-023 with the added condition that the
273 SUP be valid for a period of two years with the ability to extend the SUP after that time period.
274 Chairman Lyons seconded the motion which passed by a vote of 4-0 with Commissioners Logan
275 and Chodun dissenting and one vacant seat.
276

277
278 7. Z2018-024

279 Hold a public hearing to discuss and consider a request by Randall Eardley of Wier & Associates, Inc.
280 on behalf of Getra Thomason-Sanders of Chick-Fil-A, Inc. for the approval of a Specific Use Permit
281 (SUP) for a *Restaurant, 2,000 SF or More with Drive Through* in a General Retail (GR) District on a
282 1.40-acre parcel of land identified as Lot 2, Block A, Lakeshores Commons Addition, City of Rockwall,
283 Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR)
284 District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1979
285 N. Goliad Street, and take any action necessary.
286

287
288 Planning Director, Ryan Miller, gave a brief explanation of the request. The applicant is
289 requesting the approval of a Specific Use Permit to allow a restaurant, 2000 square feet or more
290 with drive-through in a General Retail District. The proposed restaurant will be 5,000 square
291 feet. According to Planned Development District 65 the proposed restaurant is subject to the
292 development standards and land uses permitted for the General Retail District with the
293 exception of certain additional land uses, which are prohibited by the ordinance. The UDC
294 prohibits access to local residential streets for all restaurants with drive-through and drive-in
295 facilities and requires stacking lanes capable of queuing a minimum of six cars per lane.
296 According to the submitted concept plan, the applicant is providing dual stacking lanes that can
297 accommodate approximately eight vehicles that narrows to one lane that can accommodate an
298 additional six vehicles totaling a queuing capacity of approximately 22 vehicles. The proposed
299 restaurant will be accessible via N. Lakeshore Drive and will have access to SH-205 via a mutual
300 access easement with the property to the south. In addition, this property does not have
301 driveway approaches on any residential streets. The applicant has provided a concept plan and
302 conceptual building elevations; however, it should be noted that the property is located within
303 an overlay district and the building elevations will be subject to review by the Architectural
304 Review Board at the time of site plan. Based on staff's review, both the concept plan and
305 building elevations appear to meet all the requirements of Planned Development District 65 and
306 the Unified Development Code.
307

308 Mr. Miller further noted that on May 29, 2018, staff mailed 14 notices to property owners and
309 residents within 500-feet of the subject property and also notified the Random Oaks/Shores,
310 Stone Creek, Quail Run Valley and Lakeview Summit Homeowner's Associations, which are the

311 only HOA's/Neighborhood Organizations that are within 1,500-feet of the subject property
312 participating in the Neighborhood Notification Program. At the time this report was drafted, staff
313 had not received any notices returned however staff has since received one notice that was in
314 favor of the request.

315
316 Mr. Miller advised the Commission that the applicant was present and available for questions as
317 well as staff.

318
319 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
320 speak.

321
322 Randall Eardley
323 Weir and Associates
324 2201 E. Lamar Blvd., Suite 200E
325 Arlington, TX
326

327 Mr. Eardley came forward and shared they are requesting an SUP for a drive through for a
328 proposed Chick-fil-A and he is available for any questions the Commission may have.

329
330 Chairman Lyons asked if anyone wished to speak to come forward and do so.

331
332 Anne Fernandez
333 1461 White Sand
334 Rockwall, TX
335

336 Ms. Fernandez came forward and generally expressed being in favor of the request. She has
337 lived in the Shores neighborhood for 14 years and she as well as her neighbors have been
338 anticipating this restaurant.

339
340 Chairman Lyons asked if anyone else wished to speak to come forward and do so there not
341 being anyone indicating such Chairman Lyons closed the public hearing and brought the item
342 back to the Commission for discussion or action.

343
344 Commissioner Moeller made a motion to approve Z2018-024 with staff recommendations.
345 Commissioner Fishman seconded the motion which passed by a vote of 6-0 with one vacant
346 seat.

347
348 Chairman Lyons called a ten minute recess at 7:46 p.m.

349
350 Chairman Lyons called the meeting back to order at 7:58 p.m.

351
352
353 V. ACTION ITEMS

354
355 8. MIS2018-013

356 Discuss and consider a request by Michael Ramsey of Ramsey Landscape Architects, LLC for the
357 approval of an amended Treescape Plan and Alternative Tree Mitigation Plan in conjunction with an
358 approved site plan for Reinhardt Elementary School on a 6.983-acre parcel of land identified as Lot 1,
359 Block A, Rockwall School Addition #2, City of Rockwall, Rockwall County, Texas, zoned Single Family
360 10 (SF-10) District, addressed as 615 Highland Drive, and take any action necessary.

361
362 Senior Planner, David Gonzales, gave a brief explanation and background information of the
363 request. The applicant has submitted a revised treescape plan for Reinhardt Elementary School.
364 A treescape plan was approved in conjunction with the approval of a site plan on March 19,
365 2018. At the time of approval of the site plan, the total mitigation balance due was 346-caliper
366 inches. Due to a minor change in the location of the building footprint, this shift has created a
367 necessity to remove additional trees from the site, which has increased the mitigation balance
368 by 142-caliper inches. The total mitigation balance due is 488-caliper inches. Rockwall ISD
369 prefers to settle the total mitigation balance due of 488-caliper inches through an Alternative
370 Tree Mitigation Settlement Agreement by paying into the City's Tree Mitigation Fund the full
371 amount due of \$48,800. According to the Unified Development Code, the City Council upon
372 recommendation from the Planning and Zoning Commission may consider an Alternative Tree

373 Mitigation Settlement Agreement where, due to hardship, the applicant is unable to meet the
374 requirements of this article or where it is determined that adherence to the tree mitigation
375 requirements will create a hardship for an applicant. These funds will be deposited in the City's
376 Tree Mitigation Fund and will be used for planting trees in the City's parks, medians, street right-
377 of-ways, or other similar areas as determined by the Parks and Recreation Department.
378

379 Mr. Gonzales advised the Commission that the applicant was present and available for questions
380 as well as staff.
381

382 Chairman Lyons asked the applicant to come forward.
383

384 Will Salee
385 Rockwall ISD
386 1050 Williams Street
387 Rockwall, TX
388

389 Mr. Salee came forward and shared that they have replanted on the site 196 inches and want
390 they want to pay the balance to allow the City to have the flexibility to plant those trees where
391 needed. He indicated he was available for any questions the Commission may have.
392

393 Chairman Lyons asked for questions from the Commission.
394

395 Commission Logan asked if the money that will be used to pay comes out of the contingency
396 plan for the school building. Mr. Salee indicated that they have money encumbered in the project
397 budget to pay those fees.
398

399 Commissioner Welch made a motion to approve MIS2018-013 with staff recommendations.
400 Commissioner Chodun seconded the motion which passed by a vote of 6-0 with one vacant seat.
401
402

403 9. MIS2018-011

404 Discuss and consider a request by Samantha Renz of Evolving Texas for the approval of a variance to
405 the utility placement requirements for overhead utilities in the SH-66 Overlay (SH-66 OV) District in
406 conjunction with an approved site plan for a retail store with gasoline sales on a 1.67-acre tract of land
407 identified as Tract 11-1 of the W. B. Bowles Survey, Abstract No. 12, City of Rockwall, Rockwall County,
408 Texas, zoned Planned Development District 48 (PD-48) for General Retail (GR) District land uses,
409 situated within the SH-66 Overlay (SH-66 OV) District, situated west of the intersection of W. Rusk
410 Street [SH-66] and N. Lakeshore Drive, and take any action necessary.
411

412 Planning Director, Ryan Miller, gave a brief explanation and background information in regards
413 to the request. On February 13, 2018, the Planning and Zoning Commission approved a site plan
414 for a retail store with gasoline sales located west of the intersection of SH-66 and N. Lakeshore
415 Drive. Subsequently, the City Council approved variances to the four sided architecture,
416 articulation and pitched roof requirements on February 19, 2018. The subject property is zoned
417 Planned Development District 48 for General Retail District land uses and is situated within the
418 SH-66 Overlay District. Since the site plan and variance approvals, the applicant has submitted
419 civil engineering drawings and is working with the Engineering Department to address all
420 comments. One of the issues that was identified through this process was a proposal by the
421 applicant to relocated existing overhead powerlines from the interior of the site to the right-of-
422 way line adjacent to the proposed landscape buffer. According to the City's ordinances, all
423 relocations of existing overhead powerlines are required to be installed underground. This
424 requirement is stipulated in several sections of the Unified Development Code and Municipal
425 Code of Ordinances
426

427 Mr. Miller further noted that the applicant is requesting the Planning and Zoning Commission
428 and City Council grant a variance to the underground requirements to allow overhead
429 powerlines along SH-66. At staff's request, the applicant obtained a cost estimate from Oncor
430 citing the cost of relocating the powerlines underground would be \$75,000.00. According to the
431 SH-66 Overlay District requirements, the City Council may, upon request from the applicant,
432 grant a variance to any provision of this section, the SH-66 OV requirements, where unique or
433 extra ordinary condition exist or where strict adherence to the provisions of this section would
434 create a hardship. In previous cases, the City Council has not approved requests to allow

435 additional overhead powerlines; however each request is discretionary on a case-by-case basis
436 for the City Council pending a recommendation by the Planning and Zoning Commission. It
437 should be noted that the approval of any variance in an established overlay district would
438 require a ¾-majority vote of the City Council members present at the meeting for approval.
439 Should the Planning and Zoning Commission have any questions staff and a representative for
440 the applicant will be available at the June 12, 2018 Planning and Zoning Commission meeting.
441

442 Mr. Miller advised the Commission that the applicant was present and available for questions as
443 well as staff.

444
445 Chairman Lyons asked the applicant to come forward.

446
447 Samantha Perez
448 Evolving Texas
449 420 Throckmorton
450 Fort Worth, TX
451

452 Ms. Perez came forward and shared that she is the civil engineer on the project. She provided a
453 power point presentation that provided a site plan and showed where existing power lines are
454 and where they are proposing to locate them. She shared that the original intent was to place the
455 lines underground however Oncor has indicated they prefer not to go underground should there
456 be an outage it would be difficult to repair which would affect a number of customers. Also
457 Oncor has indicat4ed that their current rates are based on overhead feeders. Ms. Perez went on
458 to share that this particular project has had unusual costs and those costs ae the reason they
459 wish not to go underground. Not only would it incur the \$75,000 for the electric but due to its
460 location there is the \$20,000 for the Gateway sign they are required to provide as well as a
461 \$40,000 cost for a storm drain they are going to be putting in for the site to be developable. She
462 respectfully asked the Commission's approval and indicated she was available for questions.
463

464 Chairman Lyons asked the Commission for any questions.

465
466 Commissioner Moeller asked for clarification if they are asking to move only one pole. Ms. Perez
467 explained that they would be moving an existing pole. Mr. Miller clarified that it is three poles
468 that would be relocated.
469

470 Chairman Lyons asked staff if there would be any negative impact to the City by having them
471 above ground. City Engineer, Amy Williams, stated that they have been trying to clean overhead
472 throughout the city for some time now. A number of them had to be moved when the Downtown
473 project took place, the city paid for a lot of them to go underground to get rid of the poles.
474 Chairman Lyons generally expressed not being in favor of the request would rather they go
475 underground.
476

477 Commissioner Chodun generally expressed being in favor of the request.
478

479 Commissioner Logan expressed not being in favor of the request with the site being in the entry
480 way to the city the power lines would not be aesthetically pleasing.
481

482 Commissioner Welch made a motion to deny MIS2018-011. Commissioner Logan seconded the
483 vote which passed by a vote of 5-1 with Commissioner Chodun dissenting and one vacant seat.
484

485 10. SP2018-012

486 Discuss and consider a request by Bart Tinsley of Alders Rockwall SIL Property, LLC on behalf of Rob
487 Cameron of Cameron & Cameron for the approval of a site plan for a multi-family apartment complex on
488 a 10.3103-acre portion of a larger 12.40-acre tract of land identified as Tract 8 of the B. J. T. Lewis,
489 Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 86
490 (PD-86) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 Overlay (SH-205 OV)
491 District, generally located south of the intersection of TL Townsend Drive and Justin Road, and take any
492 action necessary.
493

494
495 Senior Planner, David Gonzales, gave a brief explanation and background information on the
496 request. The property is located south of the intersection of TL Townsend and Justin Road and

497 is surrounded essentially by Commercial Districts and Utey Middle School across the street and
498 a vacant property that is zoned Light Industrial. Last December a PD was approved to allow for
499 144 unit multi-family apartment complex as well as a 30 unit memory care facility. The applicant
500 is requesting approval for the site plan for both facilities (the memory care is the next agenda
501 item). The submitted site plan, open space master plan, building elevations, landscape plan,
502 treescape plan, and photometric plan generally conform to the technical requirements contained
503 within the Unified Development Code and Planned Development District 86.
504

505 Mr. Gonzales further noted that the Architectural Review Board met at the work session a couple
506 of weeks ago and they were fine with the design of both buildings however they asked the
507 applicant to come back and demonstrate a coordination of materials that were complimentary of
508 each other. The applicant has since made revisions and provided staff with those revisions.
509

510 Mr. Gonzales advised the Commission the applicant was present and available for questions.
511

512 Chairman Lyons asked the applicant to come forward.
513

514 Bart Tinsley
515 1625 Clark Springs Drive
516 Allen, TX
517

518 Mr. Tinsley came forward and spoke briefly concerning the materials they would be using and
519 both buildings will complement each other as the Architectural Review Board requested. He
520 provided the Commission material sample boards for their review.
521

522 Mr. Gonzales added that on June 6, the Parks Board approved a recommendation to accept the
523 open space plan and site plan as presented. Additionally, the Parks Board recommended
524 approval of the park amenities and that the fees can be used to provide amenity within the
525 development. The Parks Board also ruled that although the park amenities will be privately
526 owned, they are to remain open to the public; however, this does not constitute City acceptance
527 of public park land and facilities. The Board did recommend that the proposed trail system
528 should be 8-foot wide and the park area should be irrigated turf.
529

530 Chairman Lyons brought the item back to the Commission for discussion or action.
531

532 Commissioner made a motion to approve SP2018-012 with staff recommendations.
533 Commissioner Fishman seconded the motion which passed by a vote of 6-0 with one vacant
534 seat.
535

536 11. SP2018-013

537 Discuss and consider a request by Chris Allen of D. L. Marketplace Partners, LLC on behalf of Rob
538 Cameron of Cameron & Cameron for the approval of a site plan for a memory care facility on a 2.0896-
539 acre portion of a larger 12.40-acre tract of land identified as Tract 8 of the B. J. T. Lewis, Abstract No.
540 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 86 (PD-86) for
541 Multi-Family 14 (MF-14) District land uses, situated within the SH-205 Overlay (SH-205 OV) District,
542 generally located south of the intersection of TL Townsend Drive and Justin Road, and take any action
543 necessary.
544

545 Senior Planner, David Gonzales, gave a brief explanation on the request stating that this two
546 acre portion completes the PD for the 30 unit memory care facility. The applicant has met all of
547 the requirements that are associated with the PD in regards to the site plan.
548

549 Mr. Gonzales advised the Commission both the applicant and staff were available for any
550 additional questions.
551

552 Chairman Lyons asked the applicant to come forward.
553

554 Bart Tinsley
555 1625 Clark Springs Drive
556 Allen, TX
557

558 Mr. Tinsley came forward and advised the Commission he was available for any questions the
559 Commission may have.

560
561 Chairman Lyons brought the item back to the Commission for questions or action.

562
563 Commissioner Chodun made a motion to approve SP2018-013 with staff recommendations.
564 Commissioner Moeller seconded the motion which passed by a motion of 6-0 with one vacant
565 seat.

566
567 12. SP2018-014

568 Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Jeff Johnston
569 of Woodhill Dental for the approval of a site plan for a medical office building on a 0.85-acre parcel of
570 land identified as Lot 12, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas,
571 zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as
572 149 H. Wallace Lane, and take any action necessary.

573
574 Planning Director, Ryan Miller, gave a brief explanation and background of the request. The
575 subject property is in the Alliance Addition which is zoned Planned Development 57 which
576 stipulates that it needs to meet the Commercial standards. The applicant is bringing forward a
577 site plan for a 6,300 square foot dental office which is an allowed by right use within the Planned
578 Development District. Based on staff review the proposed dental office meets all City
579 requirements with the exception of a variance the applicant is asking for a variance to the
580 vertical and horizontal articulation requirement which is a simple majority vote for approval by
581 the City Council. The request was taken to the Architectural Review Board and on May 29, 2018
582 they made a recommendation to the applicant that they provide a development scheme that is
583 more in line with the adjacent buildings and the applicant submitted revised building elevations
584 that appear to change the material but do not address the articulation. The Architectural Review
585 Board did not field a quorum this evening and therefore the Commission would be tasked with
586 establishing whether or not they met the ARB's recommendation.

587
588 Mr. Miller advised the Commission the applicant was present and available for questions as well
589 as staff.

590
591 Chairman Lyons asked the applicant to come forward and speak.

592
593 Wayne Mershawn
594 2313 Ridge Road Suite 103
595 Rockwall, TX

596
597 Mr. Mershawn came forward and indicated he was available for any questions the Commission
598 may have.

599
600 Extensive general discussion took place between the Commission concerning the variance and
601 revisions the applicant brought forward with regards to the applicant not meeting the
602 recommendation the Architectural Review Board provided.

603
604 Commissioner Fishman made a motion to table the item. Commissioner Chodun seconded the
605 motion which passed by a vote of 6-0 with one vacant seat.

606
607
608 13. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- 609
610 ✓ P2018-010: Lots 8 & 9, Block A, Rayburn Country Addition [Approved]
611 ✓ P2018-011: Lots 1 & 2, Block A, Kayce Lynn Addition No. 1 [Approved]
612 ✓ P2018-012: Lot 1, Block A, Kayce Lynn Addition No. 2 [Approved]
613 ✓ P2018-013: Lots 1 & 2, Block A, Rockwall Seniors Addition [Approved]
614 ✓ P2018-014: Lot 1, Block A, Widboom Addition [Approved]
615 ✓ P2018-015: Lot 1, Block D, Ellis Centre, Phase 2 Addition [Approved]
616 ✓ P2018-016: Lot 7, Block A, Wal-Mart Supercenter Addition [Approved]
617 ✓ Z2018-018: Text Amendment for Furniture Upholstery, Refinishing or Resale (2nd Reading)
618 [Approved]

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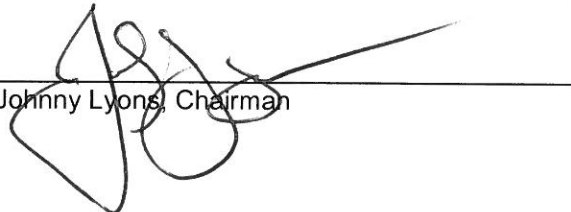
- ✓ Z2018-019: Text Amendment for Brewery and/or Distillery (*Excluding Brew Pub*) (2nd Reading) [Approved]
- ✓ MIS2018-006: Amendment to the Master Thoroughfare Plan (2nd Reading) [Approved]
- ✓ SP2018-008: Variance for Lollicup USA [*Denied Due to Lack of a Motion*]

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

VI. ADJOURNMENT

Chairman Lyons adjourned the meeting at 8:51 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 14 day of August, 2018.



Johnny Lyons, Chairman

Attest:



Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
June 26, 2018
6:00 P.M.

I. CALL TO ORDER

Vice-Chairman Chodun called the meeting to order at 6:05 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Tracy Logan and John Womble. Absent from the meeting was Chairman Lyons and Commissioner Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator, Laura Morales, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. P2018-017

Consider a request by Mike Mershawn of Mershawn Associates, LLC on behalf of Doug Fox of Cornerstone Community Church of Rockwall, Inc. the approval of a final plat for Lot 1, Block A, Cornerstone Community Church Addition being a six (6) acre parcel of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the 205 By-Pass Overlay (205 BY-OV) District, addressed as 1565 Airport Road, and take any action necessary.

2. P2018-018

Consider a request by Robert Howman of Glenn Engineering Corporation on behalf of William Salee of Rockwall ISD for the approval of a replat for Lot 2, Block A, Rockwall School Addition #2 being a 6.983-acre parcel of land identified as Lot 1, Block A, Rockwall School Addition #2, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 615 Highland Drive, and take any action necessary.

3. P2018-020

Consider a request by Dwayne Zinn of Cross Engineering Consultants, Inc. on behalf of Matthew Wavering of the Rockwall Economic Development Corporation for the approval of a replat for Lots 8 & 9, Block D, Rockwall Technology Park Addition being a 15.173-acre tract of land identified as Lots 6 & 7, Block D, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 2635 Observation Trail, and take any action necessary.

4. MIS2018-014

Discuss and consider a request by Michael Duval of G & A Consultants on behalf of John Delin of R. W. Ladera, LLC for the approval of an amended Treescape Plan for a 28.011-acre parcel of land identified as a Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Commissioner Welch made a motion to approve the consent agenda. Commissioner Logan seconded the motion which passed by a vote of 5-0 with Chairman Lyons and Commissioner Fishman absent.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

64 6. Appointment with Pat Atkins of Saddlestar Land Development on behalf of the Stagliano Family
65 Trust to consider a request to submit a new zoning application for a zoning change from an
66 Agricultural (AG) District, Commercial (C) District and Heavy Commercial (HC) District to a Planned
67 Development District for single family and commercial land uses on a 63.72-acre tract of land
68 identified as Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall
69 County, Texas, zoned Agricultural (AG) District, Commercial (C) District and Heavy Commercial
70 (HC) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest
71 corner of S. Goliad Street [SH-205] and Mims Road, and take any action necessary.
72

73 **Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant**
74 **is coming before the Commission with a request to re-file their zoning change application. The**
75 **substantial change they are proposing is to remove the townhome component which would be a**
76 **reduction in density. Mr. Gonzales advised the Commission that the applicant was present and**
77 **available for questions as well as staff.**
78

79 **Pat Atkins**
80 **Saddle Star**
81 **307 Hays**
82 **Rockwall, TX**
83

84 **Mr. Atkins came forward and gave a brief explanation of the request they feel there is a**
85 **substantial change and they are respectfully asking the Commission for the opportunity to re-file**
86 **the application.**
87

88 **Mr. Miller noted that what is under consideration at this time is whether the applicant will be**
89 **allowed to re-file the application.**
90

91 **Vice-Chairman Chodun brought the item back to the Commission for discussion or action.**
92

93 **General discussion took place between the Commission as to whether or not the changes**
94 **proposed by the applicant meet a substantial enough change.**
95

96 **Commissioner Logan made a motion to allow the applicant to re-submit the application.**
97 **Commissioner Moeller seconded the motion which passed by a vote of 4-1 with Vice-Chairman**
98 **Chodun dissenting and Chairman Lyons and Commissioner Fishman absent.**
99

100
101 **IV. ACTION ITEMS**
102

103 **7. SP2018-014**

104 **Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Jeff Johnston**
105 **of Woodhill Dental for the approval of a site plan for a medical office building on a 0.85-acre parcel of**
106 **land identified as Lot 12, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas,**
107 **zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as**
108 **149 H. Wallace Lane, and take any action necessary.**
109

110 **Planner, Korey Brooks, gave a brief explanation and background pertaining to the case the**
111 **applicant is requesting approval of a site plan for a dentist office, Woodhill Dental. On May 29,**
112 **2018 the Architectural Review Board reviewed the proposed building elevations and requested**
113 **that the applicant make revisions to the building elevations to be more consistent with the**
114 **existing buildings in the development and to provide additional vertical and horizontal**
115 **articulation on the building façade. The applicant submitted revisions and on June 12, 2018 the**
116 **ARB was unable to establish a quorum and the Planning and Zoning Commission tabled the**
117 **case. The applicant is requesting a variance to the vertical and horizontal articulation**
118 **specifically on the north and south elevations however they are unable to meet the horizontal**
119 **articulation. The ARB reviewed three different options the applicant provided to them and the**
120 **Board recommended approval for Option 3 along with the variance to vertical articulation to the**
121 **building facades however recommended denying the variance to the horizontal articulation**
122 **variance.**
123

124 **Mr. Brooks advised the Commission the applicant was present and available for questions as**
125 **well as staff.**

126 Greg Wallace
127 Mershawn Architects
128 2313 Ridge Road
129 Rockwall, TX
130

131 Mr. Wallace came forward and indicated, by showing the site plan of the property, that their
132 client not aware that the fire lane that extends over to Wallace Lane from the existing parking
133 area was never platted nor approved. That forced the fire lane further into the property and they
134 had to extend it along Wallace Lane to get the approach back up to Wallace Lane far enough
135 away from the intersection of FM-3097. Originally on the first submitted layout they had the same
136 horizontal articulation as is on the east and west showing up on both the north and south
137 elevations, however when the drive was introduced it squeezed the property in such a way that
138 they ran out of site to work with and therefore are having to seek the variance.
139

140 Vice-Chairman Chodun brought the item back to the Commission for discussion or motion.
141 Extensive general discussion took place concerning allowing the variance to the horizontal
142 articulation.
143

144 Commissioner Welch made a motion to approve the site plan and recommend approval of the
145 variance to vertical articulation and recommend denial of the variance to the horizontal
146 articulation. Commissioner Womble seconded the motion which passed by a vote of 4-1 with
147 Commissioner Moeller dissenting and Chairman Lyons and Commissioner Fishman absent
148

149
150 V. DISCUSSION ITEMS

151
152 8. Z2018-026

153 Hold a public hearing to discuss and consider a request by Tony Osburn of TXHWS, LLC for the
154 approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF with Drive-Through* on a
155 1.33-acre parcel of land identified as Shafer Plaza Addition, City of Rockwall, Rockwall County, Texas,
156 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 621
157 White Hills Drive, and take any action necessary.
158

159 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant
160 is looking at a 1,900 square foot lease space in the facility and are looking to put in a limited
161 service restaurant with a drive-through that would meet the parking requirements. Based on the
162 Unified Development Code, any restaurant less than 2,000 square feet require a Specific Use
163 Permit therefore the applicant is coming through this discretionary process. Mr. Miller pointed
164 out that the building was designed with a drive-through when it was original built therefore
165 already has the accommodation for the six quing spaces required by the Code and the applicant
166 has provided a concept plan showing that.
167

168 Mr. Miller indicated the applicant was not present however staff could answer any questions the
169 Commission may have.
170

171 Vice-Chairman Chodun asked for any questions for staff.
172

173 Commissioner Womble asked if any variances are being requested or any are required. Mr. Miller
174 indicated that not in this case with it being a Specific Use Permit it is discretionary item based
175 on use.
176

177 There being no further questions Vice-Chairman Chodun indicated the case will return to the
178 Commission for action at the next scheduled meeting.
179

180
181 9. Z2018-027

182 Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the
183 approval of an amendment to Planned Development District 85 (PD-85) [*Ordinance No. 17-55*] and a
184 zoning change from Agricultural (AG) District to Planned Development District 85 (PD-85) for a 9.789-
185 acre tract of land being a portion of a larger 148.825-acre tract of land identified as Tract 4-01 of the M.
186 B. Jones Survey, Abstract No. 122 and Planned Development District 85 (PD-85) being a 37.8-acre
187 tract of land identified as Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall,

188 Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 85 (PD-85),
189 situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV)
190 District , located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take
191 any action necessary.

192
193 Planning Director, Ryan Miller, gave a brief background of the request stating that this is a
194 previous Planned Development District that was approved last year that has two components.
195 On the west side of John King it has a Commercial component and on the east side of John King
196 there is an age restricted community. He advised the Commission that the applicant was present
197 and available for questions as well as staff. Mr. Delin provided a concept plan of proposal to
198 show what the design will be. He indicated he was available for questions.

199
200 Vice-Chairman Chodun asked the applicant to come forward and speak.

201
202 John Delin
203 Integrity Group
204 361 West Bryon Nelson, Suite 104
205 Roan Oak, TX

206
207 Mr. Delin came forward and gave a brief explanation of the request. He shared that this will be
208 Phase II of their project and offering the highest and best use for the property. From signage
209 they have on the property they have received a lot of positive feedback from citizens that have
210 shown interest in the product. The reason they are before the Commission is due to the title
211 company having missed the water line easement along John King which was discovered after
212 closing on the property.

213
214 Vice-Chairman Chodun asked for any questions from the Commission.

215
216 Commissioner Womble asked how much additional density did this yield versus the low density
217 that was approved in the original zoning. Mr. Delin indicated that the density would remain the
218 same. Mr. Miller added that it was changed to high density and was approved as such.

219
220 There being no further questions Vice-Chairman Chodun indicated the case will return to the
221 Commission for action at the next scheduled meeting.

222
223
224 10. Z2018-028
225 Hold a public hearing to discuss and consider a request by Al and Mattie Vivo for the approval of a
226 Specific Use Permit (SUP) allowing the *Furniture Upholstery, Refinishing & Repair* land use in
227 conjunction with an existing general retail store on a 1.9175-acre tract of land identified as Tract 2 of the
228 B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial
229 (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1411 S. Goliad
230 Street [*SH-205*], and take any action necessary.

231
232 Planning Director, Ryan Miller, gave a brief explanation and background of the request stating
233 that staff previously brought before the Commission a text amendment changing the Furniture,
234 Upholstery, Refinishing and Repairing Use to allow it as an accessory use in the Commercial
235 Districts which the City Council approved based on a positive recommendation from the
236 Commission. With that in place the applicants, owners of the Rustic Warehouse, are requesting
237 to add that to a small portion of their business. Mr. Miller advised the Commission that the
238 applicants were present and available for questions as well as staff.

239
240 Vice-Chairman Chodun asked the applicant to come forward.

241
242 Mattie and Al Vivo
243 1411 S. Goliad Street
244 Rockwall, TX

245
246 Mrs. Vivo came forward and provided a brief explanation of the request. She shared a floor plan
247 that showed they are requesting to use approximately 450 square feet to paint furniture to allow
248 her and a few other vendors to pain on site for furniture that is sold.

249

250 Mr. Miller added that according to the Specific Use Ordinance it is accessory to the General
251 Retail land use and it will be required that any spray painting or aerosol painting be done in a
252 paint booth in accordance to City Code.
253

254 Vice-Chairman Chodun asked if it was requirement to limit the square footage of the area for that
255 type use. Mr. Miller indicated that it would not; in this case the applicant has indicated it will be
256 450 square feet and that would be accessory to the General Retail use.
257

258 There being no further questions Vice-Chairman Chodun indicated the case will return to the
259 Commission for action at the next scheduled meeting.
260

261
262 11. Z2018-029

263 Hold a public hearing to discuss and consider a request by Doug Galloway on behalf of Corey Cannon
264 for the approval of a Specific Use Permit (SUP) for a *Craft Brewery, Distillery and/or Winery* on a 1.16-
265 acre parcel of land identified as Lot 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall
266 County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District,
267 located north of the intersection of S. Goliad Street [SH-205] and Storrs Street, and take any action
268 necessary.
269

270 Planning Director, Ryan Miller, gave a brief explanation and background of the request stating
271 that this was originally brought before the Commission as a text amendment allowing Craft
272 Brewery, Distillery and/or Winery in the Downtown area and City Council approved that
273 Ordinance. The applicant is now coming forward with a request for a Specific Use Permit. Mr.
274 Miller advised the Commission that the applicants were present and available for questions as
275 well as staff.
276

277 Vice-Chairman Chodun asked the applicants to come forward.
278

279 Corey Cannon
280 421 Bedford Falls
281 Rockwall, TX
282

283 Mr. Cannon came forward and gave a brief explanation of the request and provided a power
284 point presentation that outlined details of the request. He shared that they are proposing to build
285 a craft brewery with the vision of it being a community hub very lightly lit open concept and
286 family friendly that they feel will be one that the community will be proud to have and will draw
287 tourism to the downtown area. It would include both the destination brewery as well as a tap
288 room that would be used both for distribution and for on-site sale of their product itself. Mr.
289 Cannon then turned over the presentation to Mr. Galloway to discuss the location and aesthetics
290 of the building.
291

292 Doug Galloway
293 3508 Edgewater
294 Dallas, TX
295

296 Mr. Galloway came forward and shared that they have situated the building to allow for brick
297 frontage on the road that echoes to a structure that might have been there for a hundred years
298 and in essence was resurrected for this use and have the production, offices and ancillary
299 aspects will be pushed to the rear of the building keeping them hidden from the street as much
300 as possible. It will have a tasting room that conforms to the Ordinance revision that was made
301 and will also have patios off of both the front and rear of the building. He indicated he was
302 available for questions.
303

304 Commissioner Welch asked if they would be providing food and aside from on-site consumption
305 would they be selling the product to take away. Mr. Miller stated it would only be for beer no
306 food. Mr. Cannon indicated that by TABC requirements it would only be on-site consumption, as
307 a brewery they can sell their product for distribution thru a third party distributor but cannot sell
308 their packaged goods to go. Mr. Cannon added that they are currently working with local
309 restaurants several of which are located in the Downtown to put together a food menu where the
310 food can be delivered and will also take advantage of the food truck option and will have a food
311 truck on site often.

312 There being no further questions Vice-Chairman Chodun indicated the case will return to the
313 Commission for action at the next scheduled meeting.

314
315 12. P2018-019

316 Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of MCP
317 Residential, LTD for the approval of a final plat for an age/restricted senior living community consisting
318 of 46 single-family lots on a 15.826-acre tract of land identified as Lots 5 & 7, Block A, Eastshore
319 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68),
320 situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of S. Goliad Street [S.
321 SH-205] north of the intersection of S. Goliad Street and Justin Road, and take any action necessary.
322

323 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the request
324 will go before the Parks Board on July 3, 2018 to access pro-rata equipment fees and cash-in-
325 lieu of land fees. Mr. Gonzales advised the Commission that the applicant was present and
326 available for questions as well as staff.
327

328 Vice-Chairman Chodun asked the applicants to come forward.
329

330 Dub Douphrate
331 2235 Ridge Road
332 Rockwall, TX
333

334 Mr. Douphrate came forward and gave a brief explanation of the request and he shared that the
335 layout is the same as what the preliminary plat showed to be and indicated he was available for
336 questions.
337

338 Vice-Chairman Chodun asked for any questions from the Commission.
339

340 There being no questions Vice-Chairman Chodun indicated the case will return to the
341 Commission for action at the next scheduled meeting.
342
343

344 13. P2018-021

345 Discuss and consider a request by John Arnold of the Skorburg Co. on behalf of Gideon Grove Addition
346 2, LTD for the approval of a final plat for the Gideon Grove Subdivision consisting of 71 single-family
347 residential lots on a 29.182-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes
348 Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development
349 District 77 (PD-77), situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at
350 the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any
351 action necessary.
352

353 Senior Planner, David Gonzales, gave a brief explanation of the request stating that this item will
354 go before the Parks Board to access pro-rata equipment fees and cash-in-lieu of land fees and
355 advised the Commission that the applicant was present and available for questions as well as
356 staff.
357

358 Vice-Chairman Chodun asked the applicants to come forward.
359

360 Rich Darragh
361 Skorburg Company
362 8214 Westchester Drive #
363 Dallas, TX
364

365 Mr. Darragh came forward and stated they are seeking approval for the final plat. They had a pre-
366 con meeting today and are looking to break ground late next week he indicated he was available
367 for questions if any.
368

369 Vice-Chairman Chodun asked for any questions from the Commission.
370

371 Mr. Miller asked the applicant in looking at the plat to indicate where the playground will be
372 located due to the lot that was originally showed when it was originally taken to Council showed
373 as detention and was something that Council wanted clarified.

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Mr. Darragh indicated that they will make sure that the playground is out of detention.

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

14. SP2018-016

Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Clay Shipman for the approval of a site plan for an office building on a 1.28-acre parcel of land identified as Lot 3, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located on La Jolla Pointe drive northeast of the intersection La Jolla Pointe Drive and Laguna Drive, and take any action necessary.

Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicants are seeking approval for a site plan for an office building use and the applicants have indicated their objective is to replicate the Hook and Ladder No. 8 that is located in New York. They will be seeking an exception request to the stone requirement as well as for approval for the vertical and horizontal articulation for the east elevation. Mr. Gonzales advised the Commission that the applicant is present and available for questions as well as staff.

Greg Wallace
Mershawn Architects
2313 Ridge Road
Rockwall, TX

Mr. Mershawn came forward and indicated that they met with the Architectural Review Board who made recommendations and they will incorporate those changes that are primarily to the east, west and south elevations along with the smaller garage building. He indicated they would be providing those revisions.

Vice-Chairman Chodun asked for any questions from the Commission.

Vice-Chairman Chodun asked if the ARB was comfortable with the variance request to the articulation. Mr. Wallace stated that they were because in looking at the original Hook and Ladder building it wouldn't facilitate itself to the horizontal or vertical articulation.

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

15. SP2018-017

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Phillip McNeill of Summer Lee Rockwall, LLC for the approval of a site plan for a hotel on a 2.12-acre tract of land identified as portions of Lot 2A, Isaac Brown Addition and Lot 2, Block A, Harbor Village Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District and the Interior, Horizon/Summer Lee and Residential Subdistricts of Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation of the request. The applicant is requesting approval of a site plan for a hotel. The concept plan meets the majority of the requirements however there are some variance requests associated with the request. Mr. Miller advised the Commission that the applicant was present and available for questions.

Vice-Chairman Chodun asked the applicant to come forward and speak.

Cameron Slown
FC Cuny Corporation
2 Horizon Court
Heath, TX

436 Mr. Slown came forward and gave a brief explanation and background of the request. He shared
437 that after the first of two zoning cases they submitted and were approved for, they were
438 approached by the neighboring property owner that will house townhomes and condominiums
439 for a possible land swap that would allow them additional townhomes. It would also allow for the
440 hotel to have some additional land that they could directly connect onto Glen Hill Way and with
441 that they will be able to add additional parking as well as offset some of the topographic issues
442 they've come across and will add retaining walls that will meet the PD's requirements. Mr. Slown
443 indicated a representative of Hilton was present and would be providing a presentation that goes
444 over the Hilton brand.
445

446 Bill Margaritis
447 10091 Bushrod Cove
448 Collierville, TN
449

450 Mr. Margaritis came forward and shared a power point presentation that went over the TRU hotel
451 concept. He shared that they are excited to be bringing this product into the Rockwall
452 community and they feel it will be a great fit. He indicated that the chief architect was present as
453 well and could provide additional information.
454

455 Josh Wilcox
456 7780 Elmwood Ave
457 Middleton, WI
458

459 Mr. Wilcox came forward and stated that they met with the Architectural Review Board and they
460 will work with them as well as with staff on revisions that may need to be made to move forward
461 with the project.
462

463 Vice-Chairman Chodun asked for questions or discussion from the Commission.
464

465 Commissioner Logan asked where within the Hilton line does this hotel fall. Mr. Margaritis
466 indicated it would be the most economical product. Hilton has thirteen brands in their portfolio
467 putting this product just above the Hampton. General discussion took place between
468 the Commission and the applicants concerning the different tiers that fall within the Hyatt brand
469 in respect to the one in question.
470

471 There being no further questions Vice-Chairman Chodun indicated the case will return to the
472 Commission for action at the next scheduled meeting.
473

474
475 16. SP2018-018

476 Discuss and consider a request by David Osborn pf Rack Partners, LTD for the approval of a site plan
477 for an industrial building on a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson
478 Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC)
479 District, addressed as 125 National Drive, and take any action necessary.
480

481 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the subject
482 property is on National Drive which is a Heavy Commercial area. The applicant is proposing to
483 expand his site and because he's expanding the site greater than 50% of the existing structure a
484 site plan is required. The applicant is proposing a metal building which will require some
485 variances and with the site plan process he will be required to put in concrete parking for the
486 new structure as well as upgrading some of the landscaping. Mr. Miller advised the Commission
487 that the applicant was present and available for questions.
488

489 David Osborn
490 4649 Parkwood
491 Rockwall, TX
492

493 Mr. Osborn came forward and shared that the metal building that they are proposing will be
494 similar to virtually all the buildings on the street and within that development.
495

496 There being no questions Vice-Chairman Chodun indicated the case will return to the
497 Commission for action at the next scheduled meeting.

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

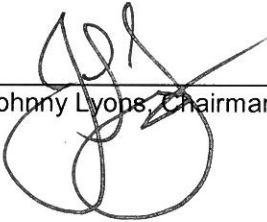
- ✓ MIS2018-013: Alternate Tree Mitigation Plan for Reinhardt Elementary School [Approved]
- ✓ MIS2018-011: Variance for Overhead Powerlines [Denied]
- ✓ Z2018-022: Zoning Change (SF-7 to RO) for 506 Barnes Street (1st Reading) [Denied]
- ✓ Z2018-023: SUP for a Private School in the Downtown (DT) District (1st Reading) [Approved]
- ✓ Z2018-021: SUP for a Restaurant with Drive Through (1st Reading) [Approved]

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

VI. ADJOURNMENT

Vice-Chairman Choudun adjourned the meeting at 7: 35 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 28 day of August, 2018.



Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
July 10, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Eric Chodun, Patrick Trowbridge and Tracy Logan. Absent from the meeting were Commissioners Annie Fishman and, Mark Moeller. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator Laura Morales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the November 28, 2017 Planning and Zoning Commission meeting.

2. P2018-019

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of MCP Residential, LTD for the approval of a final plat for an age/restricted senior living community consisting of 46 single-family lots on a 15.826-acre tract of land identified as Lots 5 & 7, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68), situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of S. Goliad Street [S. SH-205] north of the intersection of S. Goliad Street and Justin Road, and take any action necessary.

3. P2018-021

Discuss and consider a request by John Arnold of the Skorburg Co. on behalf of Gideon Grove Addition 2, LTD for the approval of a final plat for the Gideon Grove Subdivision consisting of 71 single-family residential lots on a 29.182-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 77 (PD-77), situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

Commissioner Welch made a motion to approve the consent agenda. Commissioner Chodun seconded the motion which passed by a vote of 5-1 with Commissioners Fishman and Moeller absent.

III. APPOINTMENTS

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

Planning Director, Ryan Miller advised the Commission that the Architectural Review Board did not field a quorum.

IV. PUBLIC HEARING ITEMS

5. Z2018-026

Hold a public hearing to discuss and consider a request by Tony Osburn of TXHWS, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF with Drive-Through* on a 1.33-acre parcel of land identified as Shafer Plaza Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 621 White Hills Drive, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant is requesting the approval of a Specific Use Permit for the purpose of establishing a restaurant,

63 less than 2,000 square feet, with drive-through/drive-in facilities in a 1,956 square foot lease
64 space. The lease space is located in a 10,920 square foot multi-tenant, strip-retail building that
65 was constructed in 2001 and is zoned Commercial, and is located at the northeast corner of the
66 intersection White Hills Drive and the E. IH-30 frontage road. According to the UDC, a
67 restaurant, less than 2,000 square feet, with drive-through/drive-in facilities requires a SUP in a
68 Commercial District. The UDC goes on to require that all restaurants with drive-through/drive-in
69 facilities meet the following two (2) criteria: [1] the restaurant shall not have access to local
70 residential streets, and [2] the drive-through/drive-in shall provide stacking lanes capable of
71 cueing a minimum of six (6) cars per lane. In this case, the existing building only has access via
72 a cross access easement shared with the Wal-Mart Supercenter to the east and direct access
73 onto White Hill Drive to the west, and does not directly access any residential streets. In
74 addition, the applicant has provided a concept plan demonstrating that the drive-through can
75 accommodate stacking for a minimum of six cars. Additionally when the building was originally
76 constructed, this lease space incorporated a drive-through to accommodate a bakery; however,
77 the bakery and drive-through were discontinued. Based on the concept plan submitted by the
78 applicant the proposed land use appears to conform to all requirements of the UDC.
79

80 Mr. Miller further noted that on June 27, 2018, staff mailed 31 notices to property owners and
81 residents within 500-feet of the subject property and also notified the Lynden Park Homeowner's
82 Association which is the only HOA/Neighborhood Organization within 1,500-feet of the subject
83 property participating in the Neighborhood Notification Program. Staff did not receive any
84 notices returned.
85

86 Mr. Miller advised the Commission that the applicant was present and available for questions as
87 well as staff.
88

89 Chairman Lyons asked the applicant to come forward and speak.
90

91 Jeff Carrol
92 750 IH-30
93 Rockwall, TX
94

95 Mr. Carrol came forward and stated Mr. Miller detailed the request well and he was open to any
96 questions the Commission may have.
97

98 Chairman Lyons asked for questions from the Commission there being none Chairman Lyons
99 opened up the public hearing and asked if anyone wished to speak to come forward and do so;
100 there being no one indicating such Chairman Lyons closed the public hearing and brought the
101 item back to the Commission for discussion or action.
102

103 Commissioner Welch made a motion to approve Z2018-026 with staff recommendations.
104 Commissioner Womble seconded the motion which passed by a vote of 5-0 with Commissioners
105 Moeller and Fishman absent.
106
107

108 6. Z2018-027

109 Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the
110 approval of an amendment to Planned Development District 85 (PD-85) [*Ordinance No. 17-55*] and a
111 zoning change from Agricultural (AG) District to Planned Development District 85 (PD-85) for a 9.789-
112 acre tract of land being a portion of a larger 148.825-acre tract of land identified as Tract 4-01 of the M.
113 B. Jones Survey, Abstract No. 122 and Planned Development District 85 (PD-85) being a 37.8-acre
114 tract of land identified as Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall,
115 Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 85 (PD-85),
116 situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV)
117 District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take
118 any action necessary.
119

120 Planning Director, Ryan Miller, provided an explanation and background of the request. On
121 October 16, 2017, the City Council approved Planned Development District 85 establishing
122 limited General Retail District land uses on Tract 1, and Single-Family 7 District land uses on
123 Tract 2. As part of this approval, Tract 2 was approved for an age restricted, senior living
124 community that consisted of 84-88 single-family homes setup in a condominium regime where

125 the single-family homes were individually owned but were situated on a single lot owned and
126 maintained by the homeowner's association. This plan also laid out 12.8-acres of open space,
127 and provided for a ten foot hike/bike trail along John King Boulevard and an intersection
128 enhancement at the corner of John King Boulevard and SH-66 in accordance with the John King
129 Boulevard Design Concept Plan. After receiving approval for the Planned Development District
130 the applicant contacted staff to notify them that the title company had missed locating a 30'
131 North Texas Municipal Water District easement on the survey that runs parallel to SH-66. This
132 inhibited the applicant's ability to provide the required landscape and hardscape elements
133 required by Ordinance. In response to this, the applicant filed an application requesting a
134 variance to these requirements and proposing an alternative landscape plan. This was approved
135 by the City Council on February 19, 2018.
136

137 Mr. Miller further noted that on June 15, 2018, the applicant submitted an application proposing
138 to amend Planned Development District 85 for the purpose of incorporating a 9.789-acre tract of
139 land into Tract 2 which is the Agricultural portion and expanding the total single-family lot count
140 to a maximum of 122 single-family homes. All other elements of the Planned Development
141 District 85 with the exception of the concept plan which was updated to reflect the new unit
142 count remain the same. This includes the density that was originally approved at 3.2 dwelling
143 units/acre. Staff has also codified the variances approved by the City Council on February 19,
144 2018 into the new ordinance, and added in a clarifying exhibit showing the intersection
145 enhancement at the corner of John King Boulevard and SH-66. The Future Land Use Map,
146 adopted with the Comprehensive Plan, designates the 9.789-acre tract of land being
147 incorporated into the Planned Development District ordinance for Low Density Residential. This
148 would necessitate that the designation of this area be amended from a Low Density Residential
149 designation to a High Density Residential designation. Should the City Council choose to
150 approve the applicant's request staff has included a condition of approval that would amend the
151 Future Land Use Map to reflect the requested designations. The remainder of the Planned
152 Development District conforms with the changes approved by the City Council on October 16,
153 2017.
154

155 Mr. Miller went on to state that on June 27, 2018, staff mailed 20 notices to property owners and
156 residents within 500-feet of the subject property and also sent a notice to the Caruth Lakes
157 Homeowner's Association which is the only HOA/Neighborhood Organization located within
158 1,500 feet of the subject property. Staff had received one notice in favor of the applicant's
159 request.
160

161 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
162 speak.
163

164 John Delin
165 Integrity Group
166 361 West Byron Nelson, Suite 104
167 Roan Oak, TX
168

169 Mr. Delin came forward came forward and provided a lengthy power point presentation that
170 spoke and detailed what the request consists of.
171

172
173 Chairman Lyons asked if anyone wished to speak on the case to come forward and do so.
174

175 Jim Turner
176 1691 E. Quail Run Road
177 Rockwall, TX
178

179 Mr. Turner came forward came forward and shared that he believes it is a great product however
180 he expressed concern in putting that type density in an area that is heavily trafficked already and
181 will only get heavier. He asked if a traffic study has been conducted. He also expressed concern
182 with the impact caused to flood drainage.
183

184 Nick Reyna
185 1569 E. Quail Run Road
186 Rockwall, TX

187 Mr. Reyna came forward and expressed concern with the issue with some of the homes that
188 would be built backing up to a SH-66 that will be widened and expanded to four to six lanes in
189 the future believes there should be a buffer.

191 Chairman Lyons asked Engineering staff to address concerns expressed over the floodplain.
192 City Engineer, Amy Williams, indicated everyone in that area will be required to detain and the
193 applicant will be required to conduct all necessary floodplain studies before construction.

195 Chairman Lyons asked if anyone else wished to speak to come forward and do, there being no
196 one indicating such, Chairman Lyons closed the public hearing and brought the item back to the
197 Commission for discussion or a motion.

199 Commissioner Welch made a motion to approve Z2018-027 with staff recommendations.
200 Commissioner Logan seconded the motion which passed by a vote of 5-0 with Commissioners
201 Moeller and Fishman absent.

204 7. Z2018-028

205 Hold a public hearing to discuss and consider a request by Al and Mattie Vivo for the approval of a
206 Specific Use Permit (SUP) allowing the *Furniture Upholstery, Refinishing & Repair* land use in
207 conjunction with an existing general retail store on a 1.9175-acre tract of land identified as Tract 2 of the
208 B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial
209 (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1411 S. Goliad
210 Street [SH-205], and take any action necessary.

212 Planning Director, Ryan Miller, gave a brief explanation and background information pertaining
213 to the request. At the April 2, 2018 City Council meeting, the City Council directed staff to
214 prepare a text amendment amending Article IV, Permissible Uses, of the Unified Development
215 Code for the purpose of allowing the Furniture Upholstery/Refinishing and Resale land use in
216 the Commercial District by a Specific Use Permit. This direction came as the result of an
217 appointment with Mattie Vivo the owner of the Rustic Warehouse, who was requesting the text
218 amendment to bring her business into compliance with the Unified Development Code. This text
219 amendment was ultimately adopted on June 4, 2018. In response to this amendment, the
220 applicant's Mattie and Al Vivo submitted an application requesting the approval of a Specific Use
221 Permit for the Furniture Upholstery/Refinishing and Resale land use as an accessory use to an
222 existing general retail store. According to the adopted text amendment Furniture
223 Upholstery/Refinishing and Resale is permitted within the Commercial District only "...as an
224 ancillary use to a general retail store, a business whose primary purpose is to sell finished
225 goods, by Specific Use Permit." The applicants have submitted a floor plan that shows that the
226 area dedicated for Furniture Upholstery/Refinishing and Resale indicated as "Work Space" on
227 the plan would be 450 square feet, which represents 7.27% of the area dedicated to retail sales
228 and 4.20% of the total square footage of the Rustic Warehouse. Based on the adopted text
229 amendment, the applicant's request does appear to be in compliance with the land use
230 requirements for a Furniture Upholstery/Refinishing and Resale; however, a Specific Use Permit
231 is a discretionary decision for the City Council pending a recommendation by the Planning and
232 Zoning Commission. In addition a total of 35 parking spaces are required to properly park this
233 land use based on the floor plan provided for this Specific Use Permit request. Currently, there
234 are 32 parking spaces provided on-site. The additional three parking spaces will need to be
235 added to this property within one year of the adoption of this Specific Use Permit request, or the
236 floor plan will need to be revised to reflect conformance with the existing parking spaces (i.e. the
237 square footages will need to be reduced). This will require the adoption of a revised Specific
238 Use Permit (SUP) ordinance by the City Council pending a recommendation by the Planning and
239 Zoning Commission.

241 Mr. Miller further noted that on June 27, 2018, staff mailed 29 notices to property owners and
242 residents within 500-feet of the subject property and also notified the Waterstone Estates
243 Homeowner's Association which is the only HOA/Neighborhood Organization within 1,500-feet
244 of the subject property participating in the Neighborhood Notification Program. Staff did not
245 receive any notices returned.

247 Mr. Miller advised the Commission that the applicant was present and available for questions as
248 well as staff.

249 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
250 speak.

251
252 Al Vivo
253 1411 S. Goliad
254 Rockwall, TX

255
256 Madeline Vivo
257 1411 S. Goliad
258 Rockwall, TX

259
260 Mrs. Vivo came forward and stated the reason for the request is to allow a small area where
261 painting can be done on site for patrons that bring pieces that they wish to be painted. It would
262 greatly benefit their sales if they were allowed to do so.

263
264 Chairman Lyons asked if anyone wished to speak to come forward and do so there being no one
265 indicating such; Chairman Lyons closed the public hearing and brought the item back to the
266 Commission for discussion or action.

267
268 Commissioner Logan made a motion to approve Z2018-028 with staff recommendations.
269 Commissioner Womble seconded the motion which passed by a vote of 5-0 with Commissioners
270 Moeller and Fishman absent.

271
272
273 8. Z2018-029

274 Hold a public hearing to discuss and consider a request by Doug Galloway on behalf of Corey Cannon
275 for the approval of a Specific Use Permit (SUP) for a *Craft Brewery, Distillery and/or Winery* on a 1.16-
276 acre parcel of land identified as Lot 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall
277 County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District,
278 located north of the intersection of S. Goliad Street [SH-205] and Storrs Street, and take any action
279 necessary.

280
281 Planning Director, Ryan Miller, provided an explanation and background pertaining to the
282 request. At the April 2, 2018 City Council meeting, the City Council directed staff to prepare a
283 text amendment amending Article IV, Permissible Uses, of the Unified Development Code for the
284 purpose of making changes to the alcohol related land uses. This direction came as the result
285 of an appointment with Corey and Eva Cannon requesting the City Council amend the code to
286 allow the Brewery and/or Distillery land use in the Downtown District by Specific Use Permit).
287 Ultimately, the City Council adopted changes to the UDC creating a Craft Brewery, Distillery
288 and/or Winery land use, which is allowed by-right in the Light Industrial and Heavy Industrial
289 Districts and by Specific Use Permit in the Downtown, General Retail and Commercial Districts.
290 This amendment was adopted on June 4, 2018. Based on this approval, the applicant has
291 submitted an application requesting the approval of a Specific Use Permit to allow a Craft
292 Brewery in the Downtown District. The subject property is a 1.16-acre tract of land located west
293 of City Hall, directly north of 316 S. Goliad Street. Mr. Miller further explained that According to
294 the approved amendment, the Craft Brewery, Distillery and/or Winery land use is permitted
295 within the Downtown District by Specific Use Permit with the following conditions:1)The total
296 building area, area under roof, is less than 12,000 square feet. 2) The total floor area dedicated to
297 the direct sale of the on-site manufactured product, typically referred to as a taproom shall not
298 exceed a maximum of 40% of the total floor area. 3) The uses permitted as accessory land uses
299 are limited to: (a) a tasting room to dispense product manufactured on site for on premise
300 consumption, (b) meeting/banquet facilities, (c) restaurants, and/or (d) retail sales of on-site
301 manufactured product for off-premise consumption. The applicant has submitted a concept plan
302 that shows that the proposed facility will be 11,931 square feet in size with a 4,479 square feet
303 area dedicated for the taproom. This represents 37.69% of the total floor area. The remainder of
304 the space will include 1,850 square feet for offices and 7,452 square feet of production space. In
305 addition, the taproom will include a 508 square feet banquet/meeting room. Based on the
306 materials provided by the applicant the proposed concept plan appears to meet the
307 requirements of the adopted ordinance; however, the approval of a Specific Use Permit is a
308 discretionary decision for the City Council pending a recommendation from the Planning and
309 Zoning Commission. Should the applicant's request be approved, a site plan with building

310 elevations will need to be approved by the Planning and Zoning Commission and City Council if
311 necessary)pending a recommendation from the Architectural Review Board.

312
313 Mr. Miller further noted that on June 27, 2018, staff mailed 119 notices to property owners and
314 residents within 500-feet of the subject property. Staff also notified the Bent Creek Condos and
315 Stonebridge Meadows Homeowner's Associations. At the time this report was drafted, staff had
316 received one notice in opposition and one notice in favor of the applicant's request.

317
318 Mr. Miller advised the Commission the applicant was present and available for questions as well
319 as staff.

320
321 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
322 speak.

323
324 Corey Cannon
325 421 Bedford Falls
326 Rockwall, TX

327
328 Mr. Cannon came forward and shared that they would like to reiterate from what they spoke of at
329 the work session that they feel that the proposed site is a perfect location for their brand and
330 what they envision to bring to the City. He noted that with regards to the building footprint they
331 have tried to keep the event capability and divide the space out so as to have rentable portions.

332
333 Eva Cannon
334 421 Bedford Falls
335 Rockwall, TX

336
337 Mrs. Cannon came forward and provided an exhibit of the floor plan of the building and shared
338 that in addition to the taproom there will be a "rental room" which is a fairly large space that is
339 behind the bar that will double as a barrel aging room and also have long tables that can be
340 rented as a small private place. In addition the tap room can be divided for larger events and
341 there is a small kitchen prep area where caterers could set up. They feel Rockwall is in need of
342 event space outside of a restaurant.

343
344 Chairman Lyons asked if anyone wished to speak to come forward and do so.

345
346 Jim Pruitt
347 110 S. Goliad Street
348 Rockwall, TX

349
350 Mr. Pruitt came forward indicated he was coming before the Commission as a citizen and local
351 business owner and shared the concerns he has pertaining to this request and his reasons for
352 being in opposition for its approval.

353
354 Bob Wacker
355 309 Featherstone
356 Rockwall, TX

357
358 Mr. Wacker came forward and shared he feels it would be better suited as a brew pub to provide
359 food to be served there and believes that there are enough restrictions and stipulations that
360 could be put in place to allow it to be a success as such however he generally indicated being in
361 favor of the request.

362
363 Jason Rowe
364 1100 Ridge Road West
365 Rockwall, TX

366
367 Mr. Rowe came forward and shared that he is one of the "targeted audience" establishments
368 such as this target. He and his wife travel all around the state visiting these breweries. In
369 reference to concerns shared prior to his speaking regarding exiting the establishment with
370 open container that would not happen because there are heavy regulations placed by the TABC.
371 He believes the location is ideal because it would provide the ability to be in close proximity to

372 various food establishments something that is not necessarily the case if they are only allowed
373 within the Light Industrial District. He went on to share that with only one notice having been
374 received shows that it is a request residents notified are in favor of because no opposition has
375 been shown. He strongly urged the Commission to consider approval of the request because it
376 will be an asset to the community.
377

378 Mr. Cannon came forward spoke of the two different licenses provided by the TABC and the
379 difference between the brewery/distillery as opposed to the brewpub he also added that would
380 on the site plan have a designated area to accommodate food trucks and will also work with
381 third party vendors to provide customers food.
382

383 Commissioner Welch asked concerning the requirements that would have to be met per TABC
384 and the difference between having a brewery/distillery as opposed to the requirements a
385 brewpub would need to meet.
386

387 Chairman Lyons asked if anyone else wished to speak to come forward and do so.
388

389 Deidra Rowe
390 1100 Ridge Road West
391 Rockwall, TX
392

393 Mrs. Rowe came forward and expressed being in favor of the request. She travels with her
394 husband to various brewery establishments across the state that are located within Downtown
395 areas that she feels is a plus because it brings in tourists to experience the shops within the
396 downtown which in turn boosts the revenue to the City. She shared that these type of
397 establishments provide a place for gathering and provide a fun family friendly experience and by
398 no means resemble anything like a "bar". She urged the Commission to consider approval.
399

400 Commissioner Logan asked the applicant if they are currently successfully producing beer or
401 have experience in the industry. Mr. Cannon stated that they have are in the process of
402 narrowing it down from two head brewers that would handle production. He indicated that he
403 and his wife have been business owners for over ten years in Rockwall and therefore have
404 experience in business management.
405

406 Commissioner Logan asked if they will be producing multiple types of beer. Mrs. Cannon stated
407 they will have starting coming out of the gate eight core beers that will be produced year round,
408 six seasonal and in addition some limited edition series beers. Mr. Cannon added that their
409 strategy on their beers is about the character of the beer such as with wine tastings that really
410 describe and educate about the wine that is what they envision to provide. He went on to share
411 that what they are looking to provide is a bright, vibrant, colorful environment getting away from
412 the typical dark male dominated brewery industry.
413

414 Chairman Lyons closed the public hearing and brought the item back to the Commission for
415 discussion or a motion.
416

417 Chairman Lyons shared that it appears to be a good plan and a good looking building that he
418 feels they would be successful in running. However he generally expressed not being in favor of
419 the request. He expressed concern with the location and safety issues that may arise from that.
420

421 Commissioner Chodun generally expressed concern about the location. He added that with the
422 subject property being a prime location in the entry way of Downtown it should be carefully
423 considered should the business in the long run not succeed what would be left is a building with
424 a large footprint. He also questions the "family friendliness" of the establishment however good
425 the pictures being provided may show he indicated he would rather see it have come forward as
426 a restaurant/brewery.
427

428 Commissioner Logan indicated being in agreement with Chairman Lyon's and Commissioners
429 comments. She shared that although it may be something that would attract people and it is an
430 attractive building how they are proposing it to be she expressed concern with the location, the
431 access from there to downtown.
432

433 Commissioner Womble indicated a need for such an establishment would draw people however
434 he shared concern with the location and access does not feel it is the ideal location for such an
435 establishment.
436

437 Chairman Lyons made a motion to deny Z2018-029. Commissioner Chodun seconded the motion
438 which was passed by a vote of 4-1 with Commissioner Welch dissenting and Commissioners
439 Moeller and Fishman absent.
440

441 Chairman Lyons called for a recess at 7:30 p.m.
442

443 Chairman Lyons called the meeting back to order at 7:36 p.m.
444
445

446 V. ACTION ITEMS
447

448 9. SP2018-016

449 Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf of Clay
450 Shipman for the approval of a site plan for an office building on a 1.28-acre parcel of land identified as
451 Lot 3, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned
452 Commercial (C) District, located on La Jolla Pointe drive northeast of the intersection La Jolla Pointe
453 Drive and Laguna Drive, and take any action necessary.
454

455 Senior Planner, David Gonzales, gave a brief explanation and background of the request. The
456 applicant is requesting the approval of a site plan for the purpose of constructing a, three story,
457 7,282 square foot office building that will be situated on a 1.28-acre parcel of land which is
458 located on La Jolla Pointe Drive northeast of the intersection La Jolla Pointe Drive and Laguna
459 Drive. According to the Unified Development Code, an office building is permitted by-right
460 within the Commercial District. With the exception of the variances being requested, the
461 submitted site plan, landscape plan, photometric plan, and building elevations conform to the
462 technical requirements contained within the Unified Development Code and the Commercial
463 District. The applicant has provided a treescape plan indicating a total of 380 caliper inches
464 being removed from the site, the majority of which are Ash trees and are considered to be
465 primary protected trees. As a note Cedar and Hackberry trees that are 11-inches dbh or larger
466 are considered to be secondary protected trees and shall be replaced at a rate of 50 percent of
467 the total caliper inches being removed; however, if less than 11 inches dbh shall not be
468 considered a protected tree (non-protected tree). All protected trees may not be removed
469 without approval of the Planning and Zoning Commission, and are required to be replaced on an
470 inch-for-inch basis. The applicant's landscape plan depicts the provision of 168 caliper inches
471 being added to the site. This will leave a mitigation balance of 212 caliper inches. The applicant
472 has three options available in order to satisfy the tree mitigation balance 1) provide additional
473 trees on site, 2) petition the Parks and Recreations Department to accept the trees, 71, three(3)
474 inch caliper trees, or 3) purchase preservation credits equal to 20% of the balance, 42.4 caliper
475 inches at \$100 per caliper inch = \$4,240. This option would leave a balance of 169.6 caliper
476 inches or 57, three (3)-inch caliper trees. In certain cases and in accordance the Unified
477 Development Code, the City Council upon recommendation from the Planning and Zoning
478 Commission may consider an Alternative Tree Mitigation Settlement Agreement where, due to
479 hardship, the applicant is unable to meet the requirements of this article or where it is
480 determined that adherence to the tree mitigation requirements will create a hardship for an
481 applicant. These funds would be deposited in the City's Tree Mitigation Fund and will be used
482 for planting trees in the City's parks, medians, street right-of-ways, or other similar areas as
483 determined by the Parks and Recreation Department. If his option be chosen by the applicant,
484 an Alternative Tree Mitigation Plan would need to be submitted and approved by the City Council
485 pending a recommendation from the Planning and Zoning Commission.
486

487 Mr. Gonzales further noted that in regards to the building elevations the Architectural Review
488 Board was unable to field a quorum. The applicant had instructions from the ARB in order to
489 bring it more in compliance of what their vision was to replicate the Hook & Ladder Company #8
490 Firehouse that is in New York City. When ARB took a look at that they requested the applicant
491 make changes that would reflect replication of the original historic structure of the Hook &
492 Ladder Company #8 Firehouse in New York by creating a more ornate cornice, and reducing the
493 stucco by incorporating more red brick. They have met the ARB's recommendations and added
494 more red brick and have done away with the stucco. The two variances associated with the

495 request. One being for the stone they do not meet the 20% stone requirement the second is for
496 the east elevation that does not meet the vertical or horizontal articulation requirements. Mr.
497 Gonzales indicated that although ARB did not field a quorum the Commission does have the
498 ability to make a determination based on what is being presented.
499

500 Mr. Gonzales advised the Commission that the applicant was present and available for questions
501 as well as staff.
502

503 Chairman Lyons asked for questions from the Commission.
504

505 Commissioner Chodun asked if it was visible from any other road aside from La Jolla Drive. Mr.
506 Gonzales indicated that it sits down low and there's a tree line along Lakeside Village therefore
507 visibility would be very low.
508

509 Chairman Lyons asked the applicant to come forward.
510

511 **Greg Wallis**
512 2313 Ridge Road
513 Rockwall, TX
514

515 Mr. Wallis came forward and indicated they have met the recommendations that the
516 Architectural Review Board provided and he was available for questions.
517

518 Commissioner Welch made a motion to approve SP2018-016 with staff recommendations.
519 Commissioner Chodun seconded which passed by a vote of 5-0 with Commissioners Moeller
520 and Fishman absent.
521

522
523 10. SP2018-017 **[TABLED: JULY 31, 2018]**

524 Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Phillip McNeill
525 of Summer Lee Rockwall, LLC for the approval of a site plan for a hotel on a 2.12-acre tract of land
526 identified as portions of Lot 2A, Isaac Brown Addition and Lot 2, Block A, Harbor Village Addition, City of
527 Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the
528 Scenic Overlay (SOV) District and the Interior, Horizon/Summer Lee and Residential Subdistricts of
529 Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located
530 adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer
531 Lee Drive, and take any action necessary.
532

533 Chairman Lyons indicated the case agenda was tabled for the July 21, 2018 scheduled meeting
534 and no action was required.
535
536

537 11. SP2018-018

538 Discuss and consider a request by David Osborn of Rack Partners, LTD for the approval of a site plan
539 for an industrial building on a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson
540 Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC)
541 District, addressed as 125 National Drive, and take any action necessary.
542

543 Planning Director, Ryan Miller, provided a brief explanation of the request. The subject property
544 is zoned Heavy Commercial and currently, an existing 5,676 square foot metal building is
545 situated in the center of the 1.50-acre subject property. The owner of the property is proposing
546 to construct another 4,837 square foot metal building adjacent to the northern property line of
547 the subject property to be used for storage. According to the Unified Development Code site
548 plans are required for the expansion of existing development by 50 percent or more of the gross
549 floor area. In this case, the applicant is proposing a 85.22% expansion of existing floor area. In
550 accordance with this requirement, the applicant has submitted a site plan. The proposed metal
551 storage building is permitted by-right in the Heavy Commercial District. Along with the
552 expansion the applicant is required to construct a concrete parking lot for the increased floor
553 area, and has indicated this on the site plan. In addition, the applicant is showing that three (3),
554 three (3) inch caliper trees will be provided along National Drive, which brings the property into
555 conformance with the requirements of the UDC. The proposed site plan is in conformance with
556 the minimum requirements of the UDC with the exception of two variances both of which are

557 associated with the building itself one for the materials and the other for the horizontal
558 articulation with it being a larger building there are no bump outs or recesses however it does
559 have a pitched roof and will meet vertical articulation. On June 26 the applicant met with the
560 Architectural Review Board and they found that the building elevations were similar to the
561 adjacent structures along National Drive, and approved a motion to recommend approval.
562

563 Mr. Miller advised the Commission the applicant was present and available for questions as well
564 as staff.
565

566 Chairman Lyons asked the applicant come forward and speak.
567

568 David Osborne
569 4649 Parkwood
570 Rockwall, TX
571

572 Mr. Osborne came forward and indicated the building will match the surrounding metal buildings
573 and he was available for questions.
574

575 Chairman Lyons brought the item back to the Commission for discussion or action.
576

577 Commissioner Logan made a motion to approve SP2018-018 with staff recommendations.
578 Commissioner Womble seconded the motion which passed by a vote of 5-0 with Commissioners
579 Moeller and Fishman absent.
580

581 12. Director's Report of post Council meeting outcomes of Planning & Zoning cases.
582

- 583
- 584 ✓ P2018-017: Lot 1, Block A, Cornerstone Community Church Addition [Approved]
 - 585 ✓ P2018-018: Lot 2, Block A, Rockwall School Addition #2 [Approved]
 - 586 ✓ P2018-020: Lots 8 & 9, Block D, Rockwall Technology Park Addition [Approved]
 - 587 ✓ SP2018-008: Variances for Woodhill Dental [Approved for Vertical Articulation; Denied for
588 Horizontal Articulation]
- 589

590
591 Planning Director, Ryan Miller, provided a brief update about the outcome of the above
592 referenced case at the City Council meeting.
593

594
595
596 VI. ADJOURNMENT

597
598 Chairman Lyons adjourned the meeting at 7:55 p.m.
599

600
601 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
602 ROCKWALL, Texas, this 11 day of September, 2018.

603
604
605
606 
607 _____
608 Johnny Lyons, Chairman

609 Attest:
610 
611 _____
612 Laura Morales, Planning Coordinator
613
614
615
616

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
July 31, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:18 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Annie Fishman and John Womble. Absent from the meeting were Commissioners Chodun and Logan. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the April 10, 2018 Planning and Zoning Commission meeting.
2. Approval of Minutes for the April 24, 2018 Planning and Zoning Commission meeting.
3. Approval of Minutes for the May 8, 2018 Planning and Zoning Commission meeting.

4. P2018-022

Consider a request by Juan Vasquez of Vasquez Engineering, LLC on behalf of Deepak Gandhi of Rockwall Inn Keepers I, LTD for the approval of a replat for Lots 18, 19 & 20, Block A, La Jolla Pointe Addition, Phase 2 being a 5.769-acre tract of land currently identified as Lots 8, 9 & 11, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District situated within the Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, generally located along La Jolla Pointe Drive, east of the intersection of La Jolla Pointe Drive and Laguna Drive, and take any action necessary.

5. MIS2018-016

Discuss and consider a request by Kathrine Brock of Macatee Engineering, LLC on behalf of the Skorburg Company for the approval of a Treescape/Tree Mitigation Plan for Gideon Grove Subdivision consisting of 71 single-family residential lots on a 29.182-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 77 (PD-77), situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

Commissioner Welch made a motion to approve the consent agenda. Commissioner Moeller seconded the motion passed by a vote of 5-0 with Commissioners Chodun and Logan absent.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

IV. ACTION ITEMS

7. P2018-008

Discuss and consider a request by Stephen Selinger on behalf of Pham Bang Kim for the approval of a preliminary plat for Southridge Estates containing 320 single-family residential lots on a 72.6049-acre

64 tract of land being identified as Tract 6 of the R. Dickens Survey, Abstract No. 73, Rockwall County,
65 Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located north of
66 the intersection of SH-276 and FM-551, and take any action necessary.
67

68 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant
69 submitted a preliminary plat located within the City's ETJ.
70

71 Mr. Gonzales advised the Commission that the applicant was not present and available for
72 questions and available for questions as well as staff.
73

74 Commissioner Welch made a motion to deny P2018-008. Commissioner Womble seconded the
75 motion which passed by a vote of 5-0 with Commissioners Chodun and Logan absent.
76

77 8. MIS2018-017

78 Discuss and consider a request by Manny Romero for the approval of a special request in accordance
79 with Planned Development District 75 (PD-75) [Ordinance No. 16-01] for the purpose of permitting the
80 construction of a carport and covered porch on a 0.115-acre property that is identified as Lot 419, Block
81 D of Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, is zoned Planned
82 Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses, is generally located at
83 406 Bass Road, and take any action necessary.
84

85 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant
86 is requesting to construct a carport in front of an existing single-family home. In addition, the
87 applicant is requesting that the front yard building setback be reduced to accommodate the
88 carport and a proposed covered porch. According to the information provided by the applicant,
89 the carport will be adjacent to the front façade of the existing home and extend toward the front
90 property line 14-feet. The structure will be 14-feet x 16-feet and be supported by wooden post.
91 The roof will be integrated into the existing roofline of the home, and utilize an asphalt shingle
92 matching the shingles used on the primary structure. The proposed covered porch will be
93 constructed in the same manner as the carport and will be 8-feet x 8-feet.
94

95 Chairman Lyons asked the applicant to come forward.
96

97 Manny Romero
98 406 Bass Road
99 Rockwall, TX
100

101 Mr. Romero came forward and indicated the house has no garage and will serve for storage.
102

103 No discussion took place concerning this agenda item.
104

105 Commissioner Welch made a motion to approve MIS2018-017 with staff recommendations.
106 Commissioner Moeller seconded the motion which passed by a vote of 4-1 with Commissioner
107 Womble dissenting and Commissioners Chodun and Logan absent.
108

109
110 V. DISCUSSION ITEMS

111 9. Z2018-030

112 Hold a public hearing to discuss and consider a request by Pat Atkins of Saddlestar Land Development
113 on behalf of the Stagliano Family Trust for the approval of a zoning change from an Agricultural (AG)
114 District, Commercial (C) District and Heavy Commercial (HC) District to a Planned Development District
115 for commercial/retail and single-family land uses on a 63.71-acre tract of land identified as Tract 3 of the
116 W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Agricultural
117 (AG) District, Commercial (C) District and Heavy Commercial (HC) District, situated within the SH-205
118 Overlay (SH-205 OV) District, located at the northwest corner of S. Goliad Street [SH-205] and Mims
119 Road, and take any action necessary.
120

121 Senior Planner, David Gonzales, indicated the applicant was present and could provide
122 additional information.
123

124 Chairman Lyons asked the applicant to come forward.
125

126 Pat Atkins
127 Saddlestar Development
128 3076 Hays Lane
129 Rockwall, TX
130

131 Mr. Atkins came forward and provided a lengthy explanation and detail of the proposed changes.
132

133 Commissioner Womble asked what the previous density was. Mr. Atkins indicated it was 4.4
134

135 Chairman Lyons indicated the case will return to the Commission for action at the next
136 scheduled meeting.
137

138
139 10. Z2018-031

140 Hold a public hearing to discuss and consider a request by Jessye Jean Woody for the approval of a
141 zoning change from an Agricultural (AG) District to a Single Family Estate 1.5 (SFE-1.5) District for a
142 1.342-acre parcel of land identified as Lot 1, Block A, Zion Addition, City of Rockwall, Rockwall, Texas,
143 zoned Agricultural (AG) District, addressed as 853 Zion Hills Circle, and take any action necessary.
144

145 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is
146 requesting to rezone his property. It was annexed into the City and is zoned AG which is the
147 default zoning currently there is a single family home on the property and the applicant wants to
148 build an addition. Mr. Brooks advised the Commission the applicant was present and
149

150 Chairman Lyons asked the applicant to come forward and speak.
151

152 Danny Akard
153 845 Zion Hill Circle
154 Rockwall, TX
155

156 Mr. Ekerd came forward and explained that the property belongs to his elderly mother in law
157 that would like to build a mother in law suite on the property.
158

159 Commissioner Moeller asked if the request to change the zoning was for only lot 1. Mr. Akard
160 indicated that although she owns both lots the request is only to change lot 1.
161

162 Commissioner Womble asked what the Future Land Use Map indicates for this area. Mr. Brooks
163 stated that it is designated as Low Density Residential.
164

165 There being no further questions Chairman Lyons indicated the case will return to the
166 Commission for action at the next scheduled meeting.
167

168
169 11. Z2018-032

170 Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development
171 Company, LLC for the approval of a zoning change from a Light Industrial (LI) District to a Planned
172 Development District for commercial, light industrial and townhome land uses on a 16.26-acre tract of
173 land identified as Lot 1, Block 1, Indalloy Addition (7.409-acres) and Tract 31 of the R. Ballard Survey,
174 Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District,
175 addressed as 1100 & 1300 E. Washington Street, and take any action necessary.
176

177 Planning Director, Ryan Miller, indicated the applicant was present and would discuss the
178 request and staff would be available for questions.
179

180 Chairman Lyons asked the applicant to come forward and speak.
181

182 Bill Bricker
183 505 Westway Drive
184 Rockwall, TX
185

186 Mr. Bricker came forward and gave a brief explanation and background of the request. He shared
187 that the subject property historically is part of the aluminum plant and has been one tract for a

188 number of years with various changes over the last 30 years and ended up with the two pieces at
189 the front. He shared that it is zoned Light Industrial and by right have the right to build certain
190 types of buildings however that would not be conducive they have worked at finding some way
191 to fit a development that shielded the uses and separated it out. To the west is Park Place
192 subdivision and they want to protect the Park Place citizens from any Commercial or Retail type
193 uses that is why they feel a good plan would be for a small series of townhomes that would
194 become part of the Park Place HOA and same standards and construction to be built with high
195 standards. They are also looking to put some commercial up front but have put in the draft
196 ordinance to remove uses that may not be suitable and leaving only uses that would be
197 compatible with the whole series. Mr. Bricker advised the Commission he was available for
198 questions as well as the engineer on the project.
199

200 Mr. Miller added that the property is zoned Light Industrial that does allow uses that are
201 considered to be incompatible with residential land uses the Future Land Use Map designates it
202 to be Heavy Commercial which is not conducive to the residential adjoining properties. Staff has
203 worked with Mr. Bricker on the Ordinance and Tract 1 is limited only to 12 townhomes which do
204 meet the Comprehensive Plan requirements. Tracts 2 and 3 will be Commercial Retail with
205 limited uses. Tract 4 and 5 will retain the Heavy Industrial zoning but have highly restricted uses
206 per the Planned Development Plan. Mr. Miller further noted that currently the alignment of SH-66
207 swoops down onto this property and then heads north and the applicant is requesting that the
208 City waive that alignment because they would be required to dedicate a large portion of their
209 frontage which would make it difficult to make the improvements they are seeking to do. Mr.
210 Miller indicated staff would bring a more detailed analysis of that at the next scheduled public
211 hearing.
212

213 Commissioner Welch asked if the residents of Park Place have been made aware of the proposal
214 and if they appeared to be on Board. Mr. Bricker indicated that the ones he has talked to show
215 no opposition. Mr. Miller added that staff would send notifications to property owners within 500
216 feet of the subject property.
217

218 Chairman Lyons indicated the case will return to the Commission for action at the next
219 scheduled meeting.
220

221
222 12. Z2018-033

223 Hold a public hearing to discuss and consider approval of a text amendment to the *Use Standards*
224 contained in Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] for
225 the purpose of amending the land use conditions for the *Craft/Micro Brewery, Distillery and/or Winery*
226 land use, and take any action necessary.
227

228
229 Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the July 16,
230 2018 City Council meeting, the City Council directed staff to make minor changes to Ordinance
231 No. 18-27, which amended the Permissible Use Charts in the Unified Development Code to add
232 the Craft/Micro Brewery, Distillery and/or Winery land use and land use standards. Specifically,
233 under the land use standards for this use the current ordinance allows for the retail sales of
234 "beer" for off-premise consumption; however, under the Texas Alcohol Beverage Commission's
235 Alcoholic Beverage Code Craft/Micro Breweries are not permitted to have on-site package sales
236 available directly to the general public. The purpose of this section was to acknowledge that
237 TABC's Alcoholic Beverage Code does permit wineries and distilleries the ability to have on-site
238 package sales available directly to the general public, and the use of the word "beer" was
239 incorporated erroneously. The proposed ordinance would replace the use of "beer" with "on-
240 site manufactured product". Mr. Miller advised the Commission staff was available for questions.
241

242 Chairman Lyons indicated the case will return to the Commission for action at the next
243 scheduled meeting.
244

245
246 13. Z2018-034

247 Hold a public hearing to discuss and consider a request by Dean Cathey on behalf of Judy K. Larson for
248 the approval of a zoning change from an Agricultural (AG) District to a Single Family Estate 1.5 (SFE-
249 1.5) District for a 6.96-acre parcel of land identified as Tract 26-2 of the E. M. Elliott Survey, Abstract

250 No. 77, City of Rockwall, Rockwall, Texas, zoned Agricultural (AG) District, situated within the FM-549
251 Overlay (FM-549 OV) District, addressed as 556 FM-549, and take any action necessary.

252 **Planner, Korey Brooks, gave a brief explanation and background of the request. The subject**
253 **property was annexed into the City and given default zoning designation of AG the applicant is**
254 **seeking the change to allow for a single family home to be built. Mr. Brooks indicated the**
255 **applicant was present and available for questions.**

256
257 **Chairman Lyons asked the applicant to come forward.**

258
259 **Judy Larson**
260 **1721 Briar Oaks Drive**
261 **Flower Mound, TX**

262
263 **Ms. Larson came forward and shared that herself and her siblings inherited a little over nine**
264 **acres from their father. Her twin sister took two of those acres and built a single family home**
265 **and now she would like to do the same and that is why she is seeking the zoning change**
266 **request.**

267
268 **No discussion took place concerning this agenda item.**

269
270 **Chairman Lyons indicated the case will return to the Commission for action at the next**
271 **scheduled meeting.**

272
273
274 **14. SP2018-019**

275 **Discuss and consider a request by Brad Williams of Winstead PC on behalf of Andrew Malzer of**
276 **Mountain Prize, Inc. for the approval of an amended site plan for a retail store with gasoline sales on a**
277 **2.46-acre parcel of land identified as Lots 1 & 2 of the Woods at Rockwall Addition, City of Rockwall,**
278 **Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV)**
279 **District, located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and**
280 **take any action necessary.**

281
282 **Senior Planner, David Gonzales, gave a brief explanation and background of the request. The**
283 **applicant is representing RaceTrac. It was originally approved in December of 2013 and a couple**
284 **of modifications to the elevations which required variances were approved in 2015. They are**
285 **making additional modifications to the elevations and slight modifications to the site plan for**
286 **drainage purposes is what is being brought forward. Mr. Gonzales advised the Commission that**
287 **the applicant was present and available for questions as well as staff.**

288
289 **Brad Williams**
290 **2728 North Hardwood**
291 **Dallas, TX**

292
293 **Mr. Williams came forward and provided a brief power point presentation that went over the**
294 **request and outlined the changes they are proposing to the building elevations and site plan. Mr.**
295 **Williams indicated that the civil plans for the site plan have been submitted to the City and are**
296 **pending review.**

297
298 **Chairman Lyons asked for questions.**

299
300 **Commissioner Fishman asked if the site had not been approved for a Hacienda Car wash. Mr.**
301 **Gonzales clarified that there was a site plan for a Hacienda Car Wash that was approved south of**
302 **this subject property.**

303
304 **Chairman Lyons indicated the case will return to the Commission for action at the next**
305 **scheduled meeting.**

306
307
308 **15. SP2018-020**

309 **Discuss and consider a request by Randall Eardley of Wier & Associates, Inc. on behalf of Getra**
310 **Thomason-Sanders of Chick-Fil-A, Inc. for the approval of a site plan for a *Restaurant, 2,000 SF or***
311 ***More with Drive Through* on a 1.40-acre parcel of land identified as Lot 2, Block A, Lakeshore Commons**

312 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for
313 General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV)
314 District, addressed as 1979 N. Goliad Street, and take any action necessary.
315

316 Planner, Korey Brooks, gave a brief explanation and background of the request. The Planning
317 and Zoning Commission as well as City Council approved an SUP for a restaurant with a drive
318 through on this site a few months back, and just to the west of the subject property is Lakeshore
319 Commons shopping Centre and south there is an approved site plan for Starbucks and south of
320 that is MOD Pizza. The Architectural Review Board reviewed the elevations and as submitted the
321 building elevations needed variances however the applicant has indicated that the engineer has
322 expressed that they will fully comply with all of the ordinances and therefore there will not be
323 any request for variances for the vertical and horizontal articulation, or the 20% stone.
324

325 Mr. Brooks advised the Commission that the applicant was present and
326

327 Chairman Lyons asked the applicant to come forward.
328

329 Priya Acharya
330 Wier & Associates
331 2201 E. Lamar Blvd., Suite 200 E
332 Arlington, TX
333

334 Ms. Acharya came forward and stated that the site has already been through the SUP process
335 for a restaurant with a drive through and are now coming forward for approval for the site plan.
336 She indicated that they will be seeking a variance to a flat roof in lieu of the Ordinance stipulated
337 sloped roof. Mr. Brooks clarified to Ms. Acharya that the PD was amended for this tract and does
338 not require a pitched roof. Ms. Acharya stated she was available for any questions the
339 Commission may have.
340

341 No discussion took place concerning this agenda item.
342

343 Chairman Lyons indicated the case will return to the Commission for action at the next
344 scheduled meeting.
345

346
347 16. SP2018-021

348 Discuss and consider a request by Ellis Little of Ellis Little Masix Construction, LLC on behalf of David
349 Johnston of the Lofland Farms Estates Homeowner's Association (HOA) for the approval of a site plan
350 for an amenities center on a 1.0521-acre parcel of land identified as Lot 22, Block B, Lofland Farms,
351 Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45
352 (PD-45) for Single-Family 10 (SF-10) District land uses, situated within the SH-276 Overlay (SH-276
353 OV) District, addressed as 2400 Wagon Wheel Drive, and take any action necessary.
354

355 Planner, Korey Brooks, gave a brief explanation of the request stating that the Lofland Farms
356 HOA is requesting to demolish the existing amenity center and build a new one. Ordinarily it
357 could have been an administrative site plan however as submitted there are some variances and
358 therefore staff felt it was necessary to bring it before the Planning and Zoning Commission for
359 their review however the applicant has indicated they will be providing the correct materials and
360 do meet the vertical and horizontal articulation. Mr. Brooks advised the Commission that the
361 applicant is present and available for questions as well as staff.
362

363 Chairman Lyons asked the applicant to come forward.
364

365 Bobby Roper
366 1121 E. Spring Creek
367 Plano, TX
368

369 Mr. Roper came forward and indicated they will not be seeking a variance and will comply with
370 the percentage on the exterior.
371

372 Chairman Lyons indicated the case will return to the Commission for action at the next
373 scheduled meeting.

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17. SP2018-022

Discuss and consider a request by Matilyn Vivo of Rustic Warehouse for the approval of a site plan to allow for *outside sales and display* on a 1.9175-acre parcel of land identified as Tract 2 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, addressed as 1411 S. Goliad Street [SH-205], and take any action necessary.

Planner, Corey Brooks, gave a brief explanation of the request. The applicant is requesting a site plan to allow outside storage. There are several stipulations that have to be met and currently the applicant is not meeting some of them specifically the stipulation for the covered walkway and therefore is requesting a variance. If the applicant were to choose not to request a variance the outside storage/display would be allowed without a covered walkway if it is screened by a solid 8 foot screening. Mr. Brooks advised the Commission that the applicant was present and available for questions as well as staff.

Chairman Lyons asked the applicant to come forward.

Madeline and Al Vivo
1411 S. Goliad Street
Rockwall, TX

Mrs. Vivo came forward and explained the reason for the request to allow for outside display is for vehicles that drive by can see what type of items are sold inside the store which she feels would immensely help their business by attracting customers.

Chairman Lyons asked why the walkway was required and would there be a limitation on the amount of outside display that would be allowed. Mr. Brooks indicated it is for screening purposes.

Commissioner Fishman asked for examples of what would be displayed. Ms. Vivo shared it would be small pieces of items that are sold inside the store.

Chairman Lyons indicated the case will return to the Commission for action at the next scheduled meeting.

18. SP2018-023

Discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on behalf of Shailesh C. Vora of DFW Hospitality of Rockwall, LLC for the approval of a site plan for a hotel on a 1.954-acre tract of land identified as a portion of Lots 7 & 8, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District and the IH-30 Overlay (IH-30 OV) District, situated south of the intersection of Carmel Circle and Laguna Drive, and take any action necessary.

Senior Planner, David Gonzales, indicated that the next three agenda items are within the La Jolla Point area and are being brought forward by the same applicant Pan Sribhen. The applicant met with the Architectural Review Board and was given their recommendations and he will be bringing back for the hotel and the office building differing elevations but for the medical office the ARB did unanimously recommended approval including the variance. For the hotel however they are requesting they meet the horizontal and vertical articulation and they are limited through the SUP to not exceed 36 feet in height therefore they will have to work with how to architecturally they will meet that requirement. Mr. Gonzales went on to explain that for the medical office building they are requesting a variance to the pitched roof and ARB felt that the way that the building is being presented would be a better fit for the area as presented rather than putting a pitched roof and they did recommend approval. In regards to the office building when the applicant initially brought it forward it was to be a four story and then it was reduced to 36 feet and the challenge with that will be the vertical articulation.

Mr. Gonzales advised the Commission that the applicant was present and available for questions as well as staff.

Chairman Lyons asked the applicant to come forward.

436 Pann Sribhen
437 PSA Engineering
438 17819 Davenport Road
439 Dallas, TX
440

441 Mr. Sribhen came forward and provided information pertaining to the three projects they are
442 seeking approval from he shared a diagram and sample board showing the layout and materials
443 of how the three buildings will be laid out. He shared that all the buildings will have the same
444 concept as the Architectural Review Board recommended. He indicated he was available for
445 questions the Commission may have.
446

447 Chairman Lyons asked for questions from the Commission.
448

449 Commissioner Womble asked what their approach would be to get the articulation on the 23 foot
450 tall building. Mr. Sribhen indicated that the Architectural Review Board stated they may allow
451 then to go one to two feet over the 36 feet. Commissioner Womble asked staff if ARB could allow
452 above zoning height requirements. Planning Director, Ryan Miller, explained that the ARB could
453 make a recommendation to allow that if the applicant chooses to request that however the
454 alternative in this case would be that the applicant request a variance to the vertical articulation.
455

456 Chairman Lyons indicated the case will return to the Commission for action at the next
457 scheduled meeting.
458
459

460 19. SP2018-024

461 Discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on behalf of Shailesh C.
462 Vora of DFW Hospitality of Rockwall, LLC for the approval of a site plan for a medical office building on
463 a 1.003-acre tract of land identified as a portion of Lot 6, Block A, La Jolla Pointe Addition, Phase 2, City
464 of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay
465 (SOV) District, situated south of the intersection of Carmel Circle and Laguna Drive, and take any action
466 necessary.
467

468 **Agenda item was discussed with agenda item #18**
469
470

471 20. SP2018-025

472 Discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on behalf of Shailesh C.
473 Vora of DFW Hospitality of Rockwall, LLC for the approval of a site plan for an office building on a
474 1.080-acre tract of land identified as a portion of Lots 6 & 7, Block A, La Jolla Pointe Addition, Phase 2,
475 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic
476 Overlay (SOV) District and the IH-30 Overlay (IH-30 OV) District, situated south of the intersection of
477 Carmel Circle and Laguna Drive, and take any action necessary.
478

479 **Agenda item was discussed with agenda item #18**
480
481

482 21. Director's Report of post Council meeting outcomes of Planning & Zoning cases.
483

- 484 ✓ P2018-019: Final Plat for the Standard Subdivision [Approved]
- 485 ✓ P2018-021: Final Plat for the Gideon Grove Subdivision [Approved]
- 486 ✓ Z2018-026: SUP for a *Restaurant, Less than 2,000 SF, with Drive Through (1st Reading)* [Approved]
- 487 ✓ Z2018-027: Amendment to Planned Development District 85 (PD-85) (1st Reading) [Approved]
- 488 ✓ Z2018-028: SUP for Furniture Upholstery, Refinishing & Repair (1st Reading) [Approved]
- 489 ✓ Z2018-029: SUP for Craft Brewery, Distillery and/or Winery [Tabled to August 6, 2018]
- 490 ✓ SP2018-016: Variances for the Shipman Office Building [Approved]
- 491 ✓ SP2018-018: Variances for 125 National Drive [Approved]
- 492 ✓ MIS2018-015: Alcohol Variance for ALDI [Tabled to August 6, 2018]
- 493
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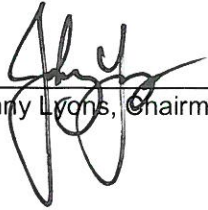
495 Planning Director, Ryan Miller, provided a brief update about the outcome of the above
496 referenced case at the City Council meeting.
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VI. ADJOURNMENT

Chairman Lyons adjourned the meeting at 7:49 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 25 day of September, 2018.



Johnny Lyons, Chairman

Attest:



Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
August 14, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:02 p.m. The Commissioners present at the meeting were Tracey Logan, Jerry Welch, Eric Chodun, and John Womble. Absent from the meeting were Commissioners Mark Moeller and Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams and Civil Engineer Jeremy White.

II. CONSENT AGENDA

1. Approval of Minutes for the May 29, 2018 Planning and Zoning Commission meeting.
2. Approval of Minutes for the June 12, 2018 Planning and Zoning Commission meeting.

3. SP2018-021

Consider a request by Ellis Little of Ellis Little Masix Construction, LLC on behalf of David Johnston of the Lofland Farms Estates Homeowner's Association (HOA) for the approval of a site plan for an amenities center on a 1.0521-acre parcel of land identified as Lot 22, Block B, Lofland Farms, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 45 (PD-45) for Single-Family 10 (SF-10) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2400 Wagon Wheel Drive, and take any action necessary.

4. P2018-023

Consider a request by Pan S. Sribhen, P. E. of PSA Engineering on behalf of Shailesh C. Vora of DFW Hospitality of Rockwall, LLC for the approval of a preliminary plat for a 5.65-acre tract of land identified as a portion Lots 6 & 8 and all of Lot 7, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District and the IH-30 Overlay (IH-30 OV) District, situated south of the intersection of Carmel Circle and Laguna Drive, and take any action necessary.

Commissioner Welch made a motion to approve the consent agenda. Commissioner Logan seconded the motion which passed by a vote of 5-0 with Commissioners Fishman and Moeller absent.

I. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

Commissioner Moeller arrived at the meeting at 6:08 p.m.

II. PUBLIC HEARING ITEMS

6. Z2018-030

Hold a public hearing to discuss and consider a request by Pat Atkins of Saddlestar Land Development on behalf of the Stagliano Family Trust for the approval of a zoning change from an Agricultural (AG) District, Commercial (C) District and Heavy Commercial (HC) District to a Planned Development District for commercial/retail and single-family land uses on a 63.71-acre tract of land identified as Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Agricultural

63 (AG) District, Commercial (C) District and Heavy Commercial (HC) District, situated within the SH-205
64 Overlay (SH-205 OV) District, located at the northwest corner of S. Goliad Street [SH-205] and Mims
65 Road, and take any action necessary.
66

67 Senior Planner, David Gonzales, provided an explanation and background on the request. He
68 shared that on March 16, 2018 an application was submitted requesting to rezone the property
69 from Agricultural, Heavy Commercial, and Commercial Districts to a Planned Development
70 District for single-family, townhome and commercial land uses. Based on the concept plan, this
71 would establish a horizontal mixed use development with commercial/retail at the northwest
72 corner of S. Goliad Street and Mims Road, while transitioning to a 196 lot townhome
73 development and continuing west to a 65 lot single-family development. The applicant submitted
74 a similar zoning change request in October 2017. After postponing the public hearings on two
75 separate occasions, one meeting in which the Planning and Zoning Commission requested
76 traffic impact analysis. The Planning and Zoning Commission ultimately denied the case on
77 January 30, 2018. The applicant then requested that the City Council withdraw the case. Since
78 the original case was withdrawn, the applicant was not restricted from submitting the same
79 request.
80

81 The applicant then submitted a subsequent application in March of 2018 proposing the same
82 zoning change that was requested in the prior case which had been withdrawn. This application
83 was denied by the City Council on April 16, 2018. Since the request was denied without an
84 indication of prejudice, the action was considered to be a "denial with prejudice". This motion
85 restricts the ability of the applicant to submit a zoning application for any portion of the
86 subject property unless the application is for a more restrictive, less intense use or
87 development for a period of one year from the date of denial. In accordance with the Unified
88 Development Code, the applicant submitted a subsequent request for a change of conditions on
89 May 29, 2018. This request was denied by the Planning and Zoning Commission after a finding
90 that the request did not represent a substantial change. A subsequent application was filed
91 on proposing to eliminate the townhome use, decrease the amount of dwelling units from 263
92 units (i.e. townhome & single-family mix) to 123 units (i.e. single-family residential), and
93 reduce the density from 4.13-du/ac to 2.10 du/ac. Based on this request, the Planning and
94 Zoning Commission approved a motion to allow the applicant to submit an application
95 requesting to rezone the property on June 26, 2018. On July 3, 2018, the applicant re-filed an
96 application requesting a Planned Development District. Along with the application, the applicant
97 has submitted a concept plan and development standards outlining the proposed development.
98 The concept plan shows that an approximately 5.30-acre tract of commercial/retail land will be
99 situated at the hard corner of Mims Road and S. Goliad Street. Adjacent to and west of the
100 commercial/retail portion is Tract 2 on the concept plan, which is composed of a 37.21-acre tract
101 of land reserved for the construction of 123 single-family home lots that will measure 60' x 120'.
102 A portion of this development will be located adjacent to the Highland Meadows Subdivision.
103

104 In addition, the concept plan shows that approximately 21.2-acres of open space will be
105 provided; however, staff should note that the majority of this open space is situated within
106 existing floodplain and would only count at a rate of %-acre for every acre (i.e. 50%) of the 20%
107 open space requirement. The floodplain totals 16.56-acres and will equate to 8.28-acres of total
108 open space based on the 50% maximum allowed by the UDC; therefore, the adjusted acreage of
109 open space for the development will equal to 12.92-acres (i.e. 20.28%), which meets the
110 minimum 20% requirement stipulated by the Unified Development Code. Additionally, the
111 applicant has indicated an amenity center will be constructed at the northeast quadrant of the
112 property, and a proposed eight foot hike and bike trail which will be situated along the outer
113 edge of the development. This will provide access to SH-205 and Mims Road and is generally in
114 conformance with the City Master Trail Plan. The requested overall density for this development
115 would equal 2.10- dwelling units per acre for the Single-Family Residential development. In
116 addition, on Tract 1 the applicant is requesting limited General Retail District land uses.
117 Specifically, the applicant is proposing to prohibit certain land uses, which are currently
118 permitted by-right or by Specific Use Permit within the General Retail District, which were listed
119 in staff's case memo. This property would be subject to the density and development standards
120 for the General Retail District and the SH-205 Overlay District. Based on consultation with the
121 city's engineering consultant, an infrastructure study pertaining to water distribution and
122 wastewater collection would need to be conducted for any zoning change proposing a more
123 intense land use than what is depicted on the City's Future Land Use Plan because it could have
124 implications for the City's existing infrastructure (i.e. streets, water, and wastewater) capacities.

125 The applicant will also be responsible for dedicating the ROW for this roadway and paving
126 twenty- four feet of the proposed roadway where the property abuts one portion of the roadway.
127 The applicant will also be responsible for all of the right-of-way and the entire road section
128 where the property abuts both sides of the roadway. It should be noted that the development
129 standards contained within the PD Ordinance deviate from the requirements of the Unified
130 Development Code and the Engineering Department's Standards of Design and Construction
131 Manual in the following ways : According to the Engineering Department's Standards of Design
132 and Construction Manual, "(t)he City Council may waive the residential alley requirement upon
133 determination by the Council, if it is in the best interest of the City." In addition, the UDC
134 requires all garages accessible from the street be configured in a J-Swing (Traditional Swing) or
135 recessed garage format (i.e.the garage is setback a minimum of 20-feet from the front facade of
136 the primary structure). Currently, the applicant is requesting to allow 40% Flat Front Entry
137 garages even with the front facade of the primary structure in lieu of alleyways, and 60% J-Swing
138 garage formats. By approving the proposed Planned Development District, the City Council is
139 waiving this standard.

140
141 The subject property is zoned for Agricultural, Commercial and Heavy Commercial land uses.
142 The Future Land Use Map, adopted with the Comprehensive Plan, designates the majority of the
143 subject property for Commercial/Industrial land uses and a portion of Tract 2 (i.e. 2.21-acres)
144 located east of Mims Road for Medium Density Residential land uses. The proposed zoning
145 change would necessitate that the designation of Tract 1 be changed from a
146 Commercial/Industrial designation to a Commercial designation and Tract 2 be changed from a
147 Commercial/Industrial designation to a Low Density Residential designation and the 2.21-acre
148 portion of Tract 2 from Medium Density Residential to the designation as Low Density
149 Residential. With regard to Tract 1, and according to the Comprehensive Plan, a Commercial
150 land use is defined as an area "...where commercial is indicated at the intersection of major
151 roadways and development have not occurred." The Comprehensive Plan goes on to state that
152 zoning should only be allowed where the commercial use is eminent and where it would be
153 planned and integrated with the adjacent residential neighborhoods. Furthermore, the
154 Comprehensive Plan states that the amount of retail and the size of the area to be designated for
155 commercial or mixed use development may be large or small depending on the service area it
156 will serve and the style and quality of development." In this case, the proposed development is
157 adjacent to heavy commercial and single-family residential land uses, which is east of the
158 subject property and buffered by S. Goliad Street. With regard to Tract 2, and according to the
159 Comprehensive Plan, a Low Density Residential land use is defined as an area consisting of less
160 than two units per acre; however, a density up to two and one-half (i.e. 2 %) per gross acre may
161 be allowed within a residential Planned Development District that includes the dedication and/or
162 development of additional amenities. In this case, the proposed density of the single- family lots
163 being 2.10-dwelling units per gross acre, could qualify as Low Density Residential based on the
164 amenities provided for the development, which includes a trail system, amenity center, flood
165 plain & open space dedication. The zoning proposal conforms to the majority of the residential
166 policies and guidelines contained in the Comprehensive Plan for a single- family residential
167 development and the Low Density Residential land use. With regard to the overall development,
168 it should be noted that the applicant's proposal would decrease the amount of land zoned Heavy
169 Commercial District within the City of Rockwall. With this being said, the approval of any
170 changes to the Future Land Use Map by allowing the zoning change would be a discretionary
171 decision for the City Council. Should the City Council choose to approve the applicant's request,
172 staff included a condition of approval that would amend the Future Land Use Map to reflect the
173 requested designations.

174
175 Mr. Gonzales further noted that on August 1, 2018, staff mailed 156 notices to property owners
176 and residents within 500-feet of the subject property and also sent a notice to the Flagstone
177 Estates, Lynden Park, Hickory Ridge, and Hickory Ridge East Homeowner's Association, which
178 are the only HOA's located within 1,500 feet of the subject property. At the time the case memo
179 was drafted staff had received 2 notices in opposition and 1 e-mail in support of the applicant's
180 request.

181
182 Mr. Gonzales advised the Commission that the applicant was present and available for questions
183 as well as staff.

184
185 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
186

187 Pat Atkins
188 Saddlestar Development
189 3076 Hays Lane
190 Rockwall, TX

191 Mr. Atkins came forward and provided a lengthy presentation in regards to his request.
192
193

194 Chairman Lyons asked the Commission for any questions.
195

196 Commissioner Chodun asked if there would be any road improvements. Mr. Atkins shared that
197 they would need to coordinate with TXDOT and would need approval from TXDOT to move
198 forward with any road improvement. Commissioner Chodun expressed concern over the traffic
199 this development would create.
200

201 Commissioner Moeller asked concerning the 60feet designated right-of-way on SH-205, will it
202 provide enough space for the time SH-205 is widened. City Engineer, Amy Williams, explained
203 that it is 60 feet from the center of the existing road and the City's cross section is 120 feet
204 however should TXDOT were to keep it; it could go up to 200 feet. But at this time it is not known
205 what TXDOT is going to do but the City's cross section will hold 120 foot total of right-of-way.
206

207 Chairman Lyons asked if anyone wished to speak to come forward and do so.
208

209 Bob Wacker
210 309 Featherstone
211 Rockwall, TX
212

213 Mr. Wacker came forward and generally expressed being in favor of the request with the
214 changes that have been made. He shared that he would like to not see all the front entry garages
215 be on one street and that they use a mix of front entry and j-swing as is seen in other
216 developments.
217

218 Chairman Lyons asked if anyone else wished to speak to come forward and do so, there being
219 no one indicating such Chairman Lyons closed the public hearing and brought the item back to
220 the Commission for discussion or action.
221

222 Commissioner Chodun shared his deep concern with the traffic such development would create
223 and generally expressed not being in favor of the request.
224

225 Commissioner Womble asked if it what types of uses are allowed within the current Commercial
226 designation. Planning Director, Ryan Miller, went over several uses that would be allowed.
227

228 Commissioner Moeller generally expressed not being in favor of the request he indicated he
229 would rather not lose the Commercial land in that area.
230

231 Chairman Lyons and Commissioner Welch generally expressed being in favor of the request
232 with the changes that the applicant brought forward.
233

234 Chairman Lyons made a motion to approve Z2018-030 with staff recommendations.
235 Commissioner Womble seconded the motion which passed by a vote of 4-2 with Commissioners
236 Chodun and Moeller dissenting and Commissioner Fishman absent.
237
238

239 7. Z2018-031

240 Hold a public hearing to discuss and consider a request by Jessye Jean Woody for the approval of a
241 zoning change from an Agricultural (AG) District to a Single Family Estate 1.5 (SFE-1.5) District for a
242 1.342-acre parcel of land identified as Lot 1, Block A, Zion Addition, City of Rockwall, Rockwall, Texas,
243 zoned Agricultural (AG) District, addressed as 853 Zion Hills Circle, and take any action necessary.
244

245 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is
246 requesting a change in zoning from an Agricultural District to a Single-Family One District for
247 the purpose of adding a guest quarters/secondary living unit to a 2,400 square foot single-family
248 residential home. The subject property was annexed in 2010, is situated on a 1.342-acre parcel

249 of land, zoned Agricultural District. According the Unified Development Code, a single-family
250 dwelling is allowed on any Agricultural District zoned property that is more than ten acres and
251 since the subject property is less than ten acres it is considered to be legally non-conforming,
252 the applicant will need to rezone the property to make it conforming in order to add the guest
253 quarters/secondary living unit. Mr. Brooks went on to share that directly north of the subject
254 property is a vacant tract of land which is zoned Agricultural District. Beyond this is Cornelius
255 Road, which is identified as an M4-U major collector, four lane undivided roadway according to
256 the City's Master Thoroughfare Plan and this roadway delineates the city limits of Rockwall.
257 Directly south of the subject property is Zion Hills Circle, which is identified as a residential
258 street. This is followed by a single-family residential home. Beyond this are additional single-
259 family homes that are zoned Agricultural District. Directly east of the subject property is
260 Stodgehill Road, which is identified as a TxDOT 4D roadway, and delineates the city limits of
261 Rockwall. Directly west of the subject property are single-family homes followed by a
262 Landscape Source, a landscaping business and these areas are zoned Agricultural District.
263

264 Mr. Brooks further noted that when analyzing the applicant's request the Single-Family Estate
265 1.5 District is an appropriate zoning district for the proposed use; however, in this case, since
266 the subject property is slightly less than 1.5 acres the property has to be rezoned to Single-
267 Family 1 District, which allows for a smaller minimum lot size. Both the Single-Family Estate 1.5
268 District and the Single-Family 1 District limit density to one dwelling unit per acre, which
269 conforms to the Low-Density Residential future land use designation. The Single-Family 1
270 District allows for a minimum lot size of 8,400 square feet while the Single-Family Estate 1.5
271 District requires a minimum lot size of 1.5-acres. Given the configuration of the existing home,
272 the small pond situated on the subject property, and the one unit per acre requirement of the
273 Single-Family 1 District, the subject property would not be able to be subdivided into smaller
274 lots. The Future Land Use Map designates the subject property for Low Density Residential land
275 uses which is defined as developments with two units per acre or less therefore the applicant's
276 request is in conformance with the Future Land Use Map.
277

278 Mr. Brooks went on to state that on August 2, 2018, staff mailed 16 notices to property owners
279 and residents within 500-feet of the subject property and there are no HOA's within 1,500-feet of
280 the subject property participating in the Neighborhood Notification Program. Of the notices sent,
281 staff received one notice in favor of this request.
282

283 Mr. Brooks advised the applicant was present and available for questions as well as staff.
284

285 Chairman Lyons asked for questions from the Commission for staff.
286

287 Commissioner Logan asked if it is an extension of the existing house, why it is considered a
288 separate residence to have to go through the zoning process. Mr. Brooks explained that
289 although it is the same residence in order for it to be conforming to the zoning requirements it
290 has to be rezoned.
291

292 Chairman Lyons opened up the public hearing and asked the applicant to come forward and
293 speak.
294

295 Danny Akard
296 845 Zion Hill Circle
297 Rockwall, TX
298

299 Mr. Akard came forward and stated he was present representing the applicant. He shared that
300 they were in the process of pulling a building permit when they were informed by the City that
301 they would need to go thru the zoning process.
302

303 Chairman Lyons asked if anyone wished to speak to come forward and do so; there being no
304 one indicating such Chairman Lyons closed the public hearing and brought the item back to the
305 Commission for discussion or action.
306

307 Commissioner Welch made a motion to approve Z2018-031 with staff recommendations.
308 Commissioner Womble seconded the motion which passed by a vote of 6-0 with Commissioner
309 Fishman absent.
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8. Z2018-032 [*Request to Postpone Until August 28, 2018*]
Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a zoning change from a Light Industrial (LI) District to a Planned Development District for commercial, light industrial and townhome land uses on a 16.26-acre tract of land identified as Lot 1, Block 1, Indalloy Addition (7.409-acres) and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1100 & 1300 E. Washington Street, and take any action necessary.

Planning Director, Ryan Miller, indicated the applicant is requesting to postpone the request and action will be needed from the Commission.

Commissioner Chodun made a motion to postpone Z2018-032. Chairman Lyons seconded the motion which passed by a vote of 6-0 with Commissioner Fishman absent.

9. Z2018-033
Hold a public hearing to discuss and consider approval of a text amendment to the *Use Standards* contained in Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of amending the land use conditions for the *Craft/Micro Brewery, Distillery and/or Winery* land use, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation and background of the request. At the July 16, 2018 City Council meeting, the City Council directed staff to make minor changes to Ordinance No. 18-27, which amended the Permissible Use Charts in the Unified Development Code to add the Craft/Micro Brewery, Distillery and/or Winery land use and land use standards. Specifically, under the land use standards for this use the current ordinance allows for the retail sales of “beer” for off-premise consumption; however, under the Texas Alcohol Beverage Commission’s Alcoholic Beverage Code Craft/Micro Breweries are not permitted to have on-site package sales available directly to the general public. The purpose of this section was to acknowledge that TABC’s Alcoholic Beverage Code does permit wineries and distilleries the ability to have on-site package sales available directly to the general public, and the use of the word “beer” was incorporated erroneously. The proposed ordinance would replace the use of “beer” with “on-site manufactured product”. For further clarification staff has added a reference to the TABC’s Alcoholic Beverage Code sections that deal with licenses for breweries, distilleries, and wineries. In addition, staff has made two additional changes for grammar and clarification. In addition staff sent out a 15-day notice to the Rockwall Herald Banner.

Mr. Miller advised the Commission staff was available for questions.

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

Commissioner Moeller made a motion to approve Z2018-033 with staff recommendations. Commissioner Logan seconded the motion which passed by a vote of 6-0 with Commissioner Fishman absent.

10. Z2018-034
Hold a public hearing to discuss and consider a request by Dean Cathey on behalf of Judy K. Larson for the approval of a zoning change from an Agricultural (AG) District to a Single Family Estate 1.5 (SFE-1.5) District for a 6.96-acre parcel of land identified as Tract 26-2 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, addressed as 556 FM-549, and take any action necessary.

Planner, Corey Brooks, gave a brief explanation of the request. The applicant is requesting a change in zoning from an Agricultural District to a Single-Family Estate 1.5 designation for the purpose of constructing a single-family home. The subject property was annexed in 1998, is situated on a 6.96-acre parcel of land, zoned Agricultural District, and is addressed as 556 FM 549. According to the Unified Development Code, a single-family dwelling is allowed on any Agricultural District zoned property that is more than ten acres. Since the subject property is less than ten acres, the applicant will need to rezone the property in order to construct a single-family home. The Future Land Use Map designates the subject property for Low Density

373 Residential land uses which is defined as developments with two units per acre or less therefore
374 the applicant's request is in conformance with the Future Land Use Map.
375

376 Mr. Brooks further noted that when analyzing the applicant's request, the Single-Family Estate
377 1.5 District is an appropriate zoning district for the proposed use and conforms to the Low-
378 Density Residential future land use designation. The Single-Family Estate 1.5 District requires a
379 minimum lot size of 65,340 square feet. In this case, the subject property is approximately
380 302,742 square feet, given the 150-foot frontage requirement in Single-Family Estate 1.5 Districts,
381 the lot would be unable to be subdivided in its current configuration without a variance to the lot
382 frontage requirements from the Board of Adjustments.
383

384 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
385

386 Dean Cathey
387 3066 Rochelle Road
388 Rockwall, TX
389

390 Mr. Cathey came forward and indicated he does not believe there should be a problem with the
391 building of the home.
392

393 Chairman Lyons and asked if anyone wished to speak to come forward and do so, there being
394 no one indicating such Chairman Lyons closed the public hearing and brought the item back to
395 the Commission for discussion or action.
396

397 Commissioner Welch made a motion to approve Z2018-034 with staff recommendations.
398 Commissioner Moeller seconded the motion which passed by a vote of 6-0 with Commissioner
399 Fishman absent.
400

401
402 III. ACTION ITEMS
403

404 11. SP2018-019

405 Discuss and consider a request by Brad Williams of Winstead PC on behalf of Andrew Malzer of
406 Mountain Prize, Inc. for the approval of an amended site plan for a retail store with gasoline sales on a
407 2.46-acre parcel of land identified as Lots 1 & 2 of the Woods at Rockwall Addition, City of Rockwall,
408 Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV)
409 District, located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and
410 take any action necessary.
411

412 Senior Planner, David Gonzales, indicated that the applicant requested to postpone the request
413 and no action would be needed from the Commission.
414

415 12. SP2018-020

416 Discuss and consider a request by Randall Eardley of Wier & Associates, Inc. on behalf of Getra
417 Thomason-Sanders of Chick-Fil-A, Inc. for the approval of a site plan for a *Restaurant, 2,000 SF or*
418 *More with Drive Through* on a 1.40-acre parcel of land identified as Lot 2, Block A, Lakeshore Commons
419 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for
420 General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV)
421 District, addressed as 1979 N. Goliad Street, and take any action necessary.
422

423 Planner, Korey Brooks, gave a brief explanation of the request. The applicant is requesting
424 approval of a site plan for a 4,800 SF restaurant with drive-through and the proposed restaurant
425 will be situated on a 1.40-acre parcel of land. The submitted site plan, landscape plan,
426 photometric plan, and building elevations conform to the technical requirements contained
427 within the UDC and Planned Development District 65 development standards and approved
428 Specific Use Permit with the exception of the variance. According to the submitted site plan, the
429 restaurant will be constructed utilizing a flat roof design. The purpose of this design is to match
430 the existing retail strip center and proposed restaurants situated within the development. The
431 site plan shows stacking for 22, vehicles which is in conformance with the Unified Development
432 Code. Additionally, the proposed restaurant will have direct access to North Lakeshore Drive
433 and SH-205 via a cross-access easement with the parcel located to the south and the lot will not
434 have direct access to SH-205.

435 Mr. Brooks further noted that the Architectural Review Board met with the applicant today and
436 they made a recommendation to approve the building elevations along with the variance.
437

438 Mr. Brooks advised the Commission that the applicant was present and available for questions.
439

440 Chairman Lyons asked the applicant to come forward.
441

442
443 Priya Acharya
444 2201 E. Lamar Blvd., Suite 200E
445 Arlington, TX
446

447 Ms. Acharya came forward and shared that they are proposing to build a full service Chick-Fil-A
448 with a drive through and they are requesting a variance for a flat roof.
449

450 Chairman Lyons asked brought the item back to the Commission back to the Commission for
451 discussion or action.
452

453 Commissioner Logan made a motion to approve SP2018-020 with staff recommendations.
454 Commissioner Chodun seconded the motion which passed by a vote of 6-0 with Commissioner
455 Fishman absent.
456

457
458 13. SP2018-022

459 Discuss and consider a request by Matilyn Vivo of Rustic Warehouse for the approval of a site plan to
460 allow for *outside sales and display* on a 1.9175-acre parcel of land identified as Tract 2 of the B. J. T.
461 Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
462 District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1411 S. Goliad Street
463 [SH-205], and take any action necessary.
464

465
466 Planner, Korey Brooks, gave a brief explanation of the request. The applicant is requesting
467 approval of a site plan for the purpose of allowing outside sales and display at an existing retail
468 store, Rustic Warehouse, which is situated on a 1.9175-acre parcel of land. The submitted site
469 plan conforms to the technical requirements contained within the Unified Development Code
470 with the exception of one variance. According to the submitted site plan, the proposed outside
471 sales and display will not be fully covered on the existing sidewalk, however, the applicant is
472 providing an approximately one foot roof overhang with the remaining sidewalk uncovered. The
473 Unified Development Code requires outside sales and display to be screened from view of
474 adjacent roadways, public areas, and adjacent properties, should the merchandise not be
475 located under a covered sidewalk. In this case, the applicant indicated that the purpose of the
476 outside sales and display is to allow the displayed merchandise to be visible to people passing
477 by to display examples of the merchandise being sold inside the retail store. Since the
478 proposed outside sales and display will be visible, a variance is required.
479

480 Mr. Brooks advised the Commission that the applicant was present and available for questions
481 as well as staff.
482

483 Chairman Lyons asked the applicant to come forward.
484

485 Matilyn and Al Vivo
486 1411 S. Goliad Street
487 Rockwall, TX
488

489 Mrs. Vivo came forward and shared she is seeking approval of the request to allow her to display
490 small items that are sold within the store. They feel this would allow passing vehicles to see
491 what the store sells and help the business.
492

493 Commissioner Womble asked if the display would be removed at the time of closing. Mrs. Vivo
494 stated the displays would only be displayed during business hours which are 10 am-pm.
495
496

497 Chairman Lyons asked brought the item back to the Commission back to the Commission for
498 discussion or action.
499

500 Commissioner Moeller made a motion to approve SP2018-022 with staff recommendations.
501 Commissioner Chodun seconded the motion which passed by a vote of 6-0 with Commissioner
502 Fishman absent.
503

504
505 14. SP2018-023

506 Discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on behalf of Shailesh C.
507 Vora of DFW Hospitality of Rockwall, LLC for the approval of a site plan for a hotel on a 2.111-acre tract
508 of land identified as a portion of Lots 7 & 8, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall,
509 Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV)
510 District and the IH-30 Overlay (IH-30 OV) District, situated south of the intersection of Carmel Circle and
511 Laguna Drive, and take any action necessary.
512

513 Senior Planner, David Gonzales, gave a brief explanation of the request. The applicant is
514 requesting to construct a three story hotel on the subject property there was a Specific Use
515 Permit approved by City Council on April 2, 2018 which allows for the hotel to be placed on this
516 site. It lies within the Scenic Overlay District and therefore is restricted to 36 feet in height and
517 the applicant has complied with that. The site plan that was submitted, with the exception of the
518 variances that are being requested, is in conformance with the technical requirements. Based on
519 the treescape plan that the applicant submitted they will be removing 148 caliper inches most of
520 which have been identified as white oak which are protected and the applicant intends to
521 mitigate for all of the trees on site by incorporating 300 inches onto the site which will leave a
522 credit balance of 152 inches which will be used towards all of the plans associated with the Vora
523 Addition. They are seeking a variance to the vertical and horizontal articulation for the north side
524 of the property. The Architectural Review Board reviewed, and made a recommendation of
525 approval with the stipulation that the applicant use Austin stone.
526

527 Mr. Gonzales advised the Commission that the applicant was present and available for questions
528 as well as staff.
529

530 Commissioner Lyons asked for questions from the Commission.
531

532 Commissioner Womble asked if all points of access will be through the other properties is there
533 a cross access agreement. Mr. Gonzales indicated all properties will be accessed through La
534 Jolla Pointe Drive and eventually Caramel Circle will become a secondary access point. Planning
535 Director, Ryan Miller, added that they will be required to provide cross access at the time of final
536 platting to ensure that they have access through the other property.
537

538 Chairman Lyons asked the applicant to come forward.
539

540 Pan Sribhen
541 17819 Davenport Road.
542 Dallas, TX
543

544 Mr. Sribhen came forward and indicated he represents Vora Properties and they are requesting
545 to build the hotel which will be part of seven building complex that they will be developing.
546

547 Commissioner Logan expressed concern in waiving architectural requirements and granting
548 variances as this is one of the last beautiful lots that Rockwall has left.
549

550 Mr. Miller noted that the Specific Use Permit mandates the 36 foot height requirement. Should
551 the applicant wish to go higher they would have to seek and amendment to the SUP which would
552 be another zoning process and the time for them to have made that request that variance would
553 have been when they brought the land use through the Commission because the Scenic Overlay
554 District caps the overall height of structures at 36 feet. Mr. Miller added that staff looked at the
555 Code to see if there was a way to allow architectural features to extend upon that and there was
556 not.
557

558 Commissioner Womble asked what other variances the applicant was seeking. Mr. Gonzales
559 indicated that they are seeking a variance for the horizontal and vertical articulation.
560

561 General discussion took place between the Commission concerning the variance for the vertical
562 and horizontal articulation.
563

564 Chairman Lyons asked staff what options were available for the Commission, possibly tabling
565 the item to allow the applicant the opportunity to provide something closer to meeting the
566 requirements. Mr. Miller indicated the Commission could remand the item back to the
567 Architectural Review Board with direction to help them meet the vertical and horizontal
568 articulation requirements. Commissioner Chodun asked if the applicant could be asked to seek a
569 Specific Use Permit for increase in maximum elevation. Mr. Miller explained that when the SUP
570 went before City Council the applicant agreed to the height restriction and indicated at that time
571 that they would not request any variances through the site planning process. Mr. Sribhen
572 indicated they will work with the Architectural Review Board.
573

574 Chairman Lyons made a motion to remand the case back to the Architectural Review Board and
575 requested the applicant meet the articulation standards for the Unified Development Code.
576 Commissioner Chodun seconded the motion which passed by a vote of 6-0 with Commissioner
577 Fishman absent.
578

579
580 15. SP2018-024

581 Discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on behalf of Shailesh C.
582 Vora of DFW Hospitality of Rockwall, LLC for the approval of a site plan for a medical office building on
583 a 1.003-acre tract of land identified as a portion of Lot 6, Block A, La Jolla Pointe Addition, Phase 2, City
584 of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay
585 (SOV) District, situated south of the intersection of Carmel Circle and Laguna Drive, and take any action
586 necessary.
587

588 Senior Planner, David Gonzales, gave a brief explanation of the request. The variances the
589 applicant is requesting is for the vertical articulation for the east and west facing facades. The
590 Architectural Review Board on July 31, 2018 made a recommendation of approval for this
591 building as is including the variance for the pitched roof. The Scenic Overlay District requires a
592 row of trees to be planted behind the building on the perimeter and that is also a variance that is
593 being requested by the applicant. The applicant has provided a treescape plan indicating a total
594 of 99 caliper inches being removed from the site, the majority of which are White Oak trees.
595 Protected trees are any tree that has a diameter of four inch caliper dbh or greater, with the
596 exception of Bois d'Arc, Willow, Cottonwood, Locust, and Chinaberry. Hackberry and Cedar
597 trees that have a dbh of less than 11 caliper inches are not considered protected trees. The
598 applicant intends to mitigate for all inches on site by planting a total of 48 caliper inches and
599 applying the mitigation credit balance of 152-inches caliper from SP2018-023 in order to satisfy
600 the mitigation requirements. This will leave a credit balance of 101 caliper inches being applied
601 towards the treescape plans associated within the Vora Addition therefore the mitigation is
602 considered to be satisfied.
603

604 Mr. Gonzales advised the Commission that the applicant was present and available for questions
605 as well as staff.
606

607 Commissioner Chodun generally indicated favoring the non-pitched roof but would prefer to
608 remand it back to the Architectural Review Board for further review on the vertical articulation.
609 He also indicated not being in favor of the variance for the trees.
610

611 Commissioner Womble asked the reason behind the variance for the vertical articulation as it
612 appears to be very articulated as is. Mr. Gonzales stated that the vertical articulation does not
613 meet the technical requirements.
614

615 Pan Sribhen
616 17819 Davenport Blvd.
617 Dallas, TX
618

619 Mr. Sribhen shared that they initially brought forward a concept plan with a pitched roof and the
620 Architectural Review Board indicated not favoring that, which is the reason they moved forward
621 with what they are presenting now.
622

623 Commissioner Logan asked the reason for the variance for not having trees located behind the
624 building. Mr. Sribhen indicated it would interfere with the parking lot but they could possibly
625 place those trees on a different location within the building possibly the south side.
626

627 Commissioner Chodun made a motion to approve the SP2018-024 with staff recommendations;
628 the motion included a recommendation of approval to the variances being requested, with the
629 exception of the request for a variance to the required trees to be placed at the perimeter behind
630 the building. Commissioner Womble seconded the motion which passed by a vote of 5-1 with
631 Commissioner Welch dissenting and Commissioner Fishman absent.
632

633
634 16. SP2018-025

635 Discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on behalf of Shailesh C.
636 Vora of DFW Hospitality of Rockwall, LLC for the approval of a site plan for an office building on a
637 1.174-acre tract of land identified as a portion of Lots 6 & 7, Block A, La Jolla Pointe Addition, Phase 2,
638 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic
639 Overlay (SOV) District and the IH-30 Overlay (IH-30 OV) District, situated south of the intersection of
640 Carmel Circle and Laguna Drive, and take any action necessary.
641

642 Senior Planner, David Gonzales, gave a brief explanation of the request. The applicant is
643 requesting the approval of a site plan for the purpose of constructing a three story, 18,000
644 square foot office building. The applicant is requesting variances for the vertical articulation for
645 the north and south facing facades as well as for the parking requirement the UDC requires a
646 minimum of 90 parking spaces for the proposed development. Currently, the site plan shows
647 the provision of 84-parking spaces and the applicant is requesting a variance for the six
648 deficient parking spaces. The applicant has provided a treescape plan indicating a total of 85
649 caliper inches being removed from the site, the majority of which are White Oak trees. As a
650 note, protected trees are any tree that have a diameter of four inch caliper dbh or greater, with
651 the exception of Bois d'Arc, Willow, Cottonwood, Locust, and Chinaberry. Hackberry and Cedar
652 trees that have a dbh of less than 11 caliper inches are not considered protected trees. The
653 applicant intends to mitigate for all inches on site by planting a total of 90 caliper inches and
654 applying the mitigation credit balance of 101 caliper inches from SP2018-024 in order to satisfy
655 the mitigation. This will leave a credit balance of 106-inches caliper being applied towards the
656 treescape plans associated within the Vora Addition.
657

658 Mr. Gonzales advised the Commission that the applicant was present and available for questions
659 as well as staff.
660

661 Chairman Lyons asked the applicant if he wished to add any additional information.
662

663 Pan Sribhen
664 17819 Davenport Blvd.
665 Dallas, TX
666

667 Mr. Sribhen came forward and shared that their intent is to try to match the building with the
668 hotel.
669

670 Commissioner Chodun shared that this building did not appear to be as articulated as the
671 previous one. Mr. Gonzales indicated they are seeking a variance to the vertical articulation.
672

673 Commissioner Moeller asked what the recommendation was from the Architectural Review
674 Board. Mr. Gonzales stated that the Board recommended approval along with the variance
675 request and for the stone to be Austin stone.
676

677 Extensive general discussion took place between the Commission concerning the variance to
678 the vertical articulation as it is within the Scenic Overlay District and the importance of tying the
679 architectural articulation.
680

681 Commissioner Moeller made a motion to approve SP2018-025 with staff recommendations.
682 Commissioner Welch seconded the motion which passed by a vote of 6-0 with Commissioner
683 Fishman absent.
684
685

686 17. Director's Report of post Council meeting outcomes of Planning & Zoning cases.
687

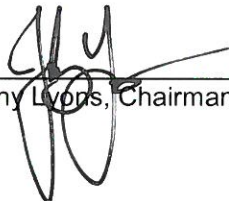
- 688 ✓ P2018-008: Final Plat for Lots 8, 9, & 11, Block A, La Jolla Pointe Addition [Approved]
- 689 ✓ P2018-022: Final Plat for Southridge Estates Addition (ETJ) [Denied]
- 690 ✓ Z2018-026: SUP for a *Restaurant, Less than 2,000 SF, with Drive Through* (2nd Reading)
691 [Approved]
- 692 ✓ Z2018-027: Amendment to Planned Development District 85 (PD-85) (2nd Reading) [Approved]
- 693 ✓ Z2018-028: SUP for Furniture Upholstery, Refinishing & Repair (2nd Reading) [Approved]
- 694 ✓ Z2018-029: SUP for Craft Brewery, Distillery and/or Winery [Approved]
- 695 ✓ MIS2018-017: Special Exception for 406 Bass Road [Approved]
- 696 ✓ MIS2018-015: Alcohol Variance for ALDI [Tabled to August 20, 2018]
- 697
- 698

699 Planning Director, Ryan Miller, provided a brief update about the outcome of the above
700 referenced case at the City Council meeting.
701

702 IV. ADJOURNMENT
703

704 Chairman Lyons adjourned the meeting at 8:09 p.m.
705
706
707

708 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
709 ROCKWALL, Texas, this 9 day of October, 2018.
710

711
712
713 
714 _____
715 Johnny Lyons, Chairman

716 Attest:

717 
718 _____
719 Laura Morales, Planning Coordinator
720
721
722

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
August 28, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Tracy Logan, John Womble, Eric Chodun and Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator, Laura Morales, Engineering Director Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the June 26, 2018 Planning and Zoning Commission meeting.

2. P2018-024

Consider a request by Kevin Osornio for the approval of a replat for Lot 2, Block K, Rockwall Lake Estates West Addition, being a 0.18-acre tract of land currently identified as Lots 911 & 912, Block E, Rockwall Lake Estates #1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses, addressed as 630 & 638 Trout Road, and take any action necessary.

3. P2018-025

Consider a request by Worth Williams of Moore Worth Investments, LLC for the approval of a replat for Lots 6 & 7, Block A, Lakeshore Commons Addition being a 1.693-acre tract of land currently identified as Lots 3 & 4, Block A, Lakeshore Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located south of the southwest corner of Quail Run Road and N. Goliad Street (SH-205), and take any action necessary.

4. P2018-026

Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Randall Noe of Rockwall Rental Properties, LLC for the approval of a final plat for Lot 1, Block A, Subaru Addition being a 4.848-acre tract of land identified as Tract 5 of the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1501 E. IH-30, and take any action necessary.

5. P2018-028

Consider a request by Larae Tucker of Verdad Real Estate for the approval of a final plat for Lots 1 & 2, Block A, Sixty Six Lakeshore Addition being a 2.1272--acre tract of land identified as Tract 11-1 of the W. B. Bowles Survey, Abstract No. 12, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 48 (PD-48) for General Retail (GR) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, situated west of the intersection of W. Rusk Street [SH-66] and N. Lakeshore Drive, and take any action necessary.

Commissioner Welch made a motion to approve the consent agenda. Commissioner Moeller seconded the motion which passed by a vote of 7-0.

III. APPOINTMENTS

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

Planning Director, Ryan Miller, advised the Commission there were no cases brought before the Architectural Review Board.

64 IV. PUBLIC HEARINGS

65 7. Z2018-032

66 Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development
67 Company, LLC for the approval of a zoning change from a Light Industrial (LI) District to a Planned
68 Development District for commercial, light industrial and townhome land uses on a 16.26-acre tract of
69 land identified as Lot 1, Block 1, Indalloy Addition (7.409-acres) and Tract 31 of the R. Ballard Survey,
70 Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District,
71 addressed as 1100 & 1300 E. Washington Street, and take any action necessary.
72

73
74 Planning Director, Ryan Miller, gave a brief explanation and background of the request. The
75 subject property is a 16.26-acre tract of land which was annexed in 1961. According to the City's
76 historic zoning maps, the subject property has been zoned Light Industrial District since at least
77 January 3, 1972. On July 14, 2000, a final plat for a portion of this property 7.409-acres was
78 incorporated into Lot 1, Block 1. The subject property is currently vacant with the exception of a
79 private driveway that connects the property south of the subject property to E. Washington
80 Street. On July 13, 2018, the applicant submitted an application requesting to establish a
81 Planned Development District on the subject property. Specifically, the applicant was proposing
82 to entitle the subject property for 12 townhomes on 2.02-acres, limited commercial land uses on
83 6.57-acres, and limited light industrial land uses on 7.67-acres. These areas would be subject to
84 the requirements and land uses of the Single-Family 10, General Retail, and Light Industrial
85 Districts unless specifically indicated in the Planned Development District ordinance. The
86 applicant has submitted a concept plan and development standards for the proposed
87 development. According to the concept plan, the subject property will be broken down into five
88 tracts of land that will include commercial, light industrial and townhome land uses. The
89 proposed townhome land use will be situated on Tract 1, which is located directly adjacent to
90 Phase 2 of the Park Place Subdivision. More specifically, the concept plan shows that the
91 townhomes will face west towards the existing amenity center and be accessible via driveways
92 located at the rear of the property facing on to a proposed public right-of-way (i.e. Street 'A' on
93 the concept plan). This public right-of-way will end in a cul-de-sac and only serve the proposed
94 townhomes. The concept plan currently shows the provision of ten townhomes; however, the
95 applicant has requested the ability to provide up to 12 townhomes through the Planned
96 Development District ordinance. The applicant has stated that these residential units will be
97 incorporated into the existing Park Place Homeowner's Association. This tract is subject to the
98 Single Family 10 District land uses with the added townhome use; however, any accessory
99 buildings, portable buildings or guest quarters have been prohibited through the Planned
100 Development District ordinance. The applicant is proposing to match the design style of the Park
101 Place Subdivision, which is constructed in a Neo Traditional architecture style. Due to this
102 proposed design, the applicant is proposing to use up to 100% cementitious materials excluding
103 stucco, which is prohibited. In addition, the townhomes will have varying front façades, and
104 additional anti-monotony requirements are incorporated into the Planned Development District
105 ordinance. The applicant has stated that the purpose of the townhome land use is to provide a
106 transition from the Park Place Subdivision to the limited light industrial land uses that are
107 proposed on Tracts 4 & 5, which are located east of the subject property. Staff should point out
108 that under the current zoning, light industrial land uses can be established in the area of Tract
109 without restriction.

110
111 In addition the applicant has stated that the purpose of Tracts 2 & 3 are to screen the limited
112 light industrial land uses from E. Washington Street and Harry Myers Park. In addition, the
113 applicant has stated a desire to establish a two story mixed office/neighborhood services
114 development of Tract 2 that can take advantage of views towards Harry Myers Park to the north.
115 It should be noted that staff has limited the uses permitted on these tracts to ensure
116 compatibility with the proposed and existing residential land uses to the west of Tract 2. The
117 concept plan shows that Tracts 4 & 5 will remain subject to the land uses and density and
118 dimensional requirements of the Light Industrial District; however, the applicant has consented
119 to limit the land uses to ensure that no uses that would be incompatible with the adjacent
120 residential and limited commercial land uses would be established. Specifically, the applicant
121 has prohibited the majority of land uses that incorporate outside storage or that would create
122 incompatibility. In addition, the applicant has agreed to put a Specific Use Permit requirement
123 on automotive and mini-warehouse land uses. Under the current zoning the applicant could
124 establish any of the land uses that are being limited by the proposed zoning ordinance.
125

126 Mr. Miller went on to explain that based on the applicant's submittal, staff is requiring an
127 infrastructure study at the applicant's expense to be performed to ensure that all water and
128 wastewater improvements necessary to serve the proposed developments are incorporated.
129 With regard to streets, the City's Master Thoroughfare Plan depicts E. Washington Street as the
130 future alignment of SH-66. The proposed alignment of this roadway begins at the western
131 boundary of the subject property, dips down into the front of the subject property approximately
132 105-feet, and extends northward at the approximate mid-point of the subject property. The total
133 area of the subject property affected by the proposed alignment of SH-66 is 1.18-acres. From the
134 point that the alignment of the future SH-66 extends northward, the remainder of E. Washington
135 is depicted as a M4U (minor arterial, four lane, undivided roadway) according to the Master
136 Thoroughfare Plan. The applicant has submitted a letter requesting this alignment be changed,
137 and is requesting that the City Council waive the dedication for this roadway. This means that if
138 the Planning and Zoning Commission and City Council choose to approve the applicant's
139 request, the Master Thoroughfare Plan will need to be amended to show a revised alignment of
140 SH-66. The new alignment will require coordination between TXDOT, the City of Rockwall, and
141 any affected property owners and staff has added this as a condition of approval for this case.
142

143 Mr. Miller further noted that in looking at the Comprehensive Plan the subject property is
144 designated as a Commercial Industrial property that is the Future Land Use designation. The
145 applicant's proposed change would require that designation to be changed to High Density
146 Residential, Commercial and Technology Industrial and staff has included a condition of
147 approval to include those changes should the City Council chose to approve the request.
148

149 Mr. Miller went on to state that with the case being a zoning case on August 1, 2018, staff mailed
150 40 notices to property owners and occupants within 500-feet of the subject property and also
151 notified the Park Place Homeowner's Associations, which is the only HOA/Neighborhood
152 Organization that is within 1,500-feet of the subject property. Additionally, staff posted a sign on
153 the subject property. At the time this report was drafted, staff had received seven notices in
154 support of the request, and one in opposition.
155

156 Mr. Miller advised the Commission the applicant was present and available for questions as well
157 as staff.
158

159 Chairman Lyons asked for questions from the Commission.
160

161 Commissioner Choudun asked staff for clarification of the waiving of the dedication of the
162 roadway. Mr. Miller explained that the alignment of SH-66 departs from the current right of way
163 of east Washington and the future alignment of SH-66, it departs and starts to curve into the
164 property and heads northward at about the midpoint of the property. As part of that it would
165 require about a 1.2 acres of right of way dedication associated with this project. In order to waive
166 that, the Master Thoroughfare Plan would have to be changed and that is what the applicant is
167 requesting. The issue that it creates however is that that there is no timing or funding in place to
168 establish timing for that roadway, and is the reason the applicant is seeking for a waiver.
169

170 Commissioner Logan asked with the entire tract currently zoned Light Industrial could they as is
171 move forward with any Light Industrial plan. Mr. Miller stated that was correct.
172

173 Commissioner Moeller shared that the future alignment of SH-66 as depicted in the packet
174 provided, if Council approves the waiver, the future alignment would bring that right of way right
175 up to the two buildings in Tract 2 and wipe out the parking at the front. Mr. Miller explained that if
176 it were to be approved without the waiver to the right of way, there would be a conflict between
177 the Master Thoroughfare Plan and the proposed zoning exhibit. That is the reason the applicant
178 is requesting that the alignment be waived in order to approve the zoning concept as is.
179

180 Commissioner Womble asked staff to elaborate as to why the alignment was changed from 2007
181 to 2012 as it appears it was deliberately changed to divert into the property per the map and now
182 it is being asked to go back to the 2007 alignment. Mr. Miller indicated he was not part of that
183 process and therefore could not speak to that.
184

185 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
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Bill Bricker
505 Westway
Rockwall, TX

Mr. Bricker came forward and stated he was both the applicant and the president of the company making the request. He shared that they have had the property for some time; Columbia Development owned the plant, the property for Park Place as well as the property across the road off SH-66 and therefore are very involved in the area and how it develops and what is in the best interest of the property. As is, they have the ability with it being Light Industrial to develop with Light Industrial permitted uses, however they want to protect the area for Park Place and for the park. With regard to the road he shared that his personal opinion after being involved in 2007 and when the road alignment was changed, that there have been many other changes within the traffic patterns within the City and he feels it will not have a negative impact if it is waiver is approved.

Mr. Bricker indicated he was available for questions.

Commissioner Moeller asked if there has been discussion with the Park Place residents in regards to the Town Home project. Mr. Bricker stated he invited those residents to a meeting and there has not been a whole lot of protest, he expressed to the Park Place residents that if they wanted to have some control of what is next to them they should incorporate the townhomes into the HOA. He indicated there were some residents present.

Commissioner Moeller stated that in regards to the road alignment although it is a TXDOT project and timing is not known, he expressed concern that their site plan shows the two buildings which when the alignment does take place there will be a problem with their placement.

Commissioner Logan asked concerning incorporating the townhomes into the Park Place HOA and has it been a topic that has already been discussed and resolved. Mr. Bricker stated that it has been discussed and the Board appears to be in favor of it because with incorporating it into the HOA they could control the architecture and yard maintenance and such.

Chairman Lyons asked if anyone wished to speak to come forward and do so.

Rick Crowley
City of Rockwall
385 S. Goliad Street
Rockwall, TX

Mr. Crowley came forward and indicated he was not speaking for or against the request however he wanted to answer the Commissioners question in regard to why there was a change in the alignment of the roadway a number of years ago. He shared that when the Thoroughfare Plan was adopted in about 1985, SH-66 went thru the center of Harry Myers Park and the change that was made was to move it out of the park into the alignment where it currently sits.

Patricia Mejia
The Children's Advocacy Center
1350 E. Washington Street
Rockwall, TX

Ms. Mejia came forward and shared that the Children's Advocacy Center is adjacent to what is being proposed as Tract 3 and one of the important things about a Children's Advocacy Center is to ensure safety, security and confidentiality. With the proposed General Retail there are some uses on that would not be conducive to be able to conduct that kind of work at the Center. She indicated it is something she hopes the Commission is cognoscente of certain uses t would not be a good fit to the kind of work that is taking place in the adjacent property.

Mike Rasmussen
507 Park Place Blvd.
Rockwall, TX

250 Mr. Rasmussen came forward and generally expressed being in favor of the request. His feels
251 Park Place is a beautiful well thought out development and his concern is that they don't want to
252 have that change with something that could be worse he feels Mr. Bricker has done a great job
253 in the development and he also feels it would be good to have the townhomes be incorporated
254 into the existing HOA. He expressed concern with the parking issue that will arise once the
255 development starts he wishes for the City to be cognoscente of the need for parking for events
256 that will arise and to address those ahead of time.

257
258 Laura Padina
259 1014 St. Charles Court
260 Rockwall, TX

261
262 Ms. Padina came forward and generally expressed being in favor of the request and agrees with
263 the points Mr. Rasmussen addressed. She shared that her concern is with losing the parking
264 which will happen no matter what is developed, but when events take place at the park people
265 park within the Park Place subdivision and along the road. She feels Mr. Bricker has great vision
266 for their neighborhood and with how the townhomes are being proposed to fit in harmony with
267 Park Place is a big plus and shows Mr. Bricker has their best interest in mind. She expressed
268 hoping SH-66 does not come down Washington Street.

269
270 John Wardell
271 880 Ivy Lane
272 Rockwall, TX

273
274 Mr. Wardell came forward and expressed being in favor of the request. He shared that he and his
275 wife have lived there for over ten years and feels they are probably some of the most deeply
276 invested residents in the neighborhood because they took what was the historic farmhouse on
277 that property and moved and restored it. When they moved they were aware that the adjacent
278 property was zoned Light Industrial but they chose to take that risk believing that the Light
279 Industrial property would be developed for a higher and better use because of its proximity to
280 the Park, Old Towne and to Downtown. He feels the request should be approved and shared
281 several reasons which included that the proposal offers the best options for the Park Place
282 homeowners and the townhomes will provide a visual break from the Commercial and Light
283 Industrial. He indicated that both he and his wife are opposed to the relocation of SH-66 and also
284 shared he wishes for the City to address the parking issues when special events are held.

285
286 Chairman Lyons asked if anyone else wished to speak to come forward and do so there being no
287 one indicating such; Chairman Lyons closed the public hearing and brought the item back to the
288 Commission for discussion or motion.

289
290 Commissioner Fishman generally expressed being in favor of the request. She feels it is a good
291 project and is a much better use than keeping all the tracts Light Industrial and some of the
292 details that are going into it do need to be ironed out particularly the comments Ms. Mejia
293 brought up concerning The Children's Advocacy Center being next to Tract 3. Commissioner
294 Fishman asked what could be done in terms of restricting the uses and types of businesses that
295 could come in. Mr. Miller explained that in looking at the PD Ordinance it has restricted the
296 General Retail District land uses that would be incompatible and those are listed on page 11 of
297 the PD Development Plan.

298
299 Chairman Lyons generally shared that the project appears to be a good looking project; however
300 he expressed not being in favor of surrendering the Industrial/Commercial to High Density
301 Residential land uses, and changing the Future Land Use Map, The Comprehensive Plan and the
302 Master Thoroughfare Plan.

303
304 Commissioner Welch generally expressed being in favor of the request he feels it would be a
305 good transition to the Park Place as it appears to be the best alternative with the applicant's
306 ability to develop within the Light Industrial for uses that do not require approval.

307
308 Extensive general discussion to place between the Commission as to what the alternative of
309 what could be developed currently with the zoning that is in place as opposed to what is being
310 proposed which is the best fit for the surrounding residents as well as discussion pertaining to
311 the realignment of SH-66 and the applicants request for the waiver.

312 Commissioner Chodun made a motion to deny Z2018-032. Commissioner Moller seconded the
313 motion which passed by a vote of 4-3 with Commissioners Womble, Welch and Fishman
314 dissenting.
315

316
317 V. ACTION ITEMS
318

319 8. SP2018-017

320 Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Phillip McNeill
321 of Summer Lee Rockwall, LLC for the approval of a site plan for a hotel on a 2.12-acre tract of land
322 identified as portions of Lot 2A, Isaac Brown Addition and Lot 2, Block A, Harbor Village Addition, City of
323 Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the
324 Scenic Overlay (SOV) District and the Interior, Horizon/Summer Lee and Residential Subdistricts of
325 Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located
326 adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer
327 Lee Drive, and take any action necessary.
328

329 **Chairman Lyons indicated agenda item was being postponed for the next schedule meeting that**
330 **will take place on September 11, 2018 and no action was necessary.**
331

332
333 9. SP2018-019 *[Postponed Until September 11, 2018]*

334 Discuss and consider a request by Brad Williams of Winstead PC on behalf of Andrew Malzer of
335 Mountain Prize, Inc. for the approval of an amended site plan for a retail store with gasoline sales on a
336 2.46-acre parcel of land identified as Lots 1 & 2 of the Woods at Rockwall Addition, City of Rockwall,
337 Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV)
338 District, located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and
339 take any action necessary.
340

341 **Chairman Lyons indicated agenda item was being postponed for the next schedule meeting that**
342 **will take place on September 11, 2018 and no action was necessary.**
343

344
345 10. SP2018-023 *[Postponed Until September 11, 2018]*

346 Discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on behalf of Shailesh C.
347 Vora of DFW Hospitality of Rockwall, LLC for the approval of a site plan for a hotel on a 2.111-acre tract
348 of land identified as a portion of Lots 7 & 8, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall,
349 Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV)
350 District and the IH-30 Overlay (IH-30 OV) District, situated south of the intersection of Carmel Circle and
351 Laguna Drive, and take any action necessary.
352

353 **Chairman Lyons indicated agenda item was being postponed for the next schedule meeting that**
354 **will take place on September 11, 2018 and no action was necessary.**
355

356
357 11. MIS2018-018

358 Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Rockwall
359 Rental Properties, LP for the approval of a tree mitigation plan for an approximate 2.713-acre tract of
360 land being a portion of a larger 6.536-acre tract of land identified as Tract 4 of the J. D. McFarland
361 Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, generally located at the northeast
362 corner of Greencrest Boulevard and the E. IH-30 Frontage Road, and take any action necessary.
363

364 **Senior Planner, David Gonzales, gave a brief explanation and background of the request. The**
365 **applicant has submitted a treescape plan for an approximate 2.713-acre tract of land that is a**
366 **portion of a larger 6.536-acre tract of land. The subject property is adjacent to and west of the**
367 **Texas Roadhouse development. The purpose of the treescape plan is for the removal of trees**
368 **for future development of the site. The treescape plan indicates a total of 146-caliper inches**
369 **caliper to be removed from the subject property. As a note, protected trees are any tree that**
370 **have a diameter of four caliper inches dbh or greater, with the exception of Bois d'Arc, Willow,**
371 **Cottonwood, Locust, and Chinaberry. Hackberry and Cedar trees that have a dbh of less than**
372 **11-caliper inches are not considered protected trees. The applicant is removing 64-inches of**
373 **trees that are identified as Hackberry trees, which are mitigated at 50% of the total or 32 caliper**

374 inches of mitigation. When the 50% being 32-inches is applied towards the 146-inches of
375 removed trees, this leaves a total mitigation balance due of 114-inches. The applicant has
376 indicated to staff that in order to satisfy the mitigation balance they intend to request an
377 Alternative Tree Mitigation Settlement Agreement. Tree preservation credits are purchased at a
378 rate of \$200 per inch and would represent a total due of \$22,800; however, this amount can be
379 reduced by 50% to \$100 per inch if the developer/owner plants a tree on site. The applicant is
380 preparing the site for future development and trees are to be planted at the time of development.
381 If approved, this reduction would represent a total due of \$11,400 to be paid into the City's Tree
382 Mitigation Fund. According to the Unified Development Code, in certain cases, the city council,
383 upon recommendation from the planning and zoning commission, may consider an alternative
384 tree mitigation settlement agreement where, due to hardship, the applicant is unable to meet the
385 requirements of this article or where it is determined that adherence to the tree mitigation
386 requirements will create a hardship for an applicant. These funds will be deposited in the city's
387 tree mitigation fund and will be used for planting trees in the city's parks, medians, street rights-
388 of-way, or other similar areas as determined by the parks and recreation department.
389

390 Mr. Gonzales advised the Commission that the applicant was present and available for questions
391 as well as staff.
392

393 Commissioner Chodun asked how "hardship" was defined. Mr. Gonzales deferred that question
394 to the applicant. Commissioner Chodun asked if there was a standard definition. Mr. Gonzales
395 explained that essentially it is left up to the applicant to explain why the trees are unable to be
396 provided.
397

398 Chairman Lyons asked the applicant to come forward.
399

400 Cameron Slown
401 2 Horizon Road
402 Heath, TX
403

404 Mr. Slown came forward and shared that in regards to this development they are not sure what
405 will be going in at the site the purpose currently is to prepare the site to be sold and they have
406 put together a grading plan for a pad site. They understand that some trees are being removed
407 and are willing to mitigate for those trees and they understand when the plan is developed there
408 will be trees being planted therefore they feel that half the price would be sufficient. He indicated
409 he was available for questions.
410

411 Chairman Lyons brought the item back to the Commission for discussion or action.
412

413 Commissioner Moeller made a motion to approve MIS2018-018 with staff recommendations.
414 Commissioner Womble seconded the motion which passed by a vote of 7-0.
415

416 VI. DISCUSSION ITEMS
417

418 12. Z2018-025
419

420 Hold a public hearing to discuss and consider a request by the City of Rockwall for the approval of a
421 zoning amendment to Planned Development District 32 (PD-32) [Ordinance No. 17-22] for the purpose
422 of increasing the number of Urban Residential Units permitted within the district being a ~78.89-acre
423 tract of land identified as the Harbor District, being zoned Planned Development District 32 (PD-32),
424 situated within the Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, located at the
425 southwest corner of Horizon Road [FM-3097] and IH-30, and take any action necessary.
426

427 Planning Director, Ryan Miller, gave an explanation and background of the request. Planned
428 Development 32 is a mixed use district located at the southwest corner of Horizon Road and the
429 IH-30 Frontage Road. On February 4, 2008, the City Council adopted Ordinance No. 08-11
430 increasing the boundaries of Planned Development District 32 from 18.6-acres to 62.62-acres,
431 and establishing a set of land uses for the district that included Urban Residential
432 (Condominium Units Only). While this use was called out as an allowed by-right land use, no
433 density level was indicated in Ordinance No. 08-11. Shortly after this approval, the City hired a
434 consultant, Tally Associates, to study the area and create a plan that could be implemented to
435 provide a long-term vision for the Harbor. This planning effort led to the adoption of Ordinance
No. 10-21 on September 20, 2010. This new ordinance expanded the district to 78.89-acres and

436 established a maximum of 1,161 Urban Residential Units defined as townhome or condominium
437 units only, which were in a pool unallocated to any single property in the district that could be
438 allocated by the City Council on a first-come-first-serve basis through a PD Development Plan.
439 Prior to this approval, the City's consultant presented three land use scenarios that proposed
440 three different land use mixes which were high, medium and low intensity. The high intensity
441 land use scenario included 2,100 Urban Residential Units, which equated to 26.6 units/acre. The
442 second land use scenario proposed 1,847 Urban Residential Units, which equated to 23.41
443 units/acre. The low intensity land use scenario was the one ultimately adopted by the City
444 Council and incorporated 1,161 Urban Residential Units, which equated to 14.71 units/acre.
445 Since the adoption of Ordinance No. 10-21, the City Council has allocated 985 of those units.
446 None of those units to date have been built, the closest is the Harbor Urban Condos which are
447 228 and they are currently under construction. This leaves 176 unallocated units remaining in
448 the district.

449
450 Mr. Miller further noted that at the City Council meeting on August 6, 2018, the City Council
451 directed staff to prepare an ordinance amendment showing an additional 400 Urban Residential
452 Units being allocated to the City parcel of land which is bounded by Harbor Heights Drive,
453 Shoreline Trail, Sunset Ridge Drive, and Summer Lee Drive, and is currently located within the
454 Hillside Mixed-Use Subdistrict which does allow Urban Residential Units under the current
455 Planned Development District 32 Ordinance No 17-22. Currently the property has 400 surface
456 parking spaces. If approved, the additional 400 units would increase the total number of units
457 permitted in the district to 1,561 units or 20.57 units/acre. Mr. Miller noted that Ordinance No. 17-
458 11 reduced the overall acreage of the district to 75.87-acres.

459
460 Mr. Miller advised the Commission that City Manager, Rick Crowley, and Mayor Pruitt were
461 present representing the City as applicants and available for questions as well as staff.

462
463 Rick Crowley
464 385 S. Goliad Street
465 Rockwall TX

466
467 Jim Pruitt
468 385 S. Goliad Street
469 Rockwall, TX

470
471 Mr. Crowley came forward and indicated both himself and Mayor Jim Pruitt is representing City
472 Council and the City as applicants in the request to increase the total number of units by 400 he
473 then turned it over to Mayor Pruitt for any additional comments pertaining to the request. Mayor
474 Pruitt gave a brief explanation of the request and provided some history of the Harbor as it
475 developed and PD-32 as it relates to the allocation of the units and the reasons for the request
476 being brought forward and he spoke in regards to a plan to build a standalone parking garage
477 that will be beneficial to both the residents and the Harbor.

478
479 Chairman Lyons asked for questions from the Commission.

480
481 Commissioner Welch shared he was under the impression that there was a plan in place already
482 to build a parking garage that was part of the condominium project at the front portion. Major
483 Pruitt indicated that each development will have to build their own parking garage to handle their
484 own residents; the proposed parking garage will be in place to benefit the city residents.

485
486 Commissioner Chodun asked if it would be an above ground parking structure and if so how
487 many floors. Mayor Pruitt indicated that they are looking for it to be four stories however that
488 has not been decided on.

489
490 Commissioner Womble asked if the 400 units would go towards the general pool or tied down to
491 the City's property. Mayor Pruitt indicated those would be tied down to the City property.

492
493 General discussion took place between the Commission and the applicants concerning the
494 allocation of additional units and the parking garage.

495
496 There being no further questions Chairman Lyons indicated the case will return to the
497 Commission for action at the next scheduled meeting.

498 13. Z2018-035

499 Hold a public hearing to discuss and consider a request by Gregory S. Braden for the approval of a
500 Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by
501 the Unified Development Code (UDC) on a 3.02-acre tract of land identified as Lot 7R of the Lofland
502 Lake Estates No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0
503 (SFE-2.0) District, addressed as 2914 S. FM-549, and take any action necessary.

504
505 **Planner, Korey Brooks, gave a brief explanation of the request. The applicant is requesting a**
506 **Specific Use Permit to build a metal building and according to the Unified Development Code,**
507 **accessory buildings must be constructed with the same materials as the main structure or main**
508 **home on the property therefore the reason for the request for approval of the Specific Use**
509 **Permit.**

510
511 **Mr. Brooks advised the Commission that the applicant was present and available for questions**
512 **as well as staff.**

513
514 **Chairman Lyons asked the applicant to come forward.**

515
516 **Gregory Braden**
517 **2914 S. FM-549**
518 **Rockwall, TX**

519
520 **Mr. Braden came forward and shared that he would like to construct the metal building for the**
521 **purpose of storing his lawnmowers and shop working tools for wood working work he does as a**
522 **hobby. The building will be 30x40 in size with one roll up door, a regular door and two windows.**
523 **It will be on a concrete platform and he plans on extending the concrete to meet up with the**
524 **existing driveway and matching the color of the house.**

525
526 **Chairman Lyons asked for questions from the Commission.**

527
528 **Commissioner Moeller asked the applicant if they would be open to compromising with adding**
529 **at the bottom possibly a three or four foot wainscot to make the building better since will be**
530 **visible from the street. Mr. Braden stated he obtained a quote for that and believes it would be**
531 **four times the cost by adding that.**

532
533 **Commissioner Chodun asked if they would be implementing any screening since the building**
534 **would be visible from the street. Mr. Braden stated they will be adding trees at the front of the**
535 **property.**

536
537 **Commissioner Womble asked if he had considered relocating the building to the back of the**
538 **house instead. Mr. Braden stated they are adding a pool and that eliminates constructing it in**
539 **the back of the house.**

540
541 **There being no further questions Chairman Lyons indicated the case will return to the**
542 **Commission for action at the next scheduled meeting.**

543
544 **Chairman Lyons called for a recess at 7:38 p.m. The meeting was reconvened at 7:51 p.m.**

545
546
547 14. Z2018-036

548 Hold a public hearing to discuss and consider a request by Reubin E. Harle for the approval of a zoning
549 change from an Agricultural (AG) District to a Single Family 1 (SF-1) District for a 4.632-acre parcel of
550 land identified as Lot 5R, Block A, Zion Addition, City of Rockwall, Rockwall, Texas, zoned Agricultural
551 (AG) District, addressed as 825 Zion Hills Circle, and take any action necessary.

552
553
554 **Planner, Korey Brooks, gave a brief explanation of the request. The applicant is requesting a**
555 **zoning change from an Agricultural property to a Single Family 1 property for the purpose of**
556 **building a metal building. According to the Unified Development Code a single-family dwelling is**
557 **allowed on any Agricultural District zoned property that is more than ten acres. Since the**
558 **subject property is less than ten acres and is considered legally non-conforming, the applicant**
559 **will need to rezone the property to make it conforming in order to construct an accessory**

560 building. If approved, a Specific Use Permit may be required should the proposed accessory
561 building not meet the requirements stipulated in the Unified Development Code.
562

563 Mr. Brooks advised the Commission that the applicant was present and available for questions.
564

565 Chairman Lyons asked the applicant to come forward.
566

567 Reubin Harle
568 825 Zion Hills Circle
569 Rockwall, TX
570

571 Mr. Harle came forward and shared the purpose of the building would be for storage of vehicles
572 he has collected over his lifetime as well as cleaning up items in the existing storage buildings .
573 Chairman Lyons asked how many storage building are on the property currently. Mr. Harle
574 stated that there are three and they are somewhat contiguous. Chairman Lyons asked if the
575 request were to be approved how many of those building would be removed. Mr. Harle stated all
576 three would be removed.
577

578 Planning Director, Ryan Miller, noted that the case before the Commission is for the change of
579 the zoning not the storage building and what is being proposed by the applicant meets with the
580 plan.
581

582 There being no further questions Chairman Lyons indicated the case will return to the
583 Commission for action at the next scheduled meeting.
584
585

586 15. Z2018-037

587 Hold a public hearing to discuss and consider a request by Troy & Janice Clark for the approval of a
588 zoning change from a Single Family Estate 1.5 (SFE-1.5) District to a Residential-Office (RO) District for
589 a 1.94-acre parcel of land identified as Lot 1, Block A, Clark Homestead Addition, City of Rockwall,
590 Rockwall, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, situated within the North SH-205
591 Overlay (N SH-205 OV) District, addressed as 3025 N. Goliad Street [SH-205], and take any action
592 necessary.
593

594 Planner, Korey Brooks, indicated the applicant was present to go over the request and available
595 for questions as well as staff.
596

597 Troy Clark
598 3025 N. Goliad
599 Rockwall, TX
600

601 Mr. Clark came forward and shared they are looking to change the zoning primarily for the
602 purpose of making a larger buyer pool since the property is currently on the market to be sold.
603

604 Mr. Brooks added that the Residential Office District has a maximum lot size of one acre and in
605 its current configuration the property would have to be subdivided in order to be rezoned to
606 Residential Office and the applicant will have to provide an exhibit showing how that subdivision
607 will happen.
608

609 Commissioner Chodun asked what the property to the south was. Mr. Brooks indicated it was
610 Children's Lighthouse. Commissioner Chodun asked the applicant how long the house has been
611 on the market. Mr. Clark stated it was listed today.
612

613 There being no further questions Chairman Lyons indicated the case will return to the
614 Commission for action at the next scheduled meeting.
615
616

617 16. Z2018-038

618 Hold a public hearing to discuss and consider a request by Scott A. Simonts on behalf of Ridgeview
619 Church for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C)
620 District for a 7.67-acre parcel of land identified as Lot 28 of the Skyview Country Estates #3 Addition,

621 City of Rockwall, Rockwall, Texas, zoned Agricultural (AG) District, addressed as 1362 E. FM-552, and
622 take any action necessary.
623

624 Senior Planner, David Gonzales, gave a brief explanation and background of the request. The
625 applicant is requesting to rezone the property from Agricultural to Commercial for the purpose
626 of future development of the property for expansion of the site and/or to include an accessory
627 structure.
628

629 Mr. Gonzales advised the Commission that the applicant was present and could further expand
630 on the details of the request and staff was available for questions.
631

632 Chairman Lyons asked the applicant to come forward.
633

634
635 Scott Simonts
636 131 Waxberry Drive
637 Fate, TX
638

639 Mr. Simonts came forward and shared that in the immediate future they want to put a 16x20 foot
640 storage building and in the distant future they want to build the next phase of the building. He
641 indicated he was available for questions.
642

643 Commissioner Chodun asked if the applicant would be willing to restrict the uses of the
644 Commercial property. Mr. Miller explained that it can't since the applicant is requesting straight
645 zoning. And the reason they are requesting straight zoning is in an Agricultural District they
646 have the choice of going thru an SUP in order to expand the building or rezoning with
647 conformance to the plan. The applicant is choosing to rezone in conformance with the plan in
648 order to allow them not to have to go through the zoning process each time they make a change
649 to the building.
650

651 There being no further questions Chairman Lyons indicated the case will return to the
652 Commission for action at the next scheduled meeting.
653

654 17. Z2018-039

655 Hold a public hearing to discuss and consider a request by Brandon Waldrum of CEI Engineering
656 Associates, Inc. on behalf of Kelly Cannell of Murphy Road, LTD the approval of a Specific Use Permit
657 (SUP) for a carwash in conjunction with an existing retail store with gasoline sales on a 0.996-acre tract
658 of land being identified as a portion of Lot 2 and all of Lot 1, Block B, Horizon Ridge Center Addition,
659 City of Rockwall, Rockwall, Texas, zoned Planned Development District 9 (PD-9) for General Retail
660 (GR) District land uses, addressed as 3520 Horizon Road [FM-3097], and take any action necessary.
661

662 Planner, Korey Brooks, gave a brief explanation and background of the request. As proposed
663 the site would have to be replated because the carwash encroaches on the some of the property
664 to the right of it. Additionally as shown on the concept plan the applicant is proposing to face
665 the carwash tunnels towards Horizon Road and according to the Unified Development Code
666 states those cannot face a public road and if it is on a corner it would need to face on towards
667 the road with the least amount of traffic. In this case the applicant is mitigating for that by
668 planting some landscape screening along Horizon Road and also planting some landscape
669 screening in front of the dumpster that faces Tubbs Road. Additionally on the southeast corner
670 of the property where the carwash will be they are proposing landscape along that to screen it
671 from the adjacent property. Those have all been made conditions of approval in the Specific Use
672 Permit.
673

674 Mr. Brooks advised the Commission the applicant was present and available for questions as
675 well as staff.
676

677 Chairman Lyons asked the applicant to come forward.
678

679 Brandon Waldrum
680 3030 LBJ Freeway
681 Dallas, TX
682

683 Mr. Waldrum came forward and indicated they are proposing a car wash within an existing 7-11
684 convenience store. They will be acquiring about 20 feet off the back property line and will be
685 replatting and adding the carwash along the southeast property line. Mr. Waldrum indicated he
686 was available for questions.
687

688 There being no questions Chairman Lyons indicated the case will return to the Commission for
689 action at the next scheduled meeting.
690

691
692 18. Z2018-040

693 Hold a public hearing to discuss and consider a request by John David of Express Oil Change, LLC for
694 the approval of a Specific Use Permit (SUP) for a *Minor Auto Repair Garage (i.e. Brakes Plus)* on a
695 0.656-acre tract of land being identified as Lots 1 & 2, Block A, Billy Peoples #1 Addition, City of
696 Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205
697 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any
698 action necessary.
699

700 Planner, Korey Brooks, indicated the applicant was present and would be providing a
701 presentation going over the request.
702

703 Chairman Lyons asked the applicant to come forward.
704

705 George Gonzalez
706 6017 Main Street
707 Frisco, TX
708

709 Mr. Gonzalez came forward and provided a power point explanation of the request. The
710 proposed Brakes Plus will be situated at the west corner of South Goliad and Yellow Jacket
711 Lane. Brakes Plus is a low use from a traffic standpoint, services about 25 vehicles per day and
712 it is only for brakes no oil changes. They are proposing 8 bays that will be facing away from the
713 roadway and all the tools that they use are low impact noise. Mr. Gonzalez added that they are
714 currently not seeking any variances.
715

716 Mr. Brooks added that as the applicant stated they are not seeking any variances the SUP is to
717 allow the use and should the SUP be approved the applicant will have to submit a site plan that
718 would come before the Commission.
719

720 Chairman Lyons asked concerning outside storage, with that not being allowed, would the
721 applicant be storing vehicles within the bays overnight. Mr. Gonzales stated they do not plan to
722 have any vehicles stored at all.
723

724 There being no further questions Chairman Lyons indicated the case will return to the
725 Commission for action at the next scheduled meeting.
726

727
728 19. Z2018-041

729 Hold a public hearing to discuss and consider a request by Michael McDonald of Pavilion Development
730 Company on behalf of Jay Homan of Rockwall 205-552, LLC for the approval of a Specific Use Permit
731 (SUP) for a *Minor Auto Repair Garage (i.e. Firestone Complete Auto Care)* on a 1.17-acre portion of a
732 larger 5.683-acre parcel of land identified as Lot 2, Block A, Dalton-Goliad Addition, City of Rockwall,
733 Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay
734 (N. SH-205 OV) District, addressed as 3255 Dalton Road and take any action necessary.
735

736
737 Senior Planner, David Gonzales, indicated the applicant was present and would be providing a
738 power point presentation detailing the request. He added that Nebbie Williams Elementary is to
739 the east of the property and the applicant has provided a screening mechanism as well as a
740 landscape plan that shows how they will be screening. According to the ordinance it will require
741 a 6 foot masonry wall however the Commission could take a look at the proposed live screening
742 to determine if it sufficiently provides the screening necessary. Conditions of approval will
743 include no outside storage as well as all work must be conducted inside the building only.
744

745 Chairman Lyons asked the applicant to come forward.

746
747 Jeff Smith
748 CEI Engineering
749 3108 Southwest Regency Parkway
750 Bentonville, AR

751
752 Mr. Smith came forward and stated he is with CEI Engineering and is representing Pavilion
753 Development. He provided a power presentation that detailed the request the Firestone brand
754 and background. The hours of operation for the facility will be Monday-Saturday 7am to 7pm and
755 Sunday 9am to 5 pm. Vehicular trips average 27 to 30 customers per day for an 8 bay store
756 which is what is being proposed for this site. They expect to have 14 employees at this location
757 12 on site per day with 8 on the largest shift. The property is adjacent to Nebbie Williams
758 Elementary School and Firestone is sensitive to that and will do all they can to get a comfort
759 level with the proximity and the screening for that. All eight service bays are being proposed to
760 be on the east side of the building which would face them away from the school as well as away
761 from the street. The wall along the back of the building will be a solid wall and the trash
762 enclosure will be on the northwest corner and parking on the north, east and south sides. With
763 regards to the close proximity to the school they are proposing to do a landscape berm with
764 heavy landscaping and a rod iron fence along the back but if it is necessary to put up a masonry
765 wall they are open to that as well. The architectural design will mimic the adjacent shopping
766 center to the northeast as well as the ALDI to the east. Both utilize different colored brick so they
767 are open to either using a red or tan brick with some stone accent columns. The presentation
768 provided examples of different elevations used at Firestone locations around the country
769 showing the variety that has been uses. Firestone can alter the prototype to match the zoning
770 requirements and at this time they are planning on meeting all of the requirements for the base
771 zoning district as well as for the Overlay District.

772
773 Mr. Smith indicated he was open for feedback or questions from the Commission.

774
775 Lara Hoffman
776 2728 North Harvard

777
778 Ms. Hoffman came forward and indicates she also is representing the applicant. She shared that
779 the school has a fence along that edge and that is one of the reasons they are proposing a rod
780 iron fence with the landscaping instead of the masonry fence to prevent the "rat run" that can
781 occur when placing two fences together but she indicated they are open to any feedback the
782 Commission has in regards to what they feel would be a better fit.

783
784 Chairman Lyons expressed concern with the noise the facility would produce with such close
785 proximity to the school.

786
787 Todd Carr
788 2929 Alamo Street
789 Orlando, FL

790
791 Mr. Carr came forward and indicated they have conducted sound studies and can present those
792 to the Commission. He shared that the sound would be projected from the bay side and the
793 study performed checks decimal levels at certain intervals away from the bay side. The study
794 shows there noise should not affect the school positioning the building as they are proposing.

795
796 Commissioner Fishman asked staff what the maximum allowable screening is if a masonry wall
797 was put in place could it be eight feet possibly. Mr. Gonzales stated the minimum required is six
798 feet but the Commission could request it to be eight feet and that would be included in the
799 Specific Use Permit. In regards to the number of trees, the applicant is proposing to provide
800 thirteen large trees as well as accent trees and some shrubbery.

801
802 Commissioner Logan asked concerning the zoning of other like facilities within the City. Mr.
803 Gonzales explained that existing like facilities are zoned within a Commercial District with the
804 exception of one located within the Downtown District which has been at the location for many
805 years but is not adjacent to any residential properties. The subject property is zoned General
806 Retail which typically is for less intense type uses for transitional purposes.

807 Commissioner Logan expressed concern with the location not being fitting with what the
808 surrounding properties are.
809

810 There being no further questions Chairman Lyons indicated the case will return to the
811 Commission for action at the next scheduled meeting.
812

813
814 20. Z2018-042

815 Hold a public hearing to discuss and consider approval of a text amendment to Article V, *District*
816 *Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of
817 amending the *Development Standards*, and take any action necessary.
818

819 Planning Director, Ryan Miller, indicated staff will be taking something to City Council and
820 pending their action staff will bring a text amendment back before the Commission. Mr. Miller
821 advised the Commission he was available for questions.
822

823 There being no questions Chairman Lyons indicated the case will return to the Commission for
824 action at the next scheduled meeting.
825

826
827 21. P2018-027

828 Discuss and consider a request by John Delin of Integrity Group, LLC for the approval of a preliminary
829 plat for Lot 1, Block A, Ladera Rockwall being a 37.8-acre tract of land identified as a portion of Tract 4-
830 01 and all of Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County,
831 Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205
832 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the
833 intersection of SH-66 and John King Boulevard, and take any action necessary.
834

835 Senior Planner, David Gonzales, gave a brief explanation of the request. The applicant amended
836 their PD recently and it has to go before the Parks Board on September 5th and that is the reason
837 the request is before the Commission.
838

839 Mr. Gonzales advises the Commission the applicant was present and could answer any
840 questions as well as staff.
841

842 There being no questions Chairman Lyons indicated the case will return to the Commission for
843 action at the next scheduled meeting.
844

845 22. SP2018-027

846 Discuss and consider a request by Rudy Banuelos of HER Chilton YMCA Rockwall for the approval of
847 an amended site plan for a 21.76-acre parcel of land, identified as Lot 1, Block A of the Rockwall CO
848 Branch YMCA Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District
849 5 (PD-5), situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1210 N.
850 Goliad Street [*SH-205*], and take any action necessary.
851

852 Senior Planner, David Gonzales, provided a brief explanation of the request. The applicant is
853 requesting to replace existing lighting to the YMCA sports fields. Based on the use it will not
854 meet the technical requirements of the photometric plan being that the photometric plan is for
855 more of a commercial type use. The applicant will be requesting a variance to the photometric
856 plan for the area where they will be using the fields.
857

858 Mr. Gonzales advised the Commission that the applicant was present and available for questions
859 as well as staff.
860

861 Chairman Lyons asked the applicant to come forward and speak.
862

863 Rudy Banuelos
864 2707 Whispering Oaks
865 Rockwall, TX
866

867 Bill Cadman
868 Sports Director for YMCA

869 1045 Midnight Pass
870 Rockwall, TX

871
872 Mr. Banuelos came forward and indicated that they are looking to replace and add lights. The
873 purpose is to improve the quality of light by using LED lighting.
874

875 Mr. Gonzales added that the applicant will be providing a layout of the property lines to be able
876 to determine where the light levels will be going. The area where the actual activities will happen
877 is the areas where the light levels will exceed the 20 foot candle levels. Once the applicant
878 provides a revised plan and cut sheets it will clarify questions.
879

880 Commissioner Welch asked if along with the lighting on the property on the southeast side they
881 plan on doing anything to the property to the north. Mr. Banuelos stated they were not only on
882 the south side.
883

884 Mr. Camden added that the lights do not stay on past 10 o'clock in the evening and with the
885 update they will have timers.
886

887 There being no further questions Chairman Lyons indicated the case will return to the
888 Commission for action at the next scheduled meeting.
889

890 23. Director's Report of post Council meeting outcomes of Planning & Zoning cases.
891

- 892 ✓ P2018-023: Preliminary Plat for Vora Addition [Approved]
- 893 ✓ Z2018-029: SUP for Craft Brewery, Distillery and/or Winery (2nd Reading) [Approved]
- 894 ✓ Z2018-030: Zoning Change (AG, C & HC to PD) (1st Reading) [Denied]
- 895 ✓ Z2018-031: Zoning Change (AG to SF-1) for 853 Zion Hill Circle (1st Reading) [Approved]
- 896 ✓ Z2018-032: Zoning Change (LI to PD) (1st Reading) [Tabled to September 4, 2018]
- 897 ✓ Z2018-033: Text Amendment to Article IV (1st Reading) [Approved w/ Condition]
- 898 ✓ Z2018-034: Zoning Change (AG to SFE-1.5) (1st Reading) [Approved]
- 899 ✓ SP2018-020: Variance for Chick-Fil-A [Approved]
- 900 ✓ SP2018-022: Variance for Outside Display at the Rustic Warehouse [Denied]
- 901 ✓ SP2018-024: Variances for a Medical Office Building [Approved]
- 902 ✓ SP2018-025: Variances for an Office Building [Approved – Vertical Articulation; Denied – Parking]
- 903 ✓ MIS2018-015: Alcohol Variance for ALDI [Denied]
- 904

905 Planning Director, Ryan Miller, provided a brief update about the outcome of the above
906 referenced case at the City Council meeting.
907

908
909 VII. ADJOURNMENT

910 Chairman Lyons adjourned the meeting at 8:48 p.m.
911

912
913
914
915
916 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
917 ROCKWALL, Texas, this 30 day of October, 2018.

918
919
920
921
922
923
924
925
926
927
928
929

Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
September 11, 2018
6:00 P.M.

I. CALL TO ORDER

Vice-Chairman Chodun called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Annie Fishman, John Womble and Tracy Logan. Absent from the meeting were Chairman Johnny Lyons and Commissioner Mark Moeller. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Planning Coordinator Laura Morales, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the July 10, 2018 Planning and Zoning Commission meeting.

2. P2018-027

Discuss and consider a request by John Delin of Integrity Group, LLC for the approval of a preliminary plat for Lot 1, Block A, Ladera Rockwall Addition being a 37.8-acre tract of land identified as a portion of Tract 4-01 and all of Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Commissioner Welch made a motion to approve the consent agenda. Commissioner Logan seconded the motion which passed by a vote of 5-0 with Chairman Lyons and Commissioner Moeller absent.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

IV. PUBLIC HEARING ITEMS

4. Z2018-025

Hold a public hearing to discuss and consider a request by the City of Rockwall for the approval of a zoning amendment to Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] for the purpose of increasing the number of Urban Residential Units permitted within the district being a ~78.89-acre tract of land identified as the Harbor District, being zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, located at the southwest corner of Horizon Road [FM-3097] and IH-30, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation and background pertaining to the request. On February 4, 2008, the City Council adopted Ordinance No. 08-11 increasing the boundaries of Planned Development District 32 from 18.6-acres to 62.62-acres, and establishing a set of land uses for the district that included Urban Residential condominium Units Only. While this use was called out as an allowed by-right land use, no density level was indicated in Ordinance No. 08-11. Shortly after this approval, the City hired a consultant to study the area and create a plan that could be implemented to provide a long-term vision for the Harbor. This planning effort led to the adoption of Ordinance No. 10-21 on September 20, 2010. This new

63 ordinance expanded the district to 78.89-acres and established a maximum of 1,161 Urban
64 Residential Units defined as townhome or condominium units only, which were in a pool,
65 unallocated to any single property in the district that could be allocated by the City Council on a
66 first-come-first-serve basis through a PD Development Plan. Prior to this approval, the City's
67 consultant presented three land use scenarios that proposed three different land use mixes,
68 being high, medium and low intensity. The high intensity land use scenario included 2,100
69 Urban Residential Units, which equated to 26.6 units/acre. The second land use scenario
70 proposed 1,847 Urban Residential Units, which equated to 23.41 units/acre. The low intensity
71 land use scenario and the one ultimately adopted by the City Council incorporated 1,161 Urban
72 Residential Units, which equated to 14.71 units/acre within the District which is comparable to
73 the City's Multi-Family 14 Districts. Today the City Council has allocated 985 of the 1,161 units
74 leaving 176 unallocated units remaining in the district. Currently only one of the projects is
75 currently under construction and it is for the 228 units for the Harbor Urban Condos. At the City
76 Council meeting on August 6, 2018, the City Council directed staff to prepare an ordinance
77 amendment showing an additional 400 Urban Residential Units being allocated to the City parcel
78 of land. This property is bounded by Harbor Heights Drive, Shoreline Trail, Sunset Ridge Drive,
79 and Summer Lee Drive which currently has the City's surface parking area for the District. The
80 idea behind this is to eventually sell the property for the purpose of building a public parking
81 garage to add additional parking throughout the District. If approved, the additional 400 Urban
82 Residential Units would increase the total number of units permitted in the district to 1,561 units
83 or 20.57 units/acre per the 75.87 acres that currently make up the District.

84
85 Mr. Miller further shared that due to this being an amendment to an existing Planned
86 Development District, staff sent a notice of public hearing to all residents and property owners
87 inside Planned Development District 32, and within 500-feet of the PD's boundaries. Of the 210
88 notices mailed on August 31, 2018 staff has not received any notices in support or opposition of
89 the request. In addition, staff emailed notices to the Lago Vista, Lakeside Village, Water's Edge,
90 Signal Ridge, Fox Chase and Chandler's Landing Homeowner's Associations, which are the only
91 HOA's within 1,500-feet of the boundaries of the PD and staff also posted a zoning notice in the
92 Harold Banner. Of the 210 notices that were sent out staff received 2 notices in favor of the
93 request and 12 notices from property owners in opposition and 1 email stating neutrality to the
94 request.

95
96 Mr. Miller advised the Commission that City Manager Rick Crowley was present to answer any
97 questions as well as staff.

98
99 Commissioner Womble asked if after the request the 176 would still remain available. Mr. Miller
100 explained that the 176 units would remain District wide units and no other property owner would
101 be losing any right to request any of those units however the 400 units would be directly
102 allocated to the City's property. Commissioner Womble asked if the chosen developer did not
103 use all 400 units would any remaining units go into the general pool. Mr. Miller indicated that
104 they would not go into the general pool.

105
106 Commissioner Welch asked what the City's initial plan for the subject property was. Mr. Miller
107 deferred the question to Mr. Crowley.

108
109 Vice Chairman Chodun asked the applicant to come forward.

110
111 Rick Crowley
112 City Manager, City of Rockwall
113 385 S. Goliad Street
114 Rockwall, TX
115

116 Mr. Crowley came forward and stated he is representing the City as the applicant and he
117 indicated that staff did well in covering the information pertaining to the request in terms of what
118 the City is proposing. Mr. Crowley shared that it is important to the City Council as was relayed
119 at the work session that the Commission treat this case as they would any other land use case
120 that would come before them. Additionally he noted that the Council will address the zoning and
121 the sale of the property in terms of going through the zoning process first and then determining
122 what will be done in regards to how they will proceed with the potential for sale of the property.
123 Mr. Crowley went on to provide the Commission with a brief explanation of the City's request
124 and indicated he was available for questions.

125 Vice-Chairman asked for questions from the Commission.

126
127 Commissioner Welch asked what the City's original intent for the subject property. Mr. Crowley
128 indicated that the property was bought for parking.

129
130 Commissioner Logan asked whether or not a traffic impact analysis has been conducted. Mr.
131 Crowley indicated that he does not believe one has been conducted since PD-32 was developed
132 however there are some substantial capacity improvements on IH-30 on both the service roads
133 that serve PD-32 as well as the main lanes.

134
135 Vice-Chairman Chodun opened up the public hearing and asked if anyone wished to speak to
136 come forward and do so.

137
138 Brian Berry
139 2 Essex Court
140 Heath, TX

141
142 Mr. Berry came forward and shared his concerns over the request the biggest being that a
143 municipality would have the ability to come in and potentially influence or impact a zoning
144 or/and a land use change in the midst of an existing development as a contingency of a City
145 owned piece of property. He asked the Commission to consider that concern as they make their
146 decision.

147
148 Kevin Hickman
149 9474 Galetail Drive
150 Dallas, TX

151
152 Mr. Hickman came forward and indicated he is with Pegasus Ablon Properties who are one of
153 the biggest owners within Planned Development 32. He shared that he believes the request goes
154 against the City's own Planning and Zoning Mission which is long range planning to promote
155 orderly development. He provided a power point that detailed his many concerns. He expressed
156 being strongly opposed to the request.

157
158 Tom Kirkland
159 Owner/Developer Marriott Springhill Suites
160 2601 Lakefront Trail
161 Rockwall, TX

162
163 Mr. Kirkland came forward and shared his concern with the increased use of Airbnb and how
164 that affects his business. He shared that a true Airbnb is an Inn it pays hotel occupancy taxes to
165 communities it serves as opposed to Airbnb that is neither an Inn nor pays any hotel occupancy
166 taxes or abides by the regulations that a hotel has to abide by. He spoke of a study that was
167 conducted by a professor that was dealing with the Airbnb market in an urban environment and
168 its impact on communities and how it has escalated into the apartment community. He
169 expressed his opposition to the request.

170
171 Chris Cuny
172 FC Cuny Corporation
173 2 Horizon Court
174 Heath, TX

175
176 Mr. Cuny came forward and shared concerns he had pertaining to the request. As a developer
177 that works with many project within the city he has seen that a concern that often comes up is
178 the issue of density. He is concerned with how it is being considered to add 400 units to a
179 development in a PD District that was created thru a tremendous amount of study, time, effort
180 and expense on behalf of the City.

181
182 Jason Lentz
183 5339 Alpha Road #300
184 Dallas, TX

185

186 Mr. Lentz came forward and indicated that he represents the partnership that is developing the
187 228 unit project that is under construction as well as the 42 unit condo project that was
188 approved subsequently and that will start construction in the next six to nine months. He shared
189 that he is pro-development and as a developer has gone through the entire process the City has
190 required obtaining their entitlement, he is concerned at how this request is not going thru that
191 "process" the right way. He feels this request will impact their development negatively.
192

193 Randal Noe
194 2601 Waterfront Trail
195 Rockwall, TX
196

197 Mr. Noe came forward and shared his concerns with the request and expressed being in
198 opposition of the request.
199

200 Janice Morchower
201 144 Westwood
202 Rockwall, TX
203

204 Ms. Morchower came forward and expressed her strong opposition to the request. She feels the
205 City has not gone through the proper development steps that all other developers have been
206 made to follow. She expressed concern with the impact it will have on traffic and as a realtor she
207 feels the market does not have the demand for 400 additional units. She urged the Commission
208 to deny the request.
209

210 Nell Welbourne
211 810 Lake Meadow Circle
212 Rockwall, TX
213

214 Ms. Welborne came forward and expressed her opposition to the request.
215

216 Bob Wacker
217 Featherstone
218 Rockwall, TX
219

220 Mr. Wacker posed the question if the City Council would recuse themselves as applicants, and if
221 the Planning and Zoning Commission failed to make a motion on the case would it then not
222 move forward to go before City Council.
223

224 Kristy Smith
225 2932 Lago Vista
226 Rockwall, TX
227

228 Ms. Smith came forward and expressed her opposition to the request. She feels the City should
229 be required to follow the same steps that developers are made to adhere by. She expressed
230 concern with the density. She shared that she moved to Rockwall believing it was a bedroom
231 community and it is changing into an urban community. She posed the question as to what tis
232 the net gain for Rockwall. She urged the Commission to deny the request.
233

234 Ron Lavern
235 1555 Parkside Circle
236 Rockwall, TX
237

238 Mr. Lavern came forward and generally expressed being in opposition of the request. He feels
239 there is no reason to deviate from the original Planned Development.
240

241 Vice Chairman Chodun asked the applicant to come forward. Mr. Crowley came forward and
242 provided a brief rebuttal to the comments brought up.
243

244 Extensive general discussion took place between the Commission concerning the comments
245 and concerns that were brought up by the public who spoke in regards to the request. The
246 Commission generally expressed not being in favor of the request.
247

248 Commissioner Womble made a motion to deny Z2018-025. Commissioner Fishman seconded the
249 motion which passed by a vote of 5-0 with Chairman Lyons and Commissioner Moeller absent.
250

251
252 5. Z2018-035

253 Hold a public hearing to discuss and consider a request by Gregory S. Braden for the approval of a
254 Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by
255 the Unified Development Code (UDC) on a 3.02-acre tract of land identified as Lot 7R of the Lofland
256 Lake Estates No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0
257 (SFE-2.0) District, addressed as 2914 S. FM-549, and take any action necessary.
258

259 Planner, Korey Brooks, gave a brief explanation and background of the request. The applicant
260 Gregory S. Braden is requesting the approval of a Specific Use Permit to allow for the
261 construction of an accessory building that does not meet the requirements stipulated in the
262 Unified Development Code. The 1,200 square foot 30' x 40' structure will stand approximately 17-
263 feet in height, and have a roll-up door. According to the submitted site plan, the accessory
264 building will be situated to the northeast side of the primary structure, adjacent to the existing
265 driveway. The accessory building will be more than 100-feet from the front and side property
266 lines. According to the applicant, the accessory building will be utilized to store equipment such
267 as lawnmowers, garden tools and will not be used for commercial land uses. The subject
268 property is an estate lot and there are similar structures on adjacent estate lots. According to the
269 Unified Development Code, a single accessory building no larger than 1,500 square feet is
270 permitted in a Single-Family Estate 2.0 District, provided the exterior cladding contains materials
271 found on the main structure. In this case, the proposed accessory building conforms to the
272 maximum size requirements for accessory buildings as stipulated by the Unified Development
273 Code; however, since the applicant is proposing to clad the accessory building with metal and
274 exceed the maximum height of 15-feet the proposed building will be 17-feet in height, a Specific
275 Use Permit is required. Staff should note similar requests have previously been approved on
276 adjacent properties; however, this is a discretionary decision for the Planning and Zoning
277 Commission and the City Council.
278

279 Mr. Brooks further shared that on August 31, 2018, staff mailed 14 notices to property owners
280 and residents within 500-feet of the subject property. There are no HOA's/Neighborhood
281 Organizations that are within 1,500-feet of the subject property participating in the Neighborhood
282 Notification Program. Staff received one email in opposition of the request.
283

284 Mr. Brooks advised the Commission that the applicant sent a representative to answer any
285 questions.
286

287 Vice Chairman Chodun asked the applicant to come forward.
288

289 Veronica Braden
290 2914 S. FM-549
291 Rockwall, TX
292

293 Ms. Braden came forward and indicated she was available for questions.
294

295 Commissioner Womble asked the applicant if the reason for not being able to station the
296 accessory building behind the building was due to as her husband indicated at the work
297 session, was because they will be building a pool, therefore it is a choice to as opposed to the
298 only place possible. Mrs. Braden indicated they were building the pool and therefore couldn't
299 place the building behind the house.
300

301 Vice-Chairman Chodun asked if there was a plan to screen it. Mrs. Braden indicated that they will
302 be planting trees along the front of the building after the road expansion that will be taking place
303 in the future.
304

305 Vice Chairman opened up the public hearing and asked if anyone wished to speak to come
306 forward and do so there being no one indicating such Vice Chairman Chodun closed the public
307 hearing and brought the item back to the Commission for discussion or a motion.
308

309 Commissioner Welch noted that a surrounding neighbor has a very big metal accessory building
310 and therefore the request from the applicant would not make it the only accessory building
311 within the area.
312

313 Commissioner Welch made a motion to approve Z2018-035 with staff recommendations. Due to a
314 lack of a second to the motion on the table Vice Chairman killed the motion. Commissioner
315 Womble made a motion to deny Z2018-035. Commissioner Logan seconded the motion which
316 passed by a vote of 3-2 with Vice-Chairman Chodun and Commissioner Welch dissenting.
317

318
319 6. Z2018-036

320 Hold a public hearing to discuss and consider a request by Reubin E. Harle for the approval of a zoning
321 change from an Agricultural (AG) District to a Single Family 1 (SF-1) District for a 4.632-acre parcel of
322 land identified as Lot 5R, Block A, Zion Addition, City of Rockwall, Rockwall, Texas, zoned Agricultural
323 (AG) District, addressed as 825 Zion Hills Circle, and take any action necessary.
324

325 Planner, Korey Brooks, gave a brief explanation and background pertaining to the request. The
326 applicant is requesting a change in zoning from an Agricultural District to a Single-Family One
327 District for the purpose of constructing an accessory building on the subject property. In 1977,
328 the Zion Hills Estates Subdivision was platted and the subject property existed as three lots
329 being lots 4, 5, & 6. Subsequently, in 1992 Lots 4, 5, & 6 were combined to its current
330 configuration Lot 5R. The subject property was later annexed in 2010 and is situated on a 4.632-
331 acre parcel of land, zoned Agricultural District that is addressed as 825 Zion Hills Circle.
332 According to Section 2.1, Agricultural District, of Article V, District Development Standards, of
333 the Unified Development Code, a single-family dwelling is allowed on any Agricultural District
334 zoned property that is more than ten acres. Since the subject property is less than ten acres and
335 is considered legally non-conforming, the applicant will need to rezone the property to make it
336 conforming in order to construct an accessory building. Staff should note, that if approved, a
337 Specific Use Permit may be required should the proposed accessory building not meet the
338 requirements stipulated in the Unified Development Code. When analyzing the applicant's
339 request to rezone the subject property for the purpose of constructing an accessory building
340 and the size of the subject property, the Single-Family Estate 4.0. District would be an
341 appropriate zoning district in this case; however, another property within the Zion Hills Estates
342 Subdivision has been rezoned to Single-Family One District, which established the zoning
343 pattern for this area. Given its current configuration and acreage, the subject property could be
344 subdivided into three lots as originally platted, should the applicant request, to replat this
345 property into three lots, it should not negatively affect adjacent properties.
346

347 Mr. Brooks further shared on August 31, 2018 staff mailed 30 notices to property owners and
348 residents within 500-feet of the subject property. There are no HOA's/Neighborhood
349 Associations within 1,500-feet of the subject property participating in the Neighborhood
350 Notification Program. Staff also advertised the public hearings in the Rockwall Harold Banner as
351 required by the Unified Development Code. Staff did not receive any notices concerning this
352 case.
353

354 Mr. Brooks advised the Commission that the applicant was present and available for questions.
355

356 Reubin Harle
357 825 Zion Hills Circle
358 Rockwall, TX
359

360 Mr. Harle came forward and shared that the purpose for the request is to make improvements to
361 his property since his house is over 40 years old and in order to make any improvements he has
362 to obtain building permits however he cannot be issued any permits with an Agricultural zoning
363 designation.
364

365 Vice Chairman opened up the public hearing and asked if anyone wished to speak to come
366 forward and do so there being no one indicating such Vice Chairman Chodun closed the public
367 hearing and brought the item back to the Commission for discussion or a motion.
368

369 Commissioner Womble made a motion to approve Z2018-036 with staff recommendations.
370 Commissioner Fishman seconded the motion which passed by a vote of 5-0 with Chairman
371 Lyons and Commissioner Moeller absent.
372
373

374 7. Z2018-037

375 Hold a public hearing to discuss and consider a request by Troy & Janice Clark for the approval of a
376 zoning change from a Single Family Estate 1.5 (SFE-1.5) District to a Residential-Office (RO) District for
377 a 1.94-acre parcel of land identified as Lot 1, Block A, Clark Homestead Addition, City of Rockwall,
378 Rockwall County, Texas, zoned Single Family Estate 1.5 (SFE-1.5) District, situated within the North
379 SH-205 Overlay (N SH-205 OV) District, addressed as 3025 N. Goliad Street [SH-205], and take any
380 action necessary.
381

382 Vice-Chairman Chodun advised the Commission that the applicant requested to withdraw the
383 case he then made a motion to accept the request to withdraw. Commissioner Fishman
384 seconded the motion which passed by a vote of 5-0 with Chairman Lyons and Commissioner
385 Moeller absent.
386

387 Vice Chairman Chodun called for a 10 minute recess at 7:41 p.m.
388

389 Vice Chairman Chodun called the meeting back to order at 7:52 p.m.
390
391

392 8. Z2018-038

393 Hold a public hearing to discuss and consider a request by Scott A. Simonts on behalf of Ridgeview
394 Church for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C)
395 District for a 7.67-acre parcel of land identified as Lot 28 of the Skyview Country Estates #3 Addition,
396 City of Rockwall, Rockwall, Texas, zoned Agricultural (AG) District, addressed as 1362 E. FM-552, and
397 take any action necessary.
398

399 Senior Planner, David Gonzales, gave a brief explanation of the request. The applicant is
400 requesting to rezone the property from an Agricultural District to a General Retail District for the
401 purpose of expanding the church facility, Ridgeview Church. The expansion will generally
402 consist of an addition to the existing building and/or the addition of an accessory structure for
403 storage. The original request was to rezone to a Commercial District; however, after the work
404 session with the Planning and Zoning Commission the applicant has decided to request a
405 General Retail District, which is considered to be less intense and would create a transition to
406 the adjacent residential properties. On July 16, 2012, the subject property was annexed into the
407 corporate limits of the City by Ordinance No. 12-17. On October 15, 2012, the City Council
408 approved a replat of four parcels of land into one parcel of land. According to Subsection 4.4,
409 General Retail District, of Section 4, Commercial Districts, of Article V, District Development
410 Standards, a Church or House of Worship is a by-right land use that is permitted within the
411 General Retail District. The subject property is zoned for Agricultural District. The Future Land
412 Use Map, adopted with the Comprehensive Plan, designates the subject property for Quasi-
413 Public Uses the eastern portion of property and Low Density Residential land uses the western
414 portion of property. The proposed zoning change would necessitate that the designation of
415 western portion of the property be changed from Low Density Residential to a Quasi-Public Uses
416 designation. The eastern portion of the property currently has this designation. It should be
417 noted that the Quasi-Public Use means a use operated by a private non-profit, educational,
418 religious, recreational, charitable, or medical institutions having the purpose primarily of serving
419 the general public, and includes uses such as churches; therefore, the Quasi-Public Uses
420 designation would be considered appropriate for the subject property.
421

422 The approval of any changes to the Future Land Use Map by allowing the zoning change would
423 be a discretionary decision for the City Council. Should the City Council choose to approve the
424 applicant's request staff has included a condition of approval that would amend the Future Land
425 Use Map to reflect the requested designation.
426

427 Mr. Gonzales further shared that on August 30, 2018, staff sent 38 notices to property owners
428 and residents within 500-feet of the subject property. Staff also notified the Stoney Hollow and
429 Breezy Hill Homeowner's Associations which are the only HOA's/Neighborhood Associations
430 within 1,500 feet. Staff received one notice in favor and one against the request.

431 Mr. Gonzales advised the Commission that the applicant was present and available for questions
432 as well as staff.

433
434 Vice-Chairman Chodun asked the applicant to come forward and speak.

435
436 Scott Simonts
437 131 Waxberry Drive
438 Lake, TX

439
440 Mr. Simonts came forward and indicated he is representing Ridgeview Church and was available
441 to answer any questions the Commission may have.

442
443 Vice Chairman opened up the public hearing and asked if anyone wished to speak to come
444 forward and do so there being no one indicating such Vice Chairman Chodun closed the public
445 hearing and brought the item back to the Commission for discussion or a motion.

446
447 Commissioner Welch made a motion to approve Z2018-038 with staff recommendations.
448 Commissioner Womble seconded the motion which passed by a vote of 5-0 with Chairman
449 Lyons and Commissioner Moeller absent.

450
451
452 9. Z2018-039

453 Hold a public hearing to discuss and consider a request by Brandon Waldrum of CEI Engineering
454 Associates, Inc. on behalf of Kelly Cannell of Murphy Road, LTD for the approval of a Specific Use
455 Permit (SUP) for a carwash in conjunction with an existing retail store with gasoline sales on a 0.996-
456 acre tract of land being identified as a portion of Lot 2 and all of Lot 1, Block B, Horizon Ridge Center
457 Addition, City of Rockwall, Rockwall, Texas, zoned Planned Development District 9 (PD-9) for General
458 Retail (GR) District land uses, addressed as 3520 Horizon Road [FM-3097], and take any action
459 necessary.

460
461 Planner, Corey Brooks, gave a brief explanation of the request. The applicant is requesting the
462 approval of a Specific Use Permit to allow a carwash in conjunction with an existing retail store
463 with gasoline sales 7-Eleven in a General Retail District. The proposed carwash will be
464 approximately 966 SF and be situated on a 0.996-acre tract of land zoned General Retail District.
465 The proposed carwash will be a drive-through facility that will be located southeast of the
466 existing retail store on the subject property. According to the Unified Development Code, a
467 carwash is permitted in a General Retail District with a Specific Use Permit. The UDC goes on
468 the state that the entrances and exits of the carwash shall not directly face any public street and
469 that on corner sites, car wash entrances and exits shall not open toward the street with the
470 highest traffic volume. In this case, the subject property is located at the corner of Horizon Road
471 and Tubbs Road and both roadways are identified as an M4-D major collector, four lane, divided
472 roadway. With that being said, Horizon Road serves as a major arterial roadway and has higher
473 traffic volume than Tubbs Road; however, the applicant is proposing to orient the carwash so
474 that it faces Horizon Road. In addition, the concept plan shows existing dumpster being
475 relocated to face onto Tubbs Road. According to the applicant, the proposed orientation of the
476 carwash and dumpster is necessary due to the current configuration of the existing structures
477 on the subject property. To mitigate for this, the applicant is proposing to provide landscape
478 screening, trees, pampas grass, to limit visibility of the carwash and dumpster from the public
479 streets. These have been made conditions of approval in the Specific Use Permit ordinance;
480 however, approval of this request is discretionary to the Planning and Zoning Commission and
481 the City Council. Approving this request effectively supersedes Specific Use Permit No. S-072
482 and the applicant would be required to submit an amended site plan to be approved by the
483 Architectural Review Board, the Planning and Zoning Commission, and the City Council if
484 necessary. Additionally, since the concept plan shows the proposed drive through lane of the
485 carwash encroaching the adjacent property, the subject property will need to be replatted to
486 combine this area with the existing lot.

487
488 Mr. Brooks further stated that on August 30, 2018, staff mailed 279 notices to property owners
489 and residents within 500-feet of the subject property and also notified the Hunter's Glenn North,
490 Benton Woods, and Rainbow Lakes Homeowner's Associations Staff received two notices in
491 favor and two notices in opposition and two notices in favor of the request.

492

493 Mr. Brooks advised the Commission that the applicant was present and available for questions.

494
495 Commissioner Logan asked what the screening on Horizon intended to block. Mr. Brooks
496 indicated it would block the entrance to the tunnel exit for the carwash. Commissioner Logan
497 asked if the Architectural Review Board would take a look at that to ensure it looks sufficient. Mr.
498 Brooks indicated that at this stage it is only a concept plan and when the application for the site
499 plan is submitted that would be when the ARB would review it the case before the Commission
500 is for the use.

501
502 Vice-Chairman Chodun asked the applicant to come forward.

503
504 Brandon Waldrum
505 CEI Engineering
506 3030 LBJ Freeway
507 Dallas, TX

508
509 Mr. Waldrum came forward and indicated that Mr. Brooks went over the case well and he was
510 available for questions.

511
512 Vice Chairman opened up the public hearing and asked if anyone wished to speak to come
513 forward and do so there being no one indicating such Vice-Chairman Chodun closed the public
514 hearing and brought the item back to the Commission for discussion or a motion.

515
516 Vice-Chairman Chodun made a motion to approve Z2018-039 with staff recommendations.
517 Commissioner Womble seconded the motion which passed by a vote of 5-0 with Chairman
518 Lyons and Commissioner Moeller absent.

519
520
521 10. Z2018-040
522 Hold a public hearing to discuss and consider a request by John David of Express Oil Change, LLC for
523 the approval of a Specific Use Permit (SUP) for a *Minor Auto Repair Garage (i.e. Brakes Plus)* on a
524 0.656-acre tract of land being identified as Lots 1 & 2, Block A, Billy Peoples #1 Addition, City of
525 Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205
526 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any
527 action necessary.

528
529 Planner, Corey Brooks, gave a brief explanation of the request. The applicant, J is requesting the
530 approval of a Specific Use Permit to allow a minor auto repair garage, Brakes Plus, in a General
531 Retail District. The proposed minor auto repair garage will be approximately 4,924 square feet
532 and situated on a 0.656-acre tract of land. The Unified Development Code defines minor auto
533 repair as the replacement of any part or repair that does not require removal of the either the
534 engine head or pan, transmission or differential and incidental body or fender work, minor
535 painting and upholstery, or quick lube services for passenger vehicles 7,000 pounds and
536 below. According to the UDC, a minor auto repair garage is permitted as a stand-alone use in a
537 General Retail District with a Specific Use Permit. The UDC goes on the state that the garage
538 doors or bays shall not face a public street or a residential lot. The applicant has provided a
539 concept plan showing the garage bays facing west toward the existing shopping center (i.e.
540 facing away from S. Goliad Street and the residential development north of the subject property).
541 Additionally, the Unified Development Code states that no vehicles, equipment, parts, and/or
542 inventory shall be stored outside overnight and all work must be completed in an enclosed
543 building. These have been made conditions of approval in the SUP ordinance. Based on the
544 submitted concept plan, the applicant does appear to be in conformance with the requirements
545 for a minor auto repair garage within a General Retail District; however, approval of a Specific
546 Use Permit is a discretionary decision for the Planning and Zoning Commission and the City
547 Council. Should this request be approved, this will be the first minor auto repair garage in a
548 General Retail District. Additionally, the applicant would be required to submit a site plan for
549 approval by the Architectural Review Board, the Planning and Zoning Commission, and if
550 necessary the City Council.

551
552 Mr. Brooks further stated that on August 30, 2018, staff mailed 39 notices to property owners
553 and residents within 500-feet of the subject property and also notified the Waterstone
554 Homeowner's Association. Staff received one notice in opposition of the request.

555 Mr. Brooks advised the Commission that the applicant was present and available for questions
556 as well as staff.

557
558 Vice-Chairman Chodun asked the applicant to come forward.

559
560 George Gonzalez
561 6017 Main Street
562 Frisco, TX

563
564 Mr. Gonzalez came forward and indicated Mr. Brooks went over the case well and went on to
565 provide a brief power point that discussed the Brake Plus company.

566
567 Commissioner Fishman asked if there would be any overnight storage of vehicles. Mr. Gonzales
568 stated there would not be any storage.

569
570 Vice-Chairman Chodun opened up the public hearing and asked if anyone wished to speak to
571 come forward and do so.

572
573 Bryan Berry
574 2 Essex Court
575 Heath, TX

576
577 Mr. Berry came forward stated that he is the property owner next to the subject property. He
578 generally shared he is not in opposition of the request his concern is with overnight storage and
579 fence barriers that will be put in place and wants those to be considered.

580
581 Commissioner Welch made a motion to approve Z018-040 with staff recommendations.
582 Commissioner Womble seconded the motion which passed by a vote of 4-1 with Commissioner
583 Fishman dissenting and Chairman Lyons and Commissioner Moeller absent.

584
585
586 11. Z2018-041

587 Hold a public hearing to discuss and consider a request by Michael McDonald of Pavilion Development
588 Company on behalf of Jay Homan of Rockwall 205-552, LLC for the approval of a Specific Use Permit
589 (SUP) for a *Minor Auto Repair Garage (i.e. Firestone Complete Auto Care)* on a 1.17-acre portion of a
590 larger 5.683-acre parcel of land identified as Lot 2, Block A, Dalton-Goliad Addition, City of Rockwall,
591 Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay
592 (N. SH-205 OV) District, addressed as 3255 Dalton Road and take any action necessary.

593
594 Senior Planner, David Gonzales, gave a brief explanation of the request. The applicant is
595 requesting the approval of a Specific Use Permit to allow a minor auto repair garage, Firestone
596 Complete Auto Care, in a General Retail District. The proposed minor auto repair garage will be
597 approximately 6,623 square feet and situated on a 1.17-acre portion of a larger 5.683-acre parcel
598 of land. According to the Unified Development Code minor auto repair is defined as the
599 replacement of any part or repair that does not require removal of the either the engine head or
600 pan, transmission or differential and incidental body or fender work, minor painting and
601 upholstering, or quick lube services for passenger vehicles 7,000 pounds and below. According
602 to the UDC, a minor auto repair garage is permitted as a stand-alone use in a General Retail
603 District with a Specific Use Permit. The UDC goes on the state that the garage doors or bays
604 shall not face a public street or a residential lot. The applicant has provided a concept plan
605 showing the garage bays facing east toward the proposed Aldi Grocery Store that is currently
606 under construction. Once the Aldi Grocery Store has been built, the bay doors would be
607 screened from the public rights-of-way. Additionally, the Unified Development Code states that
608 no vehicles, equipment, parts, and/or inventory shall be stored outside overnight and that all
609 work must be completed in an enclosed building. These have been made conditions of approval
610 in the SUP ordinance. Additionally the UDC states that any commercial use that has a side or
611 rear contiguous to any residential district shall be screened with a masonry fence, although tilt
612 wall or concrete block are prohibited; however, precast walls may be approved by the planning
613 and zoning commission, six feet in height. As an alternative, berms in conjunction with a
614 minimum of a six-foot wrought fence and a combination of trees and shrubs can be utilized to
615 meet the screening requirements if the Planning and Zoning Commission determines that the
616 proposed alternative will provide sufficient screening. The applicant has provided a landscape

617 plan indicating screening with assorted canopy trees, accent trees, and shrubs from the
618 adjacent Nebbie Williams Elementary School, which is zoned Single-Family 10 District. The
619 proposed landscape screening includes the addition of a three foot high berm. The applicant
620 provided a Tire Shop Facility Noise report for the Planning and Zoning Commission's review.
621 This report provides details regarding building design & orientation, measurement equipment,
622 noise events, and other measurements. As you may recall, the applicant had indicated this
623 report would be provided to the Commission since there was a question regarding the noise
624 level of this type of operation and its adjacency to the Nebbie Williams Elementary School. The
625 applicant's request conforms to all applicable requirements regarding a Specific Use Permit for
626 a minor auto repair garage within a General Retail District; however, if approved this would be
627 the first SUP allowing for this use within the General Retail District. Granting a SUP remains a
628 discretionary act of the City Council. If approved, the applicant will be required to submit a site
629 plan and replat.

630
631 Mr. Gonzales further indicated that a concern during the work session had been possible noise
632 and how that would affect the neighboring elementary school and the applicant has provided a
633 noise report and will speak further to that.

634
635 Mr. Gonzales went on to state that on August 30, 2018 staff mailed 17 notices to property owners
636 and residents within 500-feet of the subject property and also emailed a notice to the Shores/Ray
637 Hubbard and Stone Creek Homeowner's Associations. Staff received one notice in favor of the
638 request.

639
640 Mr. Gonzales advised the Commission advised that the applicant was present and available for
641 questions as well as staff.

642
643 Vice-Chairman Chodun asked the applicant to come forward.

644
645 Laura Hoffman
646 2728 N. Harvard Street
647 Dallas, TX
648

649 Ms. Hoffman came forward stated she is present representing the applicant she provided a brief
650 power point presentation that spoke of the Firestone Brand. She shared that they expect very
651 low traffic since the expected customers usually does not exceed more than thirty a day. They
652 are very sensitive to the school's close proximity and they have reached out to them and will
653 continue to work with them throughout the development process but has not heard back from
654 them as of yet. She shared that the space between the school and the development is roughly
655 500 feet and with the screening they are proposing would be a good transition and buffer
656 between the school and the Aldi. She advised the Commission that one of the project engineers
657 would elaborate on the screening they are proposing.

658
659 Jeff Smith
660 CEI Engineering
661 3108 SW Regency Parkway
662 Bentonville, AR
663

664 Mr. Smith came forward and indicated he is also representing the applicant. The building will be
665 approximately 6,600 square feet and will have eight service bays which will all face towards the
666 east and all of the parking will be on the northeast and south sides with the only drive line being
667 in the back and it will be for the purpose of a fire lane and deliveries. Their landscape plan
668 shows it will be heavy screening which will include canopy trees, evergreen trees along the west
669 side of the site. There is currently a ten foot landscape buffer platted there however they are
670 looking to extend that to a nineteen to twenty feet to be able to fix a three foot berm in addition
671 to all of the trees and shrubs. Mr. Smith provided a few exhibits showing the proposed
672 landscape buffer and how those would fit with an existing rod iron fence that currently sits along
673 the property line which separates the two sites.

674
675 Todd Carr
676 Pavilion Development
677 2929 Alamo Drive
678 Orlando, TX

679 Mr. Carr came forward and spoke of the sound study that was conducted which they feel
680 concluded that noise should not be an issue due to the positioning of the building as well as
681 with the landscape buffer they will be providing.
682

683 Commissioner Womble asked staff if by right a gas station could be developed on the site. Mr.
684 Gonzales indicated that by right it would have to be gas station with only two pumps otherwise it
685 would require a Specific Use Permit.
686

687 Commissioner Fishman asked why they are opting to use a landscape buffer as opposed to a
688 masonry wall. Mr. Carr indicated they are open to that option however there is an existing rod
689 iron wall on the school property and by erecting another one it may create dead space between
690 the two which may be problematic.
691

692 Commissioner Logan expressed concern pertaining to the location she does not feel it would be
693 a good fit within such close proximity to not only the school but to neighboring residences.
694

695 Commissioner Welch s

696
697 Vice Chairman opened up the public hearing asked if anyone wished to speak to come forward
698 and do so.
699

700 Chris Cuny
701 2 Horizon Court
702 Heath, TX
703

704 Mr. Cuny came forward and shared that he serves on the school board and was not speaking
705 on the schools behalf however since the applicant has indicated they have not heard back from
706 the applicant's attempt to contact them, he could speak to them and work with them through the
707 process and share it with the school board. Mr. Cuny indicated he is neither for nor against the
708 request.
709

710 Donald Silverman
711 14801 Quorum Drive
712 Dallas, TX
713

714 Mr. Silverman came forward and stated he is the developer and has been doing retail
715 development over the DFW area for over two decades. He shared that they liked this location for
716 this use due to the low impact on traffic and with the noise report that was conducted they feel
717 that should not be an issue because of how they will be positioning the building. They work with
718 communities before development and have found that landscape is always the better fit as
719 opposed to a wall however they will work with the school as to what they would prefer.
720

721 Bob Wacker
722 309 Featherstone
723 Rockwall, TX
724

725 Mr. Wacker came forward and expressed being in favor of the request. He feels that this type of
726 business is needed as there is only one other Firestone and it is on the other side of town. He
727 shared that he prefers the landscape buffer and it will serve a good buffer between the school
728 and the Aldi. He feels that the applicant has worked through the concerns that have been
729 brought up.
730

731 Todd White
732 1735 Plumber
733 Rockwall, TX
734

735 Mr. White came forward and expressed his strong opposition to the request. He does not feel
736 this use fits this land with such close proximity to the school and a church. He urged the
737 Commission to deny the request.
738

739 Amy Binns
740 2651 Nova Park

741 Rockwall, TX

742
743 Ms. Binns generally expressed being in opposition of the request. She is concerned with the
744 traffic and noise the development will generate. She has kids that attend the neighboring school
745 and she does not feel this is a good fit with such proximity to the school.
746

747 Jason Dugdale
748 828 Windham Road
749 Rockwall, TX

750
751 Mr. Dugdale expressed concern with the proximity of the school and the church and would not
752 be a good fit as well as additional added traffic of semi-trucks coming in for deliveries. He
753 shared concern with why the school would not have responded to the applicant. He is opposed
754 to the request.
755

756 Vice-Chairman Chodun asked if anyone else wished to speak to come forward there being no
757 one indicating such Vice-Chairman Chodun closed the public hearing and asked the applicant to
758 come forward for any rebuttal.
759

760 Mr. Carr came forward and addressed some of the concerns that were brought up. He indicated
761 that he could provide the email that was sent to the school district if needed. Concerning the
762 traffic he indicated that it is a low traffic generating store and they feel it will not impact the
763 school traffic. They will work with the school to provide the best screening.
764

765 Vice-Chairman brought the item back to the Commission for discussion or motion.
766

767 Commissioner Fishman expressed not being in favor of the request due to the proximity of the
768 school.
769

770 Commissioner Fishman made a motion to deny Z2018-041. Commissioner Logan seconded the
771 motion which passed by a vote of 3-2 with Commissioners Chodun and Welch dissenting and
772 Chairman Lyons and Commissioner Moeller absent.
773

774 12. Z2018-042
775 Hold a public hearing to discuss and consider approval of a text amendment to Article V, *District*
776 *Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of
777 amending the *Development Standards*, and take any action necessary.
778

779 Vice-Chairman indicated that the applicant has requested to withdraw the case and made a
780 motion to accept the applicant's request to withdraw Z2018-042. Commissioner Fishman
781 seconded the motion which passed by a vote of 5-0 with Chairman Lyons and Commissioner
782 Moeller absent.
783

784
785 V. ACTION ITEMS

786
787 13. SP2018-017
788 Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Phillip McNeill
789 of Summer Lee Rockwall, LLC for the approval of a site plan for a hotel on a 2.12-acre tract of land
790 identified as portions of Lot 2A, Isaac Brown Addition and Lot 2, Block A, Harbor Village Addition, City of
791 Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the
792 Scenic Overlay (SOV) District and the Interior, Horizon/Summer Lee and Residential Subdistricts of
793 Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located
794 adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer
795 Lee Drive, and take any action necessary.
796

797 Planning Director, Ryan Miller, gave a brief explanation and background of the request. The
798 subject property is zoned Planned Development District 32 and is situated within the Scenic
799 Overlay District and the Interior, Horizon/Summer Lee and Residential Subdistricts. On March 5,
800 2018, the City Council approved Ordinance No. 18-16 granting a PD Development Plan for a hotel
801 on the 2.12-acre subject property. This ordinance also granted the hotel the ability to extend the
802 height of the structure above the 36-foot height restriction stipulated by the Scenic Overlay

803 District; however, the ordinance also obligated the property to meet the requirements of Planned
804 Development District 32 at the time of site plan. In accordance with this approval, the applicant
805 submitted a site plan for a four story, 45,900 square foot hotel on June 15, 2018. The submitted
806 plan shows that the hotel will incorporate 98 traditional hotel rooms not extended stay. When the
807 applicant met with the Architectural Review Board during the work session the ARB had
808 numerous requests for the applicant, they have been working with the ARB to ensure a positive
809 recommendation which they got this evening and are now requesting approval for the site plan.
810 Mr. Miller indicated staff provided the Commission with a complete list to the density and
811 technical requirements and how the hotel conforms to those. In addition there are some
812 variances, waivers and exceptions associated with the case all of which Mr. Miller went over
813 thoroughly.

814
815 Mr. Miller advised the Commission the applicant was present and available for questions as well
816 as staff.

817
818 Vice Chairman asked the applicant to come forward.

819
820 Cameron Slown
821 FC Cuny Corporation
822 2 Horizon Court
823 Heath, TX

824
825 Mr. Slown came forward and gave a brief explanation of the request. He shared that they have
826 diligently been working with staff as well as the Architectural Review Board to fine tune the site
827 plan to conform to PD-32 and the recommendations that the ARB provided. He advised the
828 Commission he as well as some colleagues were available for questions.

829
830 Vice Chairman Chodun asked the reason for the variance for the first floor minimum height. Mr.
831 Slown deferred the question to the project architect.

832
833 Joshua Cox
834 5091 Aspen Valley Court
835 Madison, WI

836
837 Mr. Cox came forward and explained that in these types of hotels the need for the first floor
838 height is not as necessary as many retail components where taller ceiling are needed to
839 accommodate retail needs.

840
841 Commissioner Logan made a motion to approve SP2018-017 with staff recommendations.
842 Commissioner Fishman seconded the motion which passed by a vote of 5-0 with Chairman
843 Lyons and Commissioner Moeller absent.

844
845
846 14. SP2018-019 *[Postponed Until September 25, 2018]*

847 Discuss and consider a request by Brad Williams of Winstead PC on behalf of Andrew Malzer of
848 Mountain Prize, Inc. for the approval of an amended site plan for a retail store with gasoline sales on a
849 2.46-acre parcel of land identified as Lots 1 & 2 of the Woods at Rockwall Addition, City of Rockwall,
850 Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV)
851 District, located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and
852 take any action necessary.

853
854 15. SP2018-023 *[Postponed Until September 25, 2018]*

855 Discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on behalf of Shailesh C.
856 Vora of DFW Hospitality of Rockwall, LLC for the approval of a site plan for a hotel on a 2.111-acre tract
857 of land identified as a portion of Lots 7 & 8, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall,
858 Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV)
859 District and the IH-30 Overlay (IH-30 OV) District, situated south of the intersection of Carmel Circle and
860 Laguna Drive, and take any action necessary.

861
862 16. SP2018-027

863 Discuss and consider a request by Rudy Banuelos of HER Chilton YMCA Rockwall for the approval of
864 an amended site plan for a 21.76-acre parcel of land, identified as Lot 1, Block A of the Rockwall CO

865 Branch YMCA Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District
866 5 (PD-5), situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1210 N.
867 Goliad Street [SH-205], and take any action necessary.
868

869 Senior Planner, David Gonzales, gave a brief explanation of the request. The applicant, Rudy
870 Banelos, on behalf of HER Chilton YMCA Rockwall has submitted an amended site plan
871 application for the purpose of replacing the lighting facilities for two soccer fields. The ball
872 fields are located at the southern portion of the 21.76-acre parcel of land, addressed as 1210 N.
873 Goliad Street, adjacent to Caruth Lane. South of the ball fields is a 3.133-acre common area that
874 runs parallel to Caruth Lane and is maintained by the Caruth Ridge HOA. East of the subject
875 property is Raymond Cameron Lake. The property adjacent to the YMCA's northern and eastern
876 property boundary is The Parks at Squabble Creek, which is separated by a tree line. The
877 subject property is zoned Planned Development District 5, which allows primarily single-family
878 residential land uses. The City's outdoor lighting regulations of the Unified Development Code
879 do not have standards associated with a sports complexes or ball fields unless the use is for a
880 governmental agency and benefits the public which then would be exempt from these standards.
881 Additionally, the lighting regulations do not address standards in terms of the maximum
882 intensity measured at the property line or for the maximum height of light pole standards for a
883 non-governmental recreation uses. As a part of this request, the applicant has provided a
884 photometric plan that displays the lighting levels on the subject property and shows any
885 potential spill over lighting which could cause glare into the adjacent neighborhood. The
886 photometric plan establishes an illumination level for the site that generally does not exceed
887 46.9-FC. highest reading established. The plan also indicates that nine separate illumination
888 points along the northern and eastern property boundaries exceed the City's standard of 0.2-FC.
889 These readings are calculated at 0.3-FC. seven points and 0.4-FC, two points. Based on the
890 photometric plan being requested, approval of an exception by the Planning and Zoning
891 Commission is required for illumination levels greater than 20-FC within the site and for light
892 levels exceeding 0.2-FC along the north and eastern property boundaries.
893

894 Mr. Gonzales advised the Commission the applicant is present and available for questions as
895 well as staff.
896

897 Vice-Chairman Chodun asked the applicant to come forward and speak.
898

899 Rudy Banelos
900 2707 Whispering Oaks
901 Rockwall, TX
902

903 Mr. Banelos came forward and shared the reason for the request is to update old inefficient
904 lights that cannot be controlled to a cleaner energy saver light that could be controlled in
905 addition to adding nice landscaping. Mr. Banelos went on to say that the project was being
906 sponsored by donations by local sponsors and himself as well as his colleagues are all
907 volunteering to assist with making the YMCA better serve the community.
908

909 Commissioner Welch made a motion to approve SP2018-027 with staff recommendations.
910 Commissioner Logan seconded the motion which passed by a vote of 5-0 with Chairman Lyons
911 and Commissioner Moeller absent.
912

913
914 17. Director's Report of post Council meeting outcomes of Planning & Zoning cases.
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- 916 ✓ P2018-024: Lot 2, Block K, Rockwall Lake Estates West Addition [Approved]
- 917 ✓ P2018-025: Lots 6 & 7, Block A, Lakeshore Commons Addition [Approved]
- 918 ✓ P2018-026: Lot 1, Block A, Subaru Addition [Approved]
- 919 ✓ P2018-028: Lot 1 & 2, Block A, Sixty Six Lakeshore Addition [Approved]
- 920 ✓ Z2018-031: Zoning Change (AG to SF-1) for 853 Zion Hill Circle (2nd Reading) [Approved]
- 921 ✓ Z2018-032: Zoning Change (LI to PD) (1st Reading) [Tabled to September 17, 2018]
- 922 ✓ Z2018-033: Text Amendment to Article IV (1st Reading) [Approved w/ Condition]
- 923 ✓ Z2018-034: Zoning Change (AG to SFE-1.5) (2nd Reading) [Approved]
- 924 ✓ MIS2018-018: Alternative Treescape Plan for Rockwall Rental Properties, LP [Approved]
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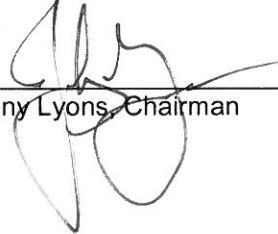
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Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting.

VI. ADJOURNMENT

Vice-Chairman Chodun adjourned the meeting at 9:30 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 13 day of November, 2018.



Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
September 25, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were Jerry Welch, Mark Moeller, Tracy Logan, John Womble, Eric Chodun and Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planer Korey Brooks, Engineering Director, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the July 31, 2018 Planning and Zoning Commission meeting.

2. P2018-031

Consider a request by First Christian Church Disciples of Christ for the approval of a replat for Lot 2, Block A, First Christian Church Disciples of Christ Addition, being a 5.231-acre parcel of land currently identified as Lot 1, Block A, First Christian Church Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 3375 Ridge Road (FM-740), and take any action necessary.

Commissioner Moeller made a motion to approve the consent agenda. Commissioner Chodun seconded the motion which passed by a vote of 7-0.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

4. Appointment with Pat Atkins of Saddlestar Land Development on behalf of the Stagliano Family Trust to consider a request to submit a new zoning application for a zoning change from an Agricultural (AG) District, Commercial (C) District and Heavy Commercial (HC) District to a Planned Development District for single family and commercial land uses on a 63.72-acre tract of land identified as Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, Commercial (C) District and Heavy Commercial (HC) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of S. Goliad Street [SH-205] and Mims Road, and take any action necessary.

Senior Planner, David Gonzales, provided a brief explanation and background of the applicant's previous requests for zoning change of the subject property. Mr. Gonzales advised the Commission that the applicant was present and was available for questions as well as staff.

Chairman Lyons asked the applicant to come forward and speak.

Pat Atkins
Saddle Star Development
3076 Hays Road
Rockwall, TX

Mr. Atkins came forward and provided a brief explanation of the changes that have been made that they feel are sufficient enough changes to respectfully ask the Commission's approval to allow them to submit a new application. Mr. Atkins indicated he was available for questions.

2 Chairman Lyons brought the item back to the Commission for discussion or action.

3
4 Commissioner Chodun generally expressed not being in favor of approval, he shared he does not feel
5 the applicant has made a substantial enough change to meet the standards required.

6
7 Commissioner Chodun made a motion to deny the request for approval of an application resubmittal.
8 Commissioner Moeller seconded the motion which passed by a vote of 7-0.

9
0
1 IV. ACTION ITEMS

2
3 5. SP2018-019

4 Discuss and consider a request by Brad Williams of Winstead PC on behalf of Andrew Malzer of Mountain
5 Prize, Inc. for the approval of an amended site plan for a retail store with gasoline sales on a 2.46-acre
6 parcel of land identified as Lots 1 & 2 of the Woods at Rockwall Addition, City of Rockwall, Rockwall County,
7 Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the
8 southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and take any action necessary.

9
0 Senior Planner, David Gonzales, provided a brief explanation of the request. The applicant came
1 before the Commission at work session on July 31, 2018 and at that time the Architectural Review
2 Board made a motion to approve the elevations, however after the work session the applicant
3 contacted staff and wanted to make sure as they move forward that there would be no variances
4 requested because at that time there was going to be one variance to the rear elevation which faces
5 the Walmart property and because of that it had since then been tabled. However they have since
6 made a change to the rear elevation and meet the technical requirements and there are no variances
7 as it moves forward. Mr. Gonzales further indicated that the applicant is making some minor
8 modifications to the site plan for improved drainage for the facility as well as a reduction of gas
9 dispensers from eight to seven.

0
1 Mr. Gonzales advised the Commission that the Architectural Review Board made a recommendation of
2 approval and indicated that the applicant was present and available for questions as well as staff.

3
4 Chairman Lyons asked the applicant to come forward.

5
6 Brad Williams
7 2728 North Harwood Street
8 Dallas, TX

9
0 Mr. Williams came forward and provided a brief power point presentation that went over the request
1 and changes that were made to the project since approval in July and indicated he was available for
2 questions.

3
4 Chairman Lyons brought the item back to the Commission for questions or action.

5
6 Commissioner Chodun made a motion to approve SP2018-019 with staff recommendations.
7 Commissioner Welch seconded the motion which passed by a vote of 7-0.

8
9
0 6. SP2018-023

1 Discuss and consider a request by Pan S. Sribhen, P. E. of PSA Engineering on behalf of Shailesh C. Vora
2 of DFW Hospitality of Rockwall, LLC for the approval of a site plan for a hotel on a 2.111-acre tract of land
3 identified as a portion of Lots 7 & 8, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall
4 County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District and the IH-
5 30 Overlay (IH-30 OV) District, situated south of the intersection of Carmel Circle and Laguna Drive, and
6 take any action necessary.

7
8 Senior Planner, David Gonzales, provided a brief explanation and background of the request. The
9 applicant, Pan Sribhen, is requesting the approval of a site plan for the purpose of constructing a
0 three story, 39,060 square foot hotel that will incorporate a total of 87 traditional hotel rooms meaning
1 they will not contain kitchen facilities or cook-tops. The SUP restricts the maximum overall height of
2 the building to 36-feet. Additionally, the SUP stipulates that the development shall generally be in
3 conformance with the concept plan and building elevations depicted in the ordinance. As you may
4 recall during the work session held on July 31, 2018, the Planning and Zoning Commission requested

5 the applicant meet the articulation standards as established in the Unified Development Code. The
6 applicant has made revisions to the building elevations that represent conformance to the UDC;
7 therefore, no variances are being requested. However, a recommendation from the Architectural
8 Review Board forwarded to the Planning and Zoning Commission is required by the SUP prior to final
9 approval by the Planning and Zoning Commission. The applicant has provided a treescape plan
0 indicating a total of 148 caliper inches being removed from the site, the majority of which are White
1 Oak trees. The applicant intends to mitigate for all inches on site by planting a total of 358-inches
2 caliper in order to satisfy the mitigation. This will leave a credit balance of 210-inches caliper being
3 applied towards the treescape plans associated within the Vora Addition. According to the Unified
4 Development Code the Planning and Zoning Commission will review and approve or disapprove the
5 treescape plan. The decision of the Planning and Zoning Commission may be appealed to the City
6 Council. The mitigation is considered to be satisfied. On July 31, 2018, the Architectural Review
7 Board reviewed the proposed building elevations for the site. The board requested the applicant
8 incorporate the Coronado stone with the wood appearance at the main entrance where the AVID logo
9 is located. The board shared their concern for the lack of vertical and horizontal elements that
0 provide relief for the building. Mr. Gonzales further detailed the recommendations shared by the
1 Architectural Board as they met prior to the meeting.

2
3 Mr. Gonzales advised the Commission that the applicant was present and available for questions as
4 well as staff.

5
6 Chairman Lyons asked the applicant to come forward.

7
8 Pan Sribhen
9 17819 Davenport Road
0 Dallas, TX

1
2 Mr. Sribhen came forward and shared a brief power point presentation that went over the request and
3 explained the changes they have made per the recommendations and conversations they have
4 received from the Architectural Review Board.

5
6 Chairman Lyons brought the item back to the Commission for discussion or action.

7
8 Extensive general discussion took place between the Commission concerning what the best fitting
9 elevation of the building and articulation from options given in regards to the recommendations from
0 the Architectural Review Board.

1
2 Commissioner Womble made a motion to approve the vertical articulation to come down 2 feet and
3 the tower element to come up to the maximum 36 foot height to be more in line with the original
4 option. Commissioner Welch seconded the motion which passed by a vote of 7-0.

5
6
7 V. DISCUSSION ITEMS

8
9 7. Z2018-042
0 Hold a public hearing to discuss and consider the approval of a text amendment affecting various sections
1 of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of generally amending the
2 *Development Standards* and procedural processes for the approval of *Variances*, *Exceptions*, and *Waivers*,
3 and take any action necessary.

4
5 Planning Director, Ryan Miller, provided a brief explanation of the request. On September 4, 2018, the
6 City Council directed staff to initiate a text amendment that would address issues relating to the
7 variance approval process specifically, the City Council cited issues with the amount of variances
8 relating to articulation, roof design, materials, and other technical requirements typically associated
9 with development in an overlay district and the approval process for these variances. Taking this into
0 consideration, staff prepared a text amendment that incorporates three strategies that the City
1 Council could enact to change the approval process for variances relating to technical requirements
2 and reduce the number of variances being requested. Mr. Miller went over those three strategies and
3 indicated staff was available for questions.

4
5 Chairman Lyons as if the Commission approves a variance and City Council is not in favor of that
6 approval what would then take place. Mr. Miller indicated that once the Planning and Zoning
7 Commission approves a variance it is approved and would not go to City Council. However, if the

1 situated within the Old Town Rockwall (OTR) Historic District and the Historic Overlay (HOV) District,
2 addressed as 201 S. Clark Street, and take any action necessary.
3

4 **Planner, Korey Brooks, gave a brief explanation of the request. The applicant is requesting to**
5 **subdivide the parcel into two parcels. The plat does meet the technical requirements and is only**
6 **coming before the Planning and Zoning Commission because it has to go before the Parks Board to**
7 **have park fees established. The subject property is within the Historic District and if approved staff**
8 **would then initiate a case to go before the Historical Board to remove the contributing status from the**
9 **back portion that is being split off of the main structure.**

1 **Mr. Brooks advised the Commission that the applicant was present and available for questions as well**
2 **as staff.**
3

4 **Chairman Lyons asked the applicant to come forward.**
5

6 **Kristy Jones**
7 **608 E. Washington Street**
8 **Rockwall, TX**
9

1 **Ms. Jones came forward and indicated the intent of the request is to build one house.**

2 **There being no further questions Chairman Lyons indicated the case will return to the Commission for**
3 **action at the next scheduled meeting.**
4

5 10. P2018-033

6 Discuss and consider a request by Matthew St. Marie of G&A Consultants, LLC on behalf of Spencer
7 Byington of SWBC Rockwall, LP for the approval of a final plat for Lot 1, Block A, SWBC Rockwall Addition,
8 Phase 1 being currently identified as a 21.280-acre tract of a larger 42.555-acre tract of land identified as
9 Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned
0 Planned Development 83 (PD-83) District, situated within the SH-205 By-Pass Overlay (205 BY-OV)
1 District, located east of the intersection of Discovery Boulevard and John King Boulevard, and take any
2 action necessary.
3

4 **Senior Planner, David Gonzales, indicated that the reason the request is before the Planning and**
5 **Zoning Commission is because the case has to go before the Parks Board to assess to establish fees**
6 **and will be on the Consent Agenda at the next scheduled meeting.**
7

8 **Mr. Gonzales advised the Commission that the applicant was present and available for questions as**
9 **well as staff.**
0

1 **No discussion took place concerning the request.**
2

3 **There being no questions Chairman Lyons indicated the case will return to the Commission for action**
4 **at the next scheduled meeting.**
5

6 11. SP2018-028

7 Discuss and consider a request by Debora Allegranti of CBOCS Texas, LLC on behalf of Eric Borkenhagen
8 of Kohls Illinois, Inc. for the approval of a site plan for a restaurant on a 1.61-acre portion of a larger 9.0142-
9 acre parcel of land identified as Lot 1, Block A, Rockwall Market Center East Addition, City of Rockwall,
0 Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)
1 District, situated west of the intersection of Mims Road and the frontage road for E. IH-30, and take any
2 action necessary.
3

4 **Planner, Korey Brooks, indicated the applicant was present and would go over the request and answer**
5 **any questions and staff would be available for any additional questions.**
6

7 **Chairman Lyons asked the applicant to come forward.**
8

9 **Brenda Shackelford**
0 **Design Engineering**
1 **1645 Westgate Circle**
2 **Dallas, TX**
3

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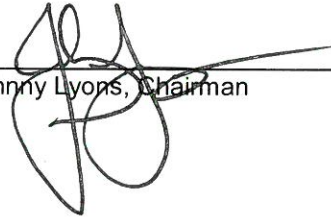
VI. ADJOURNMENT

Chairman Lyons adjourned the meeting at 7:34 p.m.

VII. WORK SESSION: 2018 COMPREHENSIVE PLAN UPDATE

14. A work session will be held in the City Council meeting room immediately following the adjournment of the September 25, 2018 Planning and Zoning Commission Work Session meeting to discuss the Comprehensive Plan.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,
Texas, this 27 day of November, 2018.



Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
October 9, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:05 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, John Womble, Eric Chodun and Tracey Logan. Absent from the meeting was Commissioner Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planners, David Gonzales and Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the August 14, 2018 Planning and Zoning Commission meeting.

2. P2018-029

Discuss and consider a request by Derek Jones of Munson Partners, LLC for the approval of a replat for Lots 1 & 2, Block A, Jones Addition, being a 0.488-acre tract of land currently identified as Lot 47A of the BF Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District and the Historic Overlay (HOV) District, addressed as 201 S. Clark Street, and take any action necessary.

3. P2018-033

Discuss and consider a request by Matthew St. Marie of G&A Consultants, LLC on behalf of Spencer Byington of SWBC Rockwall, LP for the approval of a final plat for Lot 1, Block A, SWBC Rockwall Addition, Phase 1 being currently identified as a 21.280-acre tract of a larger 42.555-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 83 (PD-83) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery Boulevard and John King Boulevard, and take any action necessary.

4. MIS2018-019

Discuss and consider a request by Camille La Foy of J.C. La Foy & Associates, LLC on behalf of MCP Residential, LTD for the approval of a Tree Mitigation Plan for an age/restricted senior living community consisting of 46 single-family lots on a 15.826-acre tract of land identified as Lots 5 & 7, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68), situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of S. Goliad Street [SH-205] north of the intersection of S. Goliad Street and Justin Road, and take any action necessary.

Commissioner Moeller made a motion to approve the consent agenda with a correction in the Minutes for the motion made to Agenda Item #10 which should reflect Commissioner Welch made a motion to approve and Commissioner Moeller seconded the motion. Commissioner Chodun seconded the motion with the correction which passed by a vote of 6-0 with Commissioner Fishman absent.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

63 IV. PUBLIC HEARING ITEMS

64
65 6. Z2018-042

66 Hold a public hearing to discuss and consider the approval of a text amendment affecting various
67 sections of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of generally amending
68 the *Development Standards* and procedural processes for the approval of *Variances*, *Exceptions*, and
69 *Waivers*, and take any action necessary.
70

71 Planning Director, Ryan Miller gave an explanation of the request. The City Council directed staff
72 to initiate a text amendment that would address issues relating to the variance, waiver and
73 exception approval process. Specifically, the City Council cited issues with the amount of
74 variances, waivers and exceptions relating to articulation, roof design, materials, and other
75 technical requirements typically associated with development in an overlay district and the
76 approval process for these variances. In addition, the City Council expressed a desire to
77 address the number of Specific Use Permits being approved for accessory buildings. Taking all
78 of this into consideration, the Planning and Zoning Department has prepared a text amendment
79 that incorporates three strategies that the City Council could enact to [1] change the approval
80 process for variances relating to technical requirements, [2] clarify the requirements for
81 development, overlay district requirements, accessory building standards, and [3] reduce the
82 rhetoric contained within the code by simplifying language, removing antiquated sections of the
83 code, and removing duplicated requirements. Changing the approval process for variances,
84 waivers and exceptions associated with technical requirements will reduce the caseload going
85 to the City Council. Since the Planning and Zoning Commission is the body responsible for
86 technical approvals, approving site plans, the City Council could choose to grant the Planning
87 and Zoning Commission the ability to approve variances, waivers and exceptions to technical
88 requirements for items like materials, articulation, roof design, architectural features, and
89 etcetera. Under this scenario, the only time the City Council would see variances, exceptions
90 and waivers would be if the Planning and Zoning Commission denies a request, and an applicant
91 chooses to appeal the decision to the City Council.
92

93 Chairman Lyons asked for questions from the Commission for staff.
94

95 Commissioner Chodun asked if the appeal would be automatic. Mr. Miller indicated it would not
96 be automatic a notice would have to be received in writing from the applicant indicating they
97 would like to appeal.
98

99 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
100 forward and do so there being no one indicating such; Chairman Lyons closed the public
101 hearing and brought the item back to the Commission for discussion or a motion.
102

103 Commissioner Welch made a motion to continue the public hearing to the October 30, 2018
104 scheduled meeting. Commissioner Womble seconded the motion which passed by a vote of 6-0
105 with Commissioner Fishman absent.
106

107
108 7. Z2018-043

109 Hold a public hearing to discuss and consider a request by Michael Worrell of Rockwall Honda for the
110 approval of an amendment to SUP No. S-76 (*Ordinance No. 10-26*) to allow changes to be made to an
111 existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land
112 identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas,
113 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action
114 necessary.
115

116 Senior Planner, David Gonzales, gave a brief explanation of the request. The applicant, Michael
117 Worrell of Rockwall Honda is requesting the approval of an amendment to SUP No. S-76
118 [*Ordinance No. 10-26*] for the purpose of allowing the addition of three (3) canopy shade
119 structures on the site. The proposed shade structures will be located on the east side of the
120 property and provide shade for the displayed vehicles. The applicant is also requesting to
121 provide concrete paving for the display areas which are located on the east and south sides of
122 the property. These areas are currently grass surfaces. Additionally, the applicant is requesting
123 to allow for the display area to be expanded within the ten foot landscape buffer strip along East
124 IH-30. It should be known that staff has communicated with the applicant regarding the

125 landscape buffer. The applicant intends to provide four (4) under-story trees with shrubs along
126 this landscape buffer, amending their landscape plan and meeting the minimum 15% landscape
127 coverage for a commercial property. This has been added as a condition of approval, and has
128 been incorporated into the SUP Ordinance. In Mr. Worrell's letter, he is requesting that the
129 display area on the east side of the building be converted to parking spaces that are adjacent to
130 the primary entrance to the building. According to Section 2.19, of the Engineering Standards of
131 Design and Construction Manual, the spaces are required to be a minimum 9-ft x 20-ft, with a 24-
132 ft drive aisle. The applicant is requesting that these spaces be 9-ft x 18-ft. This would require
133 the applicant to demonstrate a hardship, and would require approval of a waiver to the
134 Engineering Standards of Design and Construction by the City Council in order to construct
135 non-conforming parking spaces. The approval of a waiver is discretionary to the City Council,
136 and has been included as a condition of approval. If approved, the applicant will be required to
137 submit a site plan and civil engineering plans for the display areas, including a building permit
138 for the canopy shade structures. Approval of an SUP is discretionary for the City Council. Mr.
139 Gonzales further explained the recommendations should the Planning and Zoning Commission
140 chooses to recommend approval of the applicant's request to amend SUP No. S-76 to allow
141 changes to be made for a Motorcycle Dealership with Accessory Boat and Trailer Sales use on
142 the subject property.

143
144 Mr. Gonzales further stated that on September 21, 2018, staff mailed 17 notices to property
145 owners and residents within 500-feet of the subject property and also emailed a notice to the
146 Waterstone Homeowner's Associations. Staff had received two notices in favor of the
147 applicant's request.

148
149 Mr. Gonzales indicated that the applicant was present and available for questions as well as
150 staff.

151
152 Chairman Lyons asked for any questions from the Commission.

153
154 Commissioner Welch shared that in visiting the facility he noticed they have a display on what
155 appears not to be their property and would that be allowed or are they infringing on that abutting
156 property. Mr. Gonzales indicated the applicant could better answer that. Mr. Miller added that it is
157 not a part of the applicant's property but is platted as a part of the adjacent property with a
158 shared drive.

159
160 General discussion took place regarding concerns with the landscape buffer being proposed.

161
162 Chairman Lyons opened up the public hearing and asked the applicant to come forward.

163
164 Michael Worrell
165 1030 E. IH-30
166 Rockwall, TX

167
168 Mr. Worrell came forward shared further details of their request and indicated he was available
169 for questions.

170
171 Commissioner Womble asked for further elaboration of what is being proposed to be concreted
172 is it up to their property line and is zero landscaping being proposed. Mr. Worrell indicated that
173 they are proposing no landscaping buffer and believes they have a ten foot for TXDOT easement
174 however he shared that in the rendering he can be more specific. They would like to pave up to
175 their property line in the four foot agriculture easement and the setback would be where they are
176 proposing for the concrete that is existing currently. Mr. Miller clarified that the applicant cannot
177 encroach beyond their property line into TXDOT right of way.

178
179 Chairman Lyons asked if anyone wished to speak to come forward and do so; there being no on
180 indicating such Chairman Lyons brought the item back to the Commission for discussion or
181 action.

182
183 Extensive general discussion took place regarding the landscape buffer and the setbacks of
184 where the applicant is proposing to concrete to allow for displays as well as canopy placement.
185 Discussion to continue the public hearing was brought up to allow the applicant additional time

186 to gather additional information to provide to the Commission and work with staff with issues
187 that were brought up.
188

189 Chairman Lyons made a motion to continue the public hearing to the October 30, 2018
190 scheduled meeting. Commissioner Moeller seconded the motion which passed by a vote of 6-0
191 with Commissioner Fishman absent.
192

193
194 V. ACTION ITEMS
195

196 8. SP2018-028

197 Discuss and consider a request by Debora Allegranti of CBOCS Texas, LLC on behalf of Eric
198 Borkenhagen of Kohls Illinois, Inc. for the approval of a site plan for a restaurant on a 1.61-acre portion
199 of a larger 9.0142-acre parcel of land identified as Lot 1, Block A, Rockwall Market Center East Addition,
200 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30
201 Overlay (IH-30 OV) District, situated west of the intersection of Mims Road and the frontage road for E.
202 IH-30, and take any action necessary.
203

204 Senior Planner, Korey Brooks, gave a brief explanation of the request. The applicant is
205 requesting approval of a site plan for an 9,290 square foot restaurant to be a Cracker Barrel on
206 the subject property. The proposed restaurant will be situated on a 1.62-acre portion of a larger
207 9.0142-acre parcel of land that is currently occupied by Kohl's. The subject property is zoned
208 Commercial District and situated within the IH-30 Overlay District. The subject property is an
209 existing parking lot and pole sign that will be demolished in order to construct the new
210 restaurant. By developing this portion of the subject property as shown in the site plan, the
211 parking lot for the existing department store will be reduced; however, both the department
212 store and the restaurant will meet the parking requirements stipulated by the Unified
213 Development Code. The restaurant will face IH-30 with the rear of the building facing a Amanda
214 Rochell Elementary School. The proposed restaurant is permitted by-right in a Commercial
215 District and will not require additional approvals. The restaurant will have approximately 180
216 seats and will be accessible via the existing Kohl's drive aisle to the west of the restaurant, and
217 an existing drive aisle to the east of the subject property. In addition to the existing drive aisles,
218 the subject property will have cross-access to the adjacent shopping center. The applicant
219 provided a treescape plan indicating a total of 76 caliper inches being removed from the site, the
220 majority of which are Oak trees which are primary protected trees. According to the UDC, the
221 removal of any primary protected tree requires the approval of the Planning and Zoning
222 Commission. The applicant has submitted a landscape plan showing the mitigation balance
223 satisfied by the proposed landscaping to be planted on site.
224

225 Mr. Brooks further explained that the submitted site plan, landscape plan, photometric plan, and
226 building elevations conform to the technical requirements contained within the Unified
227 Development Code with the exception of a few variances. The applicant is requesting variances
228 to the IH-30 Overlay District standards. The UDC allows variances to be granted when there is a
229 corporate identity that conflicts with the design standards of a district. In this case the requested
230 variances are because of the corporate identity of the restaurant. All variances will require a ¾
231 majority vote from the City Council. Mr. Brooks explained the variances sharing that for the
232 horizontal articulation the Unified Development Code states that no building wall shall extend for
233 a distance equal to three times the wall's height without having an offset of 25% of the wall's
234 height, and that new plane shall extend for a distance equal to at least 25% of the maximum
235 length of the first plane. In this case, the offsets should be five feet, however, the applicant is
236 providing two foot offsets on the northeast, southwest, and southeast elevations. Additionally,
237 the applicant is not providing any horizontal articulation on the northwest elevation being the
238 front elevation. The proposed restaurant does have a front porch that extends the length of the
239 building that provides some relief in the wall plane. For the Vertical Articulation the UDC states
240 that no horizontal wall shall extend for a distance greater than three times the height of the wall
241 without a change in height by a minimum of 25% of the wall's height. In this case, the change in
242 height for the front façade is 3 ½-feet which is 1 ½-feet shorter than the requirement. In regards
243 to the variance for Masonry Requirements the UDC states that each façade shall be limited to
244 50% cementitious materials. In this case, the applicant is proposing to utilize between 63% to
245 80% cementitious material on the building façades. Mr. Brooks stated that the Architectural
246 Review Board reviewed the variances and recommended approval.
247

248 Mr. Brooks indicated that the applicant was present and available for questions as well as staff.

249
250 Chairman Lyons asked for questions from the Commission for staff.

251
252 Commissioner Welch asked if the applicant is proposing to use natural stone. Mr. Brooks
253 explained that when the request was originally submitted the applicant was proposing cultured
254 stone however the ARB requested a natural stone instead as well as more articulation and the
255 applicant made those changes.

256
257 Chairman Lyons asked the applicant to come forward.

258
259 Walker Westbrook
260 845 E. IH-30
261 Rockwall, TX

262
263 Mr. Westbrook came forward and indicated he represents Cracker Barrel. He added that the
264 cementitious material variance is due to their corporate branding that is used around the
265 country. He indicated he was available for questions.

266
267 Commissioner Logan asked why the requirements for the horizontal articulation could not be
268 met. Mr. Westbrook explained that for the sides of the buildings it is a prototypical restaurant
269 and with the horizontal articulation there would be significant reworking to the interior of the
270 restaurant as well as to the look. They feel the two foot setback accomplish the intent of the
271 code with trying to give the building some articulation and visual depth.

272
273 Commissioner Womble expressed concern with the horizontal articulation variance that does
274 not appear to be a hardship in this case because there is room on site.

275
276 Commissioner Welch made a motion to approve SP2018-028 with staff recommendations.
277 Commissioner Chodun seconded the motion which passed by a vote of 6-0 with Commissioner
278 Fishman absent.

279
280
281 9. SP2018-029

282 Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland
283 of TEKMAK Development Company for the approval of a site plan for a residence hotel on a 2.8-acre
284 tract of land being a portion of a larger 8.613-acre tract of land Tract 4 of the J. D. McFarland Survey,
285 Abstract No. 145, and Lot 1, Block B, Goldencrest Addition, City of Rockwall, Rockwall County, Texas,
286 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of
287 the intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.

288
289 Senior Planner, Korey Brooks, gave a brief explanation and background of the request. In 2017
290 the City Council approved a Specific Use Permit allowing a residence hotel on the subject
291 property. The proposed residence hotel will be situated on a 2.8-acre portion of a larger 8.613-
292 acre tract of land and will be situated behind Texas Roadhouse. The residence hotel will be four
293 stories and will be approximately 16,210 square feet and have 112 units with kitchen facilities.
294 The hotel will be accessible from IH-30 via a mutual access easement and the main driveway
295 located on Greencrest Boulevard. The hotel will utilize underground parking as well as surface
296 parking. The applicant has provided a treescape plan indicating a total of 179 caliper-inches
297 being removed from the site, the majority of which are Oak and Elm trees which are primary
298 protected trees. According to the Unified Development Code, the removal of any primary
299 protected tree requires the approval of the Planning and Zoning Commission. The applicant has
300 submitted a landscape plan showing the mitigation balance satisfied by planting 182 caliper-
301 inches on site.

302
303 Mr. Brooks went on to explain that the submitted site plan, landscape plan, treescape plan,
304 photometric plan, and building elevations conform to the technical requirements contained
305 within the Unified Development Code development standards with the exception of a few
306 variances. Mr. Brooks indicated that the applicant is requesting variances to the IH-30 Overlay
307 District Standards. The first variance is to the cultured stone the applicant is proposing to utilize
308 cultured stone in-lieu of natural/quarried stone. The second variance is for the stone
309 requirement according to the Unified Development Code each exterior wall shall consist of 20%

310 natural or quarried stone. In this case, the rear elevation is below the minimum stone
311 requirement at 13% stone. The third variance is for the materials. According to the UDC,
312 cementitious materials such as stucco shall be limited to 50% of each building façade. In this
313 case, the applicant is proposing to utilize between 67% and 71% stucco on each building façade.
314 The final variance request is to the secondary materials. According to the UDC, secondary
315 materials shall be limited to 10% or less on each facade. In this case, the applicant is proposing
316 to utilize between 12% and 16% elastomeric coating, secondary material, on the sides and rear
317 facades. The Architectural Review Board reviewed all the variances and recommended denial of
318 the secondary material variance along with the cultured stone variance but recommend approval
319 of the 13% stone on the rear elevation as well as the cementitious materials. The ARB also
320 recommended postponing the case to allow the applicant to address some of the concerns they
321 had, however that recommendation is discretionary to the Planning and Zoning Commission.
322

323 Mr. Brooks advised the Commission that the applicant was present and available for questions
324 as well as staff.
325

326 Chairman Lyons asked the applicant to come forward.
327

328 Tom Kirkland
329 2601 Lakefront Trail
330 Rockwall, TX
331

332 Mr. Kirkland came forward and provided additional information to the request. He shared that at
333 the work session the original proposal was for a dark grey brick as one of the main features for
334 the stone requirement and the ARB recommended they not do the brick but rather go to a stone
335 look to meet the Overlay Districts requirement and they will be open to whatever outcome the
336 Commission has in regards to postponing the case. He explained that the look they are trying to
337 create is a very upscale classic traditional striking look for the hotel that is not prototypical.
338 They feel that by going to a natural stone it will take away from the “look” for the hotel that they
339 are trying to accomplish. Mr. Kirkland provided a sample board of a dark grey El Dorado stone
340 veneer that they wish to use that would allow them to keep the grey stone look around the base
341 of the hotel and on the tower and ends.
342

343 Chairman Lyons asked for questions from the Commission.
344

345 Commissioner Womble asked what size would the stone product that the applicant provided as
346 an example be once placed. Mr. Kirkland stated they would be 12x24 in size.
347

348 Ken Killion
349 10670 North Central Exprwy
350 Dallas, TX
351

352 Mr. Killion came forward and indicated he is one of the architects on the project. He shared that
353 the original prototype has the material transition at the tower to a vertical orientation versus the
354 horizontal base. Commissioner Womble asked in looking at the rendering was it their intention
355 to change the actual orientation of the towers or was that a rendering problem. Commissioner
356 Womble asked what the prototype material was. Mr. Killion indicated it was no stone, brick or
357 masonry on the original prototype but rather all hardi type cementitious product and EIFS.
358

359 Cameron Slown
360 2 Horizon Court
361 Heath, TX
362

363 Mr. Slown came forward and shared that the way the building sits along with a future restaurant
364 that will be along the site will obstruct some view of the hotel from the highway.
365

366 General discussion took place between the Commission concerning the variances being
367 requested and the Architectural Review Boards recommendation to postpone the item to allow
368 the applicant to review the recommendations provided.
369
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Commissioner Logan made a motion to table SP2018-029 to the October 30, 2018 scheduled meeting. Commissioner Womble seconded the motion which passed by a vote of 6-0 with Commissioner Fishman absent.

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

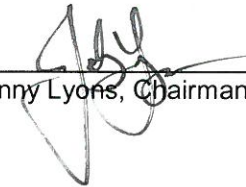
- ✓ Z2018-035: SUP for an Accessory Building at 2914 S. FM-549 (2nd Reading) [Approved]
- ✓ Z2018-036: Zoning Change (AG to SF-1) for 825 Zion Hills Circle (2nd Reading) [Approved]
- ✓ Z2018-038: Zoning Change (AG to GR) for 1362 E. FM-552 (2nd Reading) [Approved]
- ✓ Z2018-039: SUP for a Carwash at 3520 Horizon Road (2nd Reading) [Approved]
- ✓ Z2018-040: SUP for a *Minor Auto Repair Garage* at 1902 & 2000 S. Goliad Street (2nd Reading) [Approved]
- ✓ SP2018-023: Variance to the Articulation Requirements for AVID Hotel [Approved]

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

VI. ADJOURNMENT

Chairman Lyons adjourned the meeting at 7:35 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 11 day of December, 2018.



Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
October 30, 2018
6:00 P.M.

I. CALL TO ORDER

Vice-Chairman Chodun called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Johan Womble, Mark Moeller, and Annie Fishman. Absent from the meeting was Chairman Lyons, and Tracy Logan. Staff members present were Planning Director, Ryan Miller, Planning Manager, David Gonzales, Senior Planer Korey Brooks, Planning Coordinator, Laura Morales, Engineering Director Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the August 28, 2018 Planning and Zoning Commission meeting.
2. Approval of Minutes for the October 8, 2018 Joint Comprehensive Plan Advisory Committee (CPAC), Planning and Zoning Commission, and City Council meeting.

3. P2018-031

Consider a request by First Christian Church Disciples of Christ for the approval of a replat for Lot 2, Block A, First Christian Church Disciples of Christ Addition, being a 5.231-acre parcel of land currently identified as Lot 1, Block A, First Christian Church Disciples of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 3375 Ridge Road (FM-740), and take any action necessary.

4. P2018-034

Consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Trevor Arterburn of Teasdale Investments, LLC for the approval of a conveyance plat for Lot 1, Block A, Rustic Warehouse & Town Center Addition and Lot 9, Block 1, First United Methodist Church Addition being an 11.774-acre tract of land currently identified as Lot 8, Block 1 First United Methodist Church Addition and Tract 2 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, generally located in between S. Goliad Street [*SH-205*] and T. L. Townsend Drive, north of E. Yellow Jacket Lane, and take any action necessary.

5. P2018-036

Consider a request by Priya Acharya, PE of Weir & Associates, Inc. on behalf of Getra Thomason-Sanders of Chick-Fil-A, Inc. for the approval of a replat for Lot 8, Block A, Lakeshore Commons Addition, being a 1.401-acre parcel of land currently identified as Lot 2, Block A, Lakeshore Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1979 N. Goliad Street [*SH-205*], and take any action necessary.

Commissioner Moeller made a motion to approve the consent agenda. Commissioner Fishman seconded the vote which passed by a vote of 5-0 with Chairman Lyons and Commissioner Logan absent.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

64 IV. PUBLIC HEARINGS

65 7. Z2018-032

66 Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development
67 Company, LLC for the approval of a zoning change from a Light Industrial (LI) District to a Planned
68 Development District for commercial, light industrial and townhome land uses on a 16.26-acre tract of
69 land identified as Lot 1, Block 1, Indalloy Addition (7.409-acres) and Tract 31 of the R. Ballard Survey,
70 Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District,
71 addressed as 1100 & 1300 E. Washington Street, and take any action necessary.
72

73
74 Planning Director, Ryan Miller, gave a brief explanation and background of the request that
75 included explanation of the numerous tracts within the subject property and the proposed uses
76 on each. The case came before the Commission on August 28th of this year and received a
77 negative recommendation to the City Council. Following that on September 17, 2018, the City
78 Council approved a motion to continue the public hearing for the case to the October 15, 2018
79 City Council meeting, and directed staff to work with the applicant to resolve the SH-66 right-of-
80 way issue prior to the City Council taking action on the proposed zoning change. In accordance
81 with this direction, staff met with the applicant on October 2, 2018. Through this meeting, staff
82 and the applicant came to a consensus concerning SH-66, which involved minor revisions to the
83 schematic alignment of this roadway. In accordance with this agreement, the applicant has
84 revised the concept plan to show the full dedication of right-of-way for SH-66, which will be
85 landscaped and irrigated by the City, at the time of dedication until the roadway is constructed.
86 Due to the substantial changes to the concept plan that resulted from this meeting the City
87 Council remanded the case back to the Planning and Zoning Commission for reconsideration
88 Vice-Chairman Chodun asked for questions from the Commission.
89

90 Mr. Miller advised the Commission the applicant was present and available for questions as well
91 as staff.
92

93 Commissioner Logan arrived to the meeting at 6:15 p.m.
94

95 Vice-Chairman Chodun asked the applicant to come forward.
96

97 Bill Bricker
98 505 Westway Drive
99 Rockwall, TX

100
101 Mr. Bricker came forward and shared that they felt the big issue they had was the road and the
102 re-alignment of the road and ultimately decided to dedicate the road. He stated that there were a
103 good number of residents from the Park Place neighborhood that they have reached out to and
104 have held meetings and it doesn't appear that there is opposition to the proposal. He indicated
105 he was available for questions.
106

107 Vice-Chairman Chodun opened up the public hearing and asked if anyone wished to speak to
108 come forward and do so.
109

110 Mike Rasmussen
111 507 Park Place Drive
112 Rockwall, TX
113

114 Mr. Rasmussen came forward and indicated that most of the Park Place residents are generally
115 in favor of the proposal however he shared they want to make sure there will be some type of
116 frontage sidewalk provided.
117

118 Vice-Chairman Chodun asked if anyone else wished to speak to come forward and do so; there
119 being no one indicating such Vice-Chairman Chodun brought the item back to the Commission
120 for discussion or a motion.
121

122 Commissioner Moeller shared that although he voted against the proposal originally due to
123 concerns with the residents feelings in regards to the townhomes as well the road issue and its
124 impact on the Master Thoroughfare Plan, however those concerns were alleviated with the
125 residents that have come forward expressing being in favor of the request and the also with the

126 continued work the applicant has done to alleviate the realignment problem; therefore he
127 generally expressed being in favor of the request.
128

129 Commissioner Welch and Commissioner Fishman both generally expressed being in favor of the
130 request.
131

132 Commissioner Womble made a motion to approve Z2018-032 with staff recommendations.
133 Commissioner Moeller seconded the vote which passed by a vote of 6-0 with Chairman Lyons
134 absent.
135

136
137 8. Z2018-042

138 Hold a public hearing to discuss and consider the approval of a text amendment affecting various
139 sections of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of generally amending
140 the *Development Standards* and procedural processes for the approval of *Variances*, *Exceptions*, and
141 *Waivers*, and take any action necessary.
142

143 Planning Director, Ryan Miller, gave brief explanation of the request. He shared that on
144 September 4, 2018, the City Council directed staff to initiate a text amendment that would
145 address issues relating to the variance, waiver and exception approval process. Specifically, the
146 City Council cited issues with the amount of variances, waivers and exceptions relating to
147 articulation, roof design, materials, and other technical requirements typically associated with
148 development in an overlay district and the approval process for these variances. In addition, the
149 City Council expressed a desire to address the number of Specific Use Permits being approved
150 for accessory buildings. Taking all of this into consideration, the Planning and Zoning
151 Department has prepared a text amendment that incorporates three strategies that the City
152 Council could enact to reduce the number of variance cases on the City Council's agenda.
153 These are to [1] change the approval process for variances relating to technical requirements,
154 [2] clarify and modify the requirements for development (e.g. overlay district requirements,
155 accessory building standards, etc.), and [3] reduce the rhetoric contained within the code by
156 simplifying language, removing antiquated sections, and removing duplicated requirements. Mr.
157 Miller then briefed the Commission on the draft comprehensive list of all changes being
158 proposed with this text amendment.
159

160 Mr. Miller advised the Commission that the 15 day newspaper notice was sent and do meet all of
161 the State and local reporting requirements for the case. He indicated staff was available for
162 questions.
163

164 Vice-Chairman asked if the case were to be approved when it would go into effect. Mr. Miller
165 indicated it would go into effect upon City Council's second reading and immediate effect upon
166 approval.
167

168 Vice-Chairman Chodun open up the public hearing and asked if anyone wished to speak to come
169 forward and do so; there being no one indicating such Vice-Chairman Chodun closed the public
170 hearing and brought the item back to the Commission for discussion or motion.
171

172 Commissioner Welch made a motion to approve Z2018-042 with staff recommendations.
173 Commissioner Logan seconded the motion which passed by a vote of 6-0 with Chairman Lyons
174 absent.
175

176
177 9. Z2018-043

178 Hold a public hearing to discuss and consider a request by Michael Worrell of Rockwall Honda for the
179 approval of an amendment to SUP No. S-76 (*Ordinance No. 10-26*) to allow changes to be made to an
180 existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land
181 identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas,
182 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action
183 necessary.
184

185 Vice-Chairman Chodun indicated that the applicant requested the item be withdrawn and the
186 Commission would need to make a motion on the withdrawal.

187 Vice-Chairman Chodun made a motion to approve the withdrawal. Commissioner Fishman
188 seconded the motion which passed by a vote of 6-0 with Chairman Lyons absent.
189

190
191 V. ACTION ITEMS
192

193 10. SP2018-029

194 Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland
195 of TEKMAK Development Company for the approval of a site plan for a residence hotel on a 2.8-acre
196 tract of land being a portion of a larger 8.613-acre tract of land Tract 4 of the J. D. McFarland Survey,
197 Abstract No. 145, and Lot 1, Block B, Goldencrest Addition, City of Rockwall, Rockwall County, Texas,
198 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of
199 the intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.
200

201 Senior Planner, Korey Brooks, gave a brief explanation and background of the request. At the
202 work session held last month the Architectural Review Board recommended tabling the case to
203 allow the applicant to address some of their recommendations. At that time the applicant had a
204 number of variances including to exceed the maximum stucco percentage, to exceed the
205 secondary material percentage, to use cultured stone and lastly was the rear elevations was
206 below the minimum stone requirement. The applicant has since then provided revisions and the
207 only variance remaining is to the stucco which exceeds the maximum 50% stucco per façade.
208 The Architectural Review Board met with the applicant and did recommend approval of that
209 variance request.
210

211 Mr. Brooks advised the Commission that the applicant was present and available for questions
212 as well as staff.
213

214 Vice-Chairman Chodun asked the applicant to come forward.
215

216 Tom Kirkland
217 613 Willow Springs
218 Heath, TX
219

220 Mr. Kirkland came forward and shared they worked with staff as well as the Architectural Review
221 Board and they feel with the revisions provided the ARB is now comfortable with the exterior of
222 the building.
223

224 Vice-Chairman Chodun asked for any questions or discussion from the Commission.
225

226 Commissioner Womble made a motion to approve SP2018-029 with staff recommendations.
227 Commissioner Moeller seconded the motion which passed by a vote of 6-0 with Chairman Lyons
228 absent.
229

230 11. SP2018-033

231 Discuss and consider a request by Mahbub H. Dewan of D1 Architect & Associates, Inc. on behalf of
232 Deepak Gandhi of Rockwall Inn Keepers I, LTD for the approval of an amended site plan for a hotel on
233 a 2.681-acre identified as Lot 1, Block A, Hyatt Rockwall Addition, City of Rockwall, Rockwall County,
234 Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and Scenic Overlay
235 (SOV) Districts, located at the southeast corner of the intersection of Laguna Drive and La Jolla Pointe
236 Drive, and take any action necessary.
237
238

239
240 Planning Manager, David Gonzales, gave a brief explanation of the request. On November 14,
241 2017, a site plan was approved for the construction of a four story Hyatt Place Hotel that will be
242 located at the southeast corner of the intersection of Laguna Drive and La Jolla Pointe Drive.
243 Since the approval, the applicant has made minor modifications to the site plan based on the
244 civil engineering design standards. The applicant has stated to staff that due to these, they are
245 requesting to amend the site plan for the purpose of proposing exterior material changes to the
246 south facing façade to reduce the cost of the building. More specifically, the applicant is
247 requesting the use of stucco for the central architecturally sloped element that was depicted as
248 curtain wall on the approved building elevations. The change from a curtain wall system to a

249 stucco finish will require approval of a variance to allow for cementaceous materials exceeding
250 the maximum 50% of the masonry requirement on the south facing elevation. Additionally, the
251 applicant has made minor changes to the east and west elevations; however, these changes
252 may not appear to be significant, but will require approval from the Planning and Zoning
253 Commission upon recommendation from the Architectural Review Board. Since this site is
254 within the IH-30 Overlay and Scenic Overlay Districts, this will require approval by a ¾ majority
255 vote of City Council. The hotel will contain a total of 100 rooms and will incorporate an
256 approximately 1,800 square foot meeting room. The off-street parking requirements for a hotel
257 requires one space for each room, 100 parking spaces, and one space for each 100 square foot
258 of the meeting room at 50% of the total space. The total number of parking spaces required for
259 the site is 109 spaces. However, due to the site constraints, the applicant is deficient by three
260 parking spaces and providing a total of 106 parking spaces. This requires approval of a variance
261 by a simple majority vote of City Council to the off-street parking requirements stipulated by the
262 Unified Development Code.

263
264 Mr. Gonzales advised the Commission that the applicant was present as well as staff.

265
266 Vice-Chairman Chodun asked the applicant to come forward.

267
268 Deepak Gandhi
269 3801 Brighton Lane
270 Richardson, TX

271
272 Mr. Ghandi came forward and shared that staff has done a great job in working with them. The
273 project has been somewhat challenging due to the challenging site. The new prototype Hyatt has
274 requested they go with the stucco rather than curtain wall as it is somewhat cost heavy. He
275 respectfully asked for approval to allow them to continue to move forward with the project.

276
277 Vice-Chairman Chodun brought the item back to the Commission for discussion or action.

278
279 Commissioner Moeller made a motion to approve SP2018-033 with staff recommendations.
280 Commissioner Welch seconded the motion which passed by a vote of 5-0 with Commissioner
281 Logan dissenting and Chairman Lyons absent.

282
283
284 VI. DISCUSSION ITEMS

285
286 12. Z2018-044

287 Hold a public hearing to discuss and consider a request by Reubin E. Harle for the approval of a
288 Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by
289 the Unified Development Code (UDC) on a 4.632-acre parcel of land identified as Lot 5R, Block A, Zion
290 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family One (SF-1) District, addressed
291 as 825 Zion Hills Circle, and take any action necessary.

292
293 Senior Planner, Korey Brooks, gave a brief explanation of the request. The subject property was
294 recently approved a zoning from Agricultural District to Single-Family 1 District that the
295 applicant requested. With the zoning change now in place the applicant has now submitted an
296 application for a Specific Use Permit to allow a 50x60 metal accessory building which exceeds
297 the maximum size requirements for that District as well as the masonry requirement. There is
298 currently a detached garage as well as a metal building however the applicant is proposing to
299 get rid of the metal building once the new metal building if granted approval, is constructed.

300
301 Mr. Brooks advised the Commission that the applicant was unable to attend the meeting
302 however staff was available for questions.

303
304 Vice-Chairman Chodun asked if the use of the accessory building come into play at all in
305 whether it is submitted as an SUP. Mr. Brooks explained that it would not as long as it is not
306 used for a commercial use and the applicant has indicated the building will be used for storage
307 purposes. Commissioner Fishman asked if the applicant would be required to extend the
308 driveway given the size of the proposed building. Mr. Brooks indicated that the applicant will be
309 extending the driveway up to the roll up door.

311 There being no further questions Vice-Chairman Chodun indicated the case will return to the
312 Commission for action at the next scheduled meeting.
313

314 13. Z2018-045

315 Hold a public hearing to discuss and consider a request by Kira Bauman of Bauman Consultants on
316 behalf of John Gatz of EcoSite for the approval of a Specific Use Permit (SUP) for a *Freestanding*
317 *Commercial Antenna* on a 0.0826-acre portion of a larger 7.64-acre tract of land, known as Yellow
318 Jacket Park, identified as Tract 11 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall
319 County, Texas, zoned General Retail (GR) District, situated on the south side of Yellow Jacket Lane,
320 west of the intersection of S. Goliad Street [SH-205] and Yellow Jacket Lane, and take any action
321 necessary.
322

323 Planning Manager, David Gonzales, gave a brief explanation of the request. Part of the Specific
324 Use Permit will be a condition that prior to the installation of the tower the 30 parking spaces
325 that are shown on their plan be installed. Mr. Gonzales advised the Commission that the
326 applicant was present and would further detail the proposal and would be available for
327 questions as well as staff.
328

329 Vice-Chairman Chodun asked the applicant to come forward.

330 Bill Bauman
331 2300 Spring Meare Drive
332 Arlington, TX
333
334

335 Mr. Bauman came forward and indicated he represents ECO Site the company that has been in
336 discussion with the City in regards to the installation of the tower. He provided additional
337 information regarding the cell tower and their functionality and the high demand for those this
338 day in age when the digital necessity has increased in day to day functionality. This particular
339 site is driven by T-Mobile's need for additional coverage. He indicated he was available for
340 questions.
341

342 Commissioner Welch asked how tall the tower would be. Mr. Bauman indicated it would be 150
343 feet tall with a lightning rod at the top which it is required to have. Commissioner Welch asked if
344 it would be a flag pole design. Mr. Bauman explained that there are several issues with a flagpole
345 design that would not allow them to go with that design.
346

347 Vice-Chairman Chodun asked if their intent was to enter into call location with other carriers. Mr.
348 Bauman stated that they would be. The driving carrier on this particular site is T-Mobile but if
349 approved it would open up to three other carriers. Vice-Chairman Chodun asked if a study had
350 been conducted for this particular location. Mr. Bauman indicated that a study had been done
351 and additional sites had been considered however those fell through and they feel this site
352 would be an ideal location due to the high demand needed.
353

354 Commissioner Welch asked if there would be a lease agreement with the City would revenue be
355 received. Mr. Miller indicated there would be a lease agreement with the City and in which case
356 they would be paying the City revenue.
357

358 Kira Bauman
359 2300 Spring Meare Drive
360 Arlington, TX
361

362 Ms. Bowman came forward and shared that she has been taking care of the lease and has been
363 in discussion with the City and indicted that it would be a revenue source for the City and in
364 addition to the revenue paid in rent it would have the added benefit of the added 30 parking
365 spaces that would be an enhancement.
366

367 There being no further questions Vice-Chairman Chodun indicated the case will return to the
368 Commission for action at the next scheduled meeting.
369

370 14. Z2018-046

371 Hold a public hearing and consider a request by Brad Helmer on behalf of Heritage Christian Academy
372 (HCA) for the approval of a Specific Use Permit (SUP) allowing existing temporary educational buildings

373 in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A,
374 Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14
375 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad
376 Street [SH-205], and take any action necessary.
377

378 Senior Planner, Korey Brooks, gave a brief explanation and background of the request. In 2008
379 the Heritage Christian Academy requested a Specific Use Permit to allow temporary educational
380 buildings and that SUP was set to expire in five years because the school indicated they would
381 be using those temporary buildings until they could add onto the existing school. In 2013 the
382 SUP was renewed at which time the school indicated that within five years they would construct
383 the addition to the existing school. As of now the permanent building has not been added and
384 therefore the applicant is requesting to extend the SUP for an additional five years to allow them
385 additional time to construct the permanent educational facilities on site.
386

387 Mr. Brooks advised the Commission that the applicant was present and available for questions
388 as well as staff.
389

390 Vice-Chairman Chodun asked the applicant to come forward.
391

392 Brad Helmer
393 2917 Chuck Wagon Drive
394 Rockwall, TX
395

396 Mr. Helmer came forward and shared that they need to keep the portable buildings for the
397 classrooms, currently they house two sixth grade classes, two fifth grade classes, and an art
398 class. They are in a capital campaign to build to potentially build a gymnasium at which point
399 they would need to erect an educational building however they are looking at a two to six year
400 program to get to the point where the academic building would be feasible to be built. He shared
401 that keeping the portable buildings is essential for the schools functionality because they are
402 currently out of room inside the school and would continue to need them until they are in a
403 financial position that would allow them to begin construction to the addition to the school.
404

405 Commissioner Womble asked staff if the applicant has had two terms of their five year
406 temporary use. Mr. Brooks indicated that the Specific Use Permit was not written that way,
407 initially it was supposed to be a five year SUP and within those five years the building were
408 going to be constructed; however because they were unable to do that, the school requested an
409 additional five years.
410

411 Commissioner Womble asked the applicant if the school was currently working towards building
412 the addition that the portable buildings were meant to temporarily replace. Mr. Helmer indicated
413 that he has been with the school three years and previous requests were done prior to that, he
414 explained that the intention is for the next phase is for a competition gymnasium that will quickly
415 be followed by an academic building. They have engaged a consulting firm and are in the donor
416 phase currently to raise money to build the gymnasium which is the next step for the growth that
417 would then support another academic building. Currently all of the schools extracurricular
418 activities are held off campus and revenue for that is paid out once that is no longer needed
419 those funds would be brought back on campus and would allow the school to have the new
420 educational building.
421

422 Commissioner Logan asked what the life span of the portable buildings was and would they
423 withhold an additional five years should the request be granted. Mr. Helmer indicated they are in
424 good shape with no leaks with functioning a/c and heating.
425

426 There being no further questions Vice-Chairman Chodun indicated the case will return to the
427 Commission for action at the next scheduled meeting.
428

429 15. Z2018-047

430 Hold a public hearing to discuss and consider the adoption of the OURHometown Vision 2040
431 Comprehensive Plan (*i.e.* 2018 Comprehensive Plan Update) and take any action necessary.
432

433 Planning Director, Ryan Miller, indicated that staff is currently in the process of updating the
434 Comprehensive Plan. At the joint work session between the Comprehensive Plan Advisory

435 Committee, Planning and Zoning Commission and the City Council it was indicated to staff to
436 start the approval process. That was then brought to City Council and staff received official
437 direction to do so. Mr. Miller further explained that there has already been public participation
438 however there will be an Open House held before the Public Hearing in which the general public
439 will be invited through the City's website.
440

441 Mr. Miller advised the Commission that a copy of the Comprehensive Plan was provided for
442 them and staff was available for questions.
443

444 There being no questions Vice-Chairman Chodun indicated the case will return to the
445 Commission for action at the next scheduled meeting.
446

447 16. SP2018-030

448 Discuss and consider a request by John David of Express Oil Change, LLC for the approval of a site
449 plan for a *Minor Auto Repair Garage (i.e. Brakes Plus)* on a 0.656-acre tract of land being identified as
450 Lots 1 & 2, Block A, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General
451 Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 &
452 2000 S. Goliad Street [SH-205], and take any action necessary.
453

454 Senior Planner, Korey Brooks, indicated that a Specific Use Permit request on the subject
455 property was recently approved for a Minor Auto Repair Garage. Mr. Brooks advised the
456 Commission that the applicant was present and could provide additional details pertaining to the
457 request.
458

459 Vice-Chairman Chodun asked the applicant to come forward.
460

461 Mathias Haubert
462 6017 Main Street
463 Frisco, TX
464

465 Mr. Haubert came forward and indicated they are requesting approval of the site plan for the
466 Brakes Plus. They met with the Architectural Review Board and will provide revisions from some
467 of the recommendations that the Board provided in regards to articulation.
468

469 Commissioner Womble asked what articulation the ARB asked that they revise. Mr. Haubert
470 indicated the concern from the Board was from the west side where the eight service bays are
471 located.
472

473 There being no further questions Vice-Chairman Chodun indicated the case will return to the
474 Commission for action at the next scheduled meeting.
475
476

477 17. SP2018-031

478 Discuss and consider a request by Brandon Waldrum of CEI Engineering Associates, Inc. on behalf of
479 Kelly Cannell of Murphy Road, LTD for the approval of a site plan for a carwash in conjunction with an
480 existing retail store with gasoline sales (*i.e. 7/11*) on a 0.996-acre tract of land being identified as a
481 portion of Lot 2 and all of Lot 1, Block B, Horizon Ridge Center Addition, City of Rockwall, Rockwall,
482 Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses,
483 addressed as 3520 Horizon Road [FM-3097], and take any action necessary.
484

485 Senior Planner, Korey Brooks, indicated that a Specific Use Permit to allow for a car wash in
486 conjunction with a 7-11 was recently approved at the subject property. The applicant met with
487 the Architectural Review Board and the Board recommended approval of the building elevations
488 and the applicant is not seeking any variances with the request.
489

490 Mr. Brooks advised the Commission that the applicant was present and available for questions
491 as well as staff.
492

493 Vice-Chairman asked if there were any questions for the applicant or staff.
494

495 There being no questions Vice-Chairman Chodun indicated the case will return to the
496 Commission for action at the next scheduled meeting.

497 18. SP2018-032

498 Discuss and consider a request by William Salee of the Rockwall Independent School District (RISD) for
499 the approval of a site plan for an Elementary School on a 17.2922-acre tract of land being identified as
500 Lot 1, Block A, RISD Elementary School Addition and Tract 2-7 of the W. T. Deweese Survey, Abstract
501 No. 71, City of Rockwall, Rockwall, Texas, zoned Planned Development District 70 (PD-70) for single
502 family land uses, located at the southeast corner of Greenway Boulevard and FM-552, and take any
503 action necessary.
504

505 **Planning Manager, David Gonzales, provided a brief explanation of the request. The**
506 **Architectural Review Board reviewed the request and is requesting the applicant provide a**
507 **material sample board. There will be a request for a variance to the horizontal articulation for the**
508 **north as well as for the stone. Mr. Gonzales advised the Commission that the applicant was**
509 **present and available for questions as well as staff.**
510

511 **Will Salee**
512 **Rockwall ISD**
513 **1050 Williams Street**
514 **Rockwall, TX**
515

516 **Mr. Salee came forward and shared that the school project is part of the 2015 Bond Program that**
517 **is addressing the need for growth for the District. They are proposing to use their prototype**
518 **elementary that is similar to Hays and Shannon Elementary Schools that are built within**
519 **Rockwall. Mr. Salee indicated that they will provide the ARB sample board at the next scheduled**
520 **meeting.**
521

522 **Vice-Chairman Chodun asked for any questions for staff or the applicant.**
523

524 **There being no questions Vice-Chairman Chodun indicated the case will return to the**
525 **Commission for action at the next scheduled meeting.**
526

527 19. Director's Report of post Council meeting outcomes of Planning & Zoning cases.
528

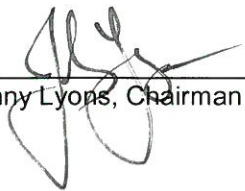
- 529 ✓ P2018-029: Replat for Lots 1 & 2, Block A, Jones Addition [Approved]
530 ✓ P2018-033: Final Plat for Lot 1, Block A, SWBC Rockwall Addition, Phase 1 [Approved]
531 ✓ Z2018-032: Zoning Change (LI to PD) (1st Reading) [Remanded Back to P&Z]
532 ✓ Z2018-042: Text Amendment to the UDC (1st Reading) [Postponed to November 5, 2018]
533 ✓ Z2018-043: SUP for Rockwall Honda (1st Reading) [Postponed to November 5, 2018]
534 ✓ SP2018-028: Variances for Cracker Barrel [Approved]
535

536 **Planning Director, Ryan Miller, provided a brief update about the outcome of the above**
537 **referenced case at the City Council meeting.**
538
539

540 VII. ADJOURNMENT
541

542 **Vice-Chairman Chodun adjourned the meeting at 7:15 p.m.**
543
544
545

546 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
547 ROCKWALL, Texas, this 11 day of December, 2018.
548

549 
550 _____
551 Johnny Lyons, Chairman
552

553 Attest:
554 
555 _____
556 Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
November 13, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Annie Fishman, Tracey Logan and John Womble. Absent from the meeting was Commissioner Eric Chodun. Staff members present were Planning Director, Ryan Miller, Planning Manager, David Gonzales, Senior Planer Korey Brooks, Planner, Daniella Maubuika, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers, Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the September 11, 2018 Planning and Zoning Commission meeting.

2. P2018-037

Discuss and consider a request by Cameron Slown of F. C. Cuny Corporation on behalf of Phillip McNeill of MHC Rockwall, LLC and Jason Lentz of Atticus of Atticus Summer Lee Townhomes for the approval of a replat for Lots 3 & 4, Block A, Harbor Village Addition, being a 6.196-acre tract of land currently identified as Lot 2A of the Isaac Brown Addition and Lot 2, Block A, Harbor Village Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary

3. SP2018-031

Discuss and consider a request by Brandon Waldrum of CEI Engineering Associates, Inc. on behalf of Kelly Cannell of Murphy Road, LTD for the approval of a site plan for a carwash in conjunction with an existing retail store with gasoline sales (*i.e.* 7/11) on a 0.996-acre tract of land being identified as a portion of Lot 2 and all of Lot 1, Block B, Horizon Ridge Center Addition, City of Rockwall, Rockwall, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 3520 Horizon Road [FM-3097], and take any action necessary.

Commissioner Welch made a motion to approve the consent agenda. Commissioner Fishman seconded the motion which passed by a vote of 6-0 with Commissioner Chodun absent.

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

IV. PUBLIC HEARING ITEMS

5. Z2018-044

Hold a public hearing to discuss and consider a request by Reubin E. Harle for the approval of a Specific Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the Unified Development Code (UDC) on a 4.632-acre parcel of land identified as Lot 5R, Block A, Zion Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family One (SF-1) District, addressed as 825 Zion Hills Circle, and take any action necessary.

63 Senior Planner, Korey Brooks, gave a brief explanation and background of the request. On
64 October 1, 2018, the City Council approved a zoning change from an Agricultural District to a
65 Single-Family One District for the purpose of constructing an accessory building on the subject
66 property. The applicant, Reubin E. Harle is requesting the approval of a Specific Use Permit to
67 allow for the construction of a metal accessory building that does not meet the requirements
68 stipulated the Unified Development Code on a 4.632-acre lot. The 3,000 square feet being a 50' x
69 60 structure will stand approximately 16-feet in height, and have a roll-up door, and an overhang
70 on the left and right sides of the structure. According to the submitted site plan, the accessory
71 building will be situated to the rear of the primary structure, and the existing concrete driveway
72 will be extended to the new accessory building. The accessory building will be more than 150-
73 feet from the front, side, and rear property lines. According to the applicant, the accessory
74 building will be utilized as a barn to store lawn equipment and will not be used for commercial
75 land uses. Currently the subject property has two accessory buildings that do not conform to
76 the requirements of the Unified Development Code and according to the applicant one of the
77 buildings will be removed once construction of the new accessory building has been completed.
78 The applicant is proposing to keep the second accessory building which is approximately 400
79 square feet.

80
81 Chairman Lyons asked for questions from staff.

82
83 Commissioner Logan asked for clarification of the applicant's current zoning change had it been
84 zoned Single-Family 4 would they not need the Specific Use Permit. Mr. Brooks explained that
85 for consistency with the surrounding areas they were kept at SF-1.

86
87 Commissioner Fishman asked if there were similar accessory building surrounding the subject
88 property. Mr. Brooks indicated there were and also similar in style.

89
90 Chairman Lyons asked the applicant to come forward and speak.

91
92 Reubin Harle
93 825 Zion Hill Circle
94 Rockwall, TX
95

96 Mr. Harle came forward and shared reasons behind the request and indicated he was available
97 for questions.

98
99 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
100 forward and do so; there being no one indicating such Chairman Lyons closed the public
101 hearing and brought the item back to the Commission for discussion or a motion.

102
103 Commissioner Welch made a motion to approve Z2018-044 with staff recommendations.
104 Commissioner Moeller seconded the motion which passed by a vote of 6-0 with Commissioner
105 Chodun absent.

106
107
108 6. Z2018-045

109 Hold a public hearing to discuss and consider a request by Kira Bauman of Bauman Consultants on
110 behalf of John Gatz of EcoSite for the approval of a Specific Use Permit (SUP) for a *Freestanding*
111 *Commercial Antenna* on a 0.0826-acre portion of a larger 7.64-acre tract of land, known as Yellow
112 Jacket Park, identified as Tract 11 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall
113 County, Texas, zoned General Retail (GR) District, situated on the south side of Yellow Jacket Lane,
114 west of the intersection of S. Goliad Street [SH-205] and Yellow Jacket Lane, and take any action
115 necessary.

116
117 Planning Manager, David Gonzales, gave a brief explanation and background of the request. The
118 applicant is requesting the approval of a Specific Use Permit to allow a freestanding commercial
119 antenna. The proposed monopole will be a freestanding structure that will be 150-feet in overall
120 height. The T-Mobile antenna and lighting rod will be affixed to the top of the monopole, which
121 will extend the overall height to 160-feet. The applicant has stated that the proposed monopole
122 will incorporate an additional three antennas for different carriers in the future. The additional
123 antennas will not increase the overall height of the structure, and a maximum height of 160-feet
124 has been incorporated as an operational condition in the Specific Use Permit ordinance. The

125 antennas will have ground-mounted equipment that will be enclosed within a metal cabinet. The
126 proposed monopole, metal cabinets, and any accessory equipment will be enclosed in a 50-foot
127 by 50-foot compound that will be secured by an eight foot high wrought iron fence, and
128 screened by Nellie R. Stevens Holly trees that will be planted on eight to ten foot centers. Prior
129 to constructing the proposed freestanding commercial antenna, the applicant has stated that an
130 additional 30 public parking spaces will be constructed along the western property line of the
131 park this will increase the total number of public parking spaces in the park from 80 parking
132 spaces to 110 parking spaces. The addition of the public parking spaces has been included as
133 an operational condition in the SUP ordinance.

134
135 Mr. Gonzales advised the Commission that the applicant was present and available for questions
136 as well as staff.

137
138 Chairman Lyons asked the applicant to come forward and speak.

139
140 Bill Bauman
141 2300 Springer Drive
142 Arlington, TX

143
144 Mr. Bauman came forward and provided a lengthy power point presentation that went over the
145 request and indicated he was available for questions.

146
147 Chairman Lyons asked for questions from the Commission.

148
149 Commissioner Fishman asked for further detail as to the location being so close to a park. Mr.
150 Bowman shared that with the studies that have been conducted those show they are very
151 resilient and safe.

152
153 General discussion took place between the Commission in regards to the location of the
154 antenna and the need for such with the growth in demand for such.

155
156 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
157 forward and do so; there being no one indicating such Chairman Lyons closed the public
158 hearing and brought the item back to the Commission for discussion or a motion.

159
160 Commissioner Moeller made a motion to approve Z2018-045 with staff recommendations.
161 Commissioner Womble seconded the vote which passed by a vote of 6-0 with Commissioner
162 Chodun absent.

163
164
165 7. Z2018-046

166 Hold a public hearing and consider a request by Brad Helmer on behalf of Heritage Christian Academy
167 (HCA) for the approval of a Specific Use Permit (SUP) allowing existing temporary educational buildings
168 in conjunction with a private school to remain on a 6.64-acre parcel of land identified as Lot 1, Block A,
169 Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14
170 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad
171 Street [SH-205], and take any action necessary.

172
173 Senior Planner, Korey Brooks, provided a brief explanation and background of the request. The
174 applicant, Brad Helmer of Heritage Christian Academy is requesting the approval of a Specific
175 Use Permit to allow existing temporary educational buildings in conjunction with an existing
176 private school to remain on the subject property. The temporary educational buildings are
177 located behind the main structure and are approximately 1,540square feet each. Mr. Brooks
178 indicated that in 1999, the City Council approved a Conditional Use Permit to allow one
179 temporary educational building on the subject property for a period of five years. The CUP
180 stipulated that after a period of three years, the City Council could review the CUP to determine
181 if permanent buildings were planned to replace the temporary educational buildings. In 2003,
182 the City Council approved a Conditional Use Permit to allow additional temporary educational
183 buildings on the subject property for a period of five years. In 2009, the City Council approved a
184 Specific Use Permit to allow three temporary educational buildings on the subject property. At
185 that time, the Specific Use Permit ordinance stipulated that it would be valid for a period of one
186 year, at which time the City Council shall review the Specific Use Permit to determine if an

187 extension is warranted. On September 20, 2010, the City Council reviewed the SUP and
188 approved an extension for three years. In November, 2013, the City Council approved a five year
189 extension. At the time of the approval of the five year extension, staff, the Planning and Zoning
190 Commission, and the City Council were informed that this would be the last request for
191 extension of the Specific Use Permit and that permanent educational buildings would be
192 constructed within that time. Should this request be approved, it will be the fifth extension for
193 temporary educational buildings on the subject property. The Unified Development Code goes
194 on to state that the application for a temporary educational building shall include a schedule
195 indicating the expected phasing-out of the temporary structure, and will be valid for a period of
196 five years. At this time, the expected phase-out period has been exceeded and a new proposed
197 schedule has not been provided. If the City Council choose to approve this request, the
198 applicant would be allowed five additional years to continue the use of the temporary
199 educational buildings on the subject property, and shall be required to provide an updated
200 schedule indicating the expected phasing-out of the temporary educational buildings. Should
201 the City Council deny this request, the applicant shall be required to remove the temporary
202 educational buildings within a reasonable amount of time. On October 19, 2018, staff mailed 34
203 notices to property owners and residents within 500-feet of the subject property and also
204 notified the Waterstone Estates Homeowner's Association which is the only HOA/Neighborhood
205 Organization that is within 1,500-feet of the subject property participating in the Neighborhood
206 Notification Program. Staff did not receive any notices returned.

207
208 Chairman Lyons asked for questions from the Commission.

209
210 Commissioner Welch asked how long the buildings at the Lake Pointe Church have been at their
211 location and if those are under a Specific Use Permit. Mr. Miller indicated those were placed
212 before the Ordinance stipulated a time requirement.

213
214 Chairman Lyons asked the applicant to come forward.

215
216 Brad Helmer
217 2917 Chuck Wagon Drive
218 Rockwall, TX

219
220 Mr. Helmer came forward and shared reasons behind the request and provided a lengthy
221 presentation and background regarding the request. He explained that any staff members from
222 HCA who have may previously come before the city council to request time extensions on the
223 use of portable buildings are no longer employed by HCA. Therefore, he was not aware that a
224 plan (schedule) needed to be presented to the City as part of a request to obtain an additional
225 extension for use of temporary portable buildings. He went on to explain the proposal he plans
226 to present to his board of directors later this month pertaining to future planning for the addition
227 of classrooms, a P.E. gym and a future "competition" gymnasium. He went on to explain that he
228 will commit to attempt to complete this plan for future expansion and addition of classrooms
229 within three to four years; however, he would not be able to do so within one year. He shared
230 that funds will be raised for a competition gymnasium; however, the board and school can go
231 back to the donors to ask that the funding be redirected to be used for additional classrooms
232 instead. He respectfully asked the Commission for consideration in approving their request.

233
234 Chairman Lyons asked the applicant how far along the five year were they currently at. Mr.
235 Howard indicated that the previous administration did not pass that information to him.

236
237 Extensive general discussion took place between the Commission sharing their concerns with
238 an additional five year extension due to the current request already being the third one that has
239 come forward.

240
241 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
242 forward and do so; there being no one indicating such Chairman Lyons closed the public
243 hearing and brought the item back to the Commission for discussion or a motion.

244
245 Commissioner Welch made a motion to approve Z2018-046 to not exceed a period of one year.
246 Commissioner Fishman seconded the motion which passed by a vote of 6-0 with Commissioner
247 Chodun absent.

249 8. Z2018-047

250 Hold a public hearing to discuss and consider the adoption of the OURHometown Vision 2040
251 Comprehensive Plan (*i.e.* 2018 Comprehensive Plan Update) and take any action necessary.
252

253 Planning Director, Ryan Miller, gave a brief explanation and background of the request. The
254 OURHometown Vision 2040 Comprehensive Plan commenced in October 2016 after the City
255 Council directed staff to update the Comprehensive Plan for the purpose of accounting for the
256 growth experienced by the community since the original adoption of Hometown 2000
257 Comprehensive Plan. As part of this process the City Council appointed a seven member citizen
258 action committee, Comprehensive Plan Advisory Committee, which held monthly meetings
259 starting on February 13, 2017. Through these meetings, the CPAC reviewed the current
260 Hometown 2000 Comprehensive Plan, and adapted the vision of this plan to meet the future
261 needs of the City. At the October 9, 2018 City Council meeting, the City Council reviewed the
262 proposed plan and directed staff to bring the Comprehensive Plan Update forward through the
263 approval process. As part of this approval process, staff is bringing the Comprehensive Plan
264 Update forward to all boards and commissions for a work session and recommendation to the
265 City Council concerning the update. Both the Parks Board and the Architectural Review Board
266 both voted for approval to recommend to City Council.
267

268 Mr. Miller advised the Commission the request is a public hearing and staff was available for
269 questions.
270

271 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
272 forward and do so.
273

274 Allen Hinckley
275 12300 Park Central Drive
276 Dallas, TX
277

278 Mr. Hinckley came forward and indicated he is manager and represents Rockwall 227 and
279 Ridgeview Capital Group which owns 1,961 acres that is included in the Comprehensive Plan
280 and is generally located southeast of FM 550 and northwest of FM548 which is located next to
281 the Chisholm Trail mobile home park. Mr. Hinckley shared that it is in the furthest, most eastern
282 portion of the City of Rockwall's ETJ and expressed concern with the request. He shared his
283 desire for the City to consider modifying the City's Draft Comprehensive Plan to accurately
284 reflect plans that are in place related to future development of this area.
285

286 Bob Wacker
287 309 Featherstone
288 Rockwall, TX
289

290 Mr. Wacker came forward and shared that he is a member of the CPAC Committee however he is
291 coming forward as a private citizen. He shared that although the development Mr. Hinckley
292 spoke appears that it will be a good development there is currently not enough information
293 known about it to include it within the Comprehensive Plan.
294

295 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come
296 forward and do so; there being no one indicating such Chairman Lyons closed the public
297 hearing and brought the item back to the Commission for discussion or a motion.
298

299 Commissioner Logan made a motion to approve Z2018-047. Commissioner Womble seconded
300 the motion which passed by a vote of 6-0 with Commissioner Chodun absent.
301

302
303 V. ACTION ITEMS
304

305 9. SP2018-030

306 Discuss and consider a request by John David of Express Oil Change, LLC for the approval of a site
307 plan for a *Minor Auto Repair Garage (i.e. Brakes Plus)* on a 0.656-acre tract of land being identified as
308 Lots 1 & 2, Block A, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General
309 Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 &
310 2000 S. Goliad Street [SH-205], and take any action necessary.

311 Senior Planner, Korey Brooks, gave a brief explanation and background of the request. The
312 applicant is requesting approval of a site plan for a minor auto repair garage, Brakes Plus, on the
313 subject property. The proposed minor auto repair garage will be approximately 4,924 square
314 feet. The proposed minor auto repair garage is permitted in a General Retail District with a
315 Specific Use Permit. On October 13, 2018, the City Council approved a Specific Use Permit to
316 allow a minor auto repair garage in a General Retail District. The proposed garage will have eight
317 bays that will face west away from S. Goliad Street and will be screened with landscaping. The
318 proposed Brakes Plus will be accessible via a drive aisle on Yellow Jacket Road, a drive aisle on
319 S. Goliad Street, and will also have cross-access with the adjacent shopping center. Currently,
320 the subject property has one large drive approach on Yellow Jacket Lane and two drive
321 approaches on S. Goliad Street. The applicant is proposing to narrow the drive approach on
322 Yellow Jacket Lane and eliminate one of the drive approaches on S. Goliad Street. The submitted
323 site plan, landscape plan, photometric plan, and building elevations conform to the technical
324 requirements contained within the Unified Development Code's development standards with the
325 exception of variances being requested. The applicant is requesting variances to the pitched
326 roof requirement, the horizontal and vertical articulation. These variances require a ¾ majority
327 vote of the City Council members present to be passed. The Architectural Review after meeting
328 did recommend approval of the building elevations as submitted.

329
330
331 Mr. Brooks advised the Commission that the applicant was present and available for questions
332 as well as staff.

333
334 Chairman Lyons asked the applicant to come forward.

335
336 Mathias Albert
337 6017 Main Street
338 Frisco, TX

339
340 Mr. Albert came forward and shared that concerning the horizontal articulation due to site
341 constraints they cannot bump out the additional five feet. It also has an associated safety
342 concern, and that is the reason a variance is being requested on it. Large vans and trucks would
343 have difficulty turning and exiting the eight bay doors if the variance should not granted.
344 Regarding the vertical articulation variance request, Mr. Albert explained that it is being
345 requested for aesthetic reasons. He indicated he was available for questions the Commission
346 may have.

347
348 Chairman Lyons brought the item back to the Commission for discussion or action.

349
350 Commissioner Welch asked concerning ARB's recommendation with regards to the windows.
351 Mr. Brooks explained that the Architectural Review Board recommended approval of the
352 variances pending some pho windows be provided and the applicant indicated they would be
353 providing those.

354
355 Commissioner Moeller made a motion to approve SP2018-030 with staff and Architectural
356 Review Board's recommendations. Commissioner Fishman seconded the motion which passed
357 by a vote of 6-0 with Commissioner Chodun absent.

358
359
360 10. SP2018-032

361 Discuss and consider a request by William Salee of the Rockwall Independent School District (RISD) for
362 the approval of a site plan for an Elementary School on a 17.2922-acre tract of land being identified as
363 Lot 1, Block A, RISD Elementary School Addition and Tract 2-7 of the W. T. Deweese Survey, Abstract
364 No. 71, City of Rockwall, Rockwall, Texas, zoned Planned Development District 70 (PD-70) for single
365 family land uses, located at the southeast corner of Greenway Boulevard and FM-552, and take any
366 action necessary.

367
368 Planning Manager, David Gonzales, gave a brief explanation and background pertaining to the
369 case. The applicant is requesting approval of a site plan for the purpose of constructing a single-
370 story, 91,983 square feet public elementary school. The proposed elementary school will be
371 located on a 16.332-acre tract of land that is west of and adjacent to Williams Middle School. The
372 proposed elementary school will have 39 classrooms and accommodate approximately 900

373 students. Parking for the facility is calculated at one space per twenty-five students, requiring a
374 minimum of 36 parking spaces. The site will incorporate a total of 161 parking spaces and be in
375 compliance to the requirements of the Unified Development Code. The site has been designed
376 with the intent of alleviating traffic congestion during drop-off and pick-up times. This will be
377 accomplished by circulating traffic using one-way entrance/exits along Greenway Drive and
378 Mountcastle Drive, and extending the stacking lanes for the two student drop-off areas. The
379 drop-off areas will be located on the east side facing Greenway Drive and along the west side
380 facing Williams Middle School. Bus drop-off and exiting areas will be accessed via Mountcastle
381 Drive, which is located facing south towards the residential neighborhood. The primary
382 entrance to the elementary school will face Greenway Drive. As a note, the applicant intends to
383 provide an eight foot sidewalk connecting to the existing trail system located in The Park at
384 Stone Creek.

385
386 Mr. Gonzales further noted that the submitted site plan, building elevations, landscape plan, and
387 photometric plan are in substantial compliance and conform to the technical requirements
388 contained within the Unified Development Code and Planned Development District 70, with the
389 exclusion of not meeting the minimum stone requirement and horizontal articulation
390 requirements. Requests for the variances as outlined above are considered discretionary
391 decisions for the City Council.

392
393 Mr. Gonzales advised the Commission that the applicant was present and available for questions
394 as well as staff.

395
396 Chairman Lyons asked the applicant to come forward and speak.

397
398 William Salee
399 RISD
400 1050 Williams Street
401 Rockwall, TX
402

403 Mr. Salee came forward and shared the request is a continuation of a bond program that is
404 addressing the growth within the District. The school will be similar in design to Hays
405 Elementary School and Shannon Elementary School that have been built within the City as well
406 as this type prototype being built in the Cities of Heath and Fate. He further shared that although
407 it does not have stone the building will have a lot of brick detailing and brick work. Mr. Salee
408 indicated he was available for questions the Commission may have.

409
410 Chairman Lyons brought the item back to the Commission for discussion or a motion.

411
412 Commissioner Womble made a motion to approve SP2018-032 with staff recommendations.
413 Commissioner Fishman seconded the motion which passed by a vote of 6-0 with Commissioner
414 Chodun absent.

415
416
417 VI. DISCUSSION ITEMS

418
419 11. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- 420
421 ✓ P2018-031: Lot 2, Block A, First Christian Church Disciples [Approved]
422 ✓ P2018-034: Lot 1, Block A, Rustic Warehouse & Town Center Addition and Lot 9, Block 1, First United
423 Methodist Church Addition [Approved]
424 ✓ P2018-036: Lot 8, Block A, Lakeshore Commons Addition [Approved]
425 ✓ Z2018-032: Zoning Change LI to PD (1st Reading) [Approved]
426 ✓ Z2018-042: Text Amendment to Various Sections of the UDC (1st Reading) [Approved]
427 ✓ SP2018-029: Variance to the Cementitious Material Requirements for Springhill Suites Hotel [Denied]
428 ✓ SP2018-033: Variance to the Cementitious Material and Parking Requirements for Hyatt House Hotel
429 [Approved]

430
431 Planning Manager, David Gonzales, provided a brief update about the outcome of the above
432 referenced case at the City Council meeting.
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VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 7:36 p.m.

VIII. TRAINING SESSIONS

12. A work session will be held in the City Council meeting room immediately following the adjournment of the November 13, 2018 Planning and Zoning Commission Work Session meeting to discuss:

- ✓ GIS Day and GIS related tools.
- ✓ Policies for Traffic Impact Analysis (TIA) and Infrastructure Studies.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 2 day of January, 2019.



Johnny Lyons, Chairman

Attest:



Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
November 27, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:02 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Annie Fishman, Eric Chodun and John Womble. Absent from the meeting was Commissioner Tracey Logan. Staff members present were Planning Director, Ryan Miller, Planning Manager, David Gonzales, Senior Planer Korey Brooks, Planner, Daniella Madubuikie, City Engineer, Amy Williams, Civil Engineers, Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the September 25, 2018 Planning and Zoning Commission meeting.

2. P2018-038

Consider a request by Mitchell Lenamond, PE of Eric L. Davis Engineering, Inc. on behalf of Jeff Johnston of Woodhill Dental for the approval of a replat for Lot 16, Block 2, Alliance Addition, Phase 2 being a 0.85-acre parcel of land currently identified as Lot 12, Block 2, Alliance Addition, City of Rockwall, Rockwall County, Texas zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 149 H. Wallace Lane, and take any action necessary.

3. P2018-039

Consider a request by Clay Shipman for the approval of a replat for Lot 21, Block A, La Jolla Pointe Addition, Phase 2, being a 1.28-acre parcel of land currently identified as Lot 3, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located on La Jolla Pointe drive northeast of the intersection La Jolla Pointe Drive and Laguna Drive, and take any action necessary.

4. P2018-040

Consider a request by Stephen A. Lamastra on behalf of 4TP Rockwall, LLC for the approval of a final plat for Lot 1, Block A, Village Green Residence Addition, being a 2.0896-acre parcel of land identified as Lot 1, Block A, Rockwall Seniors Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 86 (PD-86) for Multi-Family 14 (MF-14) District land uses, generally located south of the intersection of T. L. Townsend Drive and Justin Road, and take any action necessary.

5. SP2018-035

Consider a request by Mike and Sonya West for the approval of a site plan converting an existing single-family structure into an office building on a 0.745-acre parcel of land identified as Lot 3 of the Austin Addition City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the N. Goliad Corridor Overlay (NGC OV) District, addressed as 912 N. Goliad Street [SH-205], and take any action necessary.

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

III. APPOINTMENTS

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

Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.

64 IV. DISCUSSION ITEMS

65 7. Z2018-043

66 Hold a public hearing to discuss and consider a request by Michael Worrell of Rockwall Honda for the
67 approval of an amendment to SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an
68 existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land
69 identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas,
70 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action
71 necessary.
72

73
74 **Planning Manager, David Gonzales, provided a brief explanation and background pertaining to**
75 **the case which involves the location of the display of vehicles as well as the shade structures.**
76 **The request came before the Commission at last month's meeting where a couple of issues were**
77 **brought up at that time that have since been resolved.**

78
79 **Mr. Gonzales advised the Commission that the applicant was present and available for questions**
80 **as well as staff.**

81
82 **Chairman Lyons asked the applicant to come forward.**

83
84 **Michael Worrell**
85 **1030 E. IH-30**
86 **Rockwall, TX**
87

88 **Mr. Worrell came forward and provided a brief explanation of the request. He shared that sales at**
89 **the dealership have been good and therefore their desire to improve the facility. He provided a**
90 **concept plan that showed where they would be placing the additional parking spaces as well as**
91 **where the shade canopy would be located. The proposed shade structures will be located on the**
92 **east side of the property and provide shade for the displayed vehicles. Mr. Worrell indicated that**
93 **they are requesting to provide decomposed granite with a hard edge in order to contain the**
94 **material along IH-30 for the display areas these areas are currently grass surfaces and**
95 **once constructed using the decomposed granite, will provide stability for the displayed**
96 **vehicles and eliminate erosion. Mr. Worrell went on to share that since the last meeting**
97 **where there was a question as to TXDOT and TXU's offset and the build line they have**
98 **since had a survey done which shows where those things are and he provided that**
99 **survey and proceeded to share details of the findings, they will not encroach onto**
100 **TXDOT's property. He indicated he was available for questions the Commission may**
101 **have.**

102
103 **Chairman Lyons asked brought the item back to the Commission for discussion.**

104
105 **Commissioner Womble asked for clarification since they currently already have a display area**
106 **where it is being proposed. Mr. Gonzales indicated that currently the area where they have the**
107 **display area becomes muddy when it rains and therefore the purpose of the request is to be able**
108 **to put a hardscape type element such as crushed granite which would provide a harder surface**
109 **which would be more convenient to allow parking of the displayed vehicles. Mr. Gonzales went**
110 **on to clarify that there would be no display along the TXDOT right of way. Mr. Miller added that it**
111 **is before the Commission because any type of change being requested would be an amendment**
112 **to the current active Specific Use Permit.**

113
114 **There being no further questions Chairman Lyons indicated the case will return to the**
115 **Commission for action at the next scheduled meeting.**

116
117
118 8. Z2018-048

119 Hold a public hearing to discuss and consider a request by Amanda Henry for the approval of a Specific
120 Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the
121 Unified Development Code (UDC) on a 0.253-acre tract of land identified as part of Lot 47B of the B. F.
122 Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District,
123 addressed as 205 S. Clark Street, and take any action necessary.
124
125

126 Senior Planner, Korey Brooks, gave a brief explanation of the request. The applicant is
127 requesting to build a metal structure on the subject property. Currently there is a metal building
128 on the property that is in disrepair and the applicant has indicated that that one would be torn
129 down and the new one be built in the same place. Due to the building being requested being
130 metal it requires a Specific Use Permit.

131
132 Mr. Brooks advised the Commission that the applicant was unable to attend the meeting
133 however staff was available for questions.

134
135 Chairman Lyons brought the item back to the Commission for questions or discussion.

136
137 There being no questions Chairman Lyons indicated the case will return to the Commission for
138 action at the next scheduled meeting.

139
140
141 9. Z2018-049

142 Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific
143 Use Permit (SUP) for an *animal shelter* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr
144 Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
145 situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take
146 any action necessary.

147
148 Planning Manager, David Gonzales, indicated that this agenda item and agenda item #13 could
149 be included and discussed together.

150
151 Mr. Gonzales gave a brief explanation of the request. It was found that the applicant had
152 constructed a building (an animal shelter) without a permit. A Specific Use Permit is required,
153 since it is an Agricultural zoned property, in order to shelter animals within this facility. There is
154 currently a stop work order from the City in order to complete the zoning process. Mr. Gonzales
155 further noted that agenda item #13 which deals with the attached garage was built without a
156 permit as well and is coming before the Commission seeking approval of a Specific Use Permit.
157 One of the items listed in the Draft Ordinance is the required removal of an accessory building
158 that is in the floodplain therefore one accessory building on the property that was built without a
159 permit and on the floodplain will have to be removed as a condition of approval prior to the
160 issuance of a permit for the animal shelter.

161
162 Mr. Gonzales stated that the applicant was not present however staff was available for
163 questions.

164
165 Chairman Lyons asked for clarification as to which building was to be removed. Mr. Gonzales
166 indicated that would be provided to the Commission prior to the public hearing.

167
168 Commissioner Moeller asked if the detached garage has been completed. Mr. Gonzales stated
169 that it was built prior to the animal shelter and has been up for some time however the applicant
170 has not indicated to be requesting to add anything in addition to that structure.

171
172 Commissioner Womble asked had the structures gone through the normal channels by
173 submitting plans prior to building them, would they be entitled or required a Specific Use Permit.
174 Mr. Gonzales indicated they would have to go through the Specific Use Permitting.

175
176 There being no further questions Chairman Lyons indicated the case will return to the
177 Commission for action at the next scheduled meeting.

178
179
180 10. Z2018-050

181 Hold a public hearing to discuss and consider a request by David Rains for the approval of a Specific
182 Use Permit (SUP) allowing a covered patio that exceeds the maximum requirements for property
183 located within the Lake Ray Hubbard Takeline leased area that is adjacent to a parcel of land identified
184 as Lot 12, Block A, Chandlers Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas,
185 zoned Planned Development 8 (PD-8) District for single family land uses, addressed as 5808
186 Constellation Circle, and take any action necessary.

188 Senior Planner, Korey Brooks, advised the Commission that the applicant was present and
189 would discuss the request and following that staff would be available to answer any question the
190 Commission may have.

191
192 Chairman Lyons asked the applicant to come forward

193
194 David Rains
195 5808 Constellation Circle
196 Rockwall, TX
197

198 Mr. Rains came forward and provided a brief explanation of his request. In looking at a location
199 map of the property he explained that running directly behind the house there is a 15 foot utility
200 easement where nothing can be built. There has already been a permit granted for concrete to
201 go on the takeline because that is allowed. The request is for a 16 ½ x35 foot covered patio
202 structure that would allow for them to enjoy the lake and entertaining since there is no patio
203 behind there house due to the utility easement that is not possible. The structure will match the
204 main house and will not obstruct any views. Mr. Rains went on to share that the Chandlers
205 Landing Architectural Review Board however they cannot approve anything that is on the
206 takeline but have approved the concrete and have expressed liking the look of the request and
207 he will be providing such letter at the next scheduled meeting. Mr. Rains indicated he was
208 available for questions.
209

210 Mr. Brooks added that the City of Dallas and the City of Rockwall have an interlocal government
211 agreement for the takeline lease space and is very specific to size height and elevation
212 requirements. In this case the since the requested covered patio has a pitched roof with clay
213 tiles that does not fall within the guidelines stipulated in the agreement. The agreement calls for
214 more of a pergola type style roof that has open air rafters. In addition one of the requirements of
215 the agreement is for anything that is built in the takeline does not obstruct the neighbor's view
216 of the lake; in this case the applicant has indicated they are outside of the view line and would
217 not be obstructing any neighbor's view.
218

219 Chairman Lyons brought the item back to the Commission for questions or discussion.
220

221 Commissioner Womble asked for further clarification of what is allowed within the takeline. Mr.
222 Brooks explained the different types of roofs and height restrictions that are allowed within the
223 takeline as it pertains to different uses.
224

225 There being no further questions Chairman Lyons indicated the case will return to the
226 Commission for action at the next scheduled meeting.
227

228
229 11. Z2018-051

230 Hold a public hearing to discuss and consider a request by Susan Thomas of Petco Animal Supplies
231 Stores, Inc. on behalf of Steve Hagara of Rockwall Holdings, LLC for the approval of a Specific Use
232 Permit (SUP) for an *animal hospital/clinic* in conjunction with an existing retail store situated on a
233 21.424-acre parcel of land identified as Lot 1A, Block B, R. W. Market Center Addition, City of Rockwall,
234 Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)
235 District, addressed as 2689 Market Center Drive, and take any action necessary.
236

237 Senior Planner, Korey Brooks, indicated that the applicant is requesting a Specific Use Permit to
238 allow for an Animal Hospital in a Commercial District. Currently next door to the Petco there is
239 an existing Veterinary Clinic with an existing Conditional Use Permit with for the same use being
240 requested. Mr. Brooks added that the SUP would add the conditions that no large livestock
241 animals would be allowed to be seen.
242

243 Mr. Brooks advised the Commission that the applicant was not present however staff could
244 answer questions the Commission may have.
245

246 There being no questions Chairman Lyons indicated the case will return to the Commission for
247 action at the next scheduled meeting.
248
249

250 12. Z2018-052

251 Hold a public hearing to discuss and consider a request by Russell Phillips on behalf of Rockwall Retail
252 Investors, LLC for the approval of a Specific Use Permit (SUP) for a *mini-warehouse* facility on a 7.489-
253 acre tract of land identified as Lot 23, Rainbow Acres Addition, City of Rockwall, Rockwall County,
254 Texas, zoned Commercial (C) District, generally situated north of Horizon Road and east of Ranch Trail
255 Road, and take any action necessary.

256
257 **Senior Planner, Korey Brooks, indicated the applicant was present and would go over the**
258 **request and staff would add any additional needed comments.**

259
260 **Chairman Lyons asked the applicant to come forward**

261
262 **Russell Phillips**
263 **521 Lorraine Way**
264 **Heath, TX**

265
266 **Mr. Phillips came forward and shared that they were had an approved Specific Use Permit and**
267 **were in design with the plans and had them finished however that SUP expired shortly**
268 **thereafter. They are before the Commission seeking approval for a Specific Use Permit that is**
269 **the same as the one that just expired with the exception of some difference in the layout. They**
270 **are ready to submit the full plans and requesting approval for the Specific Use Permit to allow**
271 **them to move forward with the project. He indicated he was available for questions.**

272
273 **Mr. Brooks added that the original Specific Use Permit allowed for a maximum of 575 units and**
274 **in this case on the concept plan it shows 296 and therefore the SUP has been changed to reflect**
275 **that and should any additional units be added the Specific Use Permit would have to be**
276 **amended to add those units. Mr. Russell then indicated they would like to keep the 575 units**
277 **within the SUP however they are doing it in phases and not building them all at once. Mr. Miller**
278 **added that they would need to update the concept plan that was provided to reflect all 575 units,**
279 **they would be able to phase it however they want through the site plan process. Mr. Russell**
280 **indicated those changes to the concept plan would be made and provided to staff before the**
281 **next scheduled meeting.**

282
283 **Chairman Lyons brought the item back to the Commission for questions or discussion.**

284
285 **There being no questions Chairman Lyons indicated the case will return to the Commission for**
286 **action at the next scheduled meeting.**

287
288
289 13. Z2018-053

290 Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific
291 Use Permit (SUP) for a detached garage that does not meet the requirements stipulated by the Unified
292 Development Code (UDC) on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey,
293 Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated
294 within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action
295 necessary.

296
297 **Agenda item was discussed with Agenda item #9.**

298
299 14. Z2018-054

300 Hold a public hearing to discuss and consider a request by Andrew Bennett of BOKA Powell, LLC on
301 behalf of the owner Vinod Miranda for the approval of a Specific Use Permit (SUP) for an office building
302 that will exceed 36-feet in height within the Scenic Overlay (SOV) District on a 9.7-acre tract of land
303 identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County,
304 Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the
305 southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary.

306
307 **Planning Manager, David Gonzales, shared that the Specific Use Permit is being requested due**
308 **to the building's height with it being located within the Scenic Overlay District there is the height**
309 **requirement of 36 feet. Mr. Gonzales indicated the applicant was present and would go over the**
310 **request and staff would be available for any questions the Commission may have.**
311

312 Chairman Lyons asked the applicant to come forward.
313 Andrew Bennett
314 1400 Highline
315 Dallas, TX
316

317 Mr. Bennett came forward and provided a brief explanation of the request. They would like to
318 take advantage of the views of the lake by building a three story building and also to keep a floor
319 plate size that is efficient for a typical corporate office that are seen in North Texas. He provided
320 a concept plan and shared that with this beautiful site they have the opportunity to place it on
321 the land as it moves down the site which is about 40-50 feet of fall across the site going down
322 the residential area and towards the lake. He shared that essentially a three story building in
323 their office market is a little bit taller than 36 feet and therefore the reason for the request for the
324 additional height. He added that they are looking to build a Class A office building that will serve
325 as a very nice corporate headquarter campus for their client. He indicated he as well as one of
326 the civil engineers working on the project was available to answer any questions.
327

328 Chairman Lyons brought the item back to the Commission for questions or discussion.
329

330 There being no questions Chairman Lyons indicated the case will return to the Commission for
331 action at the next scheduled meeting.
332
333

334 15. P2018-035

335 Discuss and consider a request by Bart A. Tinsley of the Alders at Rockwall Property, LLC for the
336 approval of a final plat for Lot 1, Block A, Alders at Rockwall Addition, being a 10.310-acre parcel of
337 land identified as Lot 2, Block A, Rockwall Seniors Addition, City of Rockwall, Rockwall County, Texas,
338 zoned Planned Development District 86 (PD-86) for Multi-Family 14 (MF-14) District land uses, situated
339 within the SH-205 Overlay (SH-205 OV) District, generally located south of the intersection of T. L.
340 Townsend Drive and Justin Road, and take any action necessary.
341

342 Planning Manager, David Gonzales, indicated that the applicant was present and added that the
343 case is before the Commission because it has to go before the Parks Board for fee assessments.
344

345 Chairman Lyons asked the applicant to come forward.
346

347 Joseph Rue
348 Burgess & Niple
349 10701 Corporate Drive, Suite 118
350 Stafford, TX
351

352 Mr. Rue came forward and indicated they are before the Commission to start processing their
353 final plat. The construction plans have been submitted to the City for review and should have an
354 approval in the next coming weeks and they will be before the Parks Board on December 4th and
355 also have received comments from the Planning staff and those will be addressed. He indicated
356 he was available for questions.
357

358 Chairman Lyons brought the item back to the Commission for questions or discussion.
359

360 Mr. Gonzales added that the applicant will need to provide the letters from the utility in order to
361 be able to abandon the utility from a franchise. Mr. Rue stated that he did speak to the City
362 Engineering staff and indicated they would be obtaining letters from AT&T, ATMOS and Charter
363 and will provide staff with those when they receive them.
364

365 There being no questions Chairman Lyons indicated the case will return to the Commission for
366 action on the consent agenda at the next scheduled meeting.
367
368

369 16. P2018-041

370 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of
371 BH Balance III, LLC. for the approval of a preliminary plat for the Breezy Hill, Phase XI containing 78
372 single-family lots on a 23.849-acre tract of land identified as a portion of Tract 7 and all of Tract 7-06 of
373 the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned

374 Development District 74 (PD-74) for Single-Family 10 (SF-10) District land uses, generally located
375 adjacent to Breezy Hill Road north of the intersection of Breezy Hill Road and FM-552, and take any
376 action necessary.
377

378 Senior Planner, Korey Brooks, gave a brief explanation of the case. The request is for a
379 preliminary plat for Breezy Hill's latest phase and is coming before the Commission because it
380 needs to go before the Park Board to assess fees and will be on the consent agenda at the next
381 scheduled meeting. Mr. Brooks indicated he was available for questions.
382

383 Chairman Lyons brought the item back to the Commission for questions or discussion.
384

385 There being no questions Chairman Lyons indicated the case will return to the Commission for
386 action on the consent agenda at the next scheduled meeting.
387
388

389 17. P2018-042

390 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of
391 BH Phase 8, LLC for the approval of a preliminary plat for Breezy Hill, Phase VIII containing 61 single-
392 family residential lots on 27.822-acres of land identified as a portion of Tract 7 of the J. Strickland
393 Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development
394 District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located along the eastern side of
395 Breezy Hill Lane, and take any action necessary.
396

397 Senior Planner, Korey Brooks, provided a brief explanation of the request. The case is coming
398 before the Commission because it has to go before the Parks Board to assess Park fee
399 assessments and will be on the consent agenda at the next scheduled meeting. Mr. Brooks
400 indicated he was available for questions.
401

402 Chairman Lyons brought the item back to the Commission for questions or discussion.
403

404 There being no questions Chairman Lyons indicated the case will return to the Commission for
405 action on the consent agenda at the next scheduled meeting.
406
407

408 18. P2018-043

409 Discuss and consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of
410 RRDC, LTD. for the approval of a final plat for the Whisper Rock Subdivision containing 28 single-family
411 lots on a 9.477-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207, City of
412 Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family
413 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 3231
414 Ridge Road, and take any action necessary.
415

416 Planning Manager, David Gonzales, indicated that the applicant was present to discuss the
417 request. The case is before the Commission because it has to go before the Parks Board to
418 assess park fees and will be on the consent agenda at the next scheduled meeting. Mr. Gonzales
419 noted that they are working on a PD site plan that will be a condition of approval for the final plat
420 and that site plan should be coming before the Commission in the upcoming weeks.
421

422 Mr. Gonzales advised the Commission that the applicant was present and available for questions
423 as well as staff.
424

425 Chairman Lyons asked the applicant to come forward.
426

427 Bill Thomas
428 201 Winco Circle
429 Wylie, TX
430

431 Mr. Thomas came forward and shared that they have received comments from the Engineering
432 staff in regards to easements which they are working on. They are also preparing to submit as
433 Mr. Gonzales mentioned the PD site plan.
434

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

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19. SP2018-036
Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf Gari Foote for the approval of a site plan for an office building on a 0.26-acre portion of a larger one (1) acre tract of land identified as Block 26 of the Garner Addition, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, located at the northwest corner of the intersection of W. Heath Street and S. Goliad Street [SH-205], and take any action necessary.

Senior Planner, Korey Brooks, indicated that the applicant was present and would go over the request and staff would be available for questions.

Chairman Lyons asked the applicant to come forward.

Wayne Mershawn
2313 Ridge Road, Suite 103
Rockwall, TX

Mr. Mershawn came forward and shared that they have met all the conditions as far as the architectural requirements. The Historical Board had recommended some changes be made and those have been made. They feel they have satisfied the comments for both the Historical Board and the Architectural Review Board and are asking for approval to allow them to move forward with the project. He indicated he was available for questions the Commission may have.

Mr. Brooks added that since it will be a Residential Office use the applicant is providing landscape screening in the form of a berm with trees and bushes at the property line adjacent to W. Heath Street to screen the parking lot.

Chairman Lyons brought the item back to the Commission for discussion or questions.

Commissioner Welch asked since it is a "Residential" office would it be a live/work office. Mr. Brooks explained that Residential Office does allow for a live/work however in this case the applicant is not proposing to live in it.

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

20. SP2018-037
Discuss and consider a request by Russell Phillips of Sterling One for the approval of a site plan for a 265 unit, condo development situated on a 7.58-acre tract of land identified as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and Lot 4, Block 18, Moton Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Interior Subdistrict of PD-32, located south of the intersection of Summer Lee Drive and Glen Hill Way, and take any action necessary.

Planning Director, Ryan Miller, indicated the applicant was present to discuss the request and staff would be available to answer any additional questions.

Chairman Lyons asked the applicant to come forward.

Russell Phillips
521 Lorraine Way
Heath, TX

Mr. Phillips came forward and shared they are submitting a revised site plan for the 265 units that have been approved. He shared they have come a long way through the process however they needed to come back with a new site plan layout before they can proceed forward with the final plans. The last site plan they had they had gotten to the last round of construction drawings with staff comments, at that time they were unable to move forward with financing however they are now in the final process of getting the financing approval.

497 Mr. Russell went on to share that with this revised site plan the number of units has not
498 changed. They have received staffs comments and will be meeting with them to ensure those are
499 addressed.
500

501 Mr. Miller added that when the site plan originally came before the Commission and City Council
502 there was a dual roadway that connected at the back. At that time it was waived that thru the site
503 planning process, that will probably necessitate approval by the Planning and Zoning
504 Commission as well as City Council. Mr. Miller indicated there are some changes to the
505 requirements and due to this being an expired site plan the new site plan will need to meet
506 those. Specifically the change of condition is the adjacent property is developed and has
507 constructed a portion of Glenn Hill Way and the remainder of Glenn Hill Way is the burden of the
508 subject property therefore that will need to be designed and indicated on the plat. Originally the
509 applicant had requested and was approved for, a facilities agreement that would have delayed
510 the construction until the adjacent property was constructed. They will be asked to amend the
511 site plan to show that alignment. In addition the site plan will go before the Parks Board because
512 since the original site plan was approved the city's Park Districts have been changed and there
513 is now a dedicated park in the Harbor District.
514

515 Mr. Miller advised the Commission staff was available for questions.
516

517 Chairman Lyons brought the item back to the Commission for questions or discussion.
518

519 There being no questions Chairman Lyons indicated the case will return to the Commission for
520 action at the next scheduled meeting.
521
522

523 21. SP2018-038
524 Discuss and consider a request by Doug Galloway of Cooper General Contractors on behalf of Corey
525 Cannon for the approval of a site plan for a craft brewery on a 1.16-acre parcel of land identified as Lot
526 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT)
527 District, situated within the SH-66 Overlay (SH-66 OV) District, located north of the intersection of S.
528 Goliad Street [SH-205] and Storrs Street, and take any action necessary.
529

530 Planning Director, Ryan Miller, indicated that the applicant was present to go over the request
531 and staff would be available to answer any questions.
532

533 Chairman Lyons asked the applicant to come forward.
534

535 Doug Galloway
536 3508 Edgewater
537 Dallas, TX
538

539 Mr. Galloway came forward and shared they have a structure that they have built in such a way
540 that it conforms and is an extension to the Downtown with all of the brick structures and detail
541 and then transitions into something that is a little bit more contemporary. Mr. Galloway provided
542 the Commission a sample board and indicated that the Architectural Review Board provided
543 positive feedback on the project when they met earlier in the evening.
544

545 Mr. Miller added that there are three waivers, two minor and one major. The applicant is in the
546 process of working thru the major waiver which is for the parking. The minor waivers relate to
547 the building materials and the bicycle rack. The applicant has indicated they will be putting a
548 bicycle rack and with the material waiver which is for the metal material ultimately will be at the
549 discretion of the Planning and Zoning Commission.
550

551 Chairman Lyons brought the item back to the Commission for discussion or questions.
552

553 Commissioner Womble asked the applicant to discuss further detail in regards to the metal
554 panel system since it only states it is corrugated metal which is pretty broad term. Mr. Galloway
555 shared that the corrugated metal is a representation of the color it would be. It will be a
556 traditional metal rib that is seen on metal buildings. Both on the walls and the actual roof
557 structure there will be more of a contemporary lean with exposed fasteners.

558 Commissioner Moeller asked staff concerning the waiver being requested for the parking. Mr.
559 Miller indicated that the original submittal there were a few parking spaces missing however the
560 applicant is working through their design scheme to try and meet the parking requirements to
561 avoid a "major" waiver.
562

563 There being no further questions Chairman Lyons indicated the case will return to the
564 Commission for action at the next scheduled meeting.
565
566

567 22. SP2018-039

568 Discuss and consider a request by Matt Moore of Claymoore Engineering on behalf of Phil Wagner of
569 Rockwall Economic Development Corporation (REDC) for the approval of a site plan for an industrial
570 building on a 3.634-acre parcel of land identified as Lot 1, Block E, Rockwall Technology Park Addition,
571 City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549
572 Overlay (FM-549 OV) District, located at the northwest corner of the intersection of Technology Way
573 and Observation Trail, and take any action necessary.
574

575 Planning Manager, David Gonzales, shared that the Architectural Review Board reviewed the
576 case and unanimously approved as submitted including the variances associated with the
577 building. Mr. Gonzales indicated the applicant was present and available for questions as well as
578 staff.
579

580 Chairman Lyons asked the applicant to come forward.
581

582 Brian Berry
583 2 Essex Court
584 Heath, TX
585

586 Mr. Berry came forward and shared he represents Heath Hill with Lime Media Group who is a
587 resident of Rockwall who currently operates his headquarters out of Rowlett and is looking to
588 relocate that headquarters to the Technology Park. The plan is to build an approximately 36,000
589 square foot building on the 3.634 acre lot. Mr. Berry went on to share that Lime Media is a
590 marketing and advertising company that wants to create a facility that fits the culture of their
591 company and is part of the building architecture their team is proposing. There are a few
592 variances to the material which they feel the location and orientation of building and the
593 materials being presented will still provide the quality that the City is looking to achieve in the
594 Technology Park. Mr. Berry indicated he and a team of his colleagues were present to answer
595 any questions the Commission may have.
596

597 Chairman Lyons brought the item back to the Commission for discussion or questions.
598

599 There being no questions Chairman Lyons indicated the case will return to the Commission for
600 action at the next scheduled meeting.
601

602 23. SP2018-040

603 Discuss and consider a request by J. C. La Foy & Associates on behalf of MCP Residential, LTD for the
604 approval of a PD site plan for an age/restricted senior living community consisting of 46 single-family
605 lots on a 15.826-acre tract of land identified as Lots 5 & 7, Block A, Eastshore Addition, City of
606 Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68), situated within the
607 SH-205 Overlay (SH-205 OV) District, located on the east side of S. Goliad Street [S. SH-205] north of
608 the intersection of S. Goliad Street and Justin Road, and take any action necessary.
609

610 Planning Manager, David Gonzales, indicated that the applicant was present and would go over
611 the case. He noted that staff has worked with the applicant on the buffer and the applicant has
612 indicated that they will be providing a six foot rod iron fence on the back as well as a three
613 layered landscaping element.
614

615 Chairman Lyons asked the applicant to come forward.
616

617 Camile LaFoy
618 1420 Susan Circle
619 Lucas, TX

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Ms. LaFoy came forward and shared that there is a double row of evergreen screening along the back plus trees which will be approximately 8 foot tall at the time of install which will provide good screening. Ms. LaFoy indicated she was available for questions.

Chairman Lyons brought the item back to the Commission for discussion or questions.

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

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

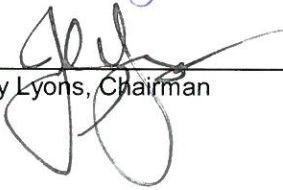
- ✓ P2018-037: Final Plat for Lots 3 & 4, Block A, Harbor Village Addition [Approved]
- ✓ Z2018-044: SUP for an Accessory Building for 825 Zion Hills Circle (1st Reading) [Denied]
- ✓ Z2018-045: SUP for a Freestanding Commercial Antenna at Yellow Jacket Park (1st Reading) [Approved]
- ✓ Z2018-046: SUP for Temporary Educational Buildings (1st Reading) [Postponed to the December 13, 2018 City Council Meeting]
- ✓ Z2018-047: OURHometown Vision 2040 Comprehensive Plan (1st Reading) [Approved]
- ✓ SP2018-030: Variances for Brakes Plus [Approved]
- ✓ SP2018-032: Variances for an Elementary School in PD-70 [Approved]
- ✓

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

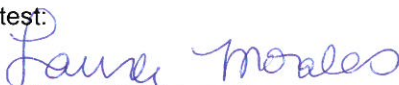
V. ADJOURNMENT

Chairman Lyons adjourned the meeting at 7:21 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 15 day of January, 2019.



Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
December 11, 2018
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, John Womble, Eric Chodun, Tracey Logan, and Annie Fishman. Absent from the meeting was Commissioner Mark Moeller. Staff members present were Planning Director, Ryan Miller, Planning Manager, David Gonzales, Senior Planer Korey Brooks, Planning Coordinator, Laura Morales, Engineering Director, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the October 9, 2018 Planning and Zoning Commission meeting.

2. Approval of Minutes for the October 30, 2018 Planning and Zoning Commission meeting.

3. P2018-035

Consider a request by Bart A. Tinsley of the Alders at Rockwall Property, LLC for the approval of a final plat for Lot 1, Block A, Alders at Rockwall Addition, being a 10.310-acre parcel of land identified as Lot 2, Block A, Rockwall Seniors Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 86 (PD-86) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, generally located south of the intersection of T. L. Townsend Drive and Justin Road, and take any action necessary.

4. P2018-041

Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance III, LLC. for the approval of a preliminary plat for the Breezy Hill, Phase XI containing 78 single-family lots on a 23.849-acre tract of land identified as a portion of Tract 7 and all of Tract 7-06 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single-Family 10 (SF-10) District land uses, generally located adjacent to Breezy Hill Road north of the intersection of Breezy Hill Road and FM-552, and take any action necessary.

5. P2018-042

Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 8, LLC for the approval of a final plat for Breezy Hill, Phase VIII containing 61 single-family residential lots on 27.822-acres of land identified as a portion of Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located along the eastern side of Breezy Hill Lane, and take any action necessary.

6. P2018-043

Consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a final plat for the Whisper Rock Subdivision containing 28 single-family lots on a 9.477-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 3231 Ridge Road, and take any action necessary.

7. SP2018-041

Discuss and consider a request by Matt Atkins of Engineering Concepts on behalf of Scott Lewis of RRDC, LTD. for the approval of a site plan for the Whisper Rock Subdivision containing 28 single-family lots on a 9.477-acre tract of land identified as Tract 104 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 47 (PD-47) for Single-Family

62 10 (SF-10) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 3231
63 Ridge Road, and take any action necessary.

64
65 **Commissioner Chodun made a motion to approve the consent agenda. Commissioner Fishman**
66 **seconded the motion which passed by a vote of 6-0 with Commissioner Moeller absent.**
67

68 III. APPOINTMENTS

69
70 8. Appointment with Architectural Review Board representative to receive the Board's
71 recommendations and comments for items on the agenda requiring architectural review.
72

73 **Architectural Review representative gave a brief explanation concerning agenda items that were**
74 **discussed at the Architectural Review Board meeting.**
75

76 IV. PUBLIC HEARING ITEMS

77
78 9. Z2018-043

79 Hold a public hearing to discuss and consider a request by Michael Worrell of Rockwall Honda for the
80 approval of an amendment to SUP No. S-76 (Ordinance No. 10-26) to allow changes to be made to an
81 existing Motorcycle Dealership with Accessory Boat and Trailer Sales being a 1.152-acre parcel of land
82 identified as Lot 6, Block A, Newman Center #1 Addition, City of Rockwall, Rockwall County, Texas,
83 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action
84 necessary.
85

86 **Planning Manager, David Gonzales, provided a brief explanation and background in reference to**
87 **the case. The applicant Michael Worrell of Rockwall Honda had requested the approval of an**
88 **amendment to SUP No. S-76 for the purpose of allowing the addition of three canopy shade**
89 **structures on the site. On October 9, 2018, a motion was approved by the Planning and Zoning**
90 **Commission to continue the public hearing to the October 30, 2018 meeting for the purpose of**
91 **allowing the applicant time to address issues raised by the Planning and Zoning Commission**
92 **and staff concerning the landscape buffer along IH-30 and the display area. With the necessary**
93 **exhibits not being prepared and returned to staff in time for the scheduled public hearing on**
94 **October 30, 2018, the applicant did not have the ability to request an additional postponement,**
95 **as this would have exceeded the 30 day time limitation from the first public hearing date which**
96 **was on October 9, 2018. On October 30, 2018, the Planning and Zoning Commission**
97 **unanimously approved a motion to accept the applicant's request to withdraw the case due to**
98 **the applicants need for additional time to provide staff with the necessary exhibits for those**
99 **concerns that had been raised regarding the landscape buffer along IH-30 and the display area.**

100 **The applicant has provided staff with the necessary exhibits and is requesting approval of an**
101 **amendment to SUP No. S-76 for the purpose of allowing the addition of three canopy shade**
102 **structures on the site. The proposed shade structures will be located on the east side of the**
103 **property and provide shade for the displayed vehicles. The applicant is also requesting to**
104 **provide decomposed granite with a hard edge in order to contain the material along IH-30 for**
105 **the display areas, which are located on the east and south sides of the. These areas are**
106 **currently grass surfaces and once constructed using the decomposed granite, will provide**
107 **stability for the displayed vehicles. Additionally, the applicant is requesting to allow for the**
108 **display area to be expanded within the ten foot landscape buffer along East IH-30. It should be**
109 **known that staff has met with the applicant regarding the landscaping of this display area and**
110 **Mr. Worrell has agreed to provide potted trees and plantings within the display area along IH-30.**
111 **The purpose of this type of landscape scheme is due to a 16-inch water main that runs parallel**
112 **within an existing 20-ft water easement located at the property line. This solution is to mimic the**
113 **use of trees and other landscaping that would normally appear within the ten foot landscape**
114 **buffer, and has been included as a condition of approval. If approved, the applicant will be**
115 **required to submit a site plan and building permit for the decomposed granite and canopy shade**
116 **structures.**
117

118 **Mr. Gonzales further noted that on November 30, 2018, staff mailed 17 notices to property**
119 **owners and residents within 500-feet of the subject property and also emailed a notice to the**
120 **Waterstone Homeowner's Association. Staff did not receive any notices regarding the**
121 **applicant's request either in favor or in opposition.**

122 **Mr. Gonzales advised the Commission that the applicant was present and available for questions**
123 **as well as staff.**

124 Chairman Lyons opened up the public hearing and asked the applicant to come forward.

125
126 Michael Worrell
127 1030 E. IH-30
128 Rockwall, TX
129

130 Mr. Worrell came forward and indicated he was available for questions.
131

132 Chairman Lyons asked if anyone wished to speak to come forward and do so there being no one
133 indicating such Chairman Lyons closed the public hearing and brought the item back to the
134 Commission for discussion or a motion.
135

136 Commissioner Chodun made a motion to approve Z2018-043 with staff recommendations.
137 Commissioner Womble seconded the motion which passed by a vote of 6-0 with Commissioner
138 Moeller absent.
139

140
141 10. Z2018-048

142 Hold a public hearing to discuss and consider a request by Amanda Henry for the approval of a Specific
143 Use Permit (SUP) for an accessory building that does not meet the requirements stipulated by the
144 Unified Development Code (UDC) on a 0.253-acre tract of land identified as part of Lot 47B of the B. F.
145 Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District,
146 addressed as 205 S. Clark Street, and take any action necessary.
147

148 Senior Planner, Korey Brooks, gave a brief explanation of the request. The applicant is
149 requesting the approval of a Specific Use Permit to allow for the construction of a metal
150 accessory building that does not meet the requirements stipulated by the Unified Development
151 Code on a 0.253-acre tract of land. Currently, there is an existing metal accessory building in
152 disrepair that is approximately the same size as the proposed accessory building and will be
153 demolished in order to construct the new structure. According to the submitted site plan, the
154 accessory building will be 910 square feet 15-feet in height, and be situated to the rear of the
155 primary structure roughly in the same location as the existing accessory building. The
156 accessory building will be at least 20-feet from the side property lines and more than 60-feet
157 from the front and rear property lines. According to the applicant, the current accessory building
158 will be utilized as storage and will not be used for commercial land uses. According to the
159 Unified Development Code, no more than two accessory buildings larger than 225 SF each are
160 permitted in a Single-Family 7 District, provided the exterior cladding contains materials found
161 on the main structure. In this case, since the applicant is proposing to utilize metal and exceeds
162 the maximum allowable size for accessory buildings in a Single-Family 7 District, a Specific Use
163 Permit is required. The property located to the north of the subject property is located within the
164 Historic District and approval of this request is a discretionary decision for the Planning and
165 Zoning Commission and the City Council.
166

167 Mr. Brooks further noted that on November 30, 2018, staff mailed 69 notices to property owners
168 and residents within 500-feet of the subject property. Staff also notified the Park Place
169 Homeowner's Association. Staff had received one (1) email in favor of the request.
170

171 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
172

173 Amanda Henry
174 205 S. Clark Street
175 Rockwall, TX
176

177 Ms. Henry came forward and indicated she was available for questions.
178

179 Commissioner Chodun asked if the structure would be placed in the same location as the one
180 that will be demolished.
181

182 Commissioner Logan asked the applicant if she had considered something other than a metal
183 building. Ms. Henry indicated that at the time metal is all she has considered.
184

185 Chairman Lyons asked if anyone wished to speak to come forward and do so there being no one
186 indicating such Chairman Lyons closed the public hearing and brought the item back to the
187 Commission for discussion or a motion.
188

189 Commissioner Fishman made a motion to approve Z2018-048 with staff recommendations.
190 Commissioner Welch seconded the motion which passed by a vote of 5-1 with Commissioner
191 Logan dissenting and Commissioner Moeller absent.
192

193 11. Z2018-049

194 Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific
195 Use Permit (SUP) for an *animal shelter* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr
196 Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
197 situated within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take
198 any action necessary.
199

200 Chairman Lyons indicated that agenda item #15 would be discussed as the next item.
201

202 Planning Manager, David Gonzales, gave a brief explanation of the case. On October 24, 2018,
203 the building inspections department proactively recognized a structure being constructed
204 without a permit on the subject property. The building inspections department then proceeded
205 to confer with planning staff regarding the requirements for building a structure on the subject
206 property. During this meeting, additional structures were found to exist based on aerial images
207 dating back to the year 2013. These images depict two structures that have been built without a
208 permit. The aerial image indicates that one of these structures lies within the designated 100-
209 year flood plain. The other structure is a detached garage that has been enlarged on at least two
210 separate occasions. City records indicate that no permits were requested for the construction of
211 either of these structures. Subsequently, a Stop Work Order was issued on October 25, 2018 for
212 the animal shelter for the purpose of obtaining a building permit. Staff contacted Mr. Peoples
213 and advised him that a Specific Use Permit is also required in order to complete construction of
214 the animal shelter. On November 6, 2018, Mr. Peoples applied for a building permit, and
215 subsequently submitted an application for the SUP for the animal shelter use on November 19,
216 2018. The photos included with this case were taken from SH-66 by the building inspections
217 department. Staff has made several requests for the applicant to provide photos of these
218 structures and a survey that would locate the structures on this site and have not received either
219 of these items.
220

221 Mr. Gonzales further shared that the applicant is requesting the approval of a Specific Use
222 Permit to allow for an animal shelter as stipulated by the Unified Development Code. The 2,720
223 square foot 40-ft x 68-ft metal structure stands approximately 15-feet in height and is situated
224 north of the primary structure, adjacent to SH-66. The animal shelter is to be used for the
225 purpose of providing shelter for the animals on the subject property. As was noted above, there
226 are two existing accessory buildings on the subject property that have been built without a
227 permit and one that lies within the designated 100-year flood plain. This structure is required to
228 be demolished and has been added as a condition of approval of the SUP and the other
229 structure is a detached garage that is being considered for a Specific Use Permit concurrently
230 with this request.
231

232 Mr. Gonzales further noted that on November 30, 2018 staff mailed 33 notices to property owners
233 and residents within 500-feet of the subject property and also notified the Rolling Meadows
234 Homeowner's Association. Staff received three notices in favor of the request and one in
235 opposition.
236

237 Mr. Gonzales advised the applicant that the applicant was present and available for questions as
238 well as staff.
239

240 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
241

242 Mike Peoples
243 1700 E. SH-66
244 Rockwall, TX
245

246 Mr. Peoples came forward and shared that the current structure was placed there after a
247 previously existing structure which was at the exact same location became dilapidated after
248 wind damage and was an eye sore. He shared that what is currently there is an improvement
249 from the building that was in place before and is used mainly to show cows. He indicated he was
250 available for questions.

251
252 Chairman Lyons asked what the size of the structure that was removed was. Mr. Peoples
253 indicated it was approximately 40x50 in size and the current one is 50x50 in size.
254

255 Commissioner Logan asked if the request was approved did he plan to comply with all the City's
256 stipulations and conditions that come with the approval. Mr. Peoples indicated he planned on
257 following the necessary conditions the city sets forth.
258

259 Chairman Lyons asked if anyone wished to speak to come forward and do so there being no one
260 indicating such Chairman Lyons closed the public hearing and brought the item back to the
261 Commission for discussion or a motion.
262

263 Commissioner Womble asked if what was before the Commission to be approved was the "use"
264 and not the soundness of the structure which would go through a different process. Mr.
265 Gonzales indicated that was correct as well as tying down the size of the structure to the
266 ordinance. Mr. Miller added that should it be approved by both the Planning Commission and
267 City Council it would still need to go through the Building Inspection process to ensure the
268 proper drainage and detention is provided.
269

270 Commissioner Womble made a motion to approve Z2018-049 with staff recommendations.
271 Commissioner Welch seconded the motion which passed by a vote of 5-1 with Commissioner
272 Chodun dissenting and Commissioner Moeller absent.
273

274 12. Z2018-050
275 Hold a public hearing to discuss and consider a request by David Rains for the approval of a Specific
276 Use Permit (SUP) allowing a covered patio that exceeds the maximum requirements for property
277 located within the Lake Ray Hubbard Takeline leased area that is adjacent to a parcel of land identified
278 as Lot 12, Block A, Chandlers Landing, Phase 18, Section 2, City of Rockwall, Rockwall County, Texas,
279 zoned Planned Development 8 (PD-8) District for single family land uses, addressed as 5808
280 Constellation Circle, and take any action necessary.
281

282 Senior Planner, Korey Brooks, provided a brief explanation and background pertaining to the
283 request. The applicant is requesting the approval of a Specific Use Permit to allow a covered
284 patio that exceeds the maximum requirements for properties in the Lake Ray Hubbard Takeline
285 leased area. The applicant is proposing to construct an approximately 350 square foot 35-foot
286 by 10.5-foot covered patio in the leased area. The proposed patio cover will be constructed of
287 materials matching the primary structure being stucco and mission tile with regard to the posts
288 and pitched roof. The covered patio will be located approximately two feet outside of the
289 property line and be 12-foot high. In this case, the proposed covered patio is in conformance
290 with the view preservation and maximum height requirements as stipulated by the UDC;
291 however, the takeline ordinance requires all patios to be constructed of water-resistant wood
292 and/or native stone. Additionally, the Unified Development Code requires that the structure be
293 open on all sides, have vertical posts with rafters at the top, pergola-style roof, and have a
294 maximum width of 12' x 20'. According to the submitted site plan, the structure will be open on
295 all sides; however, the applicant is proposing to utilize stucco on the columns and a pitched roof
296 with mission tiles. Since the width and size of the structure exceeds the maximum allowable
297 requirements and will be constructed with materials not allowed by the takeline ordinance, a
298 Specific Use Permit is required. Approval of a Specific Use Permit is a discretionary decision for
299 the Planning and Zoning Commission and the City Council.
300

301 Mr. Brooks further noted that on November 30, 2018, staff mailed 60 notices to property owners
302 and residents within 500-feet of the subject property and have received one email and three
303 notices in opposition, one email in favor, and one notice that shared comments but was neutral
304 concerning the request.
305

306 Mr. Brooks advised the Commission that the applicant was present and available for questions
307 as well as staff. Planning Director, Ryan Miller, added that if City Council ultimately approves the

308 request the structure would need to be approved by the City of Dallas because it does not
309 conform to the Takeline Lease Agreement.

310
311 Chairman Lyons opened up the public hearing and asked the applicant to come forward.

312
313 David Rains
314 5808 Constellation Circle
315 Rockwall, TX

316
317 Mr. Rains came forward and provided a brief explanation of his request and shared pictures
318 showing the rendering of the proposed height of the structure he shared that they would like to
319 have the materials match the primary structure. He indicated they would have liked to build
320 directly behind the house however a 15 foot utility easement prevents it from being placed
321 anywhere but where they are proposing to build where he feels will not impede views of the lake
322 to his neighbors. He provided the Commission a letter from the Chandler's Landing
323 Environmental Committee which showed unanimous approval of the proposal. He shared
324 several pictures and renderings of the proposed structure and noted that he could build another
325 type of structure, be it a gazebo/pergola, in this area without having to receive City approval. He
326 indicated he was available for questions and requested approval from the Commission.

327
328 Chairman Lyons asked if anyone wished to speak to come forward and do so.

329
330 Scott Seals
331 5812 Constellation Circle
332 Rockwall, TX

333
334 Mr. Seals came forward and indicated he lives two houses south from the subject property. He
335 feels when property is bought on the lakefront homeowners pay high premium due to the lake
336 front view and anything that obstructs the lake view to adjacent properties would have a
337 negative impact. He generally expressed not being in favor of the request.

338
339 Carol Inman
340 5806 Constellation Circle
341 Rockwall, TX

342
343 Ms. Inman came forward and provided photos that showed the views she sees from her back
344 window of the lake. She expressed concern of the request because the structure would be in
345 direct view of her view of the lake.

346
347 Susan Martin
348 5810 Constellation Circle
349 Rockwall, TX

350
351 Ms. Martin came forward and indicated she has lived at her residence for 17 years which was
352 long before anything was allowed to be on the takeline. She generally expressed not being in
353 favor of the request she feels the structure will negatively impact her property value due to it
354 obstructing her view of the lake.

355
356 Vincent Walters
357 608 Severige Court
358 Rockwall, TX

359
360 Mr. Walters came forward and shared that he has lived in the property since 2017 and provided
361 two pictures which showed in his opinion if the request is approved, will cause him to lose part
362 of his view of the lake which could result in loss of his property's value. He generally expressed
363 being in opposition of the request.

364
365 Chairman Lyons asked the applicant to come forward should he want to add any rebuttal. Mr.
366 Rains came forward and generally expressed that he does not feel the structure will be in the
367 adjacent properties view corridor. He shared he would be willing to scale it down a ten feet in
368 length however the main reason he is seeking the Specific Use Permit is for the materials which

369 he feels will make the property look more atheistically pleasing because it will match the primary
370 structure.
371
372 Chairman Lyons asked if anyone else wished to speak to come forward and do so there being no
373 one indicating such; Chairman Lyons closed the public hearing and brought the item back to the
374 Commission for discussion or action.
375
376 Chairman Lyons shared expressed the importance of the decision taken by the Commission
377 would set a precedent and should be well thought out. Extensive general discussion took place
378 between the Commission in regards to the view corridor, the Takeline Lease Agreement as well
379 as discussion over the comments that were heard from concerned adjacent neighbors.
380
381 Chairman Lyons made a motion to deny Z2018-050. Commissioner Chodun seconded the motion
382 which passed by a vote of 5-1 with Commissioner Womble dissenting and Commissioner
383 Moeller absent.
384
385 Chairman Lyons called a recess at 7:37 p.m.
386 Chairman Lyons called the meeting back to order at 7:48 p.m.
387
388 13. Z2018-051
389 Hold a public hearing to discuss and consider a request by Susan Thomas of Petco Animal Supplies
390 Stores, Inc. on behalf of Steve Hagara of Rockwall Holdings, LLC for the approval of a Specific Use
391 Permit (SUP) for an *animal hospital/clinic* in conjunction with an existing retail store situated on a
392 21.424-acre parcel of land identified as Lot 1A, Block B, R. W. Market Center Addition, City of Rockwall,
393 Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)
394 District, addressed as 2689 Market Center Drive, and take any action necessary.
395
396 Chairman Lyons indicated that the applicant has requested to withdraw the case and action
397 would need to be taken.
398
399 Commissioner Chodun made a motion to accept the withdrawal of case Z2018-051.
400 Commissioner Fishman seconded the motion which passed by a vote of 6-0 with Commissioner
401 Moeller absent.
402
403 14. Z2018-052
404 Hold a public hearing to discuss and consider a request by Russell Phillips on behalf of Rockwall Retail
405 Investors, LLC for the approval of a Specific Use Permit (SUP) for a *mini-warehouse* facility on a 7.489-
406 acre tract of land identified as Lot 23, Rainbow Acres Addition, City of Rockwall, Rockwall County,
407 Texas, zoned Commercial (C) District, generally situated north of Horizon Road and east of Ranch Trail
408 Road, and take any action necessary.
409
410 Senior Planner, Korey Brooks, provided a brief explanation and background of the case. On
411 October 16, 2017, the City Council approved a Specific Use Permit (SUP) for a mini-warehouse
412 on the subject property. Since that approval, the applicant has not made and subsequent
413 submittals and the Specific Use Permit expired on November 6, 2018. In response to this
414 expiration, the applicant resubmitted a request for a Specific Use Permit to allow a 575-unit mini-
415 warehouse facility. According to the concept plan, the subject property will be developed in two
416 phases. Phase 1 will have seven buildings totaling 293 units ranging from 16 units to 121 units
417 per building. Phase 2 will have 12 buildings totaling 282 units ranging from ten units to 32 units
418 per building. The proposed mini-warehouse will have perimeter building that utilizes masonry on
419 all exterior facades visible from the street. The interior buildings will utilize metal and will not be
420 visible from the street. Staff should note that most of the surrounding buildings are constructed
421 of metal. Building One will include the leasing office and climate-controlled units that are
422 accessible internally in the building. The remaining buildings will have drive-up units with roll-up
423 doors, which will be oriented so the roll-up doors will not face Ranch Trail or Horizon Road. The
424 applicant is proposing to utilize landscape screening for the mini-warehouse facility to limit the
425 visibility of the facility from Ranch Trail and Horizon Road. Additionally, the northeast portion of
426 the subject property is wooded and will be preserved to provide landscape screening for
427 adjacent properties. According to the Unified Development Code a mini-warehouse facility is
428 permitted in a Commercial District by Specific Use Permit, which is a discretionary decision for
429 the Planning and Zoning Commission and the City Council. If the request is approved, the

430 applicant will be required to submit a site plan, landscape plan, photometric plan, and building
431 elevations to the Architectural Review Board and the Planning and Zoning Commission.
432

433 Mr. Brooks further noted that on November 30, 2018, staff sent 29 notices to property owners
434 and residents within 500-feet of the subject property and staff did not receive any notices
435 concerning this case.
436

437 Mr. Brooks indicated the applicant was present and available for questions as well as staff.
438

439 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
440

441 Russell Phillips
442 521 Lorraine Way
443 Heath, TX
444

445 Mr. Phillips came forward and provided additional explanation concerning the request and
446 provided a conceptual plan showing what he is proposing to construct. He indicated he is
447 available for questions.
448

449 Chairman Lyons asked if anyone wished to speak to come forward and do so there being no one
450 indicating such Chairman Lyons closed the public hearing and brought the item back to the
451 Commission for discussion or a motion.
452

453 Commissioner Chodun made a motion to approve Z2018-052 with staff recommendations.
454 Commissioner Welch seconded the motion which passed by a vote of 6-0 with Commissioner
455 Moeller absent.
456

457 15. Z2018-053

458 Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific
459 Use Permit (SUP) for a detached garage that does not meet the requirements stipulated by the Unified
460 Development Code (UDC) on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey,
461 Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated
462 within the East SH-66 Overlay (E. SH-66 OV) District, addressed as 1700 E. SH-66, and take any action
463 necessary.
464

465 Planning Manager, David Gonzales, provided a brief explanation of the case which is for the
466 same location as agenda item #11 he indicated that additional structures, one being a detached
467 garage, were found to exist based on aerial images dating back to the year 2013. These images
468 depict two structures that have been built without a permit. The aerial image indicates that one
469 of these structures lies within the designated 100-year flood plain. The other structure is a
470 detached garage that has been enlarged on at least two separate occasions with aerial images
471 indicating that to be from December 2015 & September 2017. City records indicate that no
472 permits were requested for the construction of either of these structures. According to Section
473 2, of Article V, Agricultural District of the Unified Development Code, allows for an accessory
474 use, detached garage, to be a permitted with a main use single-family home on more than ten
475 acres within an Agricultural District, Section 2.1.2, of Article IV, Permissible Uses, of the UDC,
476 allows for one detached garage that does not exceed 900 square feet in area or 15 feet in height
477 provided the exterior cladding contains the same materials as is found on the main structure. In
478 this case, the detached garage appears to be a metal structure. Accessory buildings such as a
479 detached garage not meeting these standards shall require approval of an SUP. The existing
480 detached garage does not meet the material or size requirements as stipulated by the UDC and
481 approval is discretionary for the City Council.
482

483 Mr. Gonzales went on to state that 33 notices were sent out to property owners within 500 feet of
484 the subject property and staff received 3 notices in favor of the request.
485

486 Mr. Gonzales advised the Commission that essentially it is the same request as was previously
487 discussed with this being for the "detached garage" he added that the applicant was available
488 for questions as well as staff.
489

490 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
491

492 Mike Peoples
493 1700 E. SH-66
494 Rockwall, TX
495

496 Mr. Peoples came forward and shared additional information pertaining to the request and
497 indicated he was available for questions.
498

499 Chairman Lyons asked if anyone wished to speak to come forward and do so there being no one
500 indicating such Chairman Lyons closed the public hearing and brought the item back to the
501 Commission for discussion or a motion.
502

503 Following additional dialogue Commissioner Welch made a motion to approve Z2018-053 with
504 staff recommendations. Chairman Lyons seconded the motion which passed by a vote of 6-0
505 with Commissioner Moeller absent.
506

507 16. Z2018-054

508 Hold a public hearing to discuss and consider a request by Andrew Bennett of BOKA Powell, LLC on
509 behalf of the owner Vinod Miranda for the approval of a Specific Use Permit (SUP) for an office building
510 that will exceed 36-feet in height within the Scenic Overlay (SOV) District on a 9.7-acre tract of land
511 identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County,
512 Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the
513 southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary.
514

515 Planning Manager, David Gonzales, gave a brief explanation of the request. The applicant is
516 requesting the approval of a Specific Use Permit to allow an office building that will exceed 36-
517 feet in height within the Scenic Overlay District on a 9.7-acre tract of land. The proposed 80,000
518 square foot office building will be comprised of three stories of office space and a single-story of
519 parking that will be located below grade. The office building will reach an overall height of 60-
520 feet; however, the building will be located approximately 156-feet from the right-of-way of Ridge
521 Road and due to the slope of the property the finished floor of the building will be set
522 approximately five to seven feet below the surface of Ridge Road. This means that the first floor
523 of the office building may not be visible from Ridge Road. According to the Unified
524 Development Code, any structure over 36-feet in height requires a Specific Use Permit. Should
525 the applicants request be approved, staff has included a condition of approval allowing the
526 structure to have an overall height of four stories, not to exceed 60-feet.
527

528 Mr. Gonzales further noted that on November 30, 2018, staff mailed 107 notices to property
529 owners and residents within 500-feet of the subject property and also emailed a notice to the
530 Turtle Cove and Lakeside Village Homeowner's Associations which are the only HOA's located
531 within 1,500-feet of the subject property participating in the notification program. Staff received
532 one notification in opposition of the request and one in favor.
533

534 Mr. Gonzales advised the Commission that the applicant was present and available for
535 questions.
536

537 Chairman Lyons opened up the public hearing and asked the applicant to come forward.
538

539 Andrew Bennett
540 1400 Highline
541 Dallas, TX
542

543 Mr. Bennett came forward and shared that he works with BOKA Powell Architects. The company
544 that is looking to relocate to the subject property and the land owner have hired him and asked
545 they present the case requesting the Specific Use Permit on their behalf. Mr. Bennett went on to
546 provide additional details concerning the request which included reasons behind the request for
547 the variance in the height. He indicated he was available for questions.
548

549 Chairman Lyons asked if anyone wished to speak to come forward and do so.
550

551 Naomi Shipley
552 2313 Ridge Road
553 Rockwall, TX

554 Ms. Shipley came forward and shared her concern with the additional traffic will cause and will
555 possibly necessitate additional traffic stop signs or such. She indicated she did not turn in a
556 notice in favor or in opposition because she wanted to attend the meeting first to gather
557 additional information concerning the requests.
558

559 Molly Brooks
560 2504 Ridge Road
561 Rockwall, TX
562

563 Mrs. Brooks came forward and expressed not being in favor of the request due to the amount of
564 traffic it would generate as well as the variance to the height of the building which she feels will
565 not preserve the Scenic Overlay Districts standards. She urged the Commission to not grant
566 approval of the request.
567

568 Richard Brooks
569 2504 Ridge Road
570 Rockwall, TX
571

572 Mr. Brooks came forward and expressed agreeing with all the same concerns Mrs. Molly Brooks
573 shared and indicated he is not in favor of the request.
574

575 Phil Wagner
576 REDC
577 Rockwall, TX
578

579 Mr. Wagner came forward and indicated he is President of the Rockwall Economic Development
580 Corporation. He shared he was not present to advocated but simply to add additional
581 information concerning the request. The REDC has been working with the company that is
582 looking to relocate to this location and feel they provide some benefits to the community with
583 the value that they bring with jobs and wages they feel it will be a high quality company.
584

585 Chairman Lyons closed the public hearing and asked the applicant to come forward to offer any
586 rebuttal.
587

588 Mr. Bennett came forward and shared that with concern as to clarification as to where the
589 building will sit; the building is intended to sit well off of Ridge Road further behind the adjacent
590 property.
591

592 Chairman Lyons brought the item back to the Commission for discussion or action. Chairman
593 Lyons shared that he feels the building is a nice building and will be an asset to the community.
594 Commissioner Chodun shared generally being in favor of the request as there isn't anything
595 east of the proposed building that it would block view of the lake and it appears that they will
596 maximize the use well as it takes up a small footprint.
597

598 Commissioner Chodun made a motion to approve Z2018-054 with staff recommendations.
599 Commissioner Logan seconded the motion which passed by a vote of 6-0 with Commissioner
600 Moeller absent.
601

602 V. ACTION ITEMS
603

604 17. SP2018-036
605 Discuss and consider a request by Wayne Mershawn of Mershawn Architects on behalf Gari Foote for
606 the approval of a site plan for an office building on a 0.26-acre portion of a larger one (1) acre tract of
607 land identified as Block 26 of the Garner Addition, zoned Planned Development District 50 (PD-50) for
608 Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV)
609 District, located at the northwest corner of the intersection of W. Heath Street and S. Goliad Street [SH-
610 205], and take any action necessary.
611

612 Senior Planner, Korey Brooks, gave a brief explanation of the request. The applicant is
613 requesting approval for a site plan for the purpose of constructing a 2,430 square foot office
614 building within Planned Development District 50 to be used as a counseling facility. The
615 applicant is proposing to utilize a Craftsman-style architecture and clad the façade with brick

616 and hardie board. The proposed material percentages are in conformance with the North Goliad
617 Corridor Overlay District's development standards. Additionally, the applicant is providing
618 landscape screening of a berm with trees and bushes at the property line adjacent to W. Heath
619 Street to screen the parking lot. The proposed office building is permitted by-right in a
620 Residential-Office District and will not need any additional approvals. The submitted site plan,
621 landscape plan, photometric plan, and building elevations conform to the technical requirements
622 contained within the Planned Development District 50 and the Unified Development Code
623 development standards. Mr. Brooks further noted that on November 15, 2018, the Historic
624 Preservation Advisory Board's Motion to recommend approval of the site plan for an office
625 building with the condition that additional Craftsman-style architectural elements be
626 incorporated into the façade. The applicant made additional revisions and met with the
627 Architectural Review Board and after reviewing proposed building elevations forwarded a
628 recommendation of approval with additional conditions.

629
630 Mr. Brooks advised the Commission that the applicant was present and available for questions
631 as well as staff.

632
633 Greg Wallace
634 2313 Ridge Road
635 Rockwall, TX
636

637 Mr. Wallace came forward and shared that they have met with both the Historical Board and the
638 Architectural Review Board and have complied with the recommendations that were given. He
639 indicated he was available for questions.
640

641 Chairman Lyons brought the item back to the Commission for discussion or action.
642

643 Chairman Lyons made a motion to approve SP2018-036 with both staff and Architectural Review
644 Boards recommendations. Commissioner Welch seconded the motion which passed by a vote of
645 6-0 with Commissioner Moeller absent.
646

647 18. SP2018-037

648 Discuss and consider a request by Russell Phillips of Sterling One for the approval of a site plan for a
649 265 unit, condo development situated on a 7.58-acre tract of land identified as Lots 6A, 7A & 8A, Isaac
650 Brown Addition, and a portion of Lots 3 & 4, Block 16 and Lot 4, Block 18, Moton Addition, City of
651 Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the
652 *Interior Subdistrict* of PD-32, located south of the intersection of Summer Lee Drive and Glen Hill Way,
653 and take any action necessary.
654

655 Planning Director, Ryan Miller, provided a brief explanation and background of the request. On
656 March 10, 2015, the Planning and Zoning Commission approved a site plan for a 265-unit
657 condominium building and subsequently, the City Council approved waivers to the building
658 height requirements and variances to the material requirements on March 16, 2015. Following
659 these approvals, the applicant submitted civil engineering plans to the Engineering Department
660 on June 23, 2016. Staff reviewed this submittal and returned the plans to the applicant on July
661 11, 2016. The applicant made subsequent submittals on September 20, 2016 and January 30,
662 2017, with staff returning those submittals with comments on October 5, 2016 and February 14,
663 2017. The last action taken on this case is considered to be February 14, 2017. Based on the
664 inactivity on the civil plans for a period of one year the engineering submittal automatically
665 expired on February 14, 2018 in accordance with the General Requirements, of the Engineering
666 Standards of Design and Construction manual. Due to the expiration of the civil engineering
667 plans, the Planning and Zoning Department expired the site plan based on the requirements of
668 the Unified Development Code which states that, "(i)f development of a lot or tract with an
669 approved site plan has not been completed within two [2] years, or more with an extension, of its
670 final approval, the site plan shall be deemed to have expired and a new review and approval of a
671 site plan for development of the property shall be undertaken, and this new approval shall be
672 required before a building permit is issued for development." Staff notified the applicant of the
673 expired site plan in person and by email on October 30, 2018. In response to the expiration of the
674 original site plan, the applicant resubmitted the site plan on November 16, 2018 with minor
675 changes.
676

677 Mr. Miller went on to share that in looking at the requirements of Planned Development 32 the
678 submitted site plan package the proposed case is in conformance with the majority of the
679 requirements stipulated by Ordinance No. 17-22, Resolution No. 10-40, and the UDC with the
680 exception of a couple of waivers with regard to the building form as well as variances to the
681 material requirements all of which Mr. Miller detailed and went over. According to the Unified
682 Development Code, the approval of any variances is discretionary to the City Council pending a
683 recommendation from the Planning and Zoning Commission. The variances relating to materials
684 have been granted to other buildings within the Harbor District; however, variances and waivers
685 are to be considered on a case-by-case basis by the City Council. In this case, the proposed
686 project does appear to meet the general intent of the Interior Subdistrict; however, granting any
687 waivers to the requirements of Ordinance No. 17-22 is a discretionary decision for the City
688 Council pending a recommendation from the Planning and Zoning Commission. Staff should
689 point out, with the majority of the Interior Subdistrict being built out; the approval of this project
690 would not prevent the implementation or intent of this Planned Development District. The
691 waivers for this case require a simple majority vote for approval. In addition based on the City
692 Council's recent action, a Traffic Impact Analysis is required for all development projects in the
693 Harbor District Planned Development District 32. In this case, the applicant is requesting that
694 the City Council consider waiving the TIA requirement. According to the applicant's letter, the
695 purpose of this request is due to the fact that they are not requesting any additional units from
696 the originally approved site plan. Section 2.3, PD Site Plans, of Article X, Planned Development
697 Regulations, of the UDC states that the City Council can require a TIA "(i)f no development plan
698 has been required and approved by the Council and in this case, no PD Development Plan was
699 approved for the proposed development. The waiver of any request for a TIA is at the discretion
700 of the City Council. The applicant met with the Architectural Review Board and received a
701 recommendation of approval pending the building elevations are amended to match the color
702 scheme in the color rendering and also that the arched windows on the third floor are removed..
703

704 Mr. Miller advised the Commission that the applicant was present and available for questions as
705 well as staff.
706

707 General discussion took place concerning the Traffic Impact Analysis as well as the rendering
708 that was provided.
709

710 Chairman Lyons asked the applicant to come forward.
711

712 Russell Phillips
713 525 Lorraine Way
714 Heath, TX
715

716 Mr. Russell came forward and indicated that they are far along on the plans and were almost at
717 completion before when some issues came up and they had to relook at financing which had
718 changed in the market place which played a major role in the reason for the delay. They are now
719 ready to move forward and are before the Commission seeking approval. Mr. Phillips indicated
720 he was available for questions.
721

722 Chairman Lyons brought the item back to the Commission for discussion or motion.
723

724 Commissioner Welch made a motion to approve SP2018-037 with both staff and Architectural
725 Review Board's recommendations. Commissioner Womble seconded the motion which passed
726 by a vote of 6-0 with Commissioner Moeller absent.
727

728 19. SP2018-038
729 Discuss and consider a request by Doug Galloway of Cooper General Contractors on behalf of Corey
730 Cannon for the approval of a site plan for a craft brewery on a 1.16-acre parcel of land identified as Lot
731 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT)
732 District, situated within the SH-66 Overlay (SH-66 OV) District, located north of the intersection of S.
733 Goliad Street [SH-205] and Storrs Street, and take any action necessary.
734

735 Planning Director, Ryan Miller, gave a brief explanation and background of the request. On
736 August 20, 2018, the City Council approved a Specific Use Permit allowing a Craft Brewery on
737 the 1.16-acre subject property located along the west side of Alamo Street/S. Goliad Street and
738 is zoned Downtown District. The applicant has submitted a site plan showing the proposed

739 layout of the 11,931 square feet Craft Brewery. The applicant's proposed site plan, landscape
740 plan, treescape plan, building elevations, and photometric plan are in substantial conformance
741 to the requirements for properties situated in the Downtown District as stipulated by the Unified
742 Development Code with the exception of a couple of minor waivers; the applicant is requesting
743 the following minor waivers: 1)Materials. According to Section IV.B.3 of the Downtown District
744 requirements, "(g)round floor exterior walls, excluding windows, doors, and other openings,
745 shall be constructed of 100 percent brick, natural or cast stone on the exterior façade" and "a
746 minimum of 85 percent of exterior walls which face on a street right-of-way, plaza or open space,
747 excluding windows, doors, and other openings, shall be constructed of brick, natural or cast
748 stone." In this case, the applicant is proposing to use primarily brick adjacent to S. Alamo
749 Street/N. Goliad Street; however, the portions of the building that utilize corrugated metal panel
750 and GFRC wall panel will be visible from public rights-of-way. This will require the approval of a
751 minor waiver by the Planning and Zoning Commission. 2) Color. According to Section IV.B.4 of
752 the Downtown District requirements, "(t)he dominant color of all buildings (including above
753 grade parking structures) shall be muted shades of warm gray, red, green, beige and/or brown.
754 Black, gold and stark white shall not be used except as an accent color." In this case, the
755 applicant is proposing to use a black corrugated metal panel and black GFRC wall panel. This
756 will require the approval of a minor waiver by the Planning and Zoning Commission. According
757 to Section VIII.B, Waivers of Design Standards, of the Downtown District minor waivers may be
758 approved by the Director of Planning and Zoning in conjunction with a site plan upon a finding
759 that the waivers meet the full intent of the zoning district. The requested waivers while not
760 meeting the full intent of the zoning district do not appear to create a negative impact to
761 neighboring properties or to the intent of the Downtown District; however, these waivers are
762 substantial enough that staff would defer the approval of the waivers to the Planning and Zoning
763 Commission pending a recommendation from the Architectural Review Board. The applicant met
764 with the Architectural Review Board and received a recommendation of approval.

766 Mr. Miller further noted that the applicant was able to provide additional parking and added the
767 bicycle parking which were major waivers that they were able to resolve.

769 Mr. Miller indicated that the applicant is present and available for questions as well as staff.

771 Chairman Lyons asked the applicant to come forward.

773 Doug Galloway
774 3508 Edgewater
775 Dallas, TX

777 Mr. Galloway came forward and provided additional comments in regards to the project and
778 indicated he was available for questions.

780 Chairman Lyons brought the item back to the Commission for discussion or motion.

782 Commissioner Womble made a motion to approve SP2018-038 with staff recommendations.
783 Chairman Lyons seconded the motion which passed by a vote of 5-1 with Commissioner Logan
784 dissenting and Commissioner Moeller absent.

787 20. SP2018-039

788 Discuss and consider a request by Matt Moore of Claymoore Engineering on behalf of Phil Wagner of
789 Rockwall Economic Development Corporation (REDC) for the approval of a site plan for an industrial
790 building on a 3.634-acre parcel of land identified as Lot 1, Block E, Rockwall Technology Park Addition,
791 City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549
792 Overlay (FM-549 OV) District, located at the northwest corner of the intersection of Technology Way
793 and Observation Trail, and take any action necessary.

795 Planning Manager, David Gonzales, gave a brief explanation of the request. The applicant is
796 requesting approval of a site plan for the purpose of constructing an approximately 35,525
797 square feet manufacturing/office facility, to be known as Lime Media, within the REDC
798 Technology Park. The proposed facility will be situated on a 3.634-acre parcel of land located at
799 the northwest corner of the intersection of Technology Way and Observation Trail, north of
800 Discovery Boulevard, and is zoned Light Industrial District. The subject property is located

801 within the FM-549 Overlay District and required to meet these standards. According to the
802 Unified Development Code a manufacturing/office facility is a permitted by-right use in a Light
803 Industrial District. The subject property proposes two ingress and egress access points, one
804 along Technology Way and one along Observation Trail, and meets the distance requirements
805 from existing driveway approaches per the Engineering Standards of Design Manual. With the
806 exception of the variances being requested the submitted site plan, landscape plan, treescape
807 plan, photometric plan, and building elevations generally conform to the technical requirements
808 contained within the UDC for properties located within the Light Industrial District and the FM-
809 549 Overlay District. In regards to the treescape plan provided by the applicant indicates all trees
810 being removed from the site are primarily Cedar and Hackberry trees, which are not a protected
811 tree if they are less than 11-caliper inch DBH (i.e. diameter breast height). Additionally, there are
812 several Bois-d-arc trees that are not a protected species and will not require mitigation.
813 However, the applicant has indicated a total of 135-caliper inches being removed being Cedar
814 and Hackberry trees will require mitigation. The inches will be calculated at 50% of the caliper
815 inches being removed. This will equate to a total mitigation balance of 67.5-caliper inches. The
816 applicant is providing a total of 87-caliper inches on site, and the mitigation balance is
817 considered to be satisfied.
818

819 Mr. Gonzales further noted that the site plan went before the Architectural Review Board on
820 November 27, 2018 where they reviewed the proposed building elevations for the site. General
821 discussion concerning the rear north facing façade elevation took place due to its flat plane, no
822 bump-outs or recesses; however, the board agreed that since the façade faces a 44-acre vacant
823 tract of land, and the landscape plan includes additional trees for screening, this would not be
824 seen by the general public. Additionally, the board agreed with the variances being requested
825 and made a motion to recommend approval of the building elevations as presented. Additionally
826 the applicant is requesting a variance to the stone requirement, they do have some stone on the
827 building however on the north and west elevations they do not meet the stone requirement.
828

829 Mr. Gonzales advised the Commission the applicant was present and available for questions as
830 well as staff.
831

832 Commissioner Chodun asked if the Agricultural property was privately owned. Mr. Gonzales
833 indicated it was privately owned.
834

835 Chairman Lyons asked the applicant to come forward.
836

837 Brian Berry
838 2 Essex Court
839 Heath, TX
840

841 Mr. Berry came forward and shared he is shared that the company Lime Media, a marketing
842 company, is currently located in Rowlett and the owner wishes to relocate to the Technology
843 Park. They are looking to construct a state of the art building and feel the materials and the
844 orientation they are proposing will result in a high quality product. Mr. Berry indicated he was
845 available for questions.
846

847 Chairman Lyons brought the item back to the Commission for discussion or action.
848

849 Commissioner Welch made a motion to approve SP2018-039 with staff recommendations.
850 Commissioner Fishman seconded the motion which passed by a vote of 6-0 with Commissioner
851 Moeller absent.
852

853
854 21. SP2018-040

855 Discuss and consider a request by J. C. La Foy & Associates on behalf of MCP Residential, LTD for the
856 approval of a PD site plan for an age/restricted senior living community consisting of 46 single-family
857 lots on a 15.826-acre tract of land identified as Lots 5 & 7, Block A, Eastshore Addition, City of
858 Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68), situated within the
859 SH-205 Overlay (SH-205 OV) District, located on the east side of S. Goliad Street [S. SH-205] north of
860 the intersection of S. Goliad Street and Justin Road, and take any action necessary.
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Planning Manager, David Gonzales, shared that the request meets all the technical requirements for Planned Development 68, and should have been on the consent agenda. He indicated staff was available to answer any questions.

Chairman Lyons brought the item back to the Commission for discussion or action.

Commissioner Logan made a motion to approve SP2018-040 with staff recommendations. Commissioner Womble seconded the motion which passed by a vote of 6-0 with Commissioner Moeller absent.

VI. DISCUSSION ITEMS

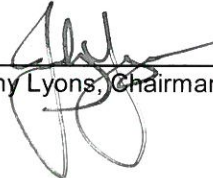
22. Director's report of post City Council meeting outcomes for development cases.

Planning Director, Ryan Miller, indicated there were no case taken to the City Council meeting. No discussion took place concerning this agenda item.

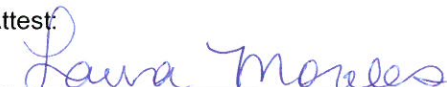
VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 9:05 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 15 day of January, 2019.



Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator