

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
January 10, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon and Dennis Lewis.

Additionally, the following staff members were present: Robert LaCroix, Chris Spencer, David Gonzales and JoDee Sanford.

1. Approval of Minutes for December 27, 2011 Planning and Zoning Commission meeting

Commissioner Jackson made a motion to approve the minutes for December 27, 2011.

Commissioner Buchanan seconded the motion.

A vote was taken and the motion passed 6-0, with Herbst abstaining.

II. PUBLIC HEARING ITEMS

2. Z2011-026

Hold a public hearing and consider a request by Frank Conselman for approval of a Specific Use Permit (SUP) allowing for a landing/stairs exceeding the maximum requirements within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the take area adjacent to their property at 1210 Crestcove Drive, being Lot 26, Block B, Hillcrest Shores Phase 3 Addition, and take any action necessary.

Gonzales stated that Frank Conselman is requesting approval of a Specific Use Permit to allow for a "Landing/Stairs" that exceeds the 8-ft X 8-ft landing area, is not comprised of a natural stone wall with iron railings and stairs, and does not meet the 5-ft required set back. However, Mr. Conselman is requesting a more "natural" look with an earthen ramp/berm that will have an access point at the same grade as his rear property line. This will allow access to the takeline in order to provide maintenance for his portion of the sub-leased area. Mr. Conselman plans on providing landscaping for the earthen ramp to give the appearance of a "natural" area while providing erosion control as well.

The "natural" berm provides an aesthetical enhancement for the property along the takeline that blends in with the natural environment and would be consistent with 1160 Crestcove Dr, which was approved for an SUP in 2008 to allow for an earthen ramp/berm. Also in 2008, the Planning and Zoning Commission and the City Council approved an SUP for a similarly styled "ramp" at 1200 Crestcove. This particular property's "ramp" has the "appearance" of a typical landing/stairs with a natural stone wall and iron

2 railings. Based on case precedence from the neighboring properties, staff recommends
4 approval of the request.

6 A notice was published on December 30, 2011 in the Rockwall County News. Information
8 on the zoning case has also been posted on the City's website in accordance with City
10 policy. Also, nineteen (19) notices were mailed to property owners of record within 200-ft
12 of the subject property and at the time of this report, staff has received one (1) notice in
14 favor of the request.

16 Staff recommends approval with the following conditions:

- 18 1. Adherence to Engineering and Fire Department standards.
- 20 2. Submittal and approval of a building permit required.
- 22 3. The earthen ramp/berm landing may be located less than 5-ft from the side yard,
24 as shown on the site plan attached as Exhibit "A".
- 26 4. The proposed earthen ramp/berm landing is not to exceed a 40-ft X 40-ft area and
28 may include landscaping incorporated with the berm.
- 30 5. All other requirements for a Landing/Stairs in the Takeline Overlay shall be met
32 with the exception of the exterior materials being natural stone with iron railings
34 and stairs.

36 Commissioner Renfro asked if any safety hazards were a concern since no railing is
38 proposed for the ramp. LaCroix stated that if Mr. Conselman adheres to the engineering
40 requirements than no other fencing is required.

42 Chairman Herbst opened the public hearing at 6:10 p.m.

44 Frank Conselman
46 1210 Crestcove Drive
48 Rockwall, Texas

50 Commissioner Lewis asked if the ramp would look similar to the ramp located at 1160
52 Crestcove Drive. Mr. Conselman stated that he plans on it looking similar and that he will
abide by the engineering standards to maintain safety.

There being no others wishing to come forth and speak, Chairman Herbst closed the
public hearing at 6:12 p.m.

Commissioner Buchanan made a motion to approve Z2011-026, a request by Frank
Conselman for approval of a Specific Use Permit (SUP) allowing for a landing/stairs
exceeding the maximum requirements within the Lake Ray Hubbard Takeline Overlay (TL
OV) District, in the take area adjacent to their property at 1210 Crestcove Drive, being Lot
26, Block B, Hillcrest Shores Phase 3 Addition, with staff recommendations.

Commissioner Jackson seconded the motion

A vote was taken and the motion passed unanimously by all present.

(At this time, the Commission decided to reconsider the minutes from December 27, 2011.)

Commissioner Jackson made a motion to approve the minutes for December 27, 2011.

Commissioner Buchanan seconded the motion.

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

3. Z2011-025

Hold a public hearing and consider a request from Mushtak Khatri of T Rockwall Commons, LLC for approval of an amendment to (PD-1) Planned Development No. 1 district, specifically for a PD Concept / Development plan for "Rockwall Commons Phase II," being a proposed retail and residential mixed-use development on a 2.88-acre tract currently described as Tract 6-2, Abstract 255, B. J. T. Lewis Survey, located along the east side of Ridge Road immediately north of Rockwall Commons Addition, and take any action necessary.

LaCroix stated that the applicant has submitted a zoning request to amend (PD-1) Planned Development No. 1 District, specifically for consideration of a PD Concept / Development Plan for a proposed mixed-use development. In May 2011, the applicant purchased the adjacent Rockwall Commons development, which includes 202 residential units and over 46,000-sf of retail/office space on 8.08-acres. The applicant would like to continue the development pattern to the north on the subject 2.88-acre property, with similar architectural styles and a mixed-use concept that includes 12,000-sf of ground level retail/salon and 140 residential units.

History of PD-1

The PD includes the Rockwall Commons development, as well as the Brookshire's shopping center, O'Reilly Auto Parts, American National Bank and over 7-acres of undeveloped land. The undeveloped land includes the 2.88-acre subject property and approximately 4.5-acres owned by the Cameron family that is situated both south of the shopping center and along the frontage of Ridge Rd in front of the shopping center.

The original PD-1 zoning was adopted in 1972, and designated the area for "General Retail" and "Multi-Family" uses. Site plans were approved in the late 1970s for several phases of the Brookshire's shopping center, including a small phase of retail that was never built on the Cameron family property to the south of Brookshire's (and immediately north of the subject property). In 2005, a site plan for O'Reilly's Auto Parts store was approved by the city.

In 1983, an amendment to PD-1 and a site plan for "office uses" was approved for the subject property and the separate lot containing American National Bank. Obviously, no additional office or retail development has taken place since that time on the remainder tract.

In 2001, the entire PD-1 district was designated on the Hometown 2000 Future Land Use Map as an area for "mixed use" development. Rockwall Commons was developed in 2004 following a 2002 amendment to PD-1 to apply the "Mixed Use Overlay" on that specific 8-acre tract, and approval of a PD Site Plan shortly thereafter. A variance was approved during the site plan review allowing for an increase in height from 3-stories to a 4-story development.

Reason for Application

Somewhat unique to PD-1 and perhaps other older Planned Development districts in the City is that, although the "GR" and "MF" uses are allowed by the underlying ordinance, any changes to a previously approved concept/site plan within the PD requires City Council approval via a zoning application process. Specifically, since the subject property was "site planned" with an office concept in 1983, development of the retail/residential mixed use concept requires a PD amendment.

As stated earlier, the Future Land Use Map of the City does identify the subject property as "mixed use." The Unified Development Code (UDC) was amended to include the Mixed Use Overlay district which specifies certain standards for those properties identified as mixed use on the Land Use Plan. These areas may be developed as a pedestrian-oriented district which includes "urban residential" uses. Urban residential uses include residential development which at least partly face streets or public sidewalks, and/or located above retail, office or service uses. Ground floor urban residential should have direct access to a sidewalk via a stoop or landing, and a majority of parking should be located in a structure.

Staff Analysis

The applicant's concept plan indicates a single structure that, when viewed from Ridge Road, contains one floor of retail/salon use and three (3) levels of residential use above the retail. The "back half" of the building is proposed to be 5 levels of residential use, with the first two levels built to the same height as the front retail space. Similar to the existing Rockwall Commons, a 2-story parking garage is proposed below the mixed use structure that is built into the slope of the property (i.e. below grade when viewed from the front but above ground when viewed from the rear).

The overall 5-story structure would contain 12,000-sf retail/salon use and 140 residential units with an average unit size of 980-sf. The unit mix is proposed to be 25% 1-bedroom, 50% 2-bedroom and 25% 3-bedroom. Access to the property would be obtained from the existing northern driveway that serves Rockwall Commons Phase 1, though there is potential to connect into the bank site and/or future development to the north.

For informational purposes, the following is a breakdown of the significant Mixed Use Overlay (MUO) ordinance guidelines in terms of what was approved for Phase 1 and what is proposed for Phase 2:

Permitted Uses: The MUO states that allowed uses may include town homes, urban housing, retail, office, recreation and entertainment and that a list of allowed uses shall be specified in the PD. Phase 1 was approved for residential, retail, and office uses, and these are the same proposed for Phase 2.

Residential Standards: The MUO requires that residential uses must be integrated with retail and/or office uses in terms of site planning, and cannot be perceived as separate or discrete developments. Developments should not contain 4-sf of residential use for at least 1-sf of non-residential use (unless approved as part of the PD). As in Phase 1, the Phase 2 proposal clearly integrates the residential uses with the non-residential. Phase 1 was approved with a ratio of 4.5-sf of residential for every 1-sf of non-residential, slightly above the MUO guidelines. For phase 2, the applicant has stated that since there is limited frontage on or exposure from Ridge Road, there is not as much opportunity for non-residential space; therefore, the 140-unit + 12,000-sf proposal would result in an approximate ratio of 11.4-sf residential to 1-sf non-residential. Looking at Phases 1 and 2

together, however, would result in an overall ratio of 5.9-sf residential to 1-sf non-residential.

Open Space: The minimum required 20% open space requirement was exceeded in Phase 1 (35%) and will be met again in Phase 2. An additional pool area is proposed along with a green plaza area, in addition to the required buffer along Ridge Rd and parking lot landscaping. The applicant has agreed to extend the existing trail which was started in Phase 1 along the rear of the site, adjacent to the railroad, so that ultimately a second connection can be made to the shopping center.

Height: The MUO recommends that development should average 2-3 stories in height, but not exceed 3 stories unless approved by the PD. Height was a significant issue during consideration of Rockwall Commons Phase I, and ultimately a 4-story structure was approved as noted earlier in this report. For the current proposal, the applicant has submitted a cross section of the proposed development as well as a height comparison diagram between Phase 1 and the proposed Phase 2. According to the applicant, Phase 2 would be built to the same "plate height" of 52-ft of the adjacent 4-story office building constructed in Phase 1. Overall, the height of the building is proposed to be 63-ft, as measured to the midpoint of the roof from the average grade in front (per UDC definition).

Parking: The MUO guidelines recommend that parking be primarily located behind the building, that a majority of the parking be structured or decked, and that parking reductions of 10% or more could be considered when shared by multiple uses. Some reduction was granted in Phase 1, but staff has observed that even though almost fully leased now, there has not been any noticeable parking issue due to the differences in peak demand times between residential (night) and non-residential (daytime) uses. At this time, however, the applicant is not requesting any reduction or variances in parking. With the proposed mix of residential units, the parking requirement for the proposed Phase 2 essentially is "2 per unit," or 280 spaces. The parking requirement for the 12,000-sf of retail at "1 per 250-sf" is 48 spaces, which has been provided with surface parking in the front of the development. The applicant's concept plan shows 333 total spaces, which exceeds the minimum requirement of 322 spaces.

*It should be noted that the concept plan does indicate that if a 4-level structure were built, 108 residential units would result, which obviously lowers the density of the development, as well as reduce the minimum parking requirement and presumably the overall height of the structure.

In assessing the proposal, staff feels that in general the applicant's Concept Plan meets the intent of the City's Comprehensive Plan and Future Land Use Map. For a variety of reasons, the subject property, as well as other parts of PD-1 were designated for "mixed use" because of the difficulty in developing the property in a conventional method. First and foremost, the severe slopes of these tracts make development very costly, particularly in terms of grading and drainage. Access and visibility of the property are also impacted by the slope and the adjacent railroad corridor, further limiting the retail and other non-residential use of the property. It is worth noting that the vacant "PD-1" properties, as well as the "PD-4" property south of Rockwall Commons and extending to the railroad crossing, have each been zoned for retail/office uses for 40 years, and other than the bank development in 1983, no serious development proposal has occurred other than the mixed use product type.

Beyond the development issues, staff feels the Comprehensive Plan also acknowledged these properties as being "infill opportunities" that when done correctly, help to bring additional tax base and residents/employees into the core part of the City. During the consideration of Rockwall Commons Phase 1, the shopping center owner and Brookshire's management both expressed support of that project given its likely positive influence on their businesses. However, staff views these undeveloped properties along the north part of Ridge Rd in a larger context; that is, as a "gateway" into downtown where such a project could help bring additional shopping and other economic development benefits into the entire downtown area.

Despite financial issues of the original developer of Rockwall Commons and foreclosure proceedings that delayed the construction/completion of the project, the current owner has made several enhancements to the property - particularly in the open space areas - that has helped attain nearly 100% occupancy rates in the residential units. In addition, the project is quickly approaching full occupancy of the non-residential space. The single-story building on the south end has been sold off to another owner, who plans to utilize the building for medical office.

Finally, at a current total tax value of \$18.9M (\$2.3M per acre), the project's success has proven a market need for the higher-ended product type affiliated with the mixed use concept. By comparison, the American National Bank property yields a \$352K value on 1-acre, while the Brookshire's shopping center has a total value of \$5.25M on 11.45-acres (\$458K per acre).

Because of these reasons, and because the project would continue (and strengthen) the high quality design and open space featured with Rockwall Commons Phase 1, staff feels the mixed use development would be a unique and positive asset to the community of Rockwall and is recommending approval.

Staff has posted a sign on the subject property and published a notice in the newspaper as required by law. In addition, information on the PD Concept Plan has been posted on the City's website.

Notices were also mailed to the owners of 12 tracts located within 200-ft of the subject property. At the time of the report, one (1) response "in favor" (representing 3 of the tracts) and no responses "in opposition" have been received.

Staff recommends approval of the PD-1 amendment to allow for the residential/retail mixed use concept, subject to the following conditions:

1. Development of the 2.88-acre property shall adhere to the PD Concept and Development Plan attached hereto as Exhibit "A" and the conceptual elevation attached as Exhibit "B."
2. Development of the 2.88-acre property shall also adhere to the Mixed Use Overlay requirements (Section 6.5 of Article V, Unified Development Code), with the following exceptions:
 - a. Permitted uses shall be those uses authorized within the "GR" General Retail district pursuant to Article IV of the Unified Development Code, and "Urban Residential" housing as defined in the Unified Development Code.
 - b. A maximum of 140 urban residential units shall be allowed.
 - c. The average dwelling unit size shall not be less than 980-sf.

- d. The development must contain a minimum of 12,000-sf of non-residential space.
 - e. The overall height may not exceed 65-ft as measured to the midpoint of the sloped roof from the average grade along the front of the building, and as depicted on the "Section Through Center of Site" drawing attached hereto as "Exhibit C."
 - f. A minimum of 20% open space shall be provided, and the open space shall be developed to the extent reflected on the Concept Plan. A pool for the use of the residents shall be provided.
3. Submittal and approval of a detailed PD Site Plan, for review and approval by the Architectural Review Board and Planning and Zoning Commission.
 4. Submittal and approval of engineering plans and adherence to all engineering requirements.
 5. Adherence to all fire department requirements.
 6. Submittal and approval of a final plat.

Commissioner Buchanan asked if any road construction such as turn lanes would be necessary. LaCroix stated that none would be required.

Chairman Herbst asked about the connectivity between the property and adjacent properties. LaCroix stated this will be addressed with any site plan.

Chairman Herbst opened the public hearing at 6:35 p.m.

Mushtak Khatri
9919 Avalon Creek Court
Dallas, Texas

Mr. Kahtri stated that they acquired Phase I in May and they have been working to lease out the balance of the retail space. They have 2,500 square feet of office space available in the tower and 1,000 square feet of retail space in the apartment complex. The apartment complex is occupied at 100%. Due to the success of Phase I, they are looking to expand and bring development to Rockwall.

Commissioner Buchanan asked when construction might begin, if approved. Mr. Kahtri stated that he would like to begin construction as soon as possible and would look to break ground as soon as he could obtain a permit.

Commissioner Renfro asked about the plan for the new development in terms of types of businesses. Mr. Kahtri stated that a salon boutique would like to lease all 12,000 square feet. They would offer several different cosmetic and beauty services and believes that this will cause increased activity in the Rockwall area. He also stated that this is a high end concept.

Commissioner Renfro asked about increase traffic and if there may be a need for a traffic light at some point. LaCroix stated that the applicant will need to use the existing entrance to access the property and he does not believe that increased traffic will cause a concern.

DW Bobst
1310 / 1400 / 1408 Ridge Road

2 Rockwall, Texas

4 Mr. Bobst stated that he is mostly in favor of the development. However, his concern is
6 traffic and he believes that it will become more of an issue and will require a traffic light
at some point. He also asked that the same high development standards and materials
be required.

8

10 Chairman Herbst stated that the applicant would need to come back with a site plan.
Chairman Herbst also asked if TxDot would need to address constructing a light since it
is on a state roadway. LaCroix responded that TxDot would be involved.

12

14 There being no others wishing to come forth and speak, Chairman Herbst closed the
public hearing at 6:44 p.m.

16 Commissioner Jackson stated that the finish out of the development will be high end
with granite and stone and stainless steel appliances.

18

20 Commissioner Jackson made a motion to approve Z2011-025, a request by Mushtak
Khatrri of T Rockwall Commons, LLC for approval of an amendment to (PD-1) Planned
Development No. 1 district, specifically for a PD Concept / Development plan for
22 "Rockwall Commons Phase II," being a proposed retail and residential mixed-use
development on a 2.88-acre tract currently described as Tract 6-2, Abstract 255, B. J. T.
24 Lewis Survey, located along the east side of Ridge Road immediately north of Rockwall
Commons Addition, with staff recommendations.

26

Commissioner Buchanan seconded the motion

28

A vote was taken and the motion passed unanimously by all present.

30

III. ADJOURNMENT

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The meeting adjourned at 6:56 p.m.

34

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
36 ROCKWALL, Texas, this 31 day of JANUARY, 2012.

38

40


Phillip Herbst, Chairman

42 Attest:

44


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
January 31, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Kristen Minth, John McCutcheon and Dennis Lewis. Craig Renfro was absent.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, David Gonzales and JoDee Sanford.

II. ACTION ITEMS

1. Approval of Minutes for January 10, 2012 Planning and Zoning Commission meeting

Commissioner Buchanan made a motion to approve the minutes for January 10, 2012.

Commissioner Jackson seconded the motion.

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

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

Clark Staggs spoke on behalf of the ARB. He stated that the changes submitted on the Lakeside Rehab project were viewed as improvements. ARB reviewed the Aldi store as well. The board gave examples of the types of architecture that they expect to see. The ARB expects something more than a standard box store and other stores in the area are built with more detailed architecture that the board would like to see at this location.

3. SP2011-006

Discuss and consider a request by Michael S. Kendall of Kendall Landscape Architecture for approval of amended building elevations for the Rockwall Nursing & Rehabilitation, being a 56,615-sf nursing / convalescent care facility located on the proposed Lot 6, Block C, Horizon Ridge Medical Park Addition, being 4.54-acres zoned (PD-9) Planned Development No. 9 district and situated along the southwest side of Medical Drive, and take any action necessary.

Spencer stated that the original building elevations reflect a building primarily consisting of natural stone, brick, hardi plank siding, a composite shingle roof, and standing seam over the front entry were approved in July. Since this time, the applicant has revised the elevations to include stone on the gables and has removed the hardi plank siding. The revision includes the 20% stone as required by the PD.

2 Michael Kendall
4 6976 Santa Barbara

6 Commissioner Lewis stated that the revised plans are an improvement.

8 Chairman Herbst also stated his appreciation for the revisions.

10 Commissioner Jackson made a motion to approve SP2011-006, a request by Michael S.
12 Kendall of Kendall Landscape Architecture for approval of amended building elevations
14 for the Rockwall Nursing & Rehabilitation, being a 56,615-sf nursing / convalescent care
16 facility located on the proposed Lot 6, Block C, Horizon Ridge Medical Park Addition,
18 being 4.54-acres zoned (PD-9) Planned Development No. 9 district and situated along the
20 southwest side of Medical Drive, with staff recommendations.

22 Commissioner Minth seconded the motion.

24 A vote was taken and the motion passed unanimously by all present.

26 *(At this time, the Commission skipped to Agenda Items #9 & #10.)*

28 4. SP2011-018
30 Discuss and consider a request by Greg Peters of Pacheco Koch for approval of
32 special exceptions to the Unified Development Code, in association with an
34 administrative site plan for the Hatfield & Company development, being a 50,108-sf
36 office/warehouse development located on part of Lot 2, Block B, Rockwall
38 Technology Park Addition, being 3.665-acres zoned (LI) Light Industrial district and
40 situated at the southwest corner of Innovation Dr and Discovery Blvd, and take any
42 action necessary.

44 *Commissioner Lewis recused himself from this discussion.*

46 Hampton stated that the applicant is requesting variances for the following:
48 1. Parking (3 parking spaces short); however, showing 4 "future" parking spaces.
50 2. Proposed concrete tilt-wall construction.
52 3. 20% stone requirement not provided (proposed use of "form-liner" pattern on the
two facades facing the street).
4. Vertical articulation not provided on east elevation (facing Innovation Dr).

Commissioner Buchanan confirmed that the last project approved in the tech park was
held to the stone requirement. Hampton responded that last project was also located
within the 549 overlay district and was given a variance to the stone, but was built with
10-12% stone. Commissioner Buchanan expressed the desire to remain consistent.

Greg Peters
8350 N. Central Expressway
Dallas, Texas

Commissioner Jackson made a motion to approve SP2011-018, a request by Greg Peters
of Pacheco Koch for approval of special exceptions to the Unified Development Code, in
association with an administrative site plan for the Hatfield & Company development,

being a 50,108-sf office/warehouse development located on part of Lot 2, Block B, Rockwall Technology Park Addition, being 3.665-acres zoned (LI) Light Industrial district and situated at the southwest corner of Innovation Dr and Discovery Blvd, with staff recommendations.

Commissioner McCutcheon seconded the motion.

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

III. DISCUSSION ITEMS

5. Z2012-001

Discuss and consider a request by Roger Sefzik of Hoss Properties, LLC for approval of a zoning change from (Ag) Agricultural district to (LI) Light Industrial district on a 1-acre property located at 1785 I-30 and known as Tract 5-1, Abstract 134, J. Lockhart Survey.

Spencer gave a brief overview of the case and the location of the property.

6. Z2012-002

Discuss and consider a request by Sandy Johnson of Bella's House for approval of a Specific Use Permit (SUP) to allow for an "Antiques / Collectible Store" within the (DT) Downtown district, specifically in conjunction with their existing retail business located at 206 E. Rusk, being a 0.057-acre tract known as west 25-ft of Lot 2, Block L, Rockwall O T Addition.

Gonzales discussed the case briefly.

7. P2012-001

Discuss and consider a request by Jay Bedford of A.J. Bedford Group, Inc., for approval of a final plat of Lot 1, Block A, Yetts Addition, being a 2.202-acre tract zoned (PD-46) Planned Development No. 46 district and located at 2315 SH 276.

Hampton reviewed the case.

8. P2012-002

Discuss and consider a request by Daniel Dewey of JBI Partners for approval of a final plat of Caruth Lakes Phase 7A Addition, being 20 single family lots on 4.47-acres tract zoned (PD-5) Planned Development No. 5 district and located along the north side of Bay Line Dr.

Gonzales briefly discussed the case and the location of the property.

Commissioner Jackson stated that, even though it meets the minimum standards, 20 homes sharing one alley is not an ideal situation.

9. P2012-003

Discuss and consider a request by Bryan Burger of Burger Engineering, LLC for approval of a preliminary plat of Ridge/Summer Lee Addition, being two lots on 4.19-acres zoned (PD-9) Planned Development No. 9 district and designated for "general

2 retail" uses, situated at the southeast corner of Ridge Road and Summer Lee Drive
4 within the Scenic Overlay district.

6 *(Cases P2012-003 and SP2012-001 are related and were discussed simultaneously. Please
see the discussion below.)*

8 10. SP2012-001

10 Discuss and consider a request by Bryan Burger of Burger Engineering, LLC for
12 approval of a site plan of a 15,808-sf retail building located on the proposed Lot 1,
14 Block A, Ridge/Summer Lee Addition, being 2.58-acres zoned (PD-9) Planned
Development No. 9 district and designated for "general retail" uses, situated at the
southeast corner of Ridge Road and Summer Lee Drive within the Scenic Overlay
district.

16 Hampton stated that with a few technical changes the applicant will be able to meet all
18 the requirements. As the ARB stated, some revisions are needed to the building
elevations and the applicant anticipates presenting those revisions at the February 14th
P&Z public hearing.

20 Commissioner Lewis asked about a turn lane off of Ridge Road or Summer Lee.
22 Hampton responded that the existing driveway in front of the daycare was platted years
ago as a cross access easement. Commissioner Lewis asked if this project would go out
24 for public input. Hampton stated that public notice is not required because it is a
permitted use of the property. Commissioner Lewis inquired if there is any concern
26 about the daycare's proximity to the grocery store. Hampton stated that no buffering is
required between the daycare and the store. Both uses are permitted. Commissioner
28 Lewis stated that he is concerned about the loading dock backing up to the daycare
facility and being visible from the daycare without any buffer between the two. Hampton
30 responded that this property, the realtors' office and daycare are all part of PD-9 and the
PD does not require any buffering between these permitted uses. In addition, elsewhere
32 in the city, the same situation exists with daycares in close proximity to retail stores.

34 Bryan Burger
17103 Preston Road
36 Dallas, Texas

38 Mr. Burger stated that the store is pushed back closer to the daycare because there is no
circulation behind the store to prevent traffic close to the daycare. Trucks that are behind
40 the store should not be visible.

42 Mr. Lewis stated that safety should be a concern and would like the store to consider
adding a masonry wall. Mr. Burger stated that currently there is a wrought-iron fence,
44 but he will discuss the option of a masonry fence with the developer.

46 Mr. Burger also remarked that Aldi has no preparation between product delivery and
putting it on the shelf. No products should be stacked or stored outside.

48 Chairman Herbst asked about the detention ponds shown on the property and whether
50 fencing around these is required. Hampton stated a few years ago, the council elected to
go with a more gentle slope not greater than 5:1 which allows the average person to walk

2 out easily. Chairman Herbst also stated that the trees on the property provide some
visual screening.

4 Mr. Burger stated that the detention ponds are very shallow. Hampton stated that
6 daycares are required by state law to fence certain areas.

8 *(The Commission resumed the Agenda with Item #4.)*

10 IV. ADJOURNMENT

12 The meeting adjourned at 6:41 p.m.

14 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 14th day of FEB, 2012.

16
18 
20 Phillip Herbst, Chairman

22 Attest:

24 
JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
February 14, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon and Dennis Lewis.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, David Gonzales and JoDee Sanford.

1. Approval of Minutes for January 31, 2012 Planning and Zoning Commission meeting

Commissioner Jackson made a motion to approve the minutes for January 31, 2012.

Commissioner Minth seconded the motion.

A vote was taken and the motion passed 6-0, with Renfro abstaining.

II. CONSENT AGENDA ITEMS

2. P2012-002

Discuss and consider a request by Daniel Dewey of JBI Partners for approval of a final plat of Caruth Lakes Phase 7A Addition, being 20 single family lots on 4.47-acres tract zoned (PD-5) Planned Development No. 5 district and located along the north side of Bay Line Dr, and take any action necessary.

3. P2012-003

Discuss and consider a request by Bryan Burger of Burger Engineering, LLC for approval of a preliminary plat of Ridge/Summer Lee Addition, being two lots on 4.19-acres zoned (PD-9) Planned Development No. 9 district and designated for "general retail" uses, situated at the southeast corner of Ridge Road and Summer Lee Drive within the Scenic Overlay district, and take any action necessary.

Commissioner Jackson made a motion to approve all items on the Consent Agenda, with staff recommendations.

Commissioner Buchanan seconded the motion.

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

III. SITE PLANS / PLATS

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

Clark Staggs spoke on behalf of the ARB. They met with the representatives of Aldi. The ARB feels that while they are closer to a desired project, there are still more changes to consider. The ARB would like to see more glass on the project. They would like the projection elements to appear larger. The ARB suggested the increase of stone on the building or possibly adding a layer of darker stone at the base of the building as well as adding a stone ledge. In addition, the ARB feels that the brick color that is on the store's prototype is not attractive and would like to see a brick color that is more sandy or brown.

Julien Meyrat also spoke. He stated that the ARB is asking for greater attention to the building details. They suggested the addition of stone to minimize the intensity of the brick color as well as the addition of a wing wall over the deck of the roof to give the building more depth.

Commissioner Minth asked if there is someone with the City of Heath that we could reach out to for opinions since this is a gateway into that city as well. La Croix stated that that is not something that we have done in the past.

Commissioner Lewis stated that there is a lot of brick on the building without any breaks.

Commissioner Renfro stated that his concern is that this will be the newest building in 12-18 months, but will have the appearance of an older building.

5. SP2012-001

Discuss and consider a request by Bryan Burger of Burger Engineering, LLC for approval of a site plan of a 15,808-sf retail building located on the proposed Lot 1, Block A, Ridge/Summer Lee Addition, being 2.58-acres zoned (PD-9) Planned Development No. 9 district and designated for "general retail" uses, situated at the southeast corner of Ridge Road and Summer Lee Drive within the Scenic Overlay district, and take any action necessary.

Hampton stated that the applicant has submitted a site plan application for a 15,808-sf "Aldi" retail/grocery store proposed to be located on Lot 1, Block A, Ridge / Summer Lee Addition. The site is situated at the southeast corner of Ridge Rd and Summer Lee Drive. A preliminary plat (P2012-003) has been submitted concurrently with the site plan.

The site will be accessed via one newly proposed drive from Summer Lee Dr, and from one existing drive off of Ridge Road (F.M. 740) that currently serves the

adjacent Primrose daycare / preschool center. Cross access easements are provided that will connect to future development on Lot 2 to the east of the subject site. A sidewalk is being constructed along FM 740 in conjunction with the TXDOT widening project, for which the developer will pay their share. Additionally, a 5-ft sidewalk will also be constructed along Summer Lee Drive.

The 15,808-sf proposed retail store requires 64 parking spaces at a ratio of one (1) parking space for every 250 sq. ft. The applicant is meeting city requirements by proposing to install 74 parking spaces, including 3 accessible.

City specifications require a minimum of 15% of the site to be open space/landscaping, and the applicant is exceeding that requirement with approximately 42% open space. There are three detention ponds in the design, which will be landscaped with a total of 28 trees to meet City requirements. The detention facilities are dispersed throughout the site, and the additional landscaping in these areas should help to create extra amenity for the project. Staff also feels the trees in the south and east detention areas can be counted as the required "row of trees in the rear of the building" per Scenic Overlay standards.

The Scenic Overlay requires a total of 12, 4" canopy trees and 17 accent trees within the 20-ft buffer along Ridge Road. The applicant is meeting this requirement with 12, 4" Live Oaks and 17 Red Bud trees. Six (6) trees are also provided along Summer Lee Drive to meet the 1 per 50-ft buffer requirement. Shrubs are planted along both street frontages, and additional trees are dispersed in the parking to complete the project's compliance with all landscaping requirements of the UDC.

Finally, "green screens" have been added to the south elevation of the building at the recommendation of the Architectural Review Board, which will be planted with "winter creeper" and "trumpet vines" to break up the masonry walls on that wall.

All exterior lighting shall be a maximum of 20' in height (including the base), and shall be directed downward with a maximum 1" reveal. Cut-sheets submitted by the applicant indicate compliance with these standards, on both the parking lot pole fixtures and two (2) different wall sconce fixtures. The photometric plan appears to meet all city requirements, with no point onsite exceeding 20-FC and measurements at all property lines at 0.2-FC or less.

The proposed building elevations have been revised since the January 31st Architectural Review Board meeting and P&Z work session. The overall height of the building is 28-ft, with the primary parapet height being 22'4". The building is comprised primarily of brick and quarried limestone (at least 20% on all sides). The building's corner entrance is predominantly glass, with aluminum composite canopy feature on both sides of the entrance. The south and east side elevations

have been accented with sizable "green screen" features to break up the monotonous brick walls that were previously proposed. All rooftop units are dashed in on the elevations, and all but "RTU 1" are clearly below the proposed parapet height. However, the applicant has submitted a line-of-sight study indicating that the unit will not be visible from any property line.

At the recommendation of the ARB at their 1/31 meeting, the following is a summary of the changes made to the building elevations (per applicant):

1. Substantially more windows both at grade and clerestory. Extended clerestory windows across entire west (Ridge Rd facing) elevation.
2. Hanger rods added to canopy.
3. Added additional stone veneer pilasters.
4. Added a sign tower w/ backlit storefront around the Aldi logo.
5. Added the suggested "green walls" to break up the south and east elevations.

No variances have been requested with this site plan application, and thus will only require approval by the Planning and Zoning Commission approval.

Staff recommends approval of the site plan, landscape plan, building elevations and lighting plan with the following conditions:

1. Adherence to all engineering and fire department requirements.
2. Submittal and approval of engineering plans, building plans and a final plat.
3. All rooftop equipment shall be fully screened from view from all property lines, as shown on the final building elevations and line-of-sight study submitted by the architect.
4. Adherence to Architectural Review Board recommendations.

Commissioner Lewis asked about the detention areas and lack of fence around those areas. They also have no screening between the store and the daycare. He also spoke concerning the traffic in the area and the narrow existing drive with no concrete on the South side and little concrete on the East side making access difficult for a fire truck. In addition, he is concerned that the detention ponds will hold water. He thinks that the noise from the trucks will be a concern for the residents.

Bryan Burger (Burger Engineering)
17103 Preston Road
Dallas, Texas 75248

Mr. Burger stated that they are in agreement with the comments made by the ARB. They are willing to add the stone band around the base of the building in a darker color as well as increasing the amount of stone on the building and bumping out the stone to give the building a more 3-dimensional look. In addition, they can add the wing walls at the bump outs on the top to give that

more depth. They cannot add the additional glass because of the placement of the building the ceiling grid would show through the glass. They will continue to work with staff and the ARB to ensure that everyone is satisfied.

Mr. Burger also stated that the existing driveway at the daycare does meet the current fire lane requirements. In addition, they are providing 10 foot path around the building with no more than a 5% grade.

Commissioner Lewis asked the ARB representative if tinting the glass so the ceiling grid would not be visible is acceptable. Mr. Staggs stated that color or tinting would be practical.

Commissioner Lewis asked about the trucks used to stock the store and what times the trucks would deliver. Mr. Burger stated that a 73-foot 18-wheeler would make deliveries and the trucks will enter the parking lot off of Summer Lee. The store will have a maximum of 3-5 truck deliveries per week with 95% of those occurring after the store hours.

Heather Rimmer (Aldi – Director of Real Estate)
2500 Westcourt Road
Denton, Texas

Mrs. Rimmer stated that all of their trucks come from the distribution center in Denton. Aldi is the least obtrusive retail grocery store when it comes to trucking. The trucks deliver, unload and leave. The only other trucks that would deliver are the dairy trucks. The store hours are Monday through Saturday from 9AM-9PM and Sunday from 10AM-7PM. The parking lot lights only stay on for one hour after close. Aldi is trying to be both community and environmentally friendly. This building is very different from anything else they have done in the metroplex. They have increased the cost of the building from 15-20% with all the changes to meet Rockwall's needs. They want to be in the community and work to get what is desired, but they are a low-cost select brand grocery store and they are trying to make these upgrades without raising their cost. Therefore, something like changing the stone color, that has little impact on the cost, helps them.

Mrs. Rimmer additionally stated that they would never do anything that would harm children. They are buying the entire property at this site and they are meeting the water needs for the adjacent site, so that they have already helped the developer of that site when it is sold. The detention ponds are large so as to prevent standing water. The building is positioned so that the trucks are required to enter from Summer Lee and away from the daycare and trucks are screened so they won't be visible from the road. They wouldn't do anything that wasn't community friendly. The store keeps minimal hours, trucks rarely come in and out of the sites, lights turn out 1 hour after close, and the carts are stored under their canopy with no cart corrals in the parking lot and carts are not rolling into

the streets or running into cars. They like to think of themselves as a community friendly grocery store.

Commissioner Lewis asked how the trucks would enter the parking lot off of Summer Lee. Mr. Burger stated that the trucks would enter in the first access drive and any backup maneuvering would occur on site.

Commissioner Jackson clarified the stone on the building. Mr. Burger stated that the color of the stone will not change, but they will add an additional band of stone that will be darker.

Commissioner Minth asked if the landscaping and green walls could be a compromise to additional glass.

Commissioner Lewis clarified that the additional glass would be on the North elevation and the green screens were added on the South and East elevations. Hampton responded that the challenge is additional glass would be very close to the roof and the ceiling grid would be visible.

La Croix stated the green walls were used to break up the sides of the building that were more blank and they probably wouldn't work on the North side.

Mr. Burger stated that they will look at that elevations and see what other options are available. Mrs. Rimmer stated that they are very willing to work with staff.

Commissioner Jackson made a motion to table SP2012-001, a request by Bryan Burger of Burger Engineering, LLC for approval of a site plan of a 15,808-sf retail building located on the proposed Lot 1, Block A, Ridge/Summer Lee Addition, being 2.58-acres zoned (PD-9) Planned Development No. 9 district and designated for "general retail" uses, situated at the southeast corner of Ridge Road and Summer Lee Drive within the Scenic Overlay district, until the meeting on February 28th.

Commissioner Buchanan seconded the motion.

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

6. MIS2012-001
Discuss and consider a request by Larry Gray for approval of a special request to the standards of the (PD-75) Planned Development No. 75 district (Ord 09-37), specifically to the "one-time replacement" standards in Area 2, for a proposed manufactured home on Lots 851 and 852, Rockwall Lake Estates #2 Addition, which is located at 162 Donald, and take any action necessary.

La Croix stated that the applicant, Larry Gray, a resident at 162 Donald Drive in Lake Rockwall Estates, has submitted a request for an exception to the PD-75 standards,

specifically the standards for a "one-time replacement" of a mobile/manufactured home. The PD-75 ordinance (Ord 09-37) allows for a one-time replacement at this location subject to the following standards:

1. The manufactured home shall be permanently attached to a concrete foundation.
2. The primary roof pitch must be at least 3 in 12 inches.
3. At least ninety percent of the exterior materials, including the skirting material, excluding doors and windows, must be comprised of Hardi-Board lap siding, "Cemplank" lap siding or a similar cementaceous durable lap siding material with a minimum width of 6 1/4-inches. Alternatively, the one-time replacement installation may meet the minimum masonry requirements as specified in Article V, Section 3.1, General Residential Standards of the City of Rockwall Unified Development Code.
4. The one time replacement HUD-code manufactured home shall be a newer manufactured home and at least as large in living space as the prior manufactured home.

It must be pointed out that in June 2009, prior to the adoption of PD-75 and when the property was still zoned Agriculture, Mr. Gray did receive approval of an exception that allowed for the replacement of his existing home but his plans fell through. The new standards outlined above were put in place to allow others to do the same thing, but at a minimum standard.

Mr. Gray has an older existing manufactured home on the property, and pictures provided in 2009 illustrated the deterioration of the structure both inside and out. The proposed home would be new, and have an engineered foundation. It is staff's understanding that the roof pitch will meet the 3:12 minimum standard (see photos of unit attached to this report).

However, Mr. Gray is asking for a new exception so that the new unit could be smaller in size than his current home (1,152-sf proposed vs. 1,334-sf existing). It should be noted the 1,152-sf does exceed the minimum 1,100-sf standard for SF-7 zoning, which is the underlying requirement for all of PD-75. In addition, Mr. Gray is proposing that the exterior of the structure be "vertical smart panel OSB siding," but not the "hardiboard lap-siding" required by the PD-75 ordinance. It is staff's understanding that the primary reason for the material difference is that the lap-siding hardiboard would raise the cost of the home beyond what his family can afford.

Staff feels that Mr. Gray's previous approval for a special exception in 2009 is a unique circumstance that may warrant consideration of the current proposal. However, we feel that approval of the current proposal is ultimately a judgment call for the Commission and Council. If approved, staff would offer the following conditions:

1. Submittal and approval of all required building permits.
2. The HUD-code manufactured home must be built on an engineering foundation.
3. The home must have a roof with a minimum pitch of 3 in 12 inches.
4. The home must be a minimum of 1,100-sf.
5. The exterior of the home (including skirting) shall be constructed with the proposed Vertical Smart Panel OSB siding, or as approved by the City Council.

Commissioner Buchanan asked if the OSB was superior to the Hardi board. La Croix stated that installation of Hardi board is better construction.

Larry Gray
162 Donald
Rockwall, Texas

Mr. Gray stated the he is requesting the special exemption for himself and his mother. The financing fell through at his previous request. He has a better chance of financing now because this is a smaller home. It will meet their needs and is comparable to other homes in the neighborhood.

Chairman Herbst inquired if the home would be located in the same place on the property as the current home. Mr. Gray stated that it would face the same direction which is perpendicular to the street.

Commissioner Buchanan asked if the home will be mounted to the foundation. La Croix stated that the foundation is engineered.

Chairman Herbst asked if the home will be sitting on the foundation.

Alan Gray
4627 County Road 2629
Caddo Mills, Texas

Mr. Gray stated that the home will sit on the foundation similar to a traditional site-built home.

Commissioner Minth asked about the one-time replacement condition in terms of the quality of the home and how long the home will last and encouraged the applicants be cautious regarding the quality.

Commissioner Lewis made a motion to approve MIS2012-001, a request by Larry Gray for approval of a special request to the standards of the (PD-75) Planned Development No. 75 district (Ord 09-37), specifically to the "one-time replacement" standards in Area 2, for a proposed manufactured home on Lots 851 and 852, Rockwall Lake Estates #2 Addition, which is located at 162 Donald, with staff recommendations.

Commissioner Jackson seconded the motion.

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

IV. PUBLIC HEARING ITEMS

7. Z2012-001

Hold a public hearing and consider a request by Roger Sefzik of Hoss Properties, LLC for approval of a zoning change from (Ag) Agricultural district to (LI) Light Industrial district on a 1-acre property located at 1785 I-30 and known as Tract 5-1, Abstract 134, J. Lockhart Survey, and take any action necessary.

Spencer stated that the applicant has requested to rezone the 1-acre property located at 1785 I-30, known as Tract 5-1, Abstract 134, J. Lockhart Survey. The site features an existing commercial structure that was annexed over 20 years ago, and since annexation has been primarily used as auto and boat repair. Currently the existing building houses Special D Automotive and the Barefoot Sailor.

The applicant has not indicated any plans to redevelop the property at this time. Other uses that would be allowed with a rezoning to LI are not presently allowed under the Ag zoning.

The properties to the north, east, and west are currently zoned (LI) Light Industrial.

The City's future land use map and Comprehensive Plan designate the subject property and the area around it as "Technology/Light Industrial." One of the primary land use policies within the Comprehensive Plan also states that the City "reserve adequate land for industrial uses on or near IH-30." Given these recommendations from the Comprehensive Plan, and given the adjacent zoning and land use, staff recommends that the rezoning request be approved for the subject site. It should be noted that any redevelopment and/or building expansion on the subject property would require separate approval of a site plan, which shall be subject to Architectural Review given its location in the IH-30 Corridor Overlay district. Also at that time, it is likely that the property would need to be replatted.

Notices were mailed to four (4) property owners within 200-ft of the subject request, and at the time of this report none had been returned.

Staff recommends approval of the request.

Chairman Herbst opened the public hearing at 6:59 p.m.

William Sefzik
414 Edgemere
Garland, Texas

Mr. Sefzik stated that they are hoping that the corridor develops around this property.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 7:00 p.m.

Commissioner Jackson made a motion to approve Z2012-001, a request by Roger Sefzik of Hoss Properties, LLC for approval of a zoning change from (Ag) Agricultural district to (LI) Light Industrial district on a 1-acre property located at 1785 I-30 and known as Tract 5-1, Abstract 134, J. Lockhart Survey.

Commissioner Minth seconded the motion.

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

8. Z2012-002

Hold a public hearing and consider a request by Sandy Johnson of Bella's House for approval of a Specific Use Permit (SUP) to allow for an "Antiques / Collectible Store" within the (DT) Downtown district, specifically in conjunction with their existing retail business located at 206 E. Rusk, being a 0.057-acre tract known as west 25-ft of Lot 2, Block L, Rockwall O T Addition, and take any action necessary.

Gonzales stated that Sandy Johnson, owner of Bella's House, is requesting a (SUP) Specific Use Permit for an Antique/Collectible Store for her existing retail business. The property is within the "DT" Downtown zoning district and is located at 206 E Rusk.

Bella's House has been in operation at this location for approximately 3 years and retails artworks, custom floral arrangements, home decor and accents, and new furniture. The retail pieces are displayed on furnishings that are not new; they are either repurposed or refinished. Ms. Johnson continues to receive requests from her customers interested in purchasing the repurposed/refinished furniture. However, an SUP is required within the "DT" Downtown zoning district.

It should be noted that two similarly requests in the "DT" Downtown zoning district were approved for an "Antiques/Collectible Store" in July 2010. One was for the "Consignment Shop" located at 201 N Alamo (no longer in business) and the other was for "Kim Hoegger HOME" at 106 S Goliad, which continues to operate. Based on the information submitted and case precedence, staff feels the request to be reasonable and is in support of the SUP.

A notice was published on February 3, 2012 in the Rockwall County News. Information on the zoning case has also been posted on the City's website in accordance with City policy. Also, thirty-five (35) notices were mailed to property owners of record within 200-ft of the subject property. At the time of this report, staff has not received any notice for or against the request.

Staff recommends approval of the request with the following conditions:

1. Adherence to Engineering and Fire Department standards.
2. Outside sales and displays shall only be allowed in conjunction with recognized City of Rockwall and Downtown Merchant Association events.

Chairman Herbst opened the public hearing at 7:03 p.m.

Sandy Johnson
206 E. Rusk
Rockwall, Texas 75087

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 7:04 p.m.

Commissioner Minth made a motion to approve Z2012-002, a request by Sandy Johnson of Bella's House for approval of a Specific Use Permit (SUP) to allow for an "Antiques / Collectible Store" within the (DT) Downtown district, specifically in conjunction with their existing retail business located at 206 E. Rusk, being a 0.057-acre tract known as west 25-ft of Lot 2, Block L, Rockwall O T Addition, with staff recommendations.


Commissioner Jackson seconded the motion.

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

V. ADJOURNMENT

The meeting adjourned at 7:04 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 28 day of FEB, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION

City Hall, 385 South Goliad, Rockwall, Texas

Council Chambers

February 28, 2012

6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon and Dennis Lewis.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, David Gonzales and JoDee Sanford.

II. CONSENT AGENDA ITEMS

1. Approval of Minutes for February 14, 2012 Planning and Zoning Commission meeting

2. P2012-001

Discuss and consider a request by Jay Bedford of A.J. Bedford Group, Inc., for approval of a final plat of Lot 1, Block A, Yetts Addition, being a 2.202-acre tract zoned (PD-46) Planned Development No. 46 district and located at 2315 SH 276, and take any action necessary.

3. P2012-004

Discuss and consider a request by Jay Bedford of A. J. Bedford Group, Inc. for approval of a replat of Lots 3 and 5, Block A, Newman Center Addition, being 3.301-acres tract zoned (C) Commercial district and located at 1030 and 1040 East IH-30, and take any action necessary.

Commissioner Buchanan made a motion to approve all items on the Consent Agenda, with staff recommendations.

Commissioner Jackson seconded the motion.

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

III. ACTION ITEMS

4. SP2012-002

Discuss and consider a request by Cliff Applegate of The Lathrop Company for approval of exceptions to the Unified Development Code, specifically to the parking standards, the landscaping standards, the screening standards and the General Industrial District standards, in association with an administrative site plan for the

Project Ontario development, being a 276,548-sf industrial development located on a 38.932-acre tract comprised of Tract 7, Abstract 125, J. H. B. Jones Survey, and Tracts 15 and 15-1, Abstract 186, J. A. Ramsey Survey, zoned (LI) Light Industrial district and situated along the south side of Discovery Blvd, the north side of Springer Ln and the west side of Data Dr, and take any action necessary.

Hampton stated that a site plan application has been received for a 276,548-sf industrial development in the Rockwall Technology Park. The subject site is 38.9-acres and is situated along the south side of Discovery Blvd, north of Springer Rd and west of Data Dr. Approval of the site plan is an administrative process; however, several exceptions to the Unified Development Code have been requested which require recommendation by the Planning Commission and approval by the City Council.

Below is a brief description of the exceptions requested. Attached to the staff report are additional explanations and justifications by the applicant for the Commission and Council to review.

Associated with the site plan are two variances - a sidewalk waiver/delay for Springer Rd and a parking reduction. It should be noted that the sidewalk requirements are a subdivision regulation, and can only be considered at the time of final plat. The final plat for this project will be considered by the P&Z and Council once engineering plans have been approved.

The parking requirement for the development is 326 spaces, based on a 1 per 300 ratio for office (70 required) and the 1 per 1000-sf for industrial (256 required). The applicant is proposing to provide 175 spaces, which is more than enough parking necessary for the anticipated "52 employees per shift" at the facility. The additional parking provides ample space for the transition from shift-to-shift, as well as any visitors to the property.

Variances to the parking standards for industrial development has been provided in the past, most recently on projects such as SPR Packaging and the Hatfield Company. Like on those cases, the subject site does have sufficient area on the site that would accommodate additional parking should the need arise in the future due to expansion or conversion of the building into a different user.

The landscape plan submitted by the applicant demonstrates compliance with landscape ordinance for industrial development, including street trees along all three frontages. The applicant is requesting an exception, however, to the detention tree requirement (1 per 750-sf) for the large, 2.3-acre detention area situated at the far southeast corner of the site. A smaller detention area in front of the building has been landscaped, as this will be more prominent at the entrance to the development.

It should also be noted that the landscape plan includes berm/shrub features on all four sides of the site that are intended to help screen the loading and parking areas associated with the development. A cross-section detail of the berm (2-3 feet tall) and evergreen shrubs (6-ft at time of planting) is provided on the landscape plan.

No variances are associated with the proposed lighting for the development, which will be an LED package of full cut-off fixtures that is "nighttime friendly."

The building elevations for the massive 276,000-sf bakery development constitute the majority of exceptions necessary to proceed. The applicant has focused their design efforts on the north/front (Discovery) elevation, which will be the office side and primary entrance. This elevation includes articulation and color changes in an attempt to comply with the City's design standards. However, since the building "faces" three street frontages, the north, east and south elevations are all subject to the General Industrial District Standards of the UDC, for which the applicant is requesting the following:

1) Proposed concrete tilt-wall construction. As with the case with most recent industrial buildings, the proposed primary material is concrete tilt wall construction. This in of itself requires a case-by-case approval by the City Council. It should be noted that several developments have been approved for the same material, including SPR Packaging, Hatfield Company and Phase 2 of the Rockwall Plaza development, among others.

2) 20% stone requirement. For each facade that faces a street, the General Industrial District Standards stipulate a minimum of 20% stone (can be cultured if not in an Overlay district). Several recent exceptions have been approved for LI development to either allow a reduction in the amount of stone (e.g. L3 provided about 14%) and/or use of a tilt-wall technique such as "form-liner" in place of stone veneer (e.g. SPR, Hatfield). The applicant is proposing to add stone materials along the front elevation that will constitute about 8% on that elevation. This stone will also be visible on about 5-7% of the east and west elevations. Further, the applicant is providing a smooth-cut stone and is asking for the reduction for a very unique reason, in that for the proposed bakery use irregular building veneers can harbor pests/insects.

3) Building articulation. Due to the size of the building and nature of work performed, the applicant is requesting relief from the horizontal and vertical articulation, primarily on the east and south elevations that face Data Dr and Springer Ln, respectively.

4) Screening. As expected, there are large pieces of rooftop equipment to support the building, as well as on the ground at the east elevation (e.g. silos). The applicant has submitted line-of-sight studies to demonstrate compliance for many of the rooftop units. In the cases where rooftop equipment is visible, the applicant is proposing to paint the equipment the same color as the walls. In addition, it should be noted that the applicant is proposing to install 2-3 ft berms with evergreen shrubs in addition to the required street tree plantings on all four frontages, which should help to screen the building, rooftop equipment and the truck dock areas.

Staff feels the overall size of the site, the building and nature of work performed does warrant consideration of the variances outlined in this report. Ultimately, however,

approval of each of the following is a judgment call for the Planning Commission and City Council:

1. Sidewalk waiver/delay along Springer Lane frontage to be considered at time of final plat.
2. Reduction in the number of parking spaces from 326 spaces to 175 spaces.
3. Exception to the detention tree requirement to approve as shown on the submitted landscape plan.
4. Exception to the screening requirements to allow for locations of rooftop and ground equipment as shown on the elevations and site plan. Note: Any rooftop equipment that is visible from the property line shall be painted to match the building exterior.
5. Exceptions to the following General Industrial District standards:
 - a. Allowance of concrete tilt-wall construction.
 - b. Reduction in required 20% stone requirement to approve as shown on submitted building elevations.
 - c. Building articulation requirements to approve as shown on the submitted building elevations.

Cliff Applegate
The Lathrop Company
460 West Dussel Drive
Maumee, OH

John Hite
SSOE, Inc.
1001 Madison Ave.
Toledo, OH

Mr. Hite would like to use a tilt-wall construction with some stone on the building. The building must have smooth surfaces in order to prevent pests due to the type of use. The building has two main entrances, public entrance and employee entrance, that are made of stone. Several other projections on the building have a stone façade. The applicants are trying to abide by the development standards. The entire length of the façade is approximately 880 ft long. They have varied the parapet heights to break up the façade. The parapets have been raised around the entire building. Most of the roof top units are hidden, but several units are large and are within view from the sightline.

Commissioner Jackson asked if there would be any retail component. Mr. Hite stated that there is no retail component to this facility. Commissioner Jackson asked about the hours of operation. Mr. Hite responded that it will operate 24 hours a day 6 days a week with 3 shifts.

Commissioner Renfro stated that having different work shifts allows less parking. Mr. Hite stated that should the building ever change uses, there is plenty of space on-site for additional parking. Mr. Applegate additionally stated that they are pursuing a LEED certification on the building.

Ron Ramirez

2 Weir and Associates
701 Highlander Blvd, Suite 300
Arlington, Texas

4
6 Mr. Ramirez stated that the plan is to make the detention area depressed with a gradual
slope to the truck parking. The variance is being requested to create a more natural look
versus a defined pond.

8
10 Commissioner Buchanan asked if trees would be in the recessed area. Mr. Ramirez
stated that no trees would be installed in the recessed area.

12 Mr. Ramirez stated that they are asking for a variance to the parking for 175 spaces. This
still over-parks the building at any given time.

14
16 Chairman Herbst asked if the paint on the rooftop units would be maintained. Mr.
Applegate stated that maintenance is a high priority for this owner.

18 Commissioner McCutcheon asked about the location of the cooling unit. Mr. Applegate
stated that there will not be a cooling tower, but they do have a mechanical yard that is
fully screened. It is on the east side of the building screened with pre-cast concrete with
a solid door system.

22
24 Commissioner Buchanan asked if the bakery would generate any odors and how it might
be handled.

26 Mr. Berger
Allen Food, Inc.
28 255 Business Center Drive
Harsham, PA

30
32 Mr. Berger stated that because of internal corporate sustainability requirements they
condition the exhaust from all the baking ovens. The typical odor from a bakery is from
the ethanol, but these scrub the ethanol from the exhaust flow. Therefore, you will not
34 have the typical bakery smells.

36 Commissioner Jackson made a motion to approve SP2012-002, a request by Cliff
Applegate of The Lathrop Company for approval of exceptions to the Unified
38 Development Code, specifically to the parking standards, the landscaping standards, the
screening standards and the General Industrial District standards, in association with an
40 administrative site plan for the Project Ontario development, being a 276,548-sf industrial
development located on a 38.932-acre tract comprised of Tract 7, Abstract 125, J. H. B.
42 Jones Survey, and Tracts 15 and 15-1, Abstract 186, J. A. Ramsey Survey, zoned (LI)
Light Industrial district and situated along the south side of Discovery Blvd, the north
44 side of Springer Ln and the west side of Data Dr, with staff recommendations.

46 Commissioner Renfro seconded the motion.

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

2 5. SP2012-005

4 Discuss and consider a request by Gary J. Jacobs of Jacobs & Associates for
6 approval of exceptions to the Unified Development Code, specifically to the parking
8 standards and the General Industrial District standards, in association with an
administrative site plan for Whitmore Manufacturing Company, being a proposed
113,634-sf expansion, located on Lot 3, Block A, Whitmore Industrial Park, being
6.379-acres zoned (LI) Light Industrial district and located at 930 Whitmore Dr., and
take any action necessary.

10 Hampton stated associated with the site plan is a proposed exception to the parking
12 requirements of the UDC. The parking requirement for the development is 150 spaces,
based on a 1 per 300 ratio for office (37 required), 1 per 500-sf for manufacturing area (20
14 required) and the 1 per 1000-sf for warehouse area (93 required). The applicant is
proposing to provide 76 spaces, though has "shaded-in" the additional 74 spaces on the
16 site plan to demonstrate that compliance is ultimately possible. According to the
applicant, the proposed 76 spaces would be more than adequate for the anticipated
18 employee/visitor count at the facility. Variances to the parking standards for industrial
development has been provided in the past, most recently on projects such as SPR
20 Packaging and the Hatfield Company.

22 The remaining exceptions associated with the Whitmore project involve the proposed
building elevations. Below is a summary of the requested exceptions:

- 24 1) Proposed concrete tilt-wall construction. As with the case with most recent
26 industrial buildings, the proposed material is concrete tilt wall construction for the
primary 113,000-sf addition and "connector" building to the existing facility. This
28 in of itself requires a case-by-case approval by the City Council. It should be
noted that several developments have been approved for the same material,
30 including SPR Packaging, Hatfield Company and Phase 2 of the Rockwall Plaza
development, among others.
- 32 2) 20% stone requirement. For the facade that faces a street (south elevation), the
34 General Industrial District Standards stipulate a minimum of 20% stone (can be
cultured if not in an Overlay district). Several recent exceptions have been
36 approved for LI development to either allow a reduction in the amount of stone
(e.g. L3 provided about 14%) and/or use of a tilt-wall technique such as "form-
38 liner" in place of stone veneer (e.g. SPR, Hatfield). The applicant is proposing
various reveals and a two distinct integral colors for the concrete tilt-wall
40 construction in lieu of any stone on the south façade. In addition, there is
significant glass provided on this façade as well as metal canopy structures to
42 provide interest to the elevation. Finally, this façade does comply with both the
horizontal and vertical articulation requirements for industrial districts.
- 44 3) Tank Farm Building. As a separate request, the applicant is proposing to enclose
46 an existing open storage area of tanks between the existing facility and the
railroad corridor along the north property line. The proposed building is 21,265-sf,
48 and would measure up to 33-ft in height. However, an exception to the General

Industrial District Standards is being requested in order to allow for this structure to be a metal building. However, given that enclosure of the tanks is not required, staff feels that consideration of the metal structure may be warranted given the end result of "hiding" the existing tanks from public view.

Staff feels that ultimately, approval of each of the following is a judgment call for the Planning Commission and City Council:

1. Reduction in the number of required parking spaces from 150 spaces to 76 spaces.
2. Exceptions to the following General Industrial District standards:
 - a. Allowance of concrete tilt-wall construction for the 113,634-sf expansion and connector buildings.
 - b. Exception to the required 20% stone requirement to approve as shown on submitted building elevations.
 - c. Exception to the materials requirement to allow for the metal exterior on the proposed 21,265-sf Tank Farm Building.

Gary Jacobs
Jacobs & Associates
3737 Mapleshade Lane
Plano, Texas

Mr. Jacobs stated that with this addition there will be a very marginal increase in employees, so they are asking for a variance to the parking requirements. They are asking for tilt-wall panels for this facility. The variance to the stone requirement is due to the lack of stone on the original building and the desire to create the same look to this building.

Commissioner Buchanan asked if the metal building around the tank farm would match the color on the building. Mr. Jacobs stated that it would be the same cream color as the building.

Commissioner Buchanan asked about the contents within the tanks and the pond.

Ray Swartner
Whitmore Manufacturing
1915 Murfield
Rockwall, Texas

Mr. Swartner stated that the tanks contain refined base stocks used in production of the products at the plant. The pond holds storm water. It's a retention pond under TCEQ permit and in compliance with those requirements.

Commissioner Buchanan stated that he is aware that in the past nearby neighborhoods have reported an odor coming from the building and he is concerned that increasing the number of tanks will increase the odor. Mr. Swartner stated that the company continues to add equipment to ensure that odors do not escape. The company recently added carbon filtration to rooftop ventilation fans. The tank farms have also been fitted with

these devices as well as the railcar tank and loading facility. The scrubbing system has been further updated with carbon collection devices recently.

Commissioner Buchanan asked if there is any type of annual testing for that type of odor. Mr. Swartner stated that the company as a quality control group that checks this on a daily basis.

Chairman Herbst asked if enclosing the tanks may help with any odors. Mr. Swartner said the enclosure is to protect the tanks. The equipment previously mentioned will control any odors.

Commissioner Renfro asked if covering the tanks is being required by the City. Hampton stated that the screening of these tanks is not required by the city. Commissioner Renfro asked about the cost of these additions. Mr. Jacobs stated that it is in the range of \$14 million.

Chairman Herbst inquired if any other metal buildings currently exist on the property. Mr. Swartner stated that this will be the only one, however, SPR may have metal buildings on their property.

Commissioner Lewis made a motion to approve SP2012-002, a request by Gary J. Jacobs of Jacobs & Associates for approval of exceptions to the Unified Development Code, specifically to the parking standards and the General Industrial District standards, in association with an administrative site plan for Whitmore Manufacturing Company, being a proposed 113,634-sf expansion, located on Lot 3, Block A, Whitmore Industrial Park, being 6.379-acres zoned (LI) Light Industrial district and located at 930 Whitmore Dr., with staff recommendations.

Commissioner Jackson seconded the motion.

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

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

Mr. Clark Staggs stated that they were very pleased with the enhancements and changed that Aldi brought back. The ARB recommends approval of Aldi.

They also looked at Lakeside Chevrolet and they view this as an improvement and recommend approval.

The next project was the Rockwall MOB. The ARB asked the applicant for some softening of the architectural elements of the building.

The last item reviewed was 7-Eleven on Yellowjacket. The ARB asked for them to duplicate what was approved for their store on FM552 and SH205. The applicant

indicated that they will be back in two weeks with something similar to the store at that location.

Chairman Herbst asked if the main entrance to the Lakeside Chevrolet dealership will remain off of SH205. Mr. Staggs indicated the he is under the assumption that all the entrances will stay in the same locations.

7. SP2012-001

Discuss and consider a request by Bryan Burger of Burger Engineering, LLC for approval of a site plan of a 15,808-sf retail building located on the proposed Lot 1, Block A, Ridge/Summer Lee Addition, being 2.58-acres zoned (PD-9) Planned Development No. 9 district and designated for "general retail" uses, situated at the southeast corner of Ridge Road and Summer Lee Drive within the Scenic Overlay district, and take any action necessary.

Hampton stated that the site plan and landscape plans all meet the requirements. The applicants have made a lot of effort to meet the requirements and duplicate the look of the surrounding buildings in the area. The ARB has recommended approval at this time. The site plan has been revised to show the cart storage underneath the canopy of the building.

Commissioner Jackson made a motion to approve SP2012-001, a request by Bryan Burger of Burger Engineering, LLC for approval of a site plan of a 15,808-sf retail building located on the proposed Lot 1, Block A, Ridge/Summer Lee Addition, being 2.58-acres zoned (PD-9) Planned Development No. 9 district and designated for "general retail" uses, situated at the southeast corner of Ridge Road and Summer Lee Drive within the Scenic Overlay district, with staff recommendations.

Commissioner Buchanan seconded the motion.

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

8. SP2012-004

Discuss and consider a request by Zac Bartz of Alliance Architects for approval of amended building elevations for Lakeside Chevrolet, being an existing auto dealership located on Lot 3, Block A, Lakeside Chevrolet Addition, being 8.635-acres zoned (C) Commercial district and situated within the SH 205 Overlay district and the IH-30 Overlay district, located at 2005 S. Goliad St, and take any action necessary.

Spencer stated that the applicant has submitted a request to allow for the re-facing of the exterior Lakeside Chevrolet showroom façades. The applicant has made the request in an effort to meet the exterior showroom requirements mandated by Chevrolet.

As part of the request the applicant is proposing to extend the canopy and cover the area immediately adjacent to the west side of the showroom (see darkened columns on attached site plan). The extension of the canopy to the west will allow for the entrance to the parts area to be covered and provide more under cover display area. Additionally,

the applicant will be remodeling the offices located on the inside of the showroom building.

As part of this request the applicant is not proposing any changes or alterations to the existing site, existing landscaping or existing photometric plan.

The revised front and side facades of the showroom are proposed to be clad in ACM metal panel. The main portion of the façade will be silver/gray colored ACM while the new Chevrolet entry feature and the façade accent tree will be a blue colored ACM. Staff feels the request is a considerable upgrade from the existing showroom exterior (see attached photos) and strong consideration should be given by the Planning and Zoning Commission and the City Council. The proposed exterior materials are similar to those found on the showroom facades of other existing auto dealerships in Rockwall.

The proposed materials require a variance to the I-30 Overlay District Section (C) Architectural Standards, (1) Masonry Requirements; as well as the SH 205 Overlay District Section (C) Architectural Standards, (1) Masonry Requirements. Any variance to the I-30 and SH 205 Overlay districts requires a recommendation from the Planning and Zoning Commission and a super-majority (3/4) vote by City Council for approval.

Staff recommends approval of the site plan amendment subject to the following conditions:

Adherence to all Engineering and Fire Department standards.

Michael Parish
Alliance Architects
1600 N. Collins Blvd., Suite 1000\
Richardson, Texas

Chairman Herbst stated that he remembers when the plan was to orient the building towards IH-30. Mr. Parish stated that the scope of this is a façade update with the main building entrance off of Goliad.

Commissioner Minth made a motion to approve SP2012-004, a request by Zac Bartz of Alliance Architects for approval of amended building elevations for Lakeside Chevrolet, being an existing auto dealership located on Lot 3, Block A, Lakeside Chevrolet Addition, being 8.635-acres zoned (C) Commercial district and situated within the SH 205 Overlay district and the IH-30 Overlay district, located at 2005 S. Goliad St, with staff recommendations.

Commissioner Jackson seconded the motion.

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

IV. DISCUSSION ITEMS

9. SP2012-003

Discuss and consider a request by Steven Heilbrun of Pacheco Koch Consulting Engineers for approval of a site plan for the Rockwall MOB Clinic, being a 16,600-sf medical office building located on Lot 2, Block B, North Lakeshore Valley, being 2.017-acres zoned (PD-65) Planned Development No. 65 district and located at the northwest corner of North Lakeshore Drive and SH 205 within the North SH 205 Corridor Overlay district.

Spencer gave a brief overview of the case and the location of the property. Spencer also discussed the background of the planned development for this property.

Commissioner Jackson asked if there is any consideration for access across the property for The Lighthouse daycare center.

**Don Mills
KDC Development
8115 Preston Road
Dallas, Texas**

Mr. Mills stated that that is not something they have considered at this time. He stated that due to the development being fairly heavily parked, they probably would not encourage that access.

**Tina Larson
Corgan Associates
401 N. Houston
Dallas, Texas**

Commissioner Lewis stated that he would like the applicants to work with the ARB to decrease the amount of stucco. Ms. Larson stated that there is very minimal stucco on the building.

Commissioner Minth stated that she would also appreciate a decrease in the amount of stucco that is currently shown on the building.

10. SP2012-006

Discuss and consider a request by Brian Nebel of Lend Lease for approval of a site plan for 7-Eleven, being a proposed 3,010-sf convenience store and fuel center located on a 0.8323 acre tract, being Tract 22, Abstract 255, B J T Lewis Survey zoned (C) Commercial district and situated within the SH 205 Overlay district, located at 1815 S. Goliad St.

Spencer briefly discussed the case and the location of the property.

Chairman Herbst clarified the number of gas pumps. Spencer stated there are 6 pumps and 12 dispensers.

Commissioner Minth asked about the canopy above the gas tanks. Spencer stated that it is a flat canopy in order for it to blend in with the building. Commissioner Minth stated

that she believes it will stand out anyway and would like it to have a more architectural look on its own.

11. Z2012-003

Discuss and consider a request by Jenniffer Norman of JW Winery, LLC for approval of a Specific Use Permit (SUP) to allow for an "Winery" within the (DT) Downtown district, specifically located at 301 N. San Jacinto, a 0.23-acre tract being part of Lot 1, 4 & 5, Block C, Rockwall O T Addition.

Gonzales briefly stated that case and the location of the property.

Commissioner Buchanan asked for clarification on the patio area.

Jenniffer Norman
4510 Lake Haven Drive
Rowlett, Texas

Ms. Norman stated that they will paint the floor and the walls in the garage area. They will keep the garage door there in order to secure the area, but during the day the garage door will remain open.

Commissioner Lewis asked if there would be any food prep. Ms. Norman stated they will not have any food prep. The stove will be taken out and the required sink installed.

Chairman Herbst asked Robert La Croix to update the Commission on previous cases at the next meeting.

V. ADJOURNMENT

The meeting adjourned at 7:04 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 13 day of MARCH, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
March 13, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, John McCutcheon and Dennis Lewis. Kristen Minth was not present when the meeting was called to order.

Additionally, the following staff members were present: Robert LaCroix, Chris Spencer, David Gonzales and JoDee Sanford.

II. CONSENT AGENDA ITEMS

1. Approval of Minutes for February 28, 2012 Planning and Zoning Commission meeting

2. P2012-005
Discuss and consider a request by Ron Ramirez of Wier & Associates, Inc., for approval of a replat of Lot 2, Block B, Rockwall Technology Park, being a 11.361-acre tract zoned (LI) Light Industrial district and situated along the south side of Discovery Blvd, the north side of SH-276 and the west side of Innovation Dr, and take any action necessary.

Commissioner Jackson made a motion to approve all items on the Consent Agenda, with staff recommendations.

Commissioner Renfro seconded the motion.

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

(Commissioner Minth arrived at 6:03pm.)

III. ACTION ITEMS

3. MIS2012-002
Discuss and consider a request by Margarito Arroyo for approval of a special request to the standards of the (PD-75) Planned Development No. 75 district (Ord 09-37), specifically to the "one-time replacement" standards in Area 2, for a proposed manufactured home on Lot 845A, Rockwall Lake Estates #2 Addition, which is located at 202 Blanche Dr., and take any action necessary.

Gonzales stated that Margarito Arroyo, a resident at 202 Blanche Dr in Lake Rockwall Estates, has submitted a request for an exception to the PD-75 standards, specifically the standards for a "one-time replacement" of a mobile/manufactured home. The PD-75

ordinance (Ord. 09-37) allows for a one-time replacement at this location subject to the following standards:

1. The manufactured home shall be permanently attached to a concrete foundation.
2. The primary roof pitch must be at least 3 in 12 inches.
3. At least ninety percent of the exterior materials, including the skirting material, excluding doors and windows, must be comprised of Hardi-Board lap siding, "Cemplank" lap siding or a similar cementaceous durable lap siding material with a minimum width of 6 1/4-inches. Alternatively, the one-time replacement installation may meet the minimum masonry requirements as specified in Article V, Section 3.1, General Residential Standards of the City of Rockwall Unified Development Code.
4. The one time replacement HUD-code manufactured home shall be a newer manufactured home and at least as large in living space as the prior manufactured home.

In May 2011, Mr. Arroyo applied for a building permit that would allow for the "one time replacement" of his existing home with a used 1997 model manufactured home according to the standards established in PD-75. Mr. Arroyo has met the standards for an engineered foundation, a pitched roof system and a newer home with increased living space (single wide to a double wide). However, the new home does not comply with the exterior material requirements that require Hardi-Board, Cemplank or some other cementaceous lap siding material. Also, the manufactured home currently does not have skirting in place.

Mr. Arroyo is proposing that the exterior materials for the structure be composed of the vertical OSB siding (and to include the skirting) that was originally on the home when purchased rather than the 6 1/4-inch cementaceous lap-siding required by the ordinance. Based on the request submitted by the applicant, it is staff's understanding that the primary reason for the material difference is that a cementaceous product is a higher cost material and is beyond what he can afford. It should also be noted that a similar request was recently approved for the exterior materials not meeting the requirements of this ordinance for a new manufactured home at 162 Donald Drive in February of this year. However, staff feels that approval of the current proposal is ultimately a judgment call for the Planning Commission and City Council.

If approved, staff would offer the following conditions:

1. The exterior of the home (including skirting) shall be constructed with the proposed vertical OSB siding product, or as approved by the City Council.
2. The property is required to have an 18' X 20' driveway (as per the approved building permit on file).

Chairman Herbst inquired whether this case was brought forward voluntarily by the applicant or due to a code violation. Gonzales answered that it began as a code issue. The applicant did submit for a permit in May 2010.

Commissioner Buchanan asked if the home was currently constructed with OSB siding. Gonzales stated that it is currently constructed with OSB siding and Mr. Arroyo is asking for the skirting to be constructed with an OSB product as well.

Commissioner Lewis inquired if any manufactured home is constructed with a cementaceous product. LaCroix stated that some manufactured homes are built with cementaceous siding, but it is more costly.

Margarito Arroyo Morales
202 Blanche
Rockwall, Texas

Chairman Herbst inquired whether the skirting would match the home. Mr. Arroyo responded that the skirting would match.

LaCroix also stated that the 18' x 20' driveway is required as part of the permit approval. The applicant stated that they are planning on installing the driveway and replacing the roof within the next year.

Commissioner Buchanan made a motion to approve MIS2012-002, a request by Margarito Arroyo for approval of a special request to the standards of the (PD-75) Planned Development No. 75 district (Ord 09-37), specifically to the "one-time replacement" standards in Area 2, for a proposed manufactured home on Lot 845A, Rockwall Lake Estates #2 Addition, which is located at 202 Blanche Dr., with staff recommendations.

Commissioner Jackson seconded the motion.

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

IV. SITE PLANS / PLATS

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

The ARB's recommendations were discussed by Spencer in conjunction with Item #5 SP2012-003.

5. SP2012-003
Discuss and consider a request by Steven Heilbrun of Pacheco Koch Consulting Engineers for approval of a site plan for the Rockwall MOB Clinic, being a 16,600-sf medical office building located on Lot 2, Block B, North Lakeshore Valley, being 2.017-acres zoned (PD-65) Planned Development No. 65 district and located at the northwest corner of North Lakeshore Drive and SH 205 within the North SH 205 Corridor Overlay district.

Spencer stated that the site plan submitted by the applicant is for a 16,600-sf. Medical office building. The subject site is part of a larger development know as North Lakeshore Valley (NLV). The Planning and Zoning Commission approved an overall site plan for the entire NLV development in 2007. Each site plan submitted for all the individual lots contained within the development shall comply with the approved overall site plan, site details and building elevations.

The site will be accessed via one (1) existing mutual access drive from North Lakeshore on the Walgreens' site and one (1) on-site proposed access drive from North Lakeshore.

2 The proposed medical office building requires eighty-three (83) parking spaces at ratio of
one (1) parking space for every 200 sq. ft. The applicant is exceeding city requirements
4 by proposing to install eighty-four (84) parking spaces.

6 The applicant is proposing to install eleven (11) large canopy trees and fifteen (15) accent
trees along North Lakeshore in an effort to comply with the requirements of the Unified
8 Development Code and PD-65. In addition to the buffer along North Lakeshore the
applicant is exceeding the buffer requirements along Pecan Valley by proposing nine (9)
10 large canopy trees and twelve (12) accent trees. As submitted the landscape plan
complies with all landscaping requirements including detention pond trees and the
12 outstanding 92-inches of tree mitigation associated with the construction of Pecan Valley
and other infrastructure requirements for PD-65.

14 All exterior lighting shall be a maximum of 20' in height (including the base) and shall be
16 directed downward with a maximum 1" reveal. The photometric plan appears to meet all
other city requirements with the exception of light levels along North Lakeshore Drive
18 and one area on Pecan Valley. Along North Lakeshore and in the one area of Pecan
Valley the light levels are a bit higher than the allowable 0.2-ft. candles when measured at
20 the property line. The applicant has incorporated the decorative antique style exterior
light fixtures as required by the approved PD site plan.

22 After a lengthy discussion with the Architectural Review Board during their last meeting,
24 the applicant has made several updates in an effort to come closer into compliance with
the approved conceptual elevations for PD-65. Some of the building updates include the
26 incorporation of architectural towers with pitched standing seam metal roofs, stucco
window molds, and curvilinear stucco window molds over the primary entry. The ARB
28 did ask the applicants to make some additional adjustments in regard to making the main
entrance on the South elevation more prominent. At this time, the ARB recommends that
30 the Commission consider approving the site plan with the exception of the building
elevations until the ARB reviews these adjustments in two weeks.

32 The proposed building is a 20' high single-story building, with 5-and-10' high
34 architectural towers, constructed primarily of Cooper Natural stone, Stucco, Brick and a
standing seam metal roof on the tower elements.

36 The elevations appear to show the dumpster and mechanical equipment screen walls to
38 be comprised of brick; however staff would recommend that all dumpster and
mechanical screen walls be constructed of natural stone.

40 Staff feels that the applicant has made great strides in their elevations and merit should
42 be given to their approval.

44 Staff recommends approval of the request with the following conditions:

- 46 1. Approval of the building elevations by the Architectural Review Board.
2. Adherence to all engineering and fire department requirements.
- 48 3. The dumpster and mechanical screen walls be constructed of natural stone.
4. Reduction of light levels to 0.2-ft. candles measured at all exterior property lines.

50 Commissioner Lewis stated that he appreciates the applicant and architect working with
the ARB.

Commissioner Jackson made a motion to approve SP2012-003, a request by Steven Heilbrun of Pacheco Koch Consulting Engineers for approval of a site plan for the Rockwall MOB Clinic, being a 16,600-sf medical office building located on Lot 2, Block B, North Lakeshore Valley, being 2.017-acres zoned (PD-65) Planned Development No. 65 district and located at the northwest corner of North Lakeshore Drive and SH 205 within the North SH 205 Corridor Overlay district, with staff recommendations.

Commissioner Renfro seconded the motion.

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

V. PUBLIC HEARING ITEMS

6. Z2012-003

Hold a public hearing and consider a request by Jenniffer Norman of JW Winery, LLC for approval of a Specific Use Permit (SUP) to allow for an "Winery" within the (DT) Downtown district, specifically located at 301 N. San Jacinto, a 0.23-acre tract being part of Lot 1, 4 & 5, Block C, Rockwall O T Addition.

Gonzales stated that Jennifer Norman of JW Winery, LLC has submitted a request for approval of a (SUP) Specific Use Permit to allow for a "Winery" within the "DT" Downtown zoning district. The proposed winery will be located at 301 N. San Jacinto and is adjacent to the Joy Lutheran Church. As you may recall, Ms. Norman appeared before the Planning and Zoning Commission as well as the City Council in April 2011 and was granted an SUP for a "Winery." She is currently operating her business at the Harbor and will relocate should the SUP be approved.

The proposed building is 2026 sq-ft in area, is a single story structure with a pitch roof system. The floor plan included in your packet features several rooms including a private sitting area, a meeting room, tasting bars, and a store front where products will be retailed to the general public. Also included in your packet is an agreement from Joy Lutheran Church (via e-mail) authorizing the use of their parking lot for over-flow parking (when not in use by the Church). Additional parking is also available at the public parking lot located at N. Goliad and E. Interurban (60 spaces).

As a note, the CIP bond election will be held in May of this year. Included in this package are the additions of parking spaces and future paving for the Downtown area and more specifically along E. Interurban and N. San Jacinto. There will be 7 parking spaces added to the north side of 301 N. San Jacinto, with 5 parallel spaces along the east property line for a total of 12 additional spaces for the proposed winery's use in addition to the already available spaces within proximity of this location.

Since the proposed location is adjacent to a church, it must meet the distance requirements outlined in the Unified Development Code. Under Article IV, Permissible Uses, Sec. B. Retail Establishments with Alcohol Beverage Sales, for a church,..., the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. Included in your packet is the code in its entirety along with an aerial map depicting the distance exceeding this requirement and therefore meeting compliance.

In addition to the SUP, the applicant will need to obtain a "Winery Permit" from the Texas Alcohol and Beverage Commission prior to the issuance of a Certificate of Occupancy.

A notice was published on March 2, 2012 in the Rockwall County News. Information on the zoning case has also been posted on the City's website in accordance with City policy. Also, twenty-three (23) notices were mailed to property owners of record within 200-ft of the subject property. At this time, staff has received two notices: 1 "in favor" of the request and 1 undecided.

Staff recommends approval of the request with the following conditions:

1. Adherence to all Fire, Building and Health Department standards.
2. Obtain a winery permit from the Texas Alcohol and Beverage Commission prior to issuance of a Certificate of Occupancy.
3. The property shall maintain compliance with the Texas Alcohol and Beverage Commission regulations in regards to outdoor seating, hours of operation, and all other matters pertaining to the operation of a winery.

Commissioner Renfro asked if this is a relocation of the business. Gonzales stated that this is a relocation of the business from the Harbor to this downtown location.

Commissioner Renfro further inquired whether cigars would be approved at this location. Gonzales replied that this follows under the smoking ordinance, however, since this is not a food establishment then cigars may be allowed.

Commissioner Buchanan asked if the exterior of the home will be changed.

Chairman Herbst opened the public hearing at 6:28 p.m.

Jenniffer Norman
4510 Lake Haven Drive
Rowlett, Texas

Ms. Norman stated that the exterior of the home will look the same, but they will be installing a deck across the front of the home and use the garage for an outdoor seating area.

Kenneth Cullins
1020 Timberline Drive
Heath, Texas

Mr. Cullins stated that he owns the property located at 304 N. San Jacinto. He is interested in whether cigars would be allowed. In addition, he asked about parking in the area.

LaCroix stated that the parking would be constructed if the bond election passes. Mr. Cullins further inquired if this parking would be public. LaCroix stated that it would be public parking. Mr. Cullins asked if any parallel parking would be constructed on Olive. LaCroix said that due to the street being very narrow, it would be dangerous to put parking at that location.

Mr. Cullins would also like to know the hours of operation and the types of activities that will occur.

Ms. Norman stated that the operating hours would be Sunday noon-8pm and Tuesday thru Friday 11am-10:30pm. She stated that they are mainly a retail store, but they also produce on-site. They do have live music on the weekends. She will also talk to the restaurants downtown to see if they will provide delivery to her location. In addition, cigars will be allowed though probably only in the outdoor areas.

Commissioner Minth asked about adjacent businesses. Ms. Norman stated that BIN 303 is located nearby, two attorney's offices are located across the street and the church is located behind the property.

Chairman Herbst inquired about the capacity of the building. Ms. Norman stated that she had the fire marshal and both building inspectors give suggestions. She said that she plans on keeping the inside occupancy to under 50. Chairman Herbst stated that he is trying to have some idea regarding the number of parking spaces that may be required.

Commissioner Minth stated that she was under the impression that the downtown location would be a second location to the store at the Harbor. Ms. Norman stated that they have already closed the location at the Harbor and are moving to this downtown location.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:38 p.m.

Commissioner Minth made a motion to approve Z2012-003, a request by Jennifer Norman of JW Winery, LLC for approval of a Specific Use Permit (SUP) to allow for an "Winery" within the (DT) Downtown district, specifically located at 301 N. San Jacinto, a 0.23-acre tract being part of Lot 1, 4 & 5, Block C, Rockwall O T Addition, with staff recommendations.

Commissioner Renfro seconded the motion.

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

VI. DISCUSSION ITEMS

7. Planning Director's Report on the following Planning and Zoning Commission matters that have been recently acted on by City Council:

a) P2012-001: Yetts Addition (Rockwall Marine)

LaCroix stated that Council approved the project.

b) P2012-004: Newman Center Addition (Rockwall Honda)

LaCroix said that the project was approved.

c) SP2012-002: Project Ontario (Variances)

LaCroix stated that the project was approved.

2 d) SP2012-004: Lakeside Chevrolet (Variances)
LaCroix stated that the project was approved.

4 e) SP2012-005: Whitmore Manufacturing (Variances)
6 LaCroix stated that the project was approved.

8 f) Comprehensive Plan Update 2012

10 LaCroix reported that with the help of a Council appointed committee, the updated
12 Comprehensive Plan was approved.

14 Commissioner Renfro stated that he believes it's important to clarify with Council
16 between vertical and horizontal mixed-use, because some miscommunication has
occurred in the past.

18 Chairman Herbst inquired about the types of products that will be produced at the
bakery. LaCroix responded that Bimbo is the parent company to Sara Lee, but he is
20 unsure if they will produce both bread and pastries.

22 Commissioner Minth asked about the status of PD-32. LaCroix stated that the high rise
building is progressing. They will finish out the infrastructure. Some adjustments may
24 be made to the site to possibly include more office space. They are still working on
contracting some property. Investment is picking up there as well as elsewhere in the
26 City.

28 VII. ADJOURNMENT

30 The meeting adjourned at 6:47 p.m.

32 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 27 day of MARCH, 2012.

34
36 
38 Phillip Herbst, Chairman

40 Attest:

42 
JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
March 27, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon and Dennis Lewis.

Additionally, the following staff members were present: Robert LaCroix, Chris Spencer, David Gonzales and JoDee Sanford.

II. CONSENT ITEMS

1. Approval of Minutes for March 13, 2012 Planning and Zoning Commission meeting.

2. P2012-010

Discuss and consider a request by Ron Ramirez of Weir & Associates for approval of a final plat, for Lot 2, Block B of the Rockwall Technology Park Phase III, City of Rockwall, Texas, being a 38.932-acre tract comprised of Tract 7, Abstract 125, J. H. B. Jones Survey, and Tracts 15 and 15-1, Abstract 186, J. A. Ramsey Survey, zoned (LI) Light Industrial district and situated along the south side of Discovery Blvd, the north side of Springer Ln and the west side of Data Dr, and take any action necessary.

3. P2012-008

Discuss and consider a request by Bryan Burger of Burger Engineering, LLC for approval of a final plat for Ridge/Summer Lee Addition, City of Rockwall, Texas, being a 4.1878-acre tract zoned (PD-9) Planned Development No. 9 district and designated for "general retail" uses, situated at the southeast corner of Ridge Road and Summer Lee Drive within the Scenic Overlay district, and take any action necessary.

Commissioner Jackson made a motion to approve all items on the Consent Agenda, with staff recommendations.

Commissioner Renfro seconded the motion.

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

III. ACTION ITEMS

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

(Due to the ARB still meeting at this time, the item was moved down on the Agenda.)

Julien Meyrat spoke on behalf of the ARB. Mr. Meyrat stated that in regard to the MOB Clinic the ARB made on additional recommendations to add additional articulation on the windows by adding metal sun shades.

In regard to Trend Tower, Mr. Meyrat stated the board is concerned with the colors of the stucco. They suggest making the colors more subdued or limit the palette a bit. The ARB would also like the addition of stone to make the building look more substantial.

The board also looked at the car dealership and the board believes that the proposal is an improvement over the existing building. They would prefer stucco instead of EIFS and they would also like more articulation.

The final project discussed was the salon and sign shop. The ARB would like some windows added to the sign shop. They feel like the rear elevation of the salon could have improved articulation.

(The Commissioner resumed the Agenda with Item #6.)

5. SP2012-006

Discuss and consider a request by Brian Nebel of Lend Lease for approval of a site plan for 7-Eleven, being a proposed 3,010-sf convenience store and fuel center located on a 0.8323 acre tract, being Tract 22, Abstract 255, B J T Lewis Survey zoned (C) Commercial district and situated within the SH 205 Overlay district, located at 1815 S. Goliad St, and take any action necessary.

LaCroix stated that the applicant has submitted a site plan for a new 3,010 sq. ft. 7-Eleven convenient store with gas sales located at the northeast corner of SH 205 and Yellow Jacket Lane. The site is zoned (C) Commercial district and situated within the SH 205 Overlay District.

The retail parking standard of one (1) parking space for every 250-sq. ft. requires the development to have a total of twelve (12) spaces with one (1) handicap space. The site plan meets the parking requirements by proposing thirteen (13) parking spaces with one (1) handicap space. The site plan includes a 10-ft. wide right-of-way dedication along Yellow Jacket Lane. Additionally, the site plan appears to meet all other applicable site development standards such as firelane, detention, and utilities.

The Landscape Plan shows the required 20-ft. landscape buffer along SH 205 with five (5) 4" caliper large canopy trees, and six (6) 4-ft high accent trees.

Due to site constraints and the inability to reach agreements with the adjacent property owners to share mutual access drives and/or have a portion of drive returns located in front of adjacent properties the applicant is requesting a variance to the landscape buffer requirements for Yellow Jacket Lane. The Unified Development Code requires a 10-ft landscape buffer along Yellow Jacket with four (4) 3" caliper canopy trees. Please see the attached variance request from the applicant.

The landscape plan meets all other landscaping requirements including detention pond trees and a row of trees along the building rear façade.

2 The photometric plan includes lighting fixtures with a maximum mounting height of 20-
4 feet complying with the SH 205 Overlay standards. The lighting levels also appear to
6 approach 0.2-foot candles at the property lines. Currently, the area adjacent to the
canopy on the west, east and south sides slightly exceeds the maximum allowable light
levels of 20-foot candles. Staff is recommending as part of the site plan approval that the
applicant revise the photometric plan.

8 The elevations propose a 27' high pitched roof building comprised of Austin type stone,
10 split face CMU, stucco and a standing seam metal roof. The elevations also illustrate a
19' tall pre-finished metal canopy for the gasoline sales area, as well as the required 8 ft.
12 masonry dumpster enclosure and the mechanical equipment screen. The columns of the
gas canopy, the dumpster enclosure and the mechanical equipment screen are all shown
14 to be constructed of materials matching the main structure.

16 The applicant has presented building elevations and materials samples to the
Architectural Review Board and they recommend approval.

18 Staff Recommends approval of the request with the following conditions:

- 20 1. Adherence to all engineering and fire department requirements.
- 22 2. Correction of the photometric plan to a maximum of 20-foot candles outside of the
canopy.
- 24 3. All exterior lighting to be fully cut-off and downward lit.
- 26 4. Submittal of a site plan exhibit illustrating the outdoor sales and display area in
accordance with the City of Rockwall Unified Development Code.
- 28 5. Correction of the proposed parking spaces from 8' in width to the required 9'.

30 Commissioner Jackson inquired about restrictions for outside sales. LaCroix stated that
the applicants have not yet submitted a plan detailing these areas, but this was one of
the recommendations made.

32 Chairman Herbst clarified that landscape variance on Yellowjacket. LaCroix stated that
the landscape buffer would not be as wide as is required.

34 Brian Nebel with Lend Lease
36 5413 Sonoma Drive
Ft. Worth, Texas

38 Mr. Nebel stated that they will provide a site plan with the outside display areas outlined,
40 but recently 7-Eleven has not been using outside display areas. If any outside display is
used, it will be located in the front of the building.

42 Chairman Herbst inquired about an area on the site plan. Mr. Nebel stated that it is a
44 mechanical enclosure.

46 Commissioner Minth asked if any outside display areas would need to be covered.
LaCroix stated that any outside display areas are required to be covered.

48 LaCroix stated that the width of the sidewalk is 7 feet. Mr. Nebel stated that the depth of
50 a Redbox 24-38".

Commissioner Jackson asked if ADA requires a 5' sidewalk. LaCroix stated that for walking clearance, 36" is required.

Commissioner Buchanan asked about the size of the lot and whether it is a smaller site than 7-Eleven typically acquires. Mr. Nebel stated that it is a smaller site which is why they are asking for the landscape variance.

Commissioner Jackson made a motion to approve SP2012-006, a request by Brian Nebel of Lend Lease for approval of a site plan for 7-Eleven, being a proposed 3,010-sf convenience store and fuel center located on a 0.8323 acre tract, being Tract 22, Abstract 255, B J T Lewis Survey zoned (C) Commercial district and situated within the SH 205 Overlay district, located at 1815 S. Goliad St, with staff recommendations and the additional condition that a single Redbox display be allowed outside upon submittal of a site plan with the location shown and that a 36 inch clearance is required.

Commissioner Buchanan seconded the motion.

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

(At this time, the Commission moved to the "Discussion Items" section of the Agenda.)

6. SP2012-003

Discuss and consider a request by Steven Heilbrun of Pacheco Koch Consulting Engineers for approval of the building elevations for the Rockwall MOB Clinic, being a 16,600-sf medical office building located on Lot 2, Block B, North Lakeshore Valley, being 2.017-acres zoned (PD-65) Planned Development No. 65 district and located at the northwest corner of North Lakeshore Drive and SH 205 within the North SH 205 Corridor Overlay district, and take any action necessary.

Spencer stated that developers have raised the height of the central entry element and darkened the stone color. They have broken up the horizontal banding and the addition of the sun shades will add to this as well. The ARB has also suggested that the standing seam metal roof and sun shades be a bronze color.

Commissioner Lewis asked for clarification on the sun shades that the ARB is recommending. Mr. Meyrat stated that he envisions galvanized steel beams and a steel pergola and tied back with a cable at the top or something similar.

Commissioner Lewis made a motion to approve SP2012-003, a request by Steven Heilbrun of Pacheco Koch Consulting Engineers for approval of the building elevations for the Rockwall MOB Clinic, being a 16,600-sf medical office building located on Lot 2, Block B, North Lakeshore Valley, being 2.017-acres zoned (PD-65) Planned Development No. 65 district and located at the northwest corner of North Lakeshore Drive and SH 205 within the North SH 205 Corridor Overlay district, with staff recommendations and the additional conditions that sun shades are added over the windows and the roof color is approved by the ARB.

Commissioner Buchanan seconded the motion.

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

(The Commission moved to Item #9 on the Agenda.)

IV. DISCUSSION ITEMS

7. P2012-006

Discuss and consider a request by John F. Dudek of Dudek Properties, LLC. for approval of a residential replat of Lots 33 and 34, Block A, Chandlers Landing Phase 2, City of Rockwall, Texas, being 0.28-acre tract zoned (PD-8) Planned Development No. 8 district and located at 430 and 432 Columbia Drive. (Public Hearing Required)

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

8. P2012-007

Discuss and consider a request by Billy Self for approval of a residential replat of Lots 8 and 9, Block B, Harbor Landing Phase 2, City of Rockwall, Texas, being 0.46-acre tract zoned (PD-8) Planned Development No. 8 district and located at 323 and 321 Harborview Drive. (Public Hearing Required)

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

(At this time, the Commission moved to Item #12 on the Agenda.)

9. SP2011-009

Discuss and consider a request by Chris Cuny of F. C. Cuny Corp for approval of a PD Site Plan of the Trend Tower at the Harbor, being a seven (7) story office / commercial building to be located on a 2.149-acre tract proposed to be Lot 1, Block A, Harbor District Addition, City of Rockwall, Texas, which is zoned (PD-32) Planned Development No. 32 district and located south of IH-30 and west of Horizon Road.

LaCroix gave an overview of the history of the project and stated that some variances will be requested.

**Chris Cuny
#2 Horizon Court
Heath, Texas**

Mr. Cuny described the project and owner's intentions for the parking garage. He also showed the Commission the proposed building material samples and discussed the waivers that will be requested.

Commissioner Minth asked that if the colors on the building change per the ARB's suggestion, would the roof color also be changed to match. Mr. Cuny stated that all colors on the building will be compatible.

Commissioner Jackson asked if the parking structure is being changed on the speculation of an additional building.

10. SP2012-008

Discuss and consider a request by Carol Inman for approval of a PD Site Plan for a Hair Salon and Sign Shop, located on a 1.699-acre tract proposed to be Lots 1 & 2, Block 1, Pfeffer/Inman Addition, City of Rockwall, Texas, which is zoned (PD-54)

Planned Development No. 54 district and located south side of Ralph Hall Parkway east of Flagstone Creek Blvd.

Gonzales briefly described the location of the property and gave an overview of the case.

Commissioner Buchanan asked if the wrought iron fence is similar to the adjacent property. Gonzales stated that it should be compatible with what is existing.

Tommy Satterfield
503 Stonebridge
Rockwall, Texas

Commission Lewis asked what types of trucks would deliver to the sign shop. Mr. Satterfield stated they would be box trucks and panel trucks.

11. Z2012-004

Discuss and consider a request by DW Bobst of JBR2, for approval of a zoning change from (SF-10) Single-Family Residential district to a (PD) Planned Development district, specifically located at 1310 Ridge Road and within the Scenic Overlay District, containing 1.72-acres of land being Lots 1 & 2, Block B, Eagle Point Estates, City of Rockwall, Texas.

LaCroix discussed the case and the location of the property.

Chairman Herbst asked if any other areas off of Ridge Road are zoned "General Office" versus "Residential Office." LaCroix explained that the applicant is requesting "Residential Office" zoning with a single use of "General Office" which makes it more restricted than other "Residential Office" zoning.

Commissioner Lewis asked if public notices have gone out to those within the required distance. LaCroix stated that the notices had been mailed and published in the newspaper.

Commissioner Minth asked how many people were notified. LaCroix stated that all of those properties within 200ft. Commissioner Minth asked if a business was already operating out of the property adjacent. LaCroix replied a Code Enforcement case observed no violation of an official business being operated from the property. The owners are allowed to have a home occupation at the property.

Commissioner Buchanan clarified which properties are residential. He additionally stated that he is hesitant to allow anything other than residential zoning when it is surrounded by residential homes.

Commissioner Jackson asked for clarification on the square footage of the buildings. LaCroix stated that each building would be 10,000 square feet, 2 story. Commissioner Jackson stated that she is concerned about the increase in traffic.

Commissioner Lewis asked how many property owners were notified. LaCroix stated that 16 notices were mailed.

Commissioner Minth asked if a zoning application has been submitted on this property previously. LaCroix stated that he doesn't remember any other zoning case on this property.

Commissioner Renfro asked if the residential will eventually be phased out in this area at some point in the future. LaCroix stated that some homeowner's have indicated the desire to use these properties in other ways as this corridor develops.

Dennis Jamison
JBR2, LLC

Commissioner Lewis asked for Mr. Jamison's opinion about what this type of development might do to the property values of the surrounding homeowners.

Mr. Jamison replied that they believe the values of homes to the East will not be impacted. They plan on installing a greenbelt. The buildings will appear residential and the use will be low-impact in terms of traffic. Mr. Jamison stated that those two lots have proved difficult to build a residential property that is financially feasible.

Commissioner Minth asked how many of the notices that were sent were of different ownership and how many residential properties have developed in this area in the last 5 to 10 years. LaCroix stated that further to the South residential properties have developed, but not in this area. LaCroix also stated that 14 of the 16 notices went to separate owners.

(The Commission moved to Item #4 on the Agenda.)

12. P2012-009

Discuss and consider a request by Daniel Dewey of JBI Partners for approval of a final plat of Caruth Lakes Phase 7B Addition, City of Rockwall, Texas, being 66 single family lots on 17.182-acres tract zoned (PD-5) Planned Development No. 5 district and located along the west side of John King Blvd. and north of SH-66.

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

Chairman Herbst commented on the length of the alley between Crescent Cove Drive and Whitewater Drive that serves 22 lots and asked if a break in the alley is required. LaCroix stated that the preliminary plat was approved with that alley length.

Daniel Dewey with JBI Partners

Mr. Dewey stated that a break would occur mid-block with Phase 7C.

(The Commission moved to Item #11 on the Agenda.)

13. Z2012-005

Discuss and consider a request by Wayne Mershawn of Mershawn Architects for approval of a Specific Use Permit (SUP) to allow for a "New Car Dealership" within the (LI) Light Industrial district and the (IH-30 OV) IH-30 Overlay District, being Lot 1, Block 1 and Lot 1, Block 2 of the Rockwall Recreational Addition, containing 7.16-acres of land and specifically located at 1540 IH-30 E, City of Rockwall, Texas.

2 Spencer discussed the case and the location of the property.

4 V. ADJOURNMENT

6 The meeting adjourned at 7:42 p.m.

8 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 10 day of April, 2012.

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Phillip Herbst, Chairman

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Attest:

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JoDee Sanford, Planning Coordinator

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MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
April 10, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:01 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon and Dennis Lewis.

Additionally, the following staff members were present: Robert LaCroix, David Gonzales and JoDee Sanford.

1. Approval of Minutes for March 27, 2012 Planning and Zoning Commission meeting

Commissioner Jackson made a motion to approve the minutes for March 27, 2012.

Commissioner Renfro seconded the motion.

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

II. ACTION ITEMS

2. MIS2012-003

Discuss and consider a request by Mike and Jan Foster for approval of a special exception in accordance with Article II, Section 8.5 of the Unified Development Code specifically to allow a waiver to the ten (10') foot side yard setback requirement on the south take line area property line for the property being described as Lot 1, Block A, The Estates of Coast Royale #2, located at 1600 S. Lakeshore, City of Rockwall, Texas, and take any action necessary.

LaCroix stated that the applicants, Mike and Jan Foster, are requesting a special exception to allow for a waiver to the 10' side yard setback requirement contained in the Unified Development Code, Article V. District Development Standards, Takeline Overlay. This requirement states that "All boat-related structures permitted by this ordinance shall have a side yard setback of at least ten (10') feet". The Foster's have leased the takeline area adjacent to their property however due to the original surveying of this lease, the lot was left with a width of only 27.83 feet. In order to build a six (6') foot catwalk, twelve (12') foot boat house and maintain two 10' side yard setbacks, a minimum 38' of lot width is required. If a waiver were granted for the south side yard setback, Mr. Foster could essentially build a 5.83' catwalk, 12' boat house and maintain the 10' side yard setback from the north property line. The Cullen's, the adjacent property owners to south of the Foster's, have already leased and constructed a boat house approximately 70' from the common the property line. The Cullen's property has 130' of take line lot width. The Cullen's have signed a document as their authorization for approval of the 10' side yard setback waiver for the Fosters.

Staff feels that this request meets the criteria for granting the exception. The intent of the setback requirement was to prevent crowding of boat houses on adjacent properties and causing view corridor issues with property owners. In this case, with an existing boat house already having been constructed with a distance of approximately 70' from the property line, the request of the Foster's to the waiver of the setback would seem reasonable and would allow the same privileges as their adjacent neighbors. This is a unique circumstance and granting the exception does not, in staff's opinion, set a precedent.

Commissioner Minth made a motion to approve MIS2012-003, a request by Mike and Jan Foster for approval of a special exception in accordance with Article II, Section 8.5 of the Unified Development Code specifically to allow a waiver to the ten (10') foot side yard setback requirement on the south take line area property line for the property being described as Lot 1, Block A, The Estates of Coast Royale #2, located at 1600 S. Lakeshore, City of Rockwall, Texas.

Commissioner Jackson seconded the motion.

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

III. SITE PLANS / PLATS

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

Mr. Clark Staggs spoke on behalf of the ARB. The Board reviewed three projects.

In regards to the Trend Tower, the applicants are asking to table this discussion.

The Hair Salon and Sign shop did make some substantial improvements and the ARB does recommend approval.

4. SP2011-009
Discuss and consider a request by Chris Cuny of F. C. Cuny Corp for approval of a PD Site Plan of the Trend Tower at the Harbor, being a seven (7) story office / commercial building to be located on a 2.149-acre tract proposed to be Lot 1, Block A, Harbor District Addition, City of Rockwall, Texas, which is zoned (PD-32) Planned Development No. 32 district and located south of IH-30 and west of Horizon Road, and take any action necessary.

LaCroix stated that the site plan application is for a seven (7) story 107,129-s.f. office building with a six (6) story parking garage. The proposed development is the first within the master-planned PD-32. The site is located within the PD-32 Summit Office Sub-district south of I-30, west of Horizon Road, north of Summer Lee Drive and east of Shoreline Circle.

Associated with the development of the proposed office building is the installation of surrounding infrastructure as required by PD-32. The infrastructure improvements associated with the development include the construction of two public streets (Sunset

Ridge Drive & Pinnacle Way), landscaping and streetscape for the public streets, on-street parking, electric, natural gas, water, storm water and wastewater facilities.

Parking & Access

The site plan details a seven (7) story 107,129-s.f. building with 76,700-s.f. of office and 2,900-s.f. of restaurant. The development requires a total of 285-parking spaces at a ratio of one (1) parking space for every 300-s.f. of office and one (1) parking space for every 100-s.f. of restaurant. As submitted the site plan exceeds the parking requirements by proposing 431-parking spaces with 9-handicap spaces. The additional parking will allow for the potential of an additional office tower in the future with limited needed expansion of the proposed garage.

All of the necessary fire lanes, utility and drainage requirements have been illustrated on the site plan and conceptually met city standards. The garage will initially be access from the private drive connected to Sunset Ridge Drive with a second entrance on Pinnacle Way to be installed with a potential future expansion of the garage to the east.

Building Footprint

The building will have primary pedestrian access on Sunset Ridge Parkway with a potential bank facility located on the building's south façade along Pinnacle Way. As submitted the building meets all of the required build-to lines as provided in PD-32.

Mechanical/Electrical/Refuse/Loading Screening

The applicant has delineated on the site plan, landscape plan and building elevations the locations of all building service equipment areas and required screening. The dumpster enclosure, located adjacent to the garage west facade and along the proposed private drive, is shown to be a 8'-high masonry screen. Staff would offer that the dumpster enclosure be constructed of the same materials, have the same finishes as the garage exterior (including Eco Mesh) and the enclosure walls extend to the bottom of the second floor deck. Utilizing the same exterior finishes on the dumpster enclosure as found on the garage façade will allow for the enclosure to be architecturally integrated into the garage and comply with the PD-32 Design Guidelines regarding refuse screening. As part of utilizing the same materials staff would also offer that the dumpster enclosure doors have the Eco Mesh attached to their exterior.

The site plan also illustrates the location of a proposed generator and transformer located on the east side of the parking garage along Pinnacle Way. According to the project engineer the generator and transformer will be located below grade. The site plan and landscape plan illustrate a 7'-high masonry screen on the south side of the electrical equipment and a wrought iron fence on the north and east sides of the electrical equipment. Approval of the electrical screen as submitted would constitute a departure from the PD-32 "Design Guidelines" which require all mechanical and electrical equipment to be screened by masonry screen walls. Again staff would recommend that the screen be constructed of the same materials and have the same finishes as the garage exterior (including Eco Mesh).

All of the office building's mechanical equipment will be located in a cooling tower on the 6th-level of the parking garage. The mechanical equipment will be screened from view by a four-sided, 10'-high metal louver system.

Landscape

The required landscaping for Sunset Ridge Drive and Pinnacle Way was previously approved for the project in conjunction with the paving, drainage, utility, and streetscape plans. While the PD-32 guidelines do not require non-residential ground floor frontages to provide additional landscaping the applicant has proposed to install additional landscaping around the building and service areas. The additional building landscaping located on the north, south and west building facades is in the form of large canopy trees, ornamental trees, shrubs, ground cover and perennials.

Additionally, the applicant is proposing to use a Virginia Creeper vine on the Eco Mesh found on the east, west and south elevations of the garage to screen parked cars as required by PD-32.

Lighting

The photometric plan appears to meet all the requirements of the Unified Development Code and PD-32 including maximum light levels at property line of 0.2-foot candles. The applicant is proposing two (2) pole lights which match those being installed as part of streetscape.

The wall pack fixtures are an antique style, octagon, 80-watt fixture. While the fixture appears to work well with the building's design elements it does require a waiver be granted by the Planning and Zoning Commission since it is not fully cut-off. Staff feels the Commission should give special consideration to the request due to the relative low number of fixtures, the fixture's relatively low wattage, and the architectural integration of the fixture into the building's design. Additionally, the applicant is also requesting the Commission to consider allowing these wall-pack fixtures above the maximum allowable 30'. The reason for the request is need to illuminate balconies located on the third (3rd) and seventh (7th) floor and the entry from the sixth (6th) level of the parking garage.

The photometric plan illustrates that all lighting under the proposed canopy is below the allowable 35-foot candles. All under canopy lighting is required to be recessed into the canopy. The 6th (top) level of parking garage is proposed to be illuminated by shoe-box style pole lights. Staff is recommended that these pole lights be a maximum of 20' in height. The fixtures appear to comply with the lighting requirements of the UDC.

Elevations

The office building is a seven-(7)-story, 116' high structure constructed in the Traditional architectural style with Mediterranean influences in its detailing and exterior materials. The office tower utilizes Eldorado Stone, eight variations (color, texture, and form) of the traditional three coat stucco, clay tile roof shingles, precast stone accents and detail elements, and aluminum balcony railing. While the building meets all the necessary requirements of Article V, Section 4.1 General Commercial District Standards of the Unified Development Code and all the requirements of the governing ordinance for PD-32, Ordinance No. 10-21, several departures from the PD-32 "Guidelines" (Resolution No. 10-40) are being requested by the applicant. The project architect will be at both the Architectural Review Board and the Planning and Zoning Commission meetings on Tuesday, April 10th to discuss the reasoning behind the requested guideline departures. Below is a list of the departures to the PD-32 guidelines as requested by the applicant:

Building Materials

- The primary building material (stone) is required to be a minimum 60% of each

façade.

- Secondary building materials (stucco) are limited to a maximum 40% of each facade.

- The use of high density polyurethane decorative grille under bank canopy.

Doors/Windows

- Doors and window openings may be ganged together horizontally up to a maximum of 3 per group.
- Sliding doors shall not be permitted.
- Single window planes shall not exceed 6-ft high x 5-ft wide.

Arcades/Galleries

- Arcades and galleries are permitted with a minimum depth of 8-ft and maximum depth of 12-ft. Arcades and galleries limited to 33% of block length.

Parking Garage

The parking garage is proposed to be six-(6)-level and constructed in two-phases. Phase one of the proposed garage will more than satisfy the parking requirements for the current office building with 394-parking spaces. The second phase of the parking garage will come at a future date with the construction of a second office tower.

The ordinance for (10-21) PD-32 requires all parking garages to:

- Have guard rail height precast spandrel panels with enhanced detailing on exposed facades.
- A minimum of 25-percent of an exposed garage must be screened with vines on a greenscreen or a cable type system.
- Exposed slab and cable guard rails are not permitted on exposed garage facades.

As submitted the north, south and west garage elevations comply with the requirements of PD-32. The applicant is requesting a waiver to the parking garage design standards for the east elevation. The applicant is requesting the waiver to help facilitate the parking garage phase two expansion associated with the construction of a second office tower. Staff feels that merit should be given to the applicants request but if the waiver is recommended and approved by the ARB, P&Z and Council it should be for a limited time frame. Staff is recommending that the waiver for the garage design standards of the east elevation be permitted for a period not to exceed 36-months from issuance of the Certificate of Occupancy (C.O.) for the office tower. Staff would also recommend that at the time of final plat the granting of the waiver for a period not to exceed 36-months be solidified in a facilities agreement with the applicant. In considering granting the waiver staff would request that the ARB, P&Z and City Council consider requiring the installation of a minimum 25-percent Eco Mesh, greenscreen, on the east façade for the duration of the waiver.

Recommendations:

Staff recommends approval of the site plan subject to the following conditions:

1. Adherence to all Engineering and Fire Department standards.
2. The dumpster and mechanical screens located on the east and west facades of the garage be constructed and finished with those materials found on the garage façade and the screens extend to the bottom of the second level of the garage.
3. All under canopy lighting be recessed into the canopy.
4. Pole lights on the 6th (top) level of the parking garage be limited to 20' in height.

5. Approval of departures from the design guidelines by the Planning and Zoning Commission and City Council as requested by the applicant.
6. The waiver for the parking garage design standards for the garage east façade be granted for a time not to exceed 36-months from issuance of a Certificate of Occupancy (C.O.) for the office tower.
 - a. The 36-month time period be further solidified by a facilities agreement executed at the time of final plat.
7. Installation of a minimum 25-percent Eco Mesh, greenscreen, on the east façade for the duration of the waiver.

Commissioner Renfro asked what types of measures are in place to ensure the 36-month period is met. LaCroix stated that a facilities agreement would create a contract for this period of time and the applicants would need to go before Council to have that time frame extended.

Chris Cuny with FC Cuny
#2 Horizon Court
Heath, Texas

Mr. Cuny stated that it was in the best interest of the project to bring in a color rendering of each of the elevations. They are asking to table the project to give them time to get those elevations back to the ARB and the Commission.

Commissioner Lewis stated that the spacing of the cables on the garage is important in terms of life safety. Mr. Cuny responded that many garages in the Dallas and Houston areas use that type of cabling system, but he is hoping that before construction starts they will be able to make a decision on whether to expand the garage and not need the cabling system on that portion of the garage.

Commissioner Jackson made a motion to table SP2011-009, a request by Chris Cuny of F. C. Cuny Corp for approval of a PD Site Plan of the Trend Tower at the Harbor, being a seven (7) story office / commercial building to be located on a 2.149-acre tract proposed to be Lot 1, Block A, Harbor District Addition, City of Rockwall, Texas, which is zoned (PD-32) Planned Development No. 32 district and located south of IH-30 and west of Horizon Road, until the April 24, 2012 meeting.

Commissioner Minth seconded the motion.

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

5. SP2012-007

Discuss and consider a request by Steven Seitz of Seitz Architects, Inc. for approval of special exceptions to the Unified Development Code, specifically to the vertical and horizontal articulation and the building materials, in association with an administrative site plan for Nolan Power Group, being a 20,000-sf office/warehouse development located on Lot 1, Block C, Rockwall Technology Park Addition, City of Rockwall, Texas, being 2.109-acres zoned (LI) Light Industrial district and situated at the northwest corner of Observation Trail and Technology Way, and take any action necessary.

LaCroix stated that a site plan application has been submitted for the Nolan Power Group, an office/warehouse development in the Rockwall Technology Park. The application requires administrative (staff) approval; however, there are several variances associated with the request that must be considered by the Planning and Zoning Commission and ultimately approved by the City Council. The subject site is a 2.109-acre tract being Lot 1, Block C, Rockwall Technology Park Addition and is zoned LI (Light Industrial). The site plan includes building elevations, lighting, landscaping and other elements generally required for the review process. The applicant is requesting certain waivers to the City's requirements which include the following:

1. Construction of a concrete tilt-wall building, as well as a variance to the 20% stone requirement by substituting a form-liner pattern on the two facades that face public streets.
2. Variance to the horizontal and vertical articulation requirements for the east elevation facing Technology Trail and to the vertical articulation requirements for the south elevation facing Observation Trail.

The City Council has approved tilt-wall construction on several projects, including both industrial (e.g. Hatfield and Company) and commercial (Rockwall Plaza Phase 2). In addition, approval of the form-liner pattern (which has a stone or masonry "appearance") was recently approved in lieu of stone for the Hatfield and Company project currently under construction in the Tech. Park.

The proposed building is meeting the horizontal articulation requirements along Observation Trail but not along Technology Trail. Additionally, the proposed elevations along both Observation Trail and Technology Trail are not meeting the vertical articulation requirements. While the proposed elevations may not be meeting the mathematical calculations for the horizontal and vertical articulation requirements staff feels they are meeting the spirit of the requirements. On the north, east and south facades the applicant is proposing vertical & horizontal articulation, changes in material (tilt-wall to form liner) and changes in color. Recently the Planning and Zoning Commission and the City Council have approved variances to the articulation requirements for projects in the Tech Park (Hatfield and Company – Horizontal & Project Ontario Bakery – Horizontal and Vertical). Both of the recently approved projects however, were considerably bigger in size at 50,000-sf and 276,000-sf respectively, compared to the proposed building at 20,000-sf.

Steve Seitz with Seitz Architects
2231 Ridge Road
Rockwall, Texas

Mr. Seitz stated that want a 20,000 square foot warehouse in the Tech Park. Mr. Seitz believes that what they have proposed does meet the spirit of the area. They are requesting a variance for the stone, but would like to use form-liner pattern.

Commissioner Lewis made a motion to approve SP2012-007, a request by Steven Seitz of Seitz Architects, Inc. for approval of special exceptions to the Unified Development Code, specifically to the vertical and horizontal articulation and the building materials, in association with an administrative site plan for Nolan Power Group, being a 20,000-sf office/warehouse development located on Lot 1, Block C, Rockwall Technology Park

2 Addition, City of Rockwall, Texas, being 2.109-acres zoned (LI) Light Industrial district
and situated at the northwest corner of Observation Trail and Technology Way, with staff
recommendations.

4 Commissioner Buchanan seconded the motion.

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

8 6. SP2012-008

10 Discuss and consider a request by Carol Inman for approval of a PD Site Plan for
a Hair Salon and Sign Shop, located on a 1.699-acre tract proposed to be Lots 1
12 & 2, Block 1, Pfeffer/Inman Addition, City of Rockwall, Texas, which is zoned
(PD-54) Planned Development No. 54 district and located south side of Ralph
14 Hall Parkway east of Flagstone Creek Blvd, and take any action necessary.

16 Gonzales stated that the applicant is seeking approval of a site plan for a proposed Hair
Salon & Sign Shop that will be located on a 1.699-acre tract (proposed to be Lots 1 and 2,
18 Block 1 of the Pfeffer/Inman Addition) along Ralph Hall Pkwy, is east of Mims Rd and
adjacent to the Rockwall Medical Center. The property is zoned (PD-54) Planned
20 Development No. 54 with an underlying zoning of (C) Commercial district.

22 The proposed site will contain two new structures with lot one being a 10,384-sf structure
and lot two as a 2925-sf structure. The site will be accessed from two points of entry
24 along Ralph Hall Pkwy. The applicant is proposing 95 parking spaces overall, exceeding
the City's standards. The parking ratio for a hair salon is one space per 250-sf, which
26 equals 42 spaces and for a sign shop the parking ratio is determined by the Director of
Planning, based on this uses classification, and is considered sufficient for this
28 development. However, a mutual access and parking agreement is required in order to
accommodate parking for the building on lot two (Sign Shop) should the properties be
30 sold or leased in the future.

32 The applicant is also seeking approval of the location of the dumpster enclosure as a
part of the site plan approval process. The dumpster enclosure will be 6-ft in height with
34 matching materials from the primary structure and will include a wooden gate. Staff
would recommend a metal gate for the enclosure and that it be self latching. Based on
36 the layout of the site and accessibility to the dumpster; it is staff's opinion that the
applicant's request is considered reasonable.

38 The applicant has submitted a landscape plan indicating a total of 23% landscaping
40 coverage for the Hair Salon and 31% landscaping coverage for the Sign Shop. The
landscaping provided will exceed the 15% minimum coverage for a commercial
42 development and will include an assortment of canopy trees, accent trees, shrubs, and
ground cover. Also, the applicant is proposing thirteen (13) large canopy trees spaced at
44 30-ft within the landscape buffer strip along Ralph Hall Pkwy meeting the PD-54
requirements.

46 A treescape plan will not be required for this development as there are no featured or
48 protected trees to consider, and therefore no mitigation requirements are necessary.

50 The photometric plan indicates five lighting pole standards for the property, with
Craftston Lantern style lighting at the entry and down lighting mounted flush in the soffit

of the roofs overhang. Also, PD-54 requires light poles not to exceed 20-ft in height (including the base) and that all light sources are to be full cut-off with a maximum one inch reveal and directed down. The Unified Development Code requires all lighting to be contained on site at a maximum intensity of 20-FC, with the exception for canopy lighting not to exceed 35-FC. Lighting at the property lines are not to exceed 0.2-FC to control glare and spillover lighting. Based on the lighting plan submitted, the site appears to meet the standards established in PD-54 as well as the Unified Development Code.

The proposed site will contain two new buildings comprised of natural stone, brick with soldier course banding elements, a composition roof with standing seam metal roof accents, and stucco accents on the front facades for placement of wall signage. Both buildings incorporate peaked roof elements and have porticos at their entrances as articulated design features. The overall height of the Hair Salon will be 34 ½ feet with the Sign Shop at 23 ½ feet, which does not exceed the height restrictions established in PD-54. However, PD-54 requires 20% stone or cast stone for each elevation. The rear (south) elevations for both buildings and the left side (east) elevation for the Sign Shop do not meet these standards; therefore requires a variance from Council.

Based on the Unified Development Code, Planned Development No. 54 district requirements and the site plan as submitted, the following variances require approval from City Council.

- 1) Any commercial use adjacent to a residential district requires a 6-ft masonry fence. The applicant is proposing a 6-ft wrought iron fence with masonry columns and a living screen. This request is consistent with other requests for wrought iron fences within PD-54.
- 2) PD-54 requires 20% stone or cast stone for each elevation. The applicant is proposing brick on the rear (south) elevations for both buildings as well as the left side (east) elevation for lot two (Sign Shop).
- 3) Four sided horizontal articulation required. The applicant is proposing a linear façade for the rear (south) elevation of lot one (Hair Salon). The applicant has added two gabled roof elements to this rear elevation breaking up of the linear appearance of the structure.

Staff recommends approval of the request with the following conditions:

1. Adherence to Engineering and Fire Department standards.
2. Submittal and approval of a final plat.
3. Signage requires submittal and approval of a separate permit from the building department. PD-54 requires that if a monument sign is erected, the sign shall not exceed 5-ft in height or 60 square feet in sign area.
4. Provide location of A/C units on site plan. Ground mounted units are to be visually screened from rights-of-way and adjacent properties utilizing landscaping or walls matching the main structure.
5. Provide scale on Elevations plan.
6. Correct Landscape Standards site design criteria for items H) to read: "20" foot wide buffer & 1 large tree per "30" feet and I) to read: within "80" feet of a large tree.
7. Provide a self latching metal gate for the dumpster enclosure.
8. Provide mutual access and parking agreement

Commissioner Jackson made a motion to approve SP2012-008, a request by Carol Inman for approval of a PD Site Plan for a Hair Salon and Sign Shop, located on a 1.699-acre tract proposed to be Lots 1 & 2, Block 1, Pfeffer/Inman Addition, City of Rockwall, Texas, which is zoned (PD-54) Planned Development No. 54 district and located south side of Ralph Hall Parkway east of Flagstone Creek Blvd, with staff recommendations.

Commissioner Buchanan seconded the motion.

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

7. P2012-009

Discuss and consider a request by Daniel Dewey of JBI Partners for approval of a final plat of Caruth Lakes Phase 7B Addition, City of Rockwall, Texas, being 66 single family lots on 17.182-acres tract zoned (PD-5) Planned Development No. 5 district and located along the west side of John King Blvd. and north of SH-66, and take any action necessary.

Gonzales stated that the final plat for Caruth Lakes Ph 7B indicates 66 single family residential lots on 17.182-acres and is zoned (PD-5) Planned Development No. 5. The development features 57 lots meeting the minimum standards for the SF-7 district and 9 lots meeting the minimum standards for the SF-8.4 district.

As you may recall, a preliminary plat was approved in 2003 for Phases 6, 7, & 8. At that time, Phase 6 began construction and today is considered relatively complete. However, due to a lack of development activity for more than a year, the preliminary plat had lapsed and was subsequently reinstated in October 2011 at the request of the developer. Phase 7B represents the continuation of several phases that will complete Phases 7 & 8 of the Caruth Lakes Subdivision. The reinstated preliminary plat also provided for the removal of the alley in Block M to allow for a larger 25-ft screening buffer along John King Blvd. The buffer will include the 6-ft tubular steel fence and landscape concept with a minimum 8-ft trail that ties in with the existing 8-ft trail established in Phase 6.

The final plat conforms to the approved preliminary plat and meets the minimum requirements of the PD-5 district that governs the development.

A treescape plan will not be required for Phase 7B as there are no featured or protected trees to consider during this development stage. However, as a final plat is submitted during each additional phase, staff will review these requirements for conformance.

The Parks Board met on April 3, 2012 and recommended approval of the final plat. Caruth Lakes Ph 7B is included with Park District #9 and has satisfied the Park Land dedication with the Caruth Lakes Addition. However, the pro-rata equipment fees associated with the development must be collected at the time of final plat approval.

Staff recommends approval of the request with the following conditions:

1. Adherence to Engineering and Fire Department standards.
2. Adherence to Parks Board and Parks Department requirements. Payment of pro-rata equipment fees are due at final plat approval.
3. Provide Vol. & Pg. or Doc. No. for off site easements prior to filing.

4. Minimum 8-ft trail shall be provided along John King Blvd that ties into the existing 8-ft trail constructed in Phase 6.
5. Provide a copy of HOA documents (declaration of covenants, conditions and restrictions).
6. Any temporary development signage shall contain language that indicates the subdivision is an HOA community. Also, should there be a temporary sales office, a sign is required to be posted indicating the same (HOA community).

Commissioner Buchanan made a motion to approve P2012-009, a request by Daniel Dewey of JBI Partners for approval of a final plat of Caruth Lakes Phase 7B Addition, City of Rockwall, Texas, being 66 single family lots on 17.182-acres tract zoned (PD-5) Planned Development No. 5 district and located along the west side of John King Blvd. and north of SH-66, with staff recommendations.

Commissioner Minth seconded the motion.

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

IV. PUBLIC HEARING ITEMS

8. P2012-006

Hold a public hearing and consider a request by John F. Dudek of Dudek Properties, LLC. for approval of a residential replat of Lots 33 and 34, Block A, Chandlers Landing Phase 2, City of Rockwall, Texas, being 0.28-acre tract zoned (PD-8) Planned Development No. 8 district and located at 430 and 432 Columbia Drive, and take any action necessary.

Gonzales stated that the applicant, John F. Dudek of Dudek Properties, LLC, has submitted a residential replat request for Lots 33 and 34, Block A, Chandlers Landing Phase 2 addition. The property is zoned (PD-8) Planned Development No. 8 district with an underlying zoning of Zero Lot Line Residential (ZL-5) district and is located at 430 and 432 Columbia Drive. The proposed replat complies with the current zoning standards.

The purpose of the replat is to combine the two lots into one larger (0.28-acre) lot for development of a new single family home. Chandlers Landing is a (HOA) Home Owners Association community and therefore requires approval from the HOA in order to replat the lots. Mr. Dudek has provided a letter from the Chandlers Landing Community Association which has no objection to the replat.

Notification of a public hearing was published in the Rockwall County News on March 23, 2012, meeting the minimum fifteen (15) day requirement for a residential replat. Also, thirty (30) notices were mailed to property owners within 200-ft of the subject property and that are within the subdivision. At the time of this report, staff has received (1) one notice "in favor of" the request.

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

1. Adherence to the Engineering and Fire Department standards.

Chairman Herbst opened the public hearing at 6:47 p.m.

John Dudek
33 Harbor View
Rockwall, Texas

Mr. Dudek stated that he wants to replat the lots in order to build a home at this location.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:48 p.m.

Commissioner Minth made a motion to approve P2012-006, a request by John F. Dudek of Dudek Properties, LLC. for approval of a residential replat of Lots 33 and 34, Block A, Chandlers Landing Phase 2, City of Rockwall, Texas, being 0.28-acre tract zoned (PD-8) Planned Development No. 8 district and located at 430 and 432 Columbia Drive, with staff recommendations.

Commissioner Jackson seconded the motion.

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

9. P2012-007

Hold a public hearing and consider a request by Billy Self for approval of a residential replat of Lots 8 and 9, Block B, Harbor Landing Phase 2, City of Rockwall, Texas, being 0.46-acre tract zoned (PD-8) Planned Development No. 8 district and located at 323 and 321 Harborview Drive, and take any action necessary.

Gonzales stated that the applicant, Billy Self, has submitted a residential replat request for Lots 8 and 9, Block B, of the Harbor Landing Phase 2 addition. The properties are located at 321 and 323 Harborview Dr, and are zoned (PD-8) Planned Development No. 8 district. The proposed replat complies with the current zoning standards.

The purpose of the replat is to combine the two lots into one larger (0.46-acre) lot for development of a new single family home. Chandlers Landing is a (HOA) Home Owners Association community and therefore requires approval from the HOA in order to replat the lots. Mr. Self has provided a letter from the Chandlers Landing Community Association which has no objection to the replat provided the applicant adheres to the "maximums" established in a court order for lot number 9. Should the replat be approved for lots 8 and 9, it is the City's desire that the applicant adhere to the more restrictive "maximums" established for lot number 9 in regards to roof top, pad, and height elevations.

It should be noted that in 1987, the City of Rockwall entered into a settlement agreement in regards to a dispute concerning the height restrictions established in PD-8 for certain lots identified in Blocks B and C of the Harbor Landing Phase 2 addition, of which lots 8 and 9 are a part of. The court order establishes "maximums" for roof top elevations, pad elevations, and house height for each lot and is referenced as "Exhibit C" in your packet.

Notification of a public hearing was published in the Rockwall County News on March 23, 2012, meeting the minimum fifteen (15) day requirement for a residential replat. Also, thirty (30) notices were mailed to property owners within 200-ft of the subject property

and that are within the subdivision. At the time of this report, staff has received (3) three notices "in favor of" the request.

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

1. Adherence to the Engineering and Fire Department standards.
2. Adherence to the court's order for the more restrictive "maximums" in regards to roof top elevations, pad elevations, and house height elevations, as established for Lot 9, Block B, Harbor Landing Phase 2 and labeled Exhibit C.

Chairman Herbst opened the public hearing at 6:50 p.m.

Billy Self
428 Yacht Club Drive
Rockwall, Texas

Mr. Self stated he would like to replat these lots to build a single-family home at this location.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:51 p.m.

Commissioner Minth made a motion to approve P2012-007, a request by Billy Self for approval of a residential replat of Lots 8 and 9, Block B, Harbor Landing Phase 2, City of Rockwall, Texas, being 0.46-acre tract zoned (PD-8) Planned Development No. 8 district and located at 323 and 321 Harborview Drive, with staff recommendations.

Commissioner Buchanan seconded the motion.

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

(At this time, the Commission took a 10 minute recess. The meeting reconvened at 7:01 pm.)

10. Z2012-004

Hold a public hearing and consider a request by DW Bobst of JBR2, for approval of a zoning change from (SF-10) Single-Family Residential district to a (PD) Planned Development district, specifically located at 1310 Ridge Road and within the Scenic Overlay District, containing 1.72-acres of land being Lots 1 & 2, Block B, Eagle Point Estates, City of Rockwall, Texas, and take any action necessary.

LaCroix explained that the applicant DW Bobst, has submitted a request for approval of a zoning change from (SF-10) Single-Family Residential District to (PD) Planned Development District. The proposal would limit the property to only general professional office use which would include use such as attorney, accountant, medical, real estate, investment broker or other similar professional offices. The property consists of two vacant lots legally described as Lots 1 & 2, Block B, Eagle Point Estates, and being located on the west side of FM 740 (Ridge Road) and being more specifically addressed as 1310 Ridge Road. The surrounding properties and land uses consist of residential single family homes to the north and south with vacant platted single family lots adjacent to the west and to the east, a mixed use development, the Commons in addition to undeveloped retail/office property. The request is for a Planned Development District with an underlying zoning of (RO) Residential Office.

2 The applicant has submitted a Planned Development concept plan indicating
4 development of two independent 10,000 square foot office buildings built on separate
6 lots with the required parking constructed at the front of the property with a common
8 access from Ridge Road. These properties are also within the Scenic Overlay District
10 which contains additional requirements for development. One of those requirements is
12 that only two (2) rows of parking be allowed to face Ridge Road. The PD is requesting
14 that three (3) rows of parking be allowed in the front of the properties facing the street.
16 The general office use for both buildings will require 67 parking spaces based on one (1)
18 space per three hundred (300) square feet of floor area. The plan indicates seventy (70)
20 spaces. There are unique grade issues with these lots as they both slope dramatically
22 downward to the west. The allowance of the required parking in the front would prevent
any parking in the rear adjacent to the future single family residences helping to enhance
the buffering between the residences and the proposed office use. The proposed two-
story office buildings themselves would essentially screen the parking from the future
residential and existing residences down hill to the west. The concept plan also
indicates a substantial retaining wall and landscape buffer at the rear of the property. A
6' solid masonry screen is required for separation between office or commercial uses
and residential zoning districts however, the unique elevation of this property may
warrant an alternative design for the screening. Landscaping is also indicated on the
perimeter property lines as well a landscape buffer adjacent to Ridge Road.

24 The applicant has also submitted examples of the architectural style the buildings are
26 intended to be built to. The exterior of the buildings will resemble residential type
28 construction with primarily brick and stone facades with pitched roofs. A conceptual
elevation will be attached to the PD ordinance as a condition of approval in order to
clarify and insure the approved architectural style and materials are adhered to.

30 The following is a comparison of the (RO) Residential Office area requirements to the
proposed (PD) Planned Development district request:

32 RESIDENTIAL OFFICE (RO) DISTRICT

34 A. Purpose

36 The "R-O", District recognizes the existence of older residential areas of the city where
38 larger houses have been or can be converted from single-family and two-family
40 residences to low-intensity office uses in order to extend the economic life of these
42 structures and allow the owners to justify the expenditures for repairs and
modernization. The intent of this district is to allow for low intensity office development
providing professional, medical and other office services to residents in adjacent
neighborhoods. R-O districts shall have principle access to major or secondary
thoroughfares and may serve as an area of transition between residential and high-
intensity non-residential uses or busy arterial thoroughfares

44 B. Permitted Uses

46 In general, low intensity office development providing professional, medical and other
48 office services to residents in adjacent neighborhoods, may be allowed. However, no
building or land may be used, unless in accordance with the use tables and requirements
in Article IV Permissible Uses.

50 C. Development Standards

1. Minimum lot area – 6,000 square feet (PD exceeds min.)

2. Maximum lot area – 43,560 square feet. (max area = 36,600 sq.ft.)
3. Minimum lot frontage on a public street - 60 feet (PD meets min.)
4. Minimum lot depth - 100 feet (PD meets min.)
5. Minimum depth of front yard setback - 25 feet (from future ROW as shown on the adopted thoroughfare plan or as actually exists, whichever is greater) in those instances where an existing structure is converted into an office use. (PD requesting a 20' min.)
6. Minimum width of side yard setback - 10 feet, except if the adjacent property is predominantly residentially zoned or residentially used, in which case the setback shall be 20 feet. (Ord. No. 06-14, 04-17-06) (PD is requesting 10' side yard setback)
7. Minimum depth of rear yard setback - 30 feet (PD is requesting a 20' min.)
8. Minimum distance between detached buildings on the same lot or parcel of land -
 - a. Without fire retardant wall – 15 feet (PD meets min.)
 - b. With fire retardant wall – 0 feet
9. Minimum requirement for construction materials. For existing structures, no change to exterior walls shall be required. For new structures, each exterior wall shall consist of 90% masonry material excluding doors and windows. (PD meets min.)
10. Maximum building coverage as a percentage of lot area – 40% (PD meets req.)
11. Maximum floor-area ratio (FAR) - 0.33 FAR (PD meets req.)
Note: Buildings exceeding 5,000 square feet are required to have approval of specific use permit in the RO District. Approval of the PD will allow the greater building area.
12. Maximum amount of impervious coverage as a percentage of lot area – 75-80%. (PD meets req.)
13. Minimum amount of landscaped areas - all development shall comply with Article VIII.5.12 Required Landscaping. Amenity open space: 7% of the interior of the parking lot, not including the setback and buffer development standards, shall be previous land area in association with plantings. (Determined at Site Plan approval)
14. Maximum building height - 36 feet. (PD meets req.)
15. Minimum number of paved off-street parking spaces required - See Article VI Parking and Loading. Off-street parking shall not be permitted in the required setback in this district. (PD meets req.)
16. Maximum number of entrances and/or exits -
 - a. Arterial streets - 1 per each 200 feet of street frontage per site, or as approved by the City Council. (PD meets req.)
 - b. Collector streets - 1 per each 100 feet of street frontage per site, or as approved by the City Council.
 - c. Local streets - 1 per each 50 feet of street frontage per site, or as approved by the City Council.
17. Residential Adjacency. Lots with non-residential uses that have a side or rear contiguous or separated only by an alley, or easement or street, from any residential district must be separated from such residential district by a buffer as defined in Article VIII Landscape Standards, or as approved by the Planning and Zoning Commission. (to be determined at site plan approval)
18. Building Code. The building code may impose more restrictive development standards depending on the size, use and construction of the structures. (to be determined at site plan approval)

Over the last ten years there have been tremendous improvements to several major arterial roadways within the City including FM 740 (Ridge Road) and SH 205 (Goliad Street). The improvements have also changed the character of the typical small town residential lined two lane roadway. These changes to four and in some areas to six lane divided road sections have obviously increased traffic and increased noise levels and safety concerns for residents and property owners along both of these major roads. The City anticipated these changes as they began to occur and has gradually transitioned portions of areas north and south of the Downtown District to accommodate a combination of office and limited retail use with existing residential use and in some cases a combination of both. This has proven to be quite successful by increasing the value of these properties and by providing incentive to improve existing properties. On the north side of the Downtown District PD-50 and PD-69 were established to transition residential use to a residential office district allowing office and limited retail use along SH 205 corridor. A similar approach was taken when the City created PD-53 south of the Downtown District just north of the applicant's proposal. The major difference in this request for zoning is that the property is currently vacant and new building development is proposed rather than the renovation of existing residential properties. The applicant is proposing to construct buildings with an architectural style that will blend into the residential character of the surrounding properties. In the past, several large one and two story homes have been built along this corridor in addition to the four- story mixed use development (The Commons) directly across the street from this proposal. The proposed buildings are larger than what would be normally allowed in the (RO) Residential Office District without obtaining approval of a specific use permit, however both lots are large and will meet the 40% lot coverage and the 0.33 floor area ratio requirement. The approval of the PD as submitted would essentially approve the requested building size unless the Planning Commission and City Council elect to reduce the building size for this proposed plan. A reduction in building size would also reduce the required parking requirement. These lots are situated on one of the higher elevation point along Ridge Road and offer a spectacular view of the lake especially from a second story perspective. Hours of operation would typically be from 8am to 6pm for most professional offices during the weekdays and should blend into the existing traffic patterns along this four lane arterial roadway. The newly adopted Comprehensive Plan states that the City should "encourage a blending of land uses that will result in a strong sense of community and neighborhood identity and in the efficient use of land". Planned Development Districts can be used to develop the specific plans to address the blending of land use where the City Council would deem it appropriate.

This property's character has changed due to the construction of Ridge Road, the existing mixed use development directly across the roadway and that the potential for new residential development is highly unlikely with the current development pattern along the corridor. A Planned Development District limiting use and establishing an architectural style characteristic of the residential housing in the area would be the most effective tool for the Planning Commission and City Council to use if a zoning change is deemed appropriate for the property. However, the question for the Planning Commission and City Council is the timing of this request and how this change could affect the remaining properties along the west side of this corridor. The neighborhood residents down the hill to west have voiced major concern over this proposal. Some of the concern stated is that office development along Ridge Road will potentially have a negative affect on their property values and could diminish the residential quality of life of those who live in the neighborhood. Additionally, the overall height of the proposed buildings have been questioned due to the existing slope of the property and how they

will appear to the neighbors downhill to the west. The height issue can be addressed by limiting the building construction to two stories in addition to the maximum height requirement.

The PD-53 District just north of this proposal has helped to revitalize those residential properties and create greater value. As other properties along the west side of this portion of the Ridge Road Corridor begin to change ownership we would anticipate other requests for zoning changes other than the existing residential district that is in place now. Based on these facts, if the Planning Commission should choose to approve this request, the staff would recommend approval of a Planned Development District with restrictive conditions included within the PD ordinance regarding architectural style, maximum building size, a maximum two story construction allowance and other requirements that will ensure compatible coexistence with surrounding properties.

Notice of the zoning change was published in the newspaper, and a zoning change sign was posted on the property along FM 740 (Ridge Road). Notices were mailed to sixteen (16) owners within 200-ft of the subject property. At the time of this report we have received four (4) notices "in opposition" and two (2) notices "in favor" of the request.

RECOMMENDATIONS:

If approved, Staff recommends the following conditions:

1. All development of Lots 1 and 2, Block B, Eagles Point Estates, shall adhere to the PD Concept/Development Plan attached hereto as Exhibit "A" and the conceptual elevations attached hereto as Exhibit "B".
2. All development of Lots 1 and 2, Block B, Eagles Point Estates, shall also adhere to the (RO) Residential Office Zoning District requirements (Section 4.2 of Article V, Unified Development Code), with the following exceptions:
 - a. Permitted uses shall be limited to "Office, General", as listed in Permissible Uses (Section 1.1 of Article IV, Unified Development Code)
 - b. Minimum depth of front yard setback – 20 feet
 - c. Minimum width of side yard setback – 10 feet
 - d. Minimum depth of rear yard setback – 20 feet
 - e. Maximum building size – 10,000 square feet per lot
 - f. Maximum two-story building construction
3. Submittal and approval of a detailed PD Site Plan, for review and approval by the Architectural Review Board and Planning and Zoning Commission.
4. Submittal and approval of engineering plans, and adherence to all engineering requirements.
5. Adherence to all fire department requirements.
6. Submittal and approval of a final plat.

Commissioner Buchanan asked about the height of the retaining wall. LaCroix stated that the applicant would need to answer the question.

Commissioner Minth asked for clarification of the properties located within the 200 ft buffer area and which properties made up the percentage against the request.

Chairman Herbst opened the public hearing at 7:29 p.m.

2 Dan Bobst
5133 FM 549 S
Rockwall, Texas

4
6 Mr. Bobst stated that he has been in this area since 1999. He started the company, Trend
HR, in 1997. Mr. Bobst has several different properties in Rockwall and is invested in the
community. Mr. Bobst stated that this is a unique property that is used by many for
8 various activities and he believes that he has been and wants to continue to be a good
neighbor. Additionally, Mr. Bobst explained that PD-53, PD-50, PD-69, as well as the
10 multiuse property across the street have increased the tax base by ten of millions of
dollars and the precedent has kept taxes from being raised. Also, zero loss of value has
12 occurred in these areas. Mr. Bobst stated that PD-53 has had over a 300% increase in the
tax base. He attempted to meet with some of the neighbors and was willing to decrease
14 the square footage of the buildings that he has proposed. This property will add \$4
million to the tax base and will be a small office space with a residential appearance and
16 greenbelt and evergreen trees and a retaining wall of at least 3 feet. Mr. Bobst also
stated that office space in this area is currently at capacity.

18 Doug Patton
20 609 Liechty Ct.
Heath, Texas

22
24 Mr. Patton stated that on two different occasions they tried to lease the property.
However, this was difficult due to the amount of noise. Most people with children do not
want to live near a busy road. Over three quarters of the calls they received wanted the
26 property for use as a commercial property. Mr. Patton doesn't believe that anyone will
build a new house off of this busy road and due to the noise. In addition, when land
28 becomes more valuable than the structure on a property, it is an indication that
commercial is the best use.

30
32 Mr. Bobst explained that he would like to remain a good neighbor and is very willing to
work with the City and the Commission to reach a compromise. He believes that with
George Bush Tollway being completed, Rockwall will grow and those people will need
34 office space.

36 Commissioner Minth clarified the statement that land becoming more valuable than the
residential structure on the property is an indication of it being commercial. Mr. Bobst
38 said that he has tried to lease the property as residential and had no interest. However,
he receives calls on a regular basis with interest in using it as commercial.

40
42 Commissioner Lewis asked if Mr. Bobst owned the property directly West and is
planning to build residential lots here. Mr. Bobst stated that he does own this property
and these have been platted. Commissioner Lewis asked if Mr. Bobst could foresee any
44 difficulties in selling and building these lots with commercial property in front. Mr. Bobst
stated that he has builder that is willing to commit contractually to building these homes.

46
48 Commissioner Buchanan stated that he walked the property recently and the view is
amazing. He asked if any consideration had been given to make the front lots residential
as well. Mr. Bobst stated that his belief is that these lots will not sell as residential.

Commissioner Renfro stated that several of the responses that were in favor are also located along Ridge Road and he asked if Mr. Bobst had spoken to those property owners to understand if they are interested in rezoning their property. Mr. Bobst stated that there are 4 lots along Ridge Road that have expressed interest in rezoning their properties.

Chairman Herbst asked if tenants are lined up already for these office buildings. Mr. Bobst stated he would like to see CPA's or attorney's offices in these spaces. He does not want medical offices here. He has had some people approach him with interest in these properties.

Joy Greenwalt
209 Tanya Drive
Rockwall, Texas

Mrs. Greenwalt stated they have lived at this address for 28 years. She asked the Commission to please vote against this proposal and keep this area residential.

Jim Greenwalt
209 Tanya Drive
Rockwall, Texas

Mr. Greenwalt asked the Commission to deny this request. The planned developments with Residential Office uses are adaptive reuses of older homes. This is a ground up development that will change the residential nature of this neighborhood. It is not inconceivable to have a residential estate on these lots. He hopes that the applicant will remain a good residential neighbor. Mr. Greenwalt stated that the when land is more valuable than the structure, then the property is under built. He asked that the Commission recommend that the request be denied with prejudice.

Larry Wilcoxson
301 Stonecrest
Rockwall, Texas

He stated the retaining wall would be roughly 10-14 feet on a 36 foot tall building. The lights from this building will be shining in someone's backyard. Additionally, other spaces are vacant in the area, so this does not need to be rezoned.

Jim Hendrix
1602 Ridge Road
Rockwall, Texas

Mr. Hendrix stated that the area doesn't have to be commercial. Several other homes in the area are million dollar homes. He believes that spot zoning is what is occurring here. He asked the Commission to vote against this proposal.

Commissioner Minth asked if Mr. Hendrix was part of the 18 homes. She stated that the original plat went from Ridge Road to the lake. She asked if he might know the values of the homes closer to Ridge Road and when they were constructed. Mr. Hendrix responded that his home was the first in 1985. The last home was the McAnally's to the North and it is a \$3 million property that was completed 3 years ago. Commissioner

Minth clarified that within 5 years a \$3 million residential property was constructed nearby.

Ken Dickson
205 Meadowdale
Rockwall, Texas

Mr. Dickson stated that he has lived here for 35 years and wants it to remain residential. Taxes were raised from .35 to .50 cents in the last 6 years. It will go up 30% if the bond election passes. This neighborhood is very stable and the majority have lived here for many years. Mr. Dickson stated that it is not the role of government to bail someone out of a bad investment. He believes that this is spot zoning. He is asking the Commission to refuse this request with prejudice.

Bill Lofland
1200 Ridge Road
Rockwall, Texas

Mr. Lofland stated that this is a great area to live. He stated that there is a lot of traffic on Ridge Road and much speeding. He stated that his property is used as a buffer for the neighbors behind him, but he doesn't mind this. He is opposed to this change and asked for this request to be denied with prejudice.

Commissioner Minth asked if Mr. Lofland has any intentions to rezone his property along Ridge Road. Mr. Lofland replied that he has no intention of changing his property from residential.

Erica Lyle
1603 S. Alamo
Rockwall, Texas

Mrs. Lyle lives within the 200ft buffer area and will no longer be able to use her backyard as she does currently. She stated that the people at the meeting are here because they love this community. She believes that changing the zoning will decrease surrounding property values. She asked the Commission to please vote against this request.

Lorie Grinnan
1417 S. Alamo Road
Rockwall, Texas

Mrs. Grinnan asked the Commission to consider the impact on the property values and quality of life of the residents. She stated that the proposal is well written, but poorly planned. Mrs. Grinnan served on the Comprehensive Planning Committee. The blending philosophy reference in the Comprehensive Plan was provided to address the design of new neighborhoods and provided for modes of transportation other than automobiles. In this existing neighborhood, this development will only detract from the property values and sense of community. Mrs. Grinnan also stated that the plans Future Land Use and the Urban Design Map depict residential zoning from Ridge Road to the lake. She asks that the Commission deny the request with prejudice. She will submit to the city a petition with more than 100 signatures asking for the request to be denied.

Ron Mason
1402 Ridge Road
Rockwall, Texas

Mr. Mason stated that this is probably the most unique property in Rockwall and possibly in Texas. Mr. Mason stated that he purchased his home 10 years ago and has made efforts to bring his property up to current standards which do block out the noise in the area. A request was made 5 years ago to rezone this property and at that time it was decided that this was spot zoning. Mr. Mason stated that the Commons were said to have a positive impact on the neighborhood, but is now viewed negatively. He believes that this will lower his property value. There is potential to build \$700,000+ homes on these lots.

Don Hawkins
207 Dartbrook
Rockwall, Texas

Mr. Hawkins stated that his concern is with the connection of Alamo. He commented that he has seen traffic on Lakeshore at a standstill. He believes that if Alamo is connected this will also become a high traffic street. He moved here 3 ½ years ago to be closer to his children and grandchildren and they love the area. He asked the Commission to vote against the proposal with prejudice.

Kaye Ridings
1412 Ridge Road
Rockwall, Texas

She has lived at this address for 38 years. The traffic on Ridge Road has increased and increased even more with the Commons development. This zoning change would increase the traffic more. Ms. Ridings believes that if this office building is developed, other properties will change from residential to commercial and will decrease her property value. She asked the Commission to reject this proposal.

Madison Lyle
1603 S. Alamo
Rockwall, Texas

Mr. Lyle stated that a large number of the neighborhood and the community are here and even more would have liked to attend. He stated that too many people would be greatly affected by this change. He encouraged the Commission to ask themselves if they would want an office building overlooking their backyard.

Paulette Weddle
1601 S. Alamo
Rockwall, Texas

Mrs. Weddle and her husband built their home in 1976. This is a beautiful neighborhood that they are proud of. The developer has brought in dirt and dumped it on the property causing tall weeds. She is concerned that this will invite crime into the neighborhood and will destroy it.

Earl Milner
204 Dartbrook
Rockwall, Texas

Mr. Milner stated that those areas with older, smaller lots and homes that transitioned to commercial have been successful. This was designed to create some boundaries. The major corridors through the City require a certain look. He is concerned with jumping zones and creating small pockets of commercial zoning. Mr. Milner stated that there is value on these lots if it is built and priced correctly. He encouraged the Commission to vote against this proposal with prejudice.

Terri Nevitt
201 Becky Lane
Rockwall, Texas

Mrs. Nevitt stated that this is a peaceful, vibrant and connected community. This development would fracture the community and it does not compare to PD-53. Mrs. Nevitt stated that a minimum of 50 homes will be impacted by this development and it will decrease the property values. At 1612 Lakeshore the entire front of the home is being resurfaced. In 2002, the Foster home was built and is valued at \$1.3 million. In 2005, a Seascapes was built and it's valued at \$609,000. Another Seascapes home was built in 2008 and is valued at \$780,000. A house on Ridge Road is valued at \$1.95 million. Mrs. Nevitt believes that property values would increase if traffic was decreased on various roads through the neighborhood including Lakeshore. She asked the Commission to vote against the request.

Andrea Burke
1724 Ridge Road
Rockwall, Texas

Mrs. Burke stated that they built their house 7 years ago. They moved here from Rowlett and love the neighborhood. They reason they moved is because they had an opportunity to build a home on Ridge Road. She stated that noise isn't a problem for her. Mrs. Burke said that her belief is that the City needs to enforce the current zoning to encourage others to reinvest in these properties.

Sol Villasana
809 Village Green Dr.
Rockwall, Texas

Mr. Villasana is representing Mike and Rella Rogers who 1404 Ridge Road, Rockwall, Texas, which is within the 200ft buffer area. Mr. Villasana stated that the staff report for the case was not available until 4:00 pm on Good Friday. He feels this hampers the citizens opposing this request in adequately preparing to respond. He believes that the "essential character" of the neighborhood has not changed and that many people love and value this neighborhood. They object to the zoning change and believe that it will have a negative impact on the neighborhood and environment. He requests that the Commission deny the request with prejudice.

Richard Brooks
1419 S. Alamo
Rockwall, Texas

Mr. Brooks stated that he manages and owns Lakepointe Medical Center on Ridge Road. He stated that both employees and clients need a place to park. He doesn't feel that 70 parking spaces are sufficient. He also believes that traffic will increase on Alamo and fears that cars may be parked along this road.

Cindy McAnally
1600 Ridge Road
Rockwall, Texas

Mrs. McAnally believes that her home is the newest home along Ridge Road. She stated that they are totally opposed to rezoning this property to commercial. This will increase traffic and the lighting will be a problem. Noise is not a problem for them.

Mr. Bobst stated that his goal was not to have this community meeting here, but to have an opportunity where everyone wins. He believed that this change would be something that the community would want. These properties set vacant for over two years. If they were desirable for residential development, then they would not have set vacant for such a long time. Mr. Bobst believes that the market dictates what happens. He believes that what he is proposing will improve property values and he is asking the Commission to approve his request.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 8:54 p.m.

Commissioner Minth asked if there was a previous application to rezone this property. LaCroix stated that there was not a previous application to rezone this property. A request was made for the rezoning of a separate property next door to this, but it was withdrawn by the applicant.

Commissioner Buchanan believes that this proposal is not the highest and best use of this property. He believes that the continued residential use is feasible. He believes that changing the zoning would be detrimental to the surrounding neighborhood and property values.

Commissioner Buchanan made a motion to deny Z2012-004, a request by DW Bobst of JBR2, for approval of a zoning change from (SF-10) Single-Family Residential district to a (PD) Planned Development district, specifically located at 1310 Ridge Road and within the Scenic Overlay District, containing 1.72-acres of land being Lots 1 & 2, Block B, Eagle Point Estates, City of Rockwall, Texas.

Commissioner Minth seconded the motion.

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

(At this time, the Commission took a 10 minute recess. The meeting reconvened at 9:13 pm.)

11. Z2012-005

2 Hold a public hearing and consider a request by Wayne Mershawn of Mershawn
4 Architects for approval of a Specific Use Permit (SUP) to allow for a "New Car
6 Dealership" within the (LI) Light Industrial district and the (IH-30 OV) IH-30
Overlay District, being Lot 1, Block 1 and Lot 1, Block 2 of the Rockwall
Recreational Addition, containing 7.16-acres of land and specifically located at
1540 IH-30 E, City of Rockwall, Texas, and take any action necessary.

8 LaCroix stated that the applicant was not in attendance and requested that the
10 Commission open the public hearing and continue it until the next meeting.

12 Chairman Herbst opened the public hearing at 9:14 p.m.

14 Commissioner Jackson made a motion to continue the public hearing for Z2012-005, a
16 request by Wayne Mershawn of Mershawn Architects for approval of a Specific Use
18 Permit (SUP) to allow for a "New Car Dealership" within the (LI) Light Industrial district
and the (IH-30 OV) IH-30 Overlay District, being Lot 1, Block 1 and Lot 1, Block 2 of the
Rockwall Recreational Addition, containing 7.16-acres of land and specifically located at
1540 IH-30 E, City of Rockwall, Texas.

20 Commissioner Lewis seconded the motion.

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

24 V. ADJOURNMENT

26 The meeting adjourned at 9:15 p.m.

28 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 24 day of APRIL, 2012.

30
32 
34 Phillip Herbst, Chairman

36 Attest:

38 
JoDee Sanford, Planning Coordinator

AGENDA
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
April 24, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, John McCutcheon and Dennis Lewis. Kristen Minth was not in attendance.

Additionally, the following staff members were present: Robert LaCroix, Chris Spencer, David Gonzales and JoDee Sanford.

1. Approval of Minutes for April 10, 2012 Planning and Zoning Commission meeting.

Commissioner Renfro made a motion to approve the minutes for April 10, 2012.

Commissioner Jackson seconded the motion.

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

II. ACTION ITEMS

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

LaCroix spoke on behalf of the ARB. He stated that the Board reviewed SP2011-009, however, the applicant is asking to table the case until the next meeting so as to have additional time to review the color elevations.

The ARB also reviewed Z2012-005 and they are recommending approval at this time.

3. SP2011-009
Discuss and consider a request by Chris Cuny of F. C. Cuny Corp for approval of a PD Site Plan of the Trend Tower at the Harbor, being a seven (7) story office / commercial building to be located on a 2.149-acre tract proposed to be Lot 1, Block A, Harbor District Addition, City of Rockwall, Texas, which is zoned (PD-32) Planned Development No. 32 district and located south of IH-30 and west of Horizon Road, and take any action necessary.

Chris Cuny with FC Cuny
#2 Horizon Court
Heath, Texas

Mr. Cuny stated that they are asking to table the case in order to review the color elevations.

Commissioner Jackson asked if they would have drag downs of the samples. Mr. Cuny replied that they would.

Commissioner Jackson made a motion to table SP2011-009, a request by Chris Cuny of F. C. Cuny Corp for approval of a PD Site Plan of the Trend Tower at the Harbor, being a seven (7) story office / commercial building to be located on a 2.149-acre tract proposed to be Lot 1, Block A, Harbor District Addition, City of Rockwall, Texas, which is zoned (PD-32) Planned Development No. 32 district and located south of IH-30 and west of Horizon Road, until May 8, 2012.

Commissioner Buchanan seconded the motion.

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

4. MIS2012-004

Discuss and consider a request by Charles Willard Jones for approval of a special request to the standards of the (PD-75) Planned Development No. 75 district (Ord. 09-37), specifically for the replacement of a carport structure with a detached garage, not meeting the exterior materials requirements, that encroaches into the minimum front yard and side yard set backs, and exceeds the maximum allowable area for a detached garage, and is located at 141 Yvonne Dr., being Rockwall Lake Est. #2 LOT 1138, 1139, 1140, City of Rockwall, Texas, and take any action necessary.

Gonzales explained that the applicant, Charles Willard Jones, has submitted a special request to allow for the construction of a detached garage that encroaches into the minimum 20-ft front yard setback as well as the minimum 5-ft side yard setback as required by PD-75. The garage will set fourteen (14) feet from the right-of-way and zero (0) feet from the side yard. These setbacks and frontage requirements may be varied by the Planning and Zoning Commission and City Council upon request of the applicant.

Also, the structure will be comprised of vinyl siding which does not meet the exterior material requirements for the district, and will have a flat metal roof system. Furthermore, the proposed structure will be a 24' X 24' building, totaling 576 sq-ft in area. With the existing 600 sq-ft detached garage to remain, the total area for both garage structures will equal 1176 sq-ft, exceeding the 900 sq-ft maximum for one detached garage.

Under the Use Standards, Article IV, Permissible Uses, of the Unified Development Code (UDC), one detached garage shall be allowed provided that it does not exceed 900 square feet in area or 15 feet in height and that the exterior cladding contains the same materials as found on the main structure. Detached garages not meeting these standards must obtain an SUP.

However, the PD-75 Development Standards for Lake Rockwall Estates, under the Additional Standards for Areas 1 and 2, Section C. Consideration of Special Request states:

The City Council may consider special requests in the Lake Rockwall Planned Development District in Areas 1 and 2. Such requests may include, but not limited to, the use of building materials not otherwise allowed, authorization of specific land uses not otherwise allowed, or other requests submitted for consideration.

Upon receipt of such special requests, the Planning and Zoning Commission shall review the same and forward its recommendation to the City Council for consideration. The City Council may approve special request and any such approval shall preempt any other underlying zoning restrictions in the Zoning Ordinance. Such special requests may be denied by the City Council by passage of a motion to deny.

Enclosed in your packet you will find a letter of explanation for the special request and elevations of the structure under construction. Staff ultimately feels this to be a judgment call for the Planning and Zoning Commission and the City Council.

Should the special request be approved, staff recommends the following conditions:

1. Adherence to Engineering and Fire Department standards.
2. Submittal and approval of building permit.
3. The detached garage must adhere to the structural and material requirements of the building code.

Commissioner Lewis asked what type of siding is on the structure. Gonzales replied that it will be vinyl siding which is also on the primary structure.

Commissioner Jackson asked if all the other structures on the property will remain.

Charles Willard Jones
141 Yvonne Dr.
Rockwall, Texas

Mr. Jones explained which structures will remain on the property and stated that he didn't realize that he needed a permit to replace an existing structure.

Commissioner Renfro clarified if the elements would be considered vertical or horizontal articulation. Mr. Jones discussed the structures.

Commissioner Buchanan inquired about the foundation for the building. Mr. Jones explained that it was poured several years ago in sections.

Commissioner Lewis asked if any neighbors had issues with the structure's distance from the property line. Mr. Jones stated that his neighbors had been helping him build the structure.

Commissioner Renfro asked about the exterior materials. Mr. Jones stated that he is planning on installing OSB, sheathing and vinyl siding to match the house. The original structure had a metal roof and he plans on using the same roof on the new structure.

Chairman Herbst clarified that if Mr. Jones converts the existing garage to a storage building, it would put it under the 900 square foot maximum and will no longer need the

exemption for exceeding the maximum square footage for a detached garage. Gonzales acknowledged that was correct.

Commissioner McCutcheon asked if the roof would be pitched or flat. Mr. Jones stated that his plan is to put a flat roof on the building.

Commissioner Buchanan stated that his concern is with the amount of variances and that he feels it sets precedence since he is asking for forgiveness instead of asking for permission.

Chairman Herbst stated Mr. Jones has put forth a lot of effort and that he would prefer if the roof on the structure matched the composite roof on the home.

Commissioner Jackson stated that she appreciates the fact that Mr. Jones is willing to clean up some of the items on the property and she would also like consistency in the look of the structure and the home in terms of the siding and the roof.

Commissioner Jackson made a motion to approve MIS2012-004, a request by Charles Willard Jones for approval of a special request to the standards of the (PD-75) Planned Development No. 75 district (Ord. 09-37), specifically for the replacement of a carport structure with a detached garage, not meeting the exterior materials requirements, that encroaches into the minimum front yard and side yard set backs, and exceeds the maximum allowable area for a detached garage, and is located at 141 Yvonne Dr., being Rockwall Lake Est. #2 LOT 1138, 1139, 1140, City of Rockwall, Texas, with staff recommendations and the additional recommendation for a composite, sloped roof with gutters.

Commissioner Renfro seconded the motion.

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

III. PUBLIC HEARING ITEMS

5. Z2012-005

Continue a public hearing and consider a request by Wayne Mershaw of Mershaw Architects for approval of a Specific Use Permit (SUP) to allow for a "New Car Dealership" within the (LI) Light Industrial district and the (IH-30 OV) IH-30 Overlay District, being Lot 1, Block 1 and Lot 1, Block 2 of the Rockwall Recreational Addition, containing 7.16-acres of land and specifically located at 1540 IH-30 E, City of Rockwall, Texas, and take any action necessary.

Spencer stated that the applicant, Wayne Mershaw of Mershaw Architects, has submitted an application for a Specific Use Permit to allow for a new car dealership within the (LI) Light Industrial zoning district. The proposed dealership (Hyundai) is situated on 7.16-acres of land being Lot 1, Block 1 and Lot 1, Block 2 of the Rockwall Recreational Addition. The subject site is west of the John King Blvd. and I-30 intersection, and was formally the Yamaha/Airstream boat and trailer dealership and prior to that was the former Church of Christ.

In staff's opinion the Planning and Zoning Commission and the City Council should give special consideration to the SUP request. The redevelopment of this site in staff's

opinion will positively affect the soon to be completed John King/I-30 interchange and could potential have positive influence on surrounding properties.

Chairman Herbst continued the public hearing at 6:30 p.m.

Wayne Mershawn with Mershawn Architects
2813
Rockwall, Texas

Commissioner Lewis asked how quickly construction would start. Mr. Mershawn stated they would start immediately.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:31 p.m.

Commissioner Buchanan made a motion to approve Z2012-005, a request by Wayne Mershawn of Mershawn Architects for approval of a Specific Use Permit (SUP) to allow for a "New Car Dealership" within the (LI) Light Industrial district and the (IH-30 OV) IH-30 Overlay District, being Lot 1, Block 1 and Lot 1, Block 2 of the Rockwall Recreational Addition, containing 7.16-acres of land and specifically located at 1540 IH-30 E, City of Rockwall, Texas, with staff recommendations.

Commissioner Lewis seconded the motion.

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

IV. DISCUSSION ITEMS

6. P2012-011
Discuss and consider a request by Kyle F. Whitis of Pacheco Koch Consulting Engineers for approval of a replat of Lots 2, 3, and 4, Block A of the Whitmore Industrial Park and Lots 4 and 7 of the Municipal Industrial Park, City of Rockwall, Texas, being 27.725-acres and specifically located at 930 Whitmore Drive, City of Rockwall, Texas.

Spencer gave a brief overview of the case and discussed the location of the property.

7. P2012-013
Discuss and consider a request by Valerie M. Christensen for approval of a final plat of Lot 1, Block A, Wagner Christensen Addition, being a 0.19-acre tract zoned (PD-50) Planned Development No. 50 district and designated for (RO) Residential-Office uses, located at 801 N. Goliad and currently described as Abstract 14, B. F. Boydston Survey and Block 23 E ½, Amick Addition.

Spencer discussed both Item #7 and #8 concurrently. He briefly described the property and gave an overview of the cases.

Valerie Christensen
1190 Ridgeway Dr
Rockwall, Texas 75087

Ms. Christensen stated that she is planning on converting this property to a financial planning office.

8. SP2012-009

Discuss and consider a request by Valerie M. Christensen for approval of a site plan for Lot 1, Block A, Wagner Christensen Addition, being a 0.19-acre tract zoned (PD-50) Planned Development No. 50 district and designated for (RO) Residential-Office uses, located at 801 N. Goliad and currently described as Abstract 14, B. F. Boydstun Survey and Block 23 E ½, Amick Addition.

V. ADJOURNMENT

The meeting adjourned at 6:40 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 10th day of APRIL MAY, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

AGENDA
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
May 8, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Connie Jackson, Craig Renfro, John McCutcheon and Dennis Lewis. Barry Buchanan and Kristen Minth were not in attendance.

Additionally, the following staff members were present: Robert LaCroix, Chris Spencer, David Gonzales and JoDee Sanford.

II. CONSENT AGENDA

1. Approval of Minutes for April 24, 2012 Planning and Zoning Commission meeting

2. P2012-011

Discuss and consider a request by Kyle F. Whitis of Pacheco Koch Consulting Engineers for approval of a replat of Lots 2, 3, and 4, Block A of the Whitmore Industrial Park and Lots 4 and 7 of the Municipal Industrial Park, City of Rockwall, Texas, being 27.725-acres zoned Light Industrial (LI) district and specifically located at 930 Whitmore Drive, City of Rockwall, Texas.

3. P2012-013

Discuss and consider a request by Valerie M. Christensen for approval of a final plat of Lot 1, Block A, Wagner Christensen Addition, being a 0.19-acre tract zoned (PD-50) Planned Development No. 50 district and designated for (RO) Residential-Office uses, located at 801 N. Goliad and currently described as Abstract 14, B. F. Boydston Survey and Block 23 E ½, Amick Addition.

4. SP2012-009

Discuss and consider a request by Valerie M. Christensen for approval of a site plan for Lot 1, Block A, Wagner Christensen Addition, being a 0.19-acre tract zoned (PD-50) Planned Development No. 50 district and designated for (RO) Residential-Office uses, located at 801 N. Goliad and currently described as Abstract 14, B. F. Boydston Survey and Block 23 E ½, Amick Addition.

Commissioner Jackson made a motion to approve all items on the Consent Agenda, with staff recommendations.

Commissioner Lewis seconded the motion.

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

III. SITE PLANS / PLATS

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

LaCroix stated that the ARB reviewed Trend Tower and they are recommending approval of the building elevations at this time.

2 6. SP2011-009

4 Discuss and consider a request by Chris Cuny of F. C. Cuny Corp for approval of a PD
6 Site Plan of the Trend Tower at the Harbor, being a seven (7) story office / commercial
8 building to be located on a 2.149-acre tract proposed to be Lot 1, Block A, Harbor District
Addition, City of Rockwall, Texas, which is zoned (PD-32) Planned Development No. 32
district and located south of IH-30 and west of Horizon Road, and take any action
necessary.

10 Spencer stated that this is site plan application for a seven (7) story 107,129-s.f. office building
12 with a six (6) story parking garage. The proposed development is the first within the master-
planned PD-32. The site is located within the PD-32 Summit Office Sub-district south of I-30, west
of Horizon Road, north of Summer Lee Drive and east of Shoreline Circle.

14 Associated with the development of the proposed office building is the installation of surrounding
16 infrastructure as required by PD-32. The infrastructure improvements associated with the
development include the construction of two public streets (Sunset Ridge Drive & Pinnacle Way),
18 landscaping and streetscape for the public streets, on-street parking, electric, natural gas, water,
storm water and wastewater facilities.

20 The site plan details a seven (7) story 107,129-s.f. building with 76,700-s.f. of office and 2,900-s.f.
22 of restaurant. The development requires a total of 285-parking spaces at a ratio of one (1) parking
space for every 300-s.f. of office and one (1) parking space for every 100-s.f. of restaurant. As
24 submitted the site plan exceeds the parking requirements by proposing 431-parking spaces with
9-handicap spaces. The additional parking will allow for the potential of an additional office tower
26 in the future with limited needed expansion of the proposed garage.

28 All of the necessary fire lanes, utility and drainage requirements have been illustrated on the site
plan and conceptually met city standards. The garage will initially be access from the private
30 drive connected to Sunset Ridge Drive with a second entrance on Pinnacle Way to be installed
with a potential future expansion of the garage to the east.

32 The building will have is primary pedestrian access on Sunset Ridge Parkway with a potential
34 bank facility located on the building's south façade along Pinnacle Way. As submitted the building
meets all of the required build-to lines as provided in PD-32.

36 The applicant has delineated on the site plan, landscape plan and building elevations the
38 locations of all building service equipment areas and required screening. The dumpster
enclosure, located adjacent to the garage west facade and along the proposed private drive, is
40 shown to be a 8'-high masonry screen. Staff would offer that the dumpster enclosure be
constructed of the same materials, have the same finishes as the garage exterior (including Eco
42 Mesh) and the enclosure walls extend to the bottom of the second floor deck. Utilizing the same
exterior finishes on the dumpster enclosure as found on the garage façade will allow for the
44 enclosure to be architecturally integrated into the garage and comply with the PD-32 Design
Guidelines regarding refuse screening. As part of utilizing the same materials staff would also
46 offer that the dumpster enclosure doors have the Eco Mesh attached to their exterior.

48 The site plan also illustrates the location of a proposed generator and transformer located on the
east side of the parking garage along Pinnacle Way. According to the project engineer the
50 generator and transformer will be located below grade. The site plan and landscape plan illustrate
a 7'-high masonry screen on the south side of the electrical equipment and a wrought iron fence
52 on the north and east sides of the electrical equipment. Approval of the electrical screen as
submitted would constitute a departure from the PD-32 "Design Guidelines" which require all
54 mechanical and electrical equipment to be screened by masonry screen walls. Again staff would
recommend that the screen be constructed of the same materials and have the same finishes as
56 the garage exterior (including Eco Mesh).

2 All of the office building's mechanical equipment will be located in a cooling tower on the 6th-level
of the parking garage. The mechanical equipment will be screened from view by a four-sided, 10'-
4 high metal louver system.

6 The required landscaping for Sunset Ridge Drive and Pinnacle Way was previously approved for
the project in conjunction with the paving, drainage, utility, and streetscape plans. While the PD-
8 32 guidelines do not require non-residential ground floor frontages to provide additional
landscaping the applicant has proposed to install additional landscaping around the building and
10 service areas. The additional building landscaping located on the north, south and west building
facades is in the form of large canopy trees, ornamental trees, shrubs, ground cover and
12 perennials.

14 Additionally, the applicant is proposing to use a Virginia Creeper vine on the Eco Mesh found on
the east, west and south elevations of the garage to screen parked cars as required by PD-32.

16 The photometric plan appears to meet all the requirements of the Unified Development Code and
18 PD-32 including maximum light levels at property line of 0.2-foot candles. The applicant is
proposing two (2) pole lights which match those being installed as part of streetscape.

20 The wall pack fixtures are an antique style, octagon, 80-watt fixture. While the fixture appears to
22 work well with the building's design elements it does require a waiver be granted by the Planning
and Zoning Commission since it is not fully cut-off. Staff feels the Commission should give
24 special consideration to the request due to the relative low number of fixtures, the fixture's
relatively low wattage, and the architectural integration of the fixture into the building's design.
26 Additionally, the applicant is also requesting the Commission to consider allowing these wall-
pack fixtures above the maximum allowable 30'. The reason for the request is need to illuminate
28 balconies located on the third (3rd) and seventh (7th) floor and the entry from the sixth (6th) level of
the parking garage.

30 The photometric plan illustrates that all lighting under the proposed canopy is below the allowable
32 35-foot candles. All under canopy lighting is required to be recessed into the canopy. The 6th
(top) level of parking garage is proposed to be illuminated by shoe-box style pole lights. Staff is
34 recommended that these pole lights be a maximum of 20' in height. The fixtures appear to comply
with the lighting requirements of the UDC.

36 The office building is a seven-(7)-story, 116' high structure constructed in the Traditional
38 architectural style with Mediterranean influences in its detailing and exterior materials. The office
tower utilizes Eldorado Stone, eight variations (color, texture, and form) of the traditional three
40 coat stucco, clay tile roof shingles, precast stone accents and detail elements, and aluminum
balcony railing. While the building meets all the necessary requirements of Article V, Section 4.1
42 General Commercial District Standards of the Unified Development Code and all the requirements
of the governing ordinance for PD-32, Ordinance No. 10-21, several departures from the PD-32
44 "Guidelines" (Resolution No. 10-40) are being requested by the applicant. The project architect
will be at both the Architectural Review Board and the Planning and Zoning Commission meetings
46 on Tuesday, April 10th to discuss the reasoning behind the requested guideline departures. Below
is a list of the departures to the PD-32 guidelines as requested by the applicant:

48 Building Materials

- 50 • The primary building material (stone) is required to be a minimum 60% of each façade.
- Secondary building materials (stucco) are limited to a maximum 40% of each façade.
- 52 • The use of high density polyurethane decorative grille under bank canopy.

Doors/Windows

- 54 • Doors and window openings may be ganged together horizontally up to a maximum of 3
per group.

- Sliding doors shall not be permitted.
- Single window planes shall not exceed 6-ft high x 5-ft wide.

Arcades/Galleries

- Arcades and galleries are permitted with a minimum depth of 8-ft and maximum depth of 12-ft. Arcades and galleries limited to 33% of block length.

The parking garage is proposed to be six-(6)-level and constructed in two-phases. Phase one of the proposed garage will more than satisfy the parking requirements for the current office building with 394-parking spaces. The second phase of the parking garage will come at a future date with the construction of a second office tower.

The ordinance for (10-21) PD-32 requires all parking garages to:

- Have guard rail height precast spandrel panels with enhanced detailing on exposed facades.
- A minimum of 25-percent of an exposed garage must be screened with vines on a greenscreen or a cable type system.
- Exposed slab and cable guard rails are not permitted on exposed garage facades.

As submitted the north, south and west garage elevations comply with the requirements of PD-32. The applicant is requesting a waiver to the parking garage design standards for the east elevation. The applicant is requesting the waiver to help facilitate the parking garage phase two expansion associated with the construction of a second office tower. Staff feels that merit should be given to the applicants request but if the waiver is recommended and approved by the ARB, P&Z and Council it should be for a limited time frame. Staff is recommending that the waiver for the garage design standards of the east elevation be permitted for a period not to exceed 36-months from issuance of the Certificate of Occupancy (C.O.) for the office tower. Staff would also recommend that at the time of final plat the granting of the waiver for a period not to exceed 36-months be solidified in a facilities agreement with the applicant. In considering granting the waiver staff would request that the ARB, P&Z and City Council consider requiring the installation of a minimum 25-percent Eco Mesh, greenscreen, on the east façade for the duration of the waiver.

Staff recommends approval of the site plan subject to the following conditions:

1. Adherence to all Engineering and Fire Department standards.
2. The dumpster and mechanical screens located on the east and west facades of the garage be constructed and finished with those materials found on the garage façade and the screens extend to the bottom of the second level of the garage.
3. All under canopy lighting be recessed into the canopy.
4. Pole lights on the 6th (top) level of the parking garage be limited to 20' in height.
5. Approval of departures from the design guidelines by the Planning and Zoning Commission and City Council as requested by the applicant.
6. The waiver for the parking garage design standards for the garage east façade be granted for a time not to exceed 36-months from issuance of a Certificate of Occupancy (C.O.) for the office tower.
 - a. The 36-month time period be further solidified by a facilities agreement executed at the time of final plat.
7. Installation of a minimum 25-percent Eco Mesh, greenscreen, on the east façade for the duration of the waiver.

Commissioner Renfro asked if a 36-month time frame for the parking garage is appropriate. Spencer stated that 36-months from the Certificate of Occupancy should be a sufficient amount of time. LaCroix said that the applicant would be able to request additional time if needed.

Commissioner Renfro made a motion to approve SP2011-009, a request by Chris Cuny of F. C. Cuny Corp for approval of a PD Site Plan of the Trend Tower at the Harbor, being a seven (7) story office / commercial building to be located on a 2.149-acre tract proposed to be Lot 1, Block A,

Harbor District Addition, City of Rockwall, Texas, which is zoned (PD-32) Planned Development No. 32 district and located south of IH-30 and west of Horizon Road, with staff recommendations.


Commissioner Jackson seconded the motion.

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

IV. ADJOURNMENT

The meeting adjourned at 6:23 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 29 day of MAY, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
May 29, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon and Dennis Lewis. Barry Buchanan arrived after the meeting was called to order.

Additionally, the following staff members were present: Robert LaCroix, Chris Spencer, David Gonzales and JoDee Sanford.

1. Approval of Minutes for May 8, 2012 Planning and Zoning Commission meeting.

Commissioner Jackson made a motion to approve the minutes for May 8, 2012.

Commissioner Lewis seconded the motion.

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

II. ACTION ITEMS

2. MIS2012-005
Discuss and consider a request by Jim Cooper for a waiver to the masonry requirements set forth in Article V, Section 3.1, General Residential District Standards of the City of Rockwall Unified Development Code, for an (SF-10) Single-Family Residential district property situated at Garner, Block Part 8A and located at 901 North Alamo, City of Rockwall, Texas, and take any action necessary.

Gonzales stated that the applicant, Jim Cooper of Cooper Design Works, is requesting a waiver to Section 3.1(A)(1) of the Unified Development Code. The applicant is proposing a 2004-s.f. traditional style framed 2-story house with exterior cladding being comprised of 100% Hardy Plank. The above referenced section states "Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement". Section 3.1(A)(1) also states that the Planning and Zoning Commission may approve a waiver for materials not meeting the requirements of said section. Staff feels that the architectural style of the house and the proposed materials will blend in well with the neighboring homes within the district and does support the request.

Staff recommends approval of the request with the following conditions:

1. Submittal and approval of a building permit.

2 Jim Cooper
8709 Brookhollow Drive
4 Rowlett, Texas

6 Mr. Cooper stated that a home is already permitted for the property. However, that home
is a brick home. He would prefer to have siding as he feels this is more appropriate for
8 the neighborhood.

10 Commissioner McCutcheon asked if a garage is part of the plan. Mr. Cooper stated that a
garage is not part of this particular home plan, but he does intend on building a separate
12 garage in the future. Commissioner McCutcheon inquired if the garage would be built
out of the same material and the applicant stated that is his intention.

14 Commissioner Lewis asked if this will be Mr. Cooper's primary residence. Mr. Cooper
16 indicated that it will.

18 Commissioner Lewis made a motion to approve MIS2012-005, a request by Jim Cooper
for a waiver to the masonry requirements set forth in Article V, Section 3.1, General
20 Residential District Standards of the City of Rockwall Unified Development Code, for an
(SF-10) Single-Family Residential district property situated at Garner, Block Part 8A and
22 located at 901 North Alamo, City of Rockwall, Texas, with staff recommendations.

24 Commissioner Jackson seconded the motion.

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

28 3. P2012-015
Discuss and consider a request by Carol Inman for approval of a final plat for a
30 Hair Salon and Sign Shop, located on a 1.699-acre tract proposed to be Lots 1 &
2, Block 1, Pfeffer/Inman Addition, City of Rockwall, Texas, which is zoned (PD-
32 54) Planned Development No. 54 district and located south side of Ralph Hall
Parkway east of Flagstone Creek Blvd, and take any action necessary.

34 Commissioner Lewis recused himself from the discussion of this item.

36 Gonzales stated that the applicant is seeking approval of a final plat that will contain 2
38 lots for a proposed Hair Salon & Sign Shop and will be located on a 1.699-acre tract
along Ralph Hall Pkwy, is east of Mims Rd and adjacent to the Rockwall Medical Center.
40 The property is zoned (PD-54) Planned Development No. 54 with an underlying zoning of
(C) Commercial district. The proposed site will contain two new structures with lot one
42 being a 10,384-sf building and lot two as a 2925-sf building, and will be accessed from
two points of entry along Ralph Hall Pkwy.

44 The proposed final plat complies with the current zoning standards for the PD-50 district
46 that governs the development, and is supported by staff.

48 Staff recommends approval of the request with the following conditions:

50 1. Adherence to all Engineering and Fire Department standards.

2. Correct title block underneath main heading to read..."Being 1.699 Acres of Land Situated In The J.D. McFarland Survey,...." and remove "2 lots" & "a replat of" from title block.
3. Use Standard Signature Block for City Approval (Mayor, City Secretary, and City Engineer). Make sure it states in the language "was approved by City Council of the" (not Planning Director) under the "Approved" section.
4. Remove the easement and label "20' Landscape Easement" from the plat (along East Ralph Hall Parkway).
5. Remove the Visibility Easement from plat on the N.W. corner of the Lot 1.

Commissioner Renfro made a motion to approve P2012-015, a request by Carol Inman for approval of a final plat for a Hair Salon and Sign Shop, located on a 1.699-acre tract proposed to be Lots 1 & 2, Block 1, Pfeffer/Inman Addition, City of Rockwall, Texas, which is zoned (PD-54) Planned Development No. 54 district and located south side of Ralph Hall Parkway east of Flagstone Creek Blvd, with staff recommendations.

Commissioner Minth seconded the motion.

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

(Commissioner Buchanan arrived at 6:13pm.)

III. DISCUSSION ITEMS

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

Mr. Staggs spoke on behalf of the ARB and stated that they requested that the architect for Z2012-006, 7-Eleven at John King and SH276, reevaluate their design. The applicant has agreed to bring back some other design options.

Commissioner Minth discussed her preference for a gabled roof above the gas pumps to add an architectural element.

Commissioner McCutcheon stated that even though this property is zoned commercial, it is in view of a school and residential homes. He wants to ensure that the design fits in with the neighborhood.

5. Z2012-006
Discuss and consider a request by Larae Tucker of Harrison, French & Associates for approval of an amendment to (PD-10) Planned Development District No. 10, specifically Tract "F" described in Exhibit "A" of Ordinance No. 04-25 to allow for a "retail store with gasoline product sales with more than 4 dispensers", in association with a 7-Eleven store proposed to be located on a 1.008-acre tract of land currently described as J. McIntyre Addition, J.M. Allen Survey, Abstract No. 2, and situated at the northeast corner of John King Boulevard and State Highway 276, City of Rockwall, Texas.

Spencer gave an overview of the case and a description of the property.

Commissioner Buchanan inquired about the space for the tankers to enter and exit the property. Spencer stated that as long as the fire lanes are appropriate, the tanker trucks should not be an issue.

Michael Montgomery
Verdad Real Estate
1109 Ashby Drive
Allen, Texas

Larae Tucker
Harrison, French & Associates
402 Burl Moore
Ennis, Texas

Mr. Montgomery stated that they use Autocad to design the path and that program has greater constraints than an actual tanker truck.

Commissioner Minth asked if a gabled canopy would be considered over the gas pumps at this location. Mr. Montgomery stated they have several designs similar to this or others that would provide additional architectural elements.

Commissioner Renfro stated that he is in agreement with Commissioner Minth's request for additional architectural elements to the canopy above the gas pumps.

6. SP2012-010
Discuss and consider a request by Wayne Mershawn of Mershawn Architects for approval of a site plan for Lot 1, Block 1 and Lot 1, Block 2 of the Rockwall Recreational Addition, containing 7.16-acres of land zoned (LI) Light Industrial district, and specifically located at 1540 IH-30 E, City of Rockwall, Texas.

Spencer discussed the case and reviewed the location of the property.

7. P2012-014
Discuss and consider a request by Steven Heilbrun of Pacheco Koch Consulting Engineers for approval of a replat of Lot 2, Block B, North Lakeshore Valley, City of Rockwall, Texas, being 2.017-acres zoned (PD-65) Planned Development No. 65 district and located at the northwest corner of North Lakeshore Drive and SH 205 within the North SH 205 Corridor Overlay district.

Spencer briefly discussed the case and the location of the property.

8. Z2012-007
Discuss and consider a request by Thomas Jones of Binkley & Barfield for approval of a zoning change from (Ag) Agricultural district to (C) Commercial district on a 15.789-acre property located on the northwest corner of Airport Rd. and John King Blvd. and described as Tract 4-01, Abstract No. 20, N. Butler Survey, City of Rockwall, Texas.

Commissioner Buchanan recused himself from the discussion of this case.

Spencer described the location of the property and reviewed the case.

9. Z2012-008

Discuss and consider a request by Christie Mathis for approval of a Specific Use Permit (SUP) to allow for a "Hair Salon" within the (RO) Residential Office district, specifically at 906 North Goliad, being Lot 16, Block A, Steele Addition, City of Rockwall, Texas.

Gonzales discussed the case and the location of the property.

Chairman Herbst recognized Commissioner Lewis for serving on Planning & Zoning and offered congratulations for being elected to City Council.

IV. ADJOURNMENT

The meeting adjourned at 6:40 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 12 day of JUNE, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
June 12, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon and Matthew Nielsen.

Additionally, the following staff members were present: Robert LaCroix, Chris Spencer, Ryan Miller, David Gonzales and JoDee Sanford.

II. CONSENT ITEMS

Consent Items #1, 2, and 3 were pulled by Chairman Herbst and considered separately.

1. Approval of Minutes for May 8, 2012 Planning and Zoning Commission meeting.

Commissioner Jackson made a motion to approve the minutes for May 8, 2012.

Commissioner Buchanan seconded the motion.

A vote was taken and the motion passed 6-0, with Nielsen abstaining.

2. P2012-014
Discuss and consider a request by Steven Heilbrun of Pacheco Koch Consulting Engineers for approval of a replat of Lot 2, Block B, North Lakeshore Valley, City of Rockwall, Texas, being 2.017-acres zoned (PD-65) Planned Development No. 65 district and located at the northwest corner of North Lakeshore Drive and SH 205 within the North SH 205 Corridor Overlay district, and take any action necessary.

Commissioner Jackson made a motion to approve P2012-014, a request by Steven Heilbrun of Pacheco Koch Consulting Engineers for approval of a replat of Lot 2, Block B, North Lakeshore Valley, City of Rockwall, Texas, being 2.017-acres zoned (PD-65) Planned Development No. 65 district and located at the northwest corner of North Lakeshore Drive and SH 205 within the North SH 205 Corridor Overlay district, with staff recommendations.

Commissioner Renfro seconded the motion.

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

3. P2012-016
Discuss and consider a request by Steve Shellenberger of Hillcrest Equities for approval of a final plat of Tract 22, Abstract 255, B J T Lewis Survey, City of Rockwall, Texas, being located on a 0.8323 acre tract zoned (C) Commercial district and situated within the SH 205 Overlay district, specifically located at 1815 S. Goliad St, and take any action necessary.

Spencer stated that not all the easements are shown on the plat; however, staff is recommending approval with the standard condition that Engineering must review and approve the plat prior to City Council approval.

Commissioner Buchanan made a motion to approve P2012-016, consider a request by Steve Shellenberger of Hillcrest Equities for approval of a final plat of Tract 22, Abstract 255, B J T Lewis Survey, City of Rockwall, Texas, being located on a 0.8323 acre tract zoned (C) Commercial district and situated within the SH 205 Overlay district, specifically located at 1815 S. Goliad St, with staff recommendations.

Commissioner McCutcheon seconded the motion.

A vote was taken and the motion passed 6-0, with Nielsen abstaining.

III. APPOINTMENT ITEMS

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

Mr. Clark Staggs spoke on behalf of the ARB and stated that they reviewed the proposed 7-Eleven at John King and SH276. The ARB believes that they have improved the elevations and are recommending approval at this time.

IV. PUBLIC HEARINGS

5. Z2012-006
Hold a public hearing and consider a request by Larae Tucker of Harrison, French & Associates for approval of an amendment to (PD-10) Planned Development District No. 10, specifically Tract "F" described in Exhibit "A" of Ordinance No. 04-25 to allow for a "retail store with gasoline product sales with more than 4 dispensers", in association with a 7-Eleven store proposed to be located on a 1.008-acre tract of land currently described as J. McIntyre Addition, J.M. Allen Survey, Abstract No. 2, and situated at the northeast corner of John King Boulevard and State Highway 276, City of Rockwall, Texas, and take any action necessary.

(Commissioner Nielsen recused himself from the discussion of this item.)

Spencer stated that an application has been filed on behalf of 7-Eleven to amend the PD-10 zoning to allow for the development of a retail store with six (6) gas dispensers at the northeast corner of John King Blvd. and SH 276. The applicant is proposing to amend Ordinance No. 04-25 to allow for a retail store with gasoline product sales limited to 6 dispensers and 12 vehicles specifically with in Tract "F". Currently, Tract "F" has an underlying zoning of Commercial and allows by-right a retail store with gasoline sales limited to 4 dispensers and 8 vehicles.

Site Plan/Landscape Plan

If the PD were approved, staff would recommend attaching the site plan, landscape plan and proposed building elevations to ensure that any future convenience store w/ gas pumps strictly adhere to said plans. The site plan indicates a 3,010-sf convenience store, with parking and conceptual access drives to John King Blvd. and SH 276. One of the restraints with this particular site is the 50' Atmos easement that crosses John King, enters the site and run parallel with SH 276. With in this easement, Atmos allows only limited landscaping, primarily in the form of shrubs and grass. With that in mind, as part of this PD amendment request, the applicant is seeking a variance to the SH 276 Overlay Landscaping requirements.

Building Elevations

The building elevations have been significantly altered to incorporate the recommendations made by the Architectural Review Board. The changes to the building made by the applicant include:

- Going from a pitched roof to an architecturally detailed parapet roof
- The inclusion of more storefront glazing

- o Including a clearstory above the display windows
- 2 • The introduction of a tower element to serve as an architectural focal point
- The recession of the display windows into the tower element
- 4 • The inclusion of a canopy/porch over the front door
- The inclusion and recession of display windows along John King
- 6 • The inclusion of metal awnings on the SH 276 and John King facades
- The horizontal banding on all four facades
- 8 • The removal of faux windows and the introduction of louvers on the rear elevation

10 Along with revising the building elevations, the developer has also revised the canopy elevations. The revised canopy elevations incorporate the parapet wall detailing found on the primary building into the canopy. The canopy roof detailing was in response to the comments made by the Planning and Zoning Commission regarding architecturally integrating the canopy with the primary building.

16 Staff feels that significant architectural progress has been made to the building and feels that the ARB, P&Z and Council should consider these changes in their decision making.

18 John King Blvd. Design Guideline Enhancements

20 In conjunction with the PD amendment request, the applicant has submitted enhancement details for the subject site in an effort to comply with the John King Blvd. Design Guidelines located in the Comprehensive Plan. These enhancements include:

- 22 • Placement of a Flagstone Circle with a Limestone seating wall along John King
- 24 • The construction of a 10' trail (sidewalk) along John King
- The planting of low level landscaping with in the median of John King

26 Staff feels that the enhancements as outlined in the John King Blvd. Design Guidelines along with the architectural detailing of the revised elevations will set a high standard for this particular intersection. In staff's opinion it is extremely important to establish a high standard of design at this corner as it sets the tone for the entire intersection and we feel that the developer is doing just that.

32 NOTIFICATION:

34 Notice of the zoning change was published in the newspaper, and a zoning change sign was posted on the property along SH 276. Notices were mailed to seven (7) owners within 200-ft of the subject property. At the time of this report, no responses had been returned.

38 Staff recommends approval of the PD amendment subject to the following conditions

- 40 1. That the development shall strictly adhere to the conceptual site plan (Exhibit "B"), landscape plan (Exhibit "C") and building elevations (Exhibit "D").
- 42 2. The monument sign illustrated on the site plan have a masonry cabinet encompassing the sign that matches the primary building materials as required by the SH 276 and John King Overlays.
- 44 3. Adherence to all engineering and fire department requirements.

46 Commissioner Renfro asked whether the same material is used under the canopy. Spencer stated that it is concrete.

48 Commissioner Jackson asked if the applicant has asked for any outside storage. Spencer stated that the applicant is required to show it on the site plan. LaCroix stated the Commission can address the issue tonight as part of the zoning.

52 Chairman Herbst opened the public hearing at 6:18 p.m.

54 Michael Montgomery
56 Verdad Real Estate

1109 Ashby Drive
Allen, Texas
LaRae Tucker
Harrison, French & Associates
402 Burl Moore
Ennis, Texas 75119

Mr. Montgomery stated that this design has never been built. He also stated that a walk-in cooler will be located inside the store. A Redbox is generally outside the store under the canopy. A sign indicating that an ATM is located inside the store is also requested.

Chairman Herbst clarified the Redbox location under the canopy. Mr. Montgomery stated that the tenant has not indicated whether they would have one on-site. He indicated were it would be if so desired.

Commissioner Minth stated her appreciation for the revisions. She asked if any other outside storage would be requested. Mr. Montgomery stated that the client has not indicated any outside storage needs.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:26 p.m.

Commissioner Minth made a motion to approve Z2012-006, a request by Larae Tucker of Harrison, French & Associates for approval of an amendment to (PD-10) Planned Development District No. 10, specifically Tract "F" described in Exhibit "A" of Ordinance No. 04-25 to allow for a "retail store with gasoline product sales with more than 4 dispensers", in association with a 7-Eleven store proposed to be located on a 1.008-acre tract of land currently described as J. McIntyre Addition, J.M. Allen Survey, Abstract No. 2, and situated at the northeast corner of John King Boulevard and State Highway 276, City of Rockwall, Texas, with staff recommendations and the additional condition that only propane be allowed as outside storage.

Commissioner Jackson seconded the motion.

A vote was taken and the motion passed 6-0, with Nielsen abstaining.

6. Z2012-007

Hold a public hearing and consider a request by Thomas Jones of Binkley & Barfield for approval of a zoning change from (Ag) Agricultural district to (C) Commercial district on a 15.789-acre property located on the northwest corner of Airport Rd. and John King Blvd. and described as Tract 4-01, Abstract No. 20, N. Butler Survey, City of Rockwall, Texas, and take any action necessary.

(Commissioner Buchanan recused himself from the discussion of this item.)

Spencer stated that the 15.789-acre subject property is depicted as "medium density" Single-family Residential on the City's Future Land Use Plan. The City Council upon recommendation from the Planning and Zoning Commission has the ability to amend the City's Future Land Use Plan through zoning. There are instances where the dynamics of a particular area of the city begin to change during or soon after the updating of the Future Land Use Plan.

Some of the dynamic changes that have recently occurred, are in the process of occurring and are anticipated to occur in the future around the subject site are:

- The reconstruction of Airport Road creating a major Intersection with John King Blvd.
- The completion of the John King Blvd. overpass at I-30
- The future extension of Industrial Blvd. along the western boundary of the subject site

- The continuation of Industrial development (Phase II SPR and Whitemore Expansion) along Justin Road and the BNSF Railroad to Industrial Blvd.
- The future of expansion of Ralph M. Hall/Rockwall Municipal Airport
- The continuation of use by the City at the Leon Tuttle Athletic Complex and the City Service Center located across Airport Road from the Subject site

Given the zoning (LI), land uses (Industrial, City Ball Fields, City Service Center, and Ralph Hall Airport), and thoroughfare improvements surrounding the site, staff feels that Commercial (C) zoning in this area is a viable option and should be given heavy consideration by the Planning and Zoning Commission and City Council.

A zoning change sign was posted on the subject property, and notification was published in the newspaper as required. In accordance with City policy, notifications of all zoning cases are also published on the City's website and distributed through the "eNews" network.

Notices were mailed to thirteen (13) owners located within 200-ft of the subject property. At the time of this report no notices had been returned.

Staff recommends approval of the request.

Chairman Herbst opened the public hearing at 6:32 p.m.

Tom Jones
Binkley & Barfield
Richardson, Texas

Don Smith
Lakes Regional MHMR

Mr. Jones stated that the area is designated at medium density residential, but they feel this is inappropriate due to the proximity to the City's service center and the ball fields. In addition, the improvements of several roadways in the area make this site more appropriate for commercial development.

Mr. Smith stated Lakes Regional is a 15 County indigent care community center. Most of the people they serve are in and around the Rockwall area and it would be more advantageous for them to be located in Rockwall rather than Royse City. They hope to have the facility built within approximately 9 months. It will be about 6,220 square feet and will serve about 25-30 people.

Commissioner Nielsen asked about the hours of operation. Mr. Smith stated that the hours are very limited from about 9AM until about 2:30PM. The individuals served are physically and mentally handicapped. He stated that it is not daycare center. It is a rehabilitation center for those with special needs. They are not dangerous, but may be physically or mentally challenged. They teach them living and craft skills at the facility.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:39 p.m.

Commissioner Jackson made a motion to approve Z2012-007, a request by Thomas Jones of Binkley & Barfield for approval of a zoning change from (Ag) Agricultural district to (C) Commercial district on a 15.789-acre property located on the northwest corner of Airport Rd. and John King Blvd. and described as Tract 4-01, Abstract No. 20, N. Butler Survey, City of Rockwall, Texas, with staff recommendations.

Commissioner Minth seconded the motion.

2 A vote was taken and the motion passed 6-0, with Buchanan abstaining.

4 7. Z2012-008

6 Hold a public hearing and consider a request by Christie Mathis for approval of a Specific
8 Use Permit (SUP) to allow for a "Hair Salon" within the (RO) Residential Office district,
specifically at 906 North Goliad, being Lot 16, Block A, Steele Addition, City of Rockwall,
Texas, and take any action necessary.

10 Gonzales stated that the applicant, Christie Mathis, is requesting approval of a Specific Use
12 Permit to allow for a Hair Salon in conjunction with the existing Harmonic Motion School of Ballet.
The property is located at 906 N Goliad St and is within Planned Development district No. 50 (PD-
14 50). PD-50 was established in 2002 as a Residential/Office district to allow property owners the
ability to convert their homes to low intensity commercial type uses.

16 The proposed hair salon will have one (1) chair and will occupy two (2) rooms within the structure
for a total of two hundred nine (209) sq-ft. Staff would recommend that the hair salon be limited to
18 a one (1) chair operation for this location. Also to consider would be the hours of operation for
the hair salon. Currently, there are three (3) hair salons that have SUP's within PD-50. Their hours
20 of operation have been restricted within their respective SUP's primarily due to the residential
properties that surround PD-50 and the potential for late night traffic conditions (e.g. noise, lights,
22 etc.). To be consistent, staff would recommend the hours of operation be from 8am to 8:00pm for
the Hair Salon.

24 In 2006, a site plan was approved with six (6) designated parking spaces for the site. The
Harmonic Motion School of Ballet is primarily a drop off location for the students and utilizes two
26 (2) of the parking spaces for staff. That will leave four (4) remaining spaces that will be available
for the proposed Hair Salon. According to the Unified Development Code, a hair salon requires
28 one (1) parking space per 250-sq ft of area. Based on the City's parking requirements for a hair
salon and the spaces used by the dance studio, there is adequate parking for both business
30 operations.

32 Based on the floor plan submitted, the use being proposed, and the ability to park each use, staff
supports and recommends approval of the request.

34 A public notice has been published in the Rockwall County News and a sign has been posted on
36 the property. Also, notices have been mailed to twenty-four (24) property owners within 200-ft of
the subject property as required by state statute. At time of this report, staff has received two (2)
38 responses "in favor of" and one (1) e-mailed response "opposed to" the request.

40 Staff recommends approval of the request with the following conditions:

- 42 1. The hair salon shall not exceed two hundred fifty (250) sq-ft in area and shall be limited to
44 a maximum of a one (1) chair operation in accordance with the floor plan attached hereto
as Exhibit "A".
- 46 2. Business operations for the hair salon shall be limited between the hours of 8:00 a.m. to
8:00 p.m.
- 48 3. Alterations to the building elevations shall be subject to review and recommendation by
the Historic Preservation Advisory Board.
- 50 4. No parking shall be allowed in the SH205 right of way or in front of the building.
- 52 5. The City Council reserves the right to review the Specific Use Permit granted herein upon
the expiration of one (1) year from the date hereof.

54 Chairman Herbst opened the public hearing at 6:45 p.m.

56 Christie Mathis
302 Margaret

Rockwall, Texas

Ms. Mathis stated that she does the hair for many of the student's of the ballet studio and would like to continue to do hair and make-up.

There being no one wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:45 p.m.

Commissioner Buchanan made a motion to approve Z2012-008, a request by Christie Mathis for approval of a Specific Use Permit (SUP) to allow for a "Hair Salon" within the (RO) Residential Office district, specifically at 906 North Goliad, being Lot 16, Block A, Steele Addition, City of Rockwall, Texas, with staff recommendations.

Commissioner Jackson seconded the motion.

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

V. SITE PLANS/PLATS

8. SP2012-010

Discuss and consider a request by Wayne Mershaw of Mershaw Architects for approval of a site plan for Lot 1, Block 1 and Lot 1, Block 2 of the Rockwall Recreational Addition, containing 7.16-acres of land zoned (LI) Light Industrial district, and specifically located at 1540 IH-30 E, City of Rockwall, Texas, and take any action necessary.

Spencer stated that the applicant has submitted a site plan for a new car dealership (Hyundai) located west of the John King Blvd. and I-30 intersection. The subject site was formally the Yamaha/Airstream boat and trailer dealership and prior to that was the former Church of Christ. An SUP (Z2012-005) for a new car dealership was approved by the Planning and Zoning Commission and the City Council earlier this year.

Due in large part to the project being located on a redevelopment site the amount of site work is limited and will be located primarily within the site's front yard. Located within the front yard the applicant is proposing to install sixteen (16) display parking spaces along with decorative concrete between the proposed display spaces and the building front façade. The two existing access drives from the I-30 service road are shown to remain. Additionally, the applicant is proposing a mutual access easement that will connect to the proposed Honda dealership (currently in final permit review). The existing paving located on site will be re-stripped and used for parking and vehicle display.

All HVAC mechanical equipment will be on the ground and located in an existing niche along the front façade behind a masonry screen.

Currently, the landscape buffer located along I-30 is completely void of any landscaping and the landscaping located along Commerce Street is sparse at best. With the change in use and the display of vehicles for sale upgrading the landscaping requirements for the buffers along I-30 and Commerce Street were conditions of the recently approved SUP. The applicant is meeting the I-30 Overlay requirements by providing a 20' landscape buffer along I-30 with six (6) 4" caliper canopy trees and ten (10) 4' high accent trees. Additionally, the applicant is planting shrubs within the I-30 landscape buffer as required by the I-30 Overlay.

In an effort to comply with the UDC landscape requirements along Commerce Street the applicant is proposing to install five (5) 4'-high Red Bud trees and Indian Hawthorne and Boxwood Shrubs. The applicant is also proposing to retrofit some deficient landscaping on the site by proposing to install six (6) 4" caliper Live Oaks throughout and around the existing paving.

2 The majority of the photometric plan is in compliance with City specifications. The developer is
4 proposing a lighting package that features full cut-off fixtures throughout, including recessed can
6 lights for the customer service canopy and parking lot pole lights. The only issue with the
photometric plan is the light levels at the property lines. Staff feels that this could be addressed
through the use of lighting shields located on the back of the parking lot fixtures.

8 As part of the SUP a set of conceptual elevations were approved by the ARB, P&Z and City
Council and attached to the approved ordinance. The elevations that the applicant has submitted
10 as part of the site application are in compliance with those conceptual building elevations. Much
like the site plan the majority of the elevation changes are occurring on the I-30 side. Along the
12 front façade the applicant is proposing to install a new storefront, a new parapet and clad the front
façade in stucco. Additionally, the applicant is also proposing to clad the front portions of both
the east and west elevations in stucco.

14 Staff recommends approval of the request with the following conditions:

- 16 1. Adherence to all engineering and fire department requirements.
- 18 2. Correction of the photometric plan to include lighting shields on parking lot pole lights
and reduction of the foot candles at the property line to 0.2.
- 20 3. All new landscaping be irrigated in accordance with city standards.

22 Commissioner McCutcheon clarified that all HVAC equipment would be in the existing niche
shown on the site plan. Spencer stated that the applicant would have the ability to move the
equipment and screen it, if necessary.

24 Commissioner Jackson made a motion to approve SP2012-010, a request by Wayne Mershawn of
26 Mershawn Architects for approval of a site plan for Lot 1, Block 1 and Lot 1, Block 2 of the
Rockwall Recreational Addition, containing 7.16-acres of land zoned (LI) Light Industrial district,
28 and specifically located at 1540 IH-30 E, City of Rockwall, Texas, with staff recommendations.

30 Commissioner Buchanan seconded the motion.

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

34 VI. ADJOURNMENT

36 The meeting adjourned at 6:54 p.m.

38 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 10 day of JULY, 2012.

40
42 
44 Phillip Herbst, Chairman

46 Attest:

48 
JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
June 26, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, and Matthew Nielsen. Kristen Minth arrived at 6:05. John McCutcheon was not in attendance.

Additionally, the following staff members were present: Robert LaCroix, Chris Spencer, Ryan Miller, David Gonzales and JoDee Sanford.

II. ACTION ITEMS

1. MIS2012-007

Discuss and consider a request by Maria Rodriguez for a proposed carport with special exceptions to the building materials and the requirement that a carport be located at least 20 feet behind the front building façade as set forth in Article VI, Section 4.1, Lots less than five acres, of the City of Rockwall Unified Development Code, located on Lot 38R, Canup Addition, being 507 Dickey Street, which is zoned SF-7 District and located within the (SRO) Southside Residential Neighborhood Overlay District, and take any action necessary.

Miller stated that the applicant, Maria Rodriguez, is requesting a special exception to the requirements stipulated by Section 2.1.2(1) & 2.1.2.(2) [Carports] of Article IV, Permissible Uses, of the Unified Development Code for the purpose of constructing a carport at the 20 foot building line, adjacent to an existing single family home. The proposed carport will stand less than twelve (12') feet in total height, and have a building footprint of 20 feet by 20 feet, or 400 square feet. The structure will be situated directly adjacent to the eastern building façade of the primary structure and will be integrated into the existing hip roof. The proposed carport will be setback 20 feet from the front property line, seven (7') feet from the side yard (western) property line, and 16 feet from the rear yard (northern) property line. The proposed position of the carport does not encroach or intrude into any established building lines or easements on the property, and should not create a sight obstruction to motorist. According to the building elevations provided by the applicant the structure will be supported by six (6) posts, anchored in two (2') feet of concrete and wrapped with a full width brick that will aesthetically match the brick used on the primary structure. The applicant has stated that a concrete pad will be poured below the carport and be integrated into the existing driveway. The finished structure will incorporate a pitched roof that will be constructed out of 26-gauge metal and will be complimentary in color to the trim used on the primary structure. Currently, staff is waiting on the applicant to provide a sample of the material for confirmation that it is an approved building material per the Unified Development Code and the 2009 International Building Code.

Section 2.1.2(1) [Carports] of Article IV states that carports are required to be setback a minimum of 20 feet from the front building façade. As mentioned above the proposed carport will be directly adjacent to the 20 foot front yard building setback and will be even with the front façade of the existing residence. The applicant has stated that the purpose for the proposed position of the carport is to accommodate a jog in the rear property line and to provide direct covered access to the primary structure. Furthermore, Section 2.1.2(2) [Carports] of Article IV states that carports that are visible from a public right-of-way should be constructed of materials that match the

primary residence. In this case the applicant is proposing to use a brick that will aesthetically match the primary structure, and incorporate a pitched roof that will be integrated into the existing hip roof design using asphalt shingles to complete the roof design.

Generally, this request would require a Specific Use Permit (SUP) in conformance with Section 2.1.2(3) [Carports] of Article IV, however the subject property is located within the Southside Residential Neighborhood Overlay (SRO) District. This overlay district was established to allow flexibility within the development requirements to facilitate redevelopment, while granting the City Council the authority to approve these requests on a case-by-case basis to protect the integrity of the neighborhood. It is staff's opinion that the approval of the applicant's request will not alter the essential character of the neighborhood nor will it have a negative impact on adjacent properties or the neighboring historic district. Furthermore, staff feels that the applicant's request meets the intent of the Southside Residential Neighborhood Overlay (SRO) District.

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

- 1) The request is to be no more than what is approved by the City Council,
- 3) Prior to the construction of the carport the applicant will need to apply for a Building Permit from the Building Inspections Division,
- 4) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Commissioner Buchanan asked the reason why the setback from the front façade is not able to be met. Miller explained that the reason is because the rear yard setback is 10 ft. and would put the structure over the build line.

Commissioner Nielsen ask if the carport would be open other than the posts. Miller stated that it will be open air on three sides. The additional side will be against the existing home.

Commissioner Jackson made a motion to approve MIS2012-007, a request by Maria Rodriguez for a proposed carport with special exceptions to the building materials and the requirement that a carport be located at least 20 feet behind the front building façade as set forth in Article VI, Section 4.1, Lots less than five acres, of the City of Rockwall Unified Development Code, located on Lot 38R, Canup Addition, being 507 Dickey Street, which is zoned SF-7 District and located within the (SRO) Southside Residential Neighborhood Overlay District, with staff recommendations.

Commissioner Buchanan seconded the motion.

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

2. SP2012-013

Discuss and consider a request by Shinpei Kuo of GHA Architecture/Development for approval of amended building elevations for an existing El Chico Restaurant, located on Lot 2, Carlisle Plaza Addition, being 0.848-acres zoned (C) Commercial district and located at 503 Interstate 30, City of Rockwall, Texas within the IH30 Overlay district and the Scenic Overlay district, and take any action necessary.

(Commissioner Nielsen recused himself from the discussion of this case.)

Spencer stated that a request has been submitted from Shinpei Kuo, of GHA Architecture/Development regarding an exterior remodel for the existing El Chico restaurant

located 503 Interstate-30. The existing restaurant is located with-in the Carlisle Plaza shopping center adjacent to the existing Blockbuster. The existing building exterior is primarily stucco with a brick entry feature. As part of the proposal the applicant is not requesting to alter the existing materials but, requesting to paint the existing stucco and brick white (Sherwin Williams 7011 Natural Choice). The reason behind the request is to create more of a Texas Hill Country Mission theme, which will also include new wood front doors, exterior wall murals, a standing seam metal awning over the front doors and the reintroduction of a Spanish-Tile patio cover.

Due to the painting of the existing brick staff felt that approval by the Planning and Zoning Commission was needed. Attached in your packet is a picture illustrating the existing front building elevation and a photo simulation of the proposed remodeled front elevation.

Staff feels the revised elevations are an improvement to the building and is recommending approval.

Chairman Herbst inquired about the windows on the west side of the building. Spencer stated that they are looking at putting some roll-up type windows for access to the bar and outdoor dining.

Shinpei Kuo
14110 Dallas Parkway, Suite 300
Dallas, Texas

Mr. Kuo stated that the front awning will be a corrugated awning structure. They are looking for a more vintage mission style design for the building. There is existing outdoor dining on the west side. They want to install some double hung windows on that side.

Commissioner Renfro asked if there are plans to put an awning up on the West side of the building. Mr. Kuo stated that the restaurant plans to put some umbrellas at that patio area.

Commissioner Minth asked if the bar area would be redesigned. Mr. Kuo stated that they are looking to expand the bar area.

Commissioner Renfro made a motion to approve SP2012-013, a request by Shinpei Kuo of GHA Architecture/Development for approval of amended building elevations for an existing El Chico Restaurant, located on Lot 2, Carlisle Plaza Addition, being 0.848-acres zoned (C) Commercial district and located at 503 Interstate 30, City of Rockwall, Texas within the IH30 Overlay district and the Scenic Overlay district, with staff recommendations.

Commissioner Buchanan seconded the motion.

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

3. P2012-020

Discuss and consider a request by Robert S. Whittle of Mariah Bay Development, Inc., and Rockwall Hotel and Conference Group, Inc., for approval of a replat of Lots 3 and 4, Block A, The Harbor-Rockwall Addition, City of Rockwall, Texas, being 10.7854-acres overall, zoned (PD-7) Planned Development No. 7 district and generally situated along the northwest side of Summer Lee Drive, south of IH-30 and west of Lakefront Trail, and take any action necessary.

Spencer stated that a replat has been submitted for The Harbor - Rockwall Addition by the applicant. The purpose of the replat is to abandon public and private easements on Lot 4.

The replat is necessary to eliminate building encroachments into private and public easements.

2 All of the remaining easements that were included on the original plat will be maintained on this
4 replat (e.g. firelane, access, public access, etc).

6 Staff recommends approval of the replat with the following conditions:

1. Adherence to all engineering and fire department requirements.
2. Provide writing permission from private utility providers permitting abandonment of private and public utility easements as shown on the replat.
3. Correction of minor notation and scrivener errors.

10 Commissioner Buchanan asked if the private utility providers have agreed to the abandonment of
12 these easements. LaCroix stated it's their responsibility to get that permission.

14 Commissioner Minth made a motion to approve SP2012-013, a request by Robert S. Whittle of
16 Mariah Bay Development, Inc., and Rockwall Hotel and Conference Group, Inc., for approval of a
18 replat of Lots 3 and 4, Block A, The Harbor-Rockwall Addition, City of Rockwall, Texas, being
20 10.7854-acres overall, zoned (PD-7) Planned Development No. 7 district and generally situated
22 along the northwest side of Summer Lee Drive, south of IH-30 and west of Lakefront Trail, with
24 staff recommendations.

26 Commissioner Jackson seconded the motion.

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

30 III. DISCUSSION ITEMS

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

36 Melba Jeffus spoke on behalf of the ARB. Board member Jeffus stated that the board reviewed
38 case SP2012-012. The Board is very impressed with the changes that have been made and
40 approved of the materials on the material board that was presented. They are recommending
42 approval.

- 44 5. Z2012-009
46 Discuss and consider a request by Michael H. Philippus for approval of a Specific Use
48 Permit (SUP) to allow for an accessory building not meeting the exterior materials
50 requirements, on his property known as Lot 10, Block A, Lofland Farms Phase I Addition
52 and located at 2490 Daybreak Drive, City of Rockwall, Texas, being approximately 0.21-
54 acre zoned (PD-45) Planned Development No. 45 district.

56 Miller gave an overview of the case and a description of the property.

58 Commissioner Buchanan asked if any other structures in the area differ in the exterior materials.
60 Miller stated several structures have siding painted to match the trim of the primary structure.

62 Chairman Herbst clarified that the structure will match a pergola in the yard. Miller confirmed.

64 Commissioner Nielsen asked about the roofing material. Miller stated it will be asphalt shingle
66 roof material.

- 68 6. Z2012-010
70 Discuss and consider a request by Karri Shojaei-Scott of Marigold Learning Academy for
72 approval of a Specific Use Permit (SUP) to allow for a "Day care" within (PD-50) Planned
74 Development No. 50 district, specifically within the existing building located on Lot 1,

Block 1, Black's Collectibles Addition, being 0.37-acre located at 502 North Goliad, City of Rockwall, Texas.

Miller discussed the case and the location of the property.

Commissioner Renfro asked what businesses are to the North and South of this location. Miller stated that both properties to the north and south are residential.

Commissioner Buchanan asked if the access easement is two-way easement. LaCroix stated that it is a two-way cross access easement though it is narrow.

Commissioner Nielsen stated that there are only 5 parking spaces; however, they plan on having 6-8 employees. Miller stated that the UDC only requires 5 spaces. LaCroix stated that there is public parking close to this location.

Commissioner Minth asked how the properties to the north and south would tie in to the each other and the access easement. LaCroix clarified how this will be developed in the future when those properties move to commercial development.

Commissioner Jackson stated her concern about the length of time it takes to "drop-off" a child and the number of children that will be attending causing a traffic issue.

Commissioner Nielsen clarified that development of the properties to the north and south would require cross access easements, but would not require parking agreements. LaCroix confirmed.

Karri Shojaei-Scott and Tracy Wilson
410 Hickory Lane
Rockwall, Texas

Ms. Scott stated that there is a front and a rear entrance. She stated that there is 1 teach for every 4 students. Class will start at the same time and all children are asked to arrive before that time. The children will also be released at the same time. She believes there are enough parking spaces for both staff and parents.

Commissioner Buchanan asked when they plan to open for business. Ms. Scott stated that they plan to open in September, but no children are currently enrolled. Their goal is to have half enrolled by September.

Commissioner Minth asked how many parking spaces will be removed once the other properties are developed. LaCroix stated some spaces may need to be removed, but other spaces could be installed.

7. P2012-017
Discuss and consider a request by Daniel Dewey of JBI Partners for approval of a final plat of Caruth Lakes Phase 8A Addition, being 63 single family lots on 22.654-acres tract zoned (PD-5) Planned Development No. 5 district and located south of E. Quail Run Road and west of John King Boulevard, City of Rockwall, Texas.

Gonzales briefly discussed the case and the location of this addition.

8. P2012-018
Discuss and consider a request by Bobby Samuel of Stone Creek 80/100s POD, Ltd/Skorburg Company for approval of a final plat of Stone Creek Phase III, being 50 single-family lots on 28.004-acres zoned (PD-70) Planned Development No. 70 and situated northwest of Featherstone Drive and east of Barlass Drive, City of Rockwall, Texas.

2 Spencer described the location of this phase and briefly discussed the case.

4 Commissioner Jackson asked if alleys will be installed in this neighborhood. Spencer stated that
6 the Council waived the alley requirements for this neighborhood.

8 Commissioner Buchanan asked the average lot size and about parks and greenbelts. Spencer
10 stated that the average lot size will be 100 ft or 85 ft lot widths and about 100-125 ft in depth.
12 About 5 acres will be open space.

14 9. P2012-019

16 Discuss and consider a request by LaRae Tucker of Harrison French & Associates for
18 approval of a preliminary plat of J. McIntyre Addition, J.M. Allen Survey, Abstract No. 2,
20 City of Rockwall, Texas, being a 1.008 acre tract zoned (PD-10) Planned Development
22 District No. 10 and within the (205 BY-OV) 205 By-Pass Corridor Overlay district and the
(SH 276 OV) SH276 Corridor Overlay district, and situated at the northeast corner of
John King Boulevard and State Highway 276.

(Commissioner Nielsen recused himself from this discussion.)

Spencer discussed P2012-019 and SP2012-012 concurrently. He described the location of the
property and gave an overview of these cases.


10. SP2012-012

Discuss and consider a request by LaRae Tucker of Harrison French & Associates for
approval of a site plan for a 7-Eleven retail store with gasoline product sales, located on a
1.008 acre tract described as J. McIntyre Addition, J.M. Allen Survey, Abstract No. 2, City
of Rockwall, Texas, and zoned (PD-10) Planned Development District No. 10 and within
the (205 BY-OV) 205 By-Pass Corridor Overlay district and the (SH 276 OV) SH276
Corridor Overlay district, specifically situated at the northeast corner of John King
Boulevard and State Highway 276.


IV. ADJOURNMENT

The meeting adjourned at 7:27 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 10 day of July, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
July 10, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Craig Renfro, Kristen Minth, John McCutcheon and Matthew Nielsen. Connie Jackson was not in attendance.

Additionally, the following staff members were present: Robert LaCroix, Ryan Miller, David Gonzales and JoDee Sanford.

1. Approval of Minutes for June 12, 2012 Planning and Zoning Commission meeting.

Commissioner Buchanan made a motion to approve the minutes for June 12, 2012, as amended.

Commissioner Renfro seconded the motion.

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

2. Approval of Minutes for June 26, 2012 Planning and Zoning Commission meeting.

Commissioner Minth made a motion to approve the minutes for June 26, 2012.

Commissioner Nielsen seconded the motion.

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

II. PUBLIC HEARINGS

3. Z2012-009

Hold a public hearing and consider a request by Michael H. Philippus for approval of a Specific Use Permit (SUP) to allow for an accessory building not meeting the exterior materials requirements, on his property known as Lot 10, Block A, Lofland Farms Phase I Addition and located at 2490 Daybreak Drive, City of Rockwall, Texas, being approximately 0.21-acre zoned (PD-45) Planned Development No. 45 district, and take any action necessary.

Miller stated that the applicant, Michael H. Philippus, is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing an accessory building that will utilize western red cedar siding in lieu of matching the materials used on the exterior cladding of the primary structure. The proposed accessory building will be 12.5 feet in total height, and have a building footprint of ten (10') feet by 14 feet, or 140 square feet. The applicant is proposing to situate the accessory building in the rear yard behind a six (6') foot wood fence, 30 feet north of the primary structure, 25 feet from the side (western) property line, 25 feet from the rear (northern) property line, and six (6') feet from the fence adjacent to the driveway on the eastern property line. The exterior of the structure will be covered in western red cedar v-groove channel siding, and will have a pitched roof that will be finished in the same asphalt shingle that was used on the primary structure. The applicant has stated that the structure will be stained to match an existing pergola and deck that were constructed in the rear yard in 2011.

According to Section 2.1.2(4) of Article IV, Permissible Uses, of the Unified Development Code residential accessory buildings are permitted by right in a Single Family 8.4 (SF-8.4) District provided that they do not exceed a maximum square footage of 225 square feet in area and 15 feet in total height. Additionally, structures that exceed 120 square feet are required to generally meet the same proportions of the materials used on the exterior cladding of the primary structure. In this case, the proposed accessory building is in conformance with the size and height requirements for accessory structures; however, the materials being proposed for the exterior of the accessory building are not contained in the exterior of the primary structure, and in accordance with Section 2.1.2(6) of Article IV the applicant is requesting a Specific Use Permit.

Staff does acknowledge that while the applicant's request does not meet the material requirements stipulated by Section 2.1.2(4) of Article IV, Permissible Uses, of the Unified Development Code, that the proposed accessory building will not be visible from the front of the subject property (adjacent to Daybreak Drive) due to its position behind the primary structure. Additionally, the rear yard of the subject property is adjacent to SH-276, and has limited visibility from this thoroughfare. The majority of this visibility is impaired by existing landscaping adjacent to the right-of-way, a wrought iron fence with brick columns, and a six (6') foot wood fence bordering the rear yard adjacent to the alley running along the back of the subject property. Staff would also like to note that the visibility of the structure from SH-276 will not be greater than the visibility of existing accessory structures that were constructed to a similar size and height, and that the material variation should not be noticeable below the structures roofline.

In accordance with state law a notice of public hearing was posted in the Rockwall County News on June 29, 2012. Additionally, property owner notifications were mailed out to all properties within a 200 foot radius of the subject property. Out of the thirteen (13) properties sent notifications staff has not received any returned responses in support or opposition to the applicant's request.

If the Planning & Zoning Commission and City Council choose to approve the applicant's request for a Specific Use Permit staff recommends the following conditions:

- 1) The accessory building must conform to the approved site plan and building elevations depicted in Exhibits 'A' & 'B'.
- 2) Prior to enlarging or altering the accessory building the applicant will be required to amend the Specific Use Permit and apply for a building permit to confirm compliance to all applicable codes.
- 3) Prior to the construction of the accessory building the applicant will need to apply for a Building Permit from the Building Inspections Division,
- 4) Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Commissioner Buchanan asked if accessory buildings on other properties in the neighborhood match the primary structure. Miller responded that the other properties do have siding that matches the trim color on the primary structure.

Commissioner Minth asked if this neighborhood has an HOA that had approved the building. La Croix stated that the City cannot enforce HOA requirements.

Chairman Herbst opened the public hearing at 6:08 p.m.

Michael Philippus
2490 Daybreak Drive
Rockwall, Texas

2 Mr. Philippus stated the HOA has approved the structure. He generally described the structure
and the color.

4 Lorris Castle
6 2540 Wagon Wheel
Rockwall, Texas

8 Mr. Castle stated that he is former board member of the HOA and author of the guidelines for the
10 HOA. He is asking that the request not be approved. His concern is with cedar being a soft wood
that requires maintenance. He stated that a future owner of the property may not maintain the
12 structure. He clarified that he is not representing the HOA.

14 There being no one wishing to come forth and speak, Chairman Herbst closed the public hearing
at 6:12 p.m.

16 Commissioner Renfro clarified that the Commission is approving the SUP, but is not considering
18 any HOA restrictions. La Croix confirmed that is the case.

20 Commissioner Minth asked about the affect that this may have on the neighborhood.

22 Commissioner Renfro asked if others in the neighborhood have an SUP for a building of this type.
LaCroix stated that he does not believe there are any other SUPs within the neighborhood for this
24 use.

26 Commissioner Nielsen asked if staff has taken into consideration the longevity of the materials.
La Croix stated that staff does not necessarily take that into consideration.

28 Commissioner Buchanan stated that the building will probably not affect the neighborhood.

30 Commissioner Minth stated that she is concerned with the maintenance of the material.

32 Commissioner Nielsen stated that he agrees and is additionally concerned that by approving, they
34 are setting a precedent.

36 Chairman Herbst stated that the building is only two feet over what is allowed without an SUP and
he doesn't have an issue with the building.

38 Commissioner McCutcheon clarified that if the building was reduced by two feet that the building
40 materials are not restricted.

42 Mr. Philippus stated that this is a fancy building with quality materials. It is more expensive than
any other shed in the neighborhood. It is a precut shed that is a standard size, so he doesn't
44 know that he would be able to cut down the size of the building.

46 Commissioner Minth made a motion to deny Z2012-009, a request by Michael H. Philippus for
approval of a Specific Use Permit (SUP) to allow for an accessory building not meeting the
48 exterior materials requirements, on his property known as Lot 10, Block A, Lofland Farms Phase I
Addition and located at 2490 Daybreak Drive, City of Rockwall, Texas, being approximately 0.21-
50 acre zoned (PD-45) Planned Development No. 45 district, with staff recommendations.

52 Commissioner Nielsen seconded the motion.

54 A vote was taken and the motion failed 2-4, with Buchanan, Renfro, Herbst, and McCutcheon
voting against.

Commissioner Renfro made a motion to approve Z2012-009, a request by Michael H. Philippus for approval of a Specific Use Permit (SUP) to allow for an accessory building not meeting the exterior materials requirements, on his property known as Lot 10, Block A, Lofland Farms Phase I Addition and located at 2490 Daybreak Drive, City of Rockwall, Texas, being approximately 0.21-acre zoned (PD-45) Planned Development No. 45 district, with staff recommendations.

Commissioner McCutcheon seconded the motion.

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

4. Z2012-010

Hold a public hearing and consider a request by Karri Shojaei-Scott of Marigold Learning Academy for approval of a Specific Use Permit (SUP) to allow for a "Day care" within (PD-50) Planned Development No. 50 district, specifically within the existing building located on Lot 1, Block 1, Black's Collectibles Addition, being 0.37-acre located at 502 North Goliad, City of Rockwall, Texas, and take any action necessary.

Miller stated that the subject property, located at 502 N. Goliad Street, is a 0.37 acre tract of land with an existing 1,493 square foot residential home that was constructed in 1958. Until recently, the owner of the property, Shirley Black, was operating a retail shop in conformance with Specific Use Permit No. 22 (S-22), which permits Antique/Collectable Sales with Limited Outside Display. The applicant, Karri Shojaei-Scott, is requesting the approval of a Specific Use Permit (SUP) for the purpose of establishing a day care facility on the site. According to Ordinance No. 07-29, land uses for properties located within Planned Development District 50 (PD-50) are required to conform to the Residential Office (RO) District. The Permissible Use Charts located in Article IV of the Unified Development Code (UDC) allows for the establishment of a day care facility in an RO District through the approval of an SUP by the Planning & Zoning Commission and City Council. If approved the day care facility will be the only active use on the subject property, however S-22 and the allowances listed in Ordinance No. 05-26 & 07-01 will still allow Antique/Collectable Sales with Limited Outside Display as a permitted use for this site.

According to the operational plan provided by the applicant the Marigold Learning Academy will be a private, for-profit day care facility that will specialize in providing a stimulating learning environment for children ages 2½ through seven (7) that have been diagnosed with an autism spectrum disorder (i.e. Aspergers Syndrome, Autism, Pervasive Development Disorders [PDD] or Autism Spectrum Disorders [ASD]). The facility will employ five (5) teachers/support staff and have a maximum capacity of 29 students. This will allow a student to teacher ratio no greater than seven (7) students to one (1) teacher. While the facility will have a maximum capacity of 29 students, the applicant has stated that an estimated 20% of the total enrollment will be comprised of home school students that will only attend the facility three (3) days a week. The facility will be state licensed and subject to all federal, state and local laws pertaining to child care facilities.

The subject property is adjacent to SH-205 and is accessible by a concrete drive approach adjacent to the southern property line. This access point leads to a 20 foot cross access easement and parking area that permits traffic circulation through the site and allows for additional access at the rear of the subject property from the parcel of land located to the southeast (Bin 303), adjacent to Olive Street. The SUP case approved in 2005 (Ordinance No. 05-26) allowed the owner of the subject property to utilize asphalt paving for the cross access easement and parking areas in lieu of concrete paving. According to Table 3, Parking Requirements Schedule, of Article VI of the UDC, a day care facility w/ more than seven (7) students is required to provide one (1) parking space per every 300 square feet of building area, and a drive with a minimum ability to cue four (4) cars to meet the loading requirements. Staff has calculated that the applicant will be able to provide a maximum of seven (7) parking spaces at the rear of the subject property, and is recommending that the applicant re-strip the parking areas to reflect conformance to this calculation (see attached exhibit). Currently, the site plan provided by the applicant indicates the provision of five (5) parking spaces situated at the rear of the site. It is

staff's opinion that there is a sufficient amount of space outside of the 20 foot cross access easement, adjacent to the parking area at the rear of the subject property, to allow for a cue of four (4) cars to meet the loading requirements (see attached exhibit). As a stipulation of the operational ordinance staff is requiring that no parking, including standing or stopping, be allowed within the 20 foot cross access easement. This requirement is to prevent traffic congestion during pick-up and drop-off times, and reduce the potential of any backup along or adjacent to SH-205. The operational plan also states that while the facility is open from 7:00 a.m. to 5:00 p.m., instructional time will only be from 8:00 a.m. to 3:00 p.m. Student drop-offs will take place between 7:00 a.m. to 8:00 a.m. and pick-ups will occur between 3:00 p.m. and 4:30 p.m. The proposed pick-up and drop-off times should not cause a traffic conflict with the restaurant located to the southeast of the subject property (and sharing the cross access easement between SH-205 and Olive Street) due to the staggered operational hours of the two businesses. The restaurant is currently open Tuesday through Sunday 11:00 a.m. to 2:00 p.m. for lunches and 5:00 p.m. to 9:30 p.m. for dinners. The operational plan goes on to state that both drop-off and pick-up times will involve staff meeting parents and students at the vehicle and escorting the students inside the building in order to facilitate a quicker loading and unloading process.

With respect to landscaping the subject property is considered to be conforming to the requirements of PD-50 and the UDC. Both the parking and loading areas are screened from public right-of-way along SH-205 and from the adjacent residential properties to the north and south of the subject property. The applicant has stated that prior to opening the facility it is their intent to remove the chain link fence adjacent to the northern property line and to enclose the proposed play areas with a four (4') foot wrought iron fence. The proposed fence will aesthetically match the fence used at the rear of the subject property to enclose the drainage areas adjacent to the cross access easement. It is staff's opinion that the proposed fence would be a substantial asset to the property in terms of providing safety for children in the proposed play areas.

The applicant has not indicated to staff the need to request any appeals, and it is staff's opinion that the applicant's request is in compliance with the intent of PD-50 and the requirements of the UDC. Furthermore, staff does not anticipate that the approval of the proposed SUP will create any negative impacts on adjacent or surrounding properties or the district as a whole.

In accordance with state law a notice of public hearing was posted in the Rockwall County News on June 29, 2012. Additionally, property owner notifications were mailed out to all properties within a 200 foot radius of the subject property. Out of the twenty four (24) properties to be notified staff has received one (1) response in support of the case. Staff has not received any opposition to the applicant's request.

Since the applicant has not identified any appeals, and the request is in full compliance with all applicable requirements stipulated by Planned Development District 50 (PD-50) and the Unified Development Code (UDC), staff recommends approval of the applicant's request with the following conditions:

- 1) The following permitted use definition will be applicable to the operation of this site. This definition will also be included in the operational ordinance.

Day Care Facility: A facility enrolling seven (7) or more children where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed or approved to operate as a child care facility in accordance with Rockwall's Municipal Code of Ordinances.

- 2) That the Site Plan depicted in Exhibit 'A' shall control the development of the Child Care Facility.
- 3) All areas designated for outside play shall be located at the rear or side yards of the subject property. No outside play areas shall be permitted in the front yard of the subject property.

- 4) The facility is not permitted to exceed an enrollment of 29 children or exceed the children to caregiver ratios as stipulated by the Texas Administrative Code.
- 5) No parking, standing or stopping will be permitted in the 20 foot cross access easement. This will include the act of picking-up and dropping-off of children.
- 6) Parking along, adjacent to or in the right-of-way of SH-205 shall be prohibited. Parking in front of the building for any reason shall also be prohibited.
- 7) Signage for the site shall conform to the Old Historic Rockwall Historic District Guidelines detailed in Exhibit 'B' of Ordinance No. 02-46 (PD-50) and the North Goliad Corridor Overlay (NGCOV) District.
- 8) The City Council reserves the right to review this Specific Use Permit request [Case No. Z2012-010] one year after the approval and adoption of the attached draft ordinance, and
- 9) Any construction or building necessary to complete this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Chairman Herbst asked if the stacking lanes will be marked in someway. Miller stated that we have recommended that, but did not make it a condition of approval.

Commissioner Nielsen asked if the drop off and pick up times have been revised since the work session. Miller stated that the applicant has adjusted these times.

Commissioner Nielsen asked if there is a fence at the back of the property. He stated that he is concerned that there is not enough space to realistically fit 7 parking spaces.

Commissioner Renfro additionally inquired about the size of the parking spaces. Miller stated that the parking spaces indicated are standard size spaces.

Commissioner Buchanan asked for staff to indicate where the cross access easement is located.

Commissioner Minth clarified the number of employees and parking spaces.

Chairman Herbst opened the public hearing at 6:39 p.m.

Karri Shojaei-Scott
Tracy Wilson
410 Hickory Lane
Rockwall, Texas

Mrs. Shojaei-Scott stated that they did some additional research after the previous meeting and made some changes to their work plan based on the questions and this research.

Chairman Herbst asked if they will indicate or mark the lanes for drop-off and pick-up. Mrs. Shojaei-Scott stated that that will be part of the orientation for parents.

Commissioner Buchanan asked if they estimated how many cars might come through at any given time to drop off or pick up. Mrs. Shojaei-Scott stated that she would estimate three cars at a maximum.

Commissioner Nielsen asked approximately how many students may come between 7:30 – 8 AM. Mrs. Shojaei-Scott answered that about 40% of the students will come at that time according to their estimates.

Commissioner Renfro stated his concern with parents being in a rush to drop off their child and becoming frustrated with traffic and cars stacking.

2 Barbara Criswell
4 604 N. Goliad
Rockwall, Texas

6 Mrs. Criswell is concerned with the amount of traffic on Goliad. She is also concerned with the
8 noise that the children might create.

10 Commissioner Minth asked if she has trouble making a right turn out of her driveway onto Goliad
12 in the morning. Mrs. Criswell stated that it is difficult to make either a right or left turn in the
morning hours.

14 Chairman Herbst asked if the connection of John King to I-30 would take any traffic off of Goliad.
LaCroix responded that John King was intended to reduce the traffic on Goliad.

16 Shirley Black
18 5510 Canada Court
Rockwall, Texas

20 Mrs. Black owns this location. She bought the property in 2005. She stated that RO zoning is not
22 supposed to connect to GR zoning. She stated that she has plenty of parking. She stated that the
easement is not a public easement. She wants the easement closed.

24 Commissioner Minth asked if Mrs. Black would like to easement closed. Mrs. Black stated that
26 she does want it closed.

28 General discussion regarding the easement took place.

30 Mrs. Shojaei-Scott stated that Ms. Black is concerned with parking spaces being used by the
restaurant rather than the flow of traffic during drop-off and pick-up times.

32 Commissioner Nielsen clarified the flow of traffic.

34 Commissioner Minth stated that parents will need to be directed on which way drop-off and pick-
36 up and the flow of traffic. In addition, she clarified to the applicants that if the easement is
blocked in the future, the SUP will be reevaluated.

38 LaCroix discussed the history of these properties and the zoning that is in place. In addition, he
40 discussed the easement and future connections and parking.

42 Commissioner Nielsen asked if any other properties in the area have a use that provides for traffic
44 to increase by 20-30 vehicles within a 20 minute period of time. LaCroix responded that there is a
substantial hair salon in the area that is very busy throughout the day. There is also another day
care center in the area.

46 There being no one wishing to come forth and speak, Chairman Herbst closed the public hearing
48 at 7:35 p.m.

50 Commissioner Minth asked if they could dictate, as a condition of the SUP, that traffic flows in a
directional manner. LaCroix stated that the commission can make that a condition.

52 Commissioner Nielsen stated that he thinks this school is a wonderful idea and is needed in the
54 community. His concern is that it this property does not work for this type of use in terms of
traffic.

Commissioner Buchanan made a motion to approve Z2012-010, a request by Karri Shojaei-Scott of Marigold Learning Academy for approval of a Specific Use Permit (SUP) to allow for a "Day care" within (PD-50) Planned Development No. 50 district, specifically within the existing building located on Lot 1, Block 1, Black's Collectibles Addition, being 0.37-acre located at 502 North Goliad, City of Rockwall, Texas, with staff recommendations.

Commissioner Renfro seconded the motion.

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

The Commission took a short recess at 7:39 PM.

The Commission reconvened at 7:51 PM.

5. Z2012-011

Hold a public hearing and consider a request by Edward J. Rubush Jr. on behalf of First United Methodist Church – Rockwall for approval of a Specific Use Permit (SUP) to allow for "Urban Agriculture – Community Garden," being approximately one-half acre of land zoned (C) Commercial, and located on Lot 5, Block 1, First United Methodist Church Addition, specifically at 1200 E. Yellow Jacket Lane, City of Rockwall, Texas, and take any action necessary.

Gonzales stated that the applicant Edward J. Rubush, representing First United Methodist Church of Rockwall, has submitted an application for an SUP to allow for a "community garden" to be established on their property located at 1200 E. Yellowjacket Lane. The "community garden" will occupy approximately one-half acre of their vacant property, which is located directly behind the church. The intent of the garden will be to grow produce that will be donated to the Helping Hands food bank. The remaining portion of the produce will be available by donation to the congregation and will not be for sale to the general public. Donations received from the congregation will fund the continued operation of the garden. The garden will be encompassed by a 3-ft welded wire fence, with posts and a gate for security and access. All garden tools, fertilizers and chemicals will be stored at the church location.

As you may recall, the Unified Development Code was amended in September 2011 (Ord. 11-39) to allow for Urban Agriculture with certain conditions and is defined as "...an industry located within or on the fringe of a town, a city or metro-area, which grows and raises, processes and distributes a diversity of food and non-food products, using largely human and natural resources, products and services found in and around the urban area, and in turn supplying human and material resources, products and services largely to the urban area.

A community garden under these standards is allowed by right in the Agricultural district and requires an SUP in all other districts. Under Permissible Use Standards of the Unified Development Code, Sec. 2.1.3.1 Rural and Animal-Related, the code reads as follows:

1. Community garden. "Community garden" means a use in which an area of land is managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separated garden plots for cultivation by one or more individuals, or may be farmed collectively by members of the group. A community garden may include common areas (e.g., hand tool storage sheds) maintained and used by the group.
 - A. Community gardens are permitted in the Agricultural District by right; however, a specific use permit shall be required for any onsite retail sales.
 - B. Community gardens are permitted in all other zoning districts by specific use permit only and are subject to the additional following conditions:
 - 1) The community garden must comply with the lot and building standards for its zoning district.

- 2) Any structure(s) for a community garden shall be reviewed as part of the SUP, including size, building materials and intended use.
- 3) All chemicals and fuels shall be stored in an enclosed, locked structure when the site is unattended.
- 4) Sales and donation of only whole, uncut, fresh food and/or horticultural products grown in the community garden may occur on-site on otherwise vacant property, but may not occur on residentially zoned property that is developed or occupied for residential use.
 - a. Retail sales and all other public use of the community garden shall begin no earlier than 7:00 a.m. and must end by 7:00 p.m. everyday of the week.
- 5) One temporary sign advertising only food or horticultural products grown on-site may be displayed during sales. The sign must be on-site, non-illuminated, and must not exceed six square feet in area or three feet in height.
- 6) Management plan. The applicant shall provide a proposed community garden management plan that addresses any probable impacts to the subject property or surrounding properties and which includes any proposed mitigation measures. The plan shall include, without limitation:
 - a. A site plan;
 - b. Description of the type of equipment necessary on intended for use in each season and the frequency and duration of anticipated use;
 - c. Disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for;
 - d. Disclosure of whether the operation of the community garden would involve land-disturbing activity that would otherwise require drainage approval as per the City of Rockwall Engineering Design Standards.

Mr. Rubush has submitted with the application a letter requesting the SUP, a site plan indicating the location of the community garden, a proposed planting plan summary, and a management plan as required by the code for your consideration.

Staff feels the proposed use is in keeping with the recently adopted standards for the urban agriculture's community garden and would recommend approval of the request. The applicant, along with the First United Methodist Church, appear to have a plan that will result in minimal disturbance to the existing property and offer a unique experience for its congregation, while providing necessary food for the Helping Hands food bank.

Staff has posted a sign on the subject property and published a notice in the newspaper as required by law. Also, eleven notices were mailed to the property owners located within 200-ft of the subject property. At the time of this report, staff has not received any notice for or against the request. In addition, information on the proposed SUP has been posted on the City's website.

Staff recommends approval of the SUP subject to the following conditions:

1. The community garden shall comply with the definitions and standards of the "Urban Agriculture – Community Garden" as set forth in Article IV Permissible Uses of the Unified Development Code.
2. The community garden shall be limited to one-half acre and comply with the site plan attached hereto as Exhibit "A." Any expansion of the area beyond one-half acre shall require an amendment to the SUP.
3. Retail sales of the produce from the garden shall be prohibited.
4. The SUP shall allow for a 3-ft high welded wire fence, with appropriate posts and gate for access and security. Any additional structures shall require an amendment to the SUP, and may require compliance with other development-related ordinances of the City of Rockwall.
5. Adherence to all engineering and fire department standards.

Commissioner Minth stated that churches may have carnivals from time to time. She asked if the church would be able to sell items from the garden during such events. Gonzales stated that they would have to allow that as part of the SUP.

General discussion took place regarding retail sales during church events.

Chairman Herbst opened the public hearing at 8:06 p.m.

Jerry Rubush
1613 Northhills Drive
Rockwall, Texas

Mr. Rubush stated that this concept falls under the Missions Committee. They are going to provide 50% of the food to Helping Hands. They rest will be offered to the congregation on a donation basis to keep the program going. He does not foresee this program going to a retail sales operation.

Commissioner Minth further expressed her concern for donations being considered a sale. LaCroix suggested that the condition prohibiting retail sales be removed.

There being no one wishing to come forth and speak, Chairman Herbst closed the public hearing at 8:10 p.m.

Commissioner Minth made a motion to approve Z2012-011, a request by Edward J. Rubush Jr. on behalf of First United Methodist Church – Rockwall for approval of a Specific Use Permit (SUP) to allow for “Urban Agriculture – Community Garden,” being approximately one-half acre of land zoned (C) Commercial, and located on Lot 5, Block 1, First United Methodist Church Addition, specifically at 1200 E. Yellow Jacket Lane, City of Rockwall, Texas, with staff recommendations with the exception of prohibiting retail sales.

Commissioner Buchanan seconded the motion.

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

III. SITE PLANS/PLATS

6. P2012-017

Discuss and consider a request by Daniel Dewey of JBI Partners for approval of a final plat of Caruth Lakes Phase 8A Addition, being 63 single family lots on 22.654-acres tract zoned (PD-5) Planned Development No. 5 district and located south of E. Quail Run Road and west of John King Boulevard, City of Rockwall, Texas, and take any action necessary.

Gonzales stated that the final plat for Caruth Lakes Ph 8A indicates 63 single family residential lots on 22.654-acres and is zoned (PD-5) Planned Development No. 5. The development features fifty-two (52) lots meeting the minimum standards for the SF-8.4 district, while twelve (12) lots are less than 8400 sq-ft and greater than 8229 sq-ft, meeting the standards for the SF-7 residential district. When complete, Phase 8 will account for the majority of lots that meet the minimum standards of the SF-8.4 residential district.

As you may recall, the preliminary plat for this development had lapsed and was subsequently reinstated in October 2011. However, at the time of reinstatement and due to the requirements established in the SH205 By-Pass Corridor Overlay District in 2005, the preliminary plat removed the 20-ft alley in Block S to incorporate a larger 25-ft screening buffer along John King Blvd. As a note, this “shift” and “realignment” of the alley for Block S reduced the lot frontage for two (2) irregular shaped lots with eyebrow frontages by approximately 2-ft each. The preliminary plat was

approved with the two lots not meeting the frontage standards, and the approximate 2-ft reduction will create frontages for these lots of less than 50-ft. In staff's opinion, this 2-ft shift and realignment should not have an effect during the building phase for the lots. Also, the 25-ft landscape buffer will include the 6-ft tubular steel fence and landscape concept, with a minimum 8-ft trail that ties-in with the existing 8-ft trail along John King Blvd established in Phase 6.

Phase 8A represents the continuation of several sub-phases that will complete Phase 7 and Phase 8 of the Caruth Lakes Subdivision. Based on the general lot configuration, the final plat conforms to the approved preliminary plat and meets the minimum requirements of the PD-5 district that governs the development.

The treescape plan for Phase 8A indicates a fence lined with a series of Bois d'arks, Locust, and Hackberry trees for the site. As a note, the Unified Development Code does not recognize Bois d'ark or Locust as a protected tree. However, Hackberry trees that are 11 inches dbh or larger, are considered a protected tree and replaced at 50% of the caliper inches being removed. The treescape plan for Phase 8A has two Hackberry trees totaling 25 inches to be removed and mitigated for, while the remainder of the trees in this fence line is not considered protected.

In 2003, the treescape plan submitted for the Caruth Lakes Addition (Phases 6, 7, & 8) requires 2 - 3 inch caliper trees for each lot and 12 - 3 inch caliper trees for the recreation center as their mitigation requirements. Also, as a final plat is submitted during each additional phase, staff will review these requirements for conformance.

The Parks Board met on July 3, 2012 and recommended approval of the final plat. Caruth Lakes Ph 8A is included with Park District #9 and has satisfied the Park Land dedication with the Caruth Lakes Addition. However, the pro-rata equipment fees associated with the development must be collected at the time of final plat approval.

Staff recommends approval of the request with the following conditions:

1. Adherence to Engineering and Fire Department standards.
2. Adherence to Parks Board and Parks Department requirements. Payment of pro-rata equipment fees is due at final plat approval.
3. Provide Vol & Pg or Doc No. for 15-ft water easement and 30-ft access easement.
4. "Clearlake Circle" is an existing street within Rockwall County. Please provide a new street name.
5. Provide correct spelling for "Chesapeak Drive."
6. Tie 2 corners to City monumentation.
7. Minimum 8-ft trail shall be provided along John King Blvd that ties into the existing 8-ft trail constructed in Phase 6 and to be constructed in Phase 7.
8. Provide a final treescape plan.

Commissioner Minth clarified the number of trees per lot. Gonzales responded that it is 2 trees per lot.

Commissioner Renfro made a motion to approve P2012-017, a request by Daniel Dewey of JBI Partners for approval of a final plat of Caruth Lakes Phase 8A Addition, being 63 single family lots on 22.654-acres tract zoned (PD-5) Planned Development No. 5 district and located south of E. Quail Run Road and west of John King Boulevard, City of Rockwall, Texas, with staff recommendations.

Commissioner McCutcheon seconded the motion.

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

7. P2012-018

Discuss and consider a request by Bobby Samuel of Stone Creek 80/100s POD, Ltd/Skorburg Company for approval of a final plat of Stone Creek Phase III, being 50 single-family lots on 28.004-acres zoned (PD-70) Planned Development No. 70 and situated northwest of Featherstone Drive and east of Barlass Drive, City of Rockwall, Texas, and take any action necessary.

La Croix stated that the final plat for Stone Creek Phase III shows 50 single family residential lots on 28.004-acres. This portion of the development features lots with a minimum size of 20,000-sf/100-ft wide and 10,000-sf/80-ft wide at the front building line. A master plat, preliminary plat, and PD Site Plan were approved by the City in 2007, along with the final plat for Phase I (2007) and Phases II-A and II-B were approved last year (2011). A variance to the alley requirements for the entire PD was approved by City Council in April 2007.

The right-of-ways for Amherst and Harvard Drives are being dedicated with this plat and will be constructed as part of the Phase III infrastructure.

The final plat conforms to the approved preliminary plat and meets the minimum requirements of the PD-70 District that governs the development, subject to the conditions staff has included with its recommendation.

With this phase being primarily "interior" to the subdivision and not inclusive of any extension of key roadways for the development, a landscape plan has not been submitted. A landscape plan was approved and installed for Phase 1 which included landscaping for the entry ways, buffers, Featherstone Drive and the amenity center.

In addition, there is a drainage way/floodplain with existing trees located within Phase III. The trees located within Phase III are primarily Elm, Ash and Hackberry. As part of Phase III the applicant is saving a 38" American Elm and is working with the Engineering Department to attempt to save a 21" American Elm. A large portion of the 445.5 inches of protect trees proposed to be removed are a result of the required street and drainage infrastructure. The majority of the trees located in the proposed open space (Lot 9, Block B), are shown to be preserved. A minimum of two, 3-inch trees for each lot will continue to be required as homes are developed. As Phases I, IIA, IIB, and III develop the applicant will have a tree mitigation credit of approximately 1,600-inches

Staff Recommends approval of the request with the following conditions:

1. Approval of engineering plans.
2. Adherence to all fire department requirements.
3. Tie 2 corners to city monumentation system.
4. Correct all corner (side) yards to a 15' setback.
5. Provide a lot and block number along with the note "to be maintained by HOA" for the open space located between Amherst and Miramar.
6. Adherence to Parks Board and Parks Department recommendations, including payment of pro-rata equipment fees.
 - a. Pro-rata equipment fees at \$441 per lot for a total of \$22,050.

Commissioner Minth asked about the walking paths to connect the neighborhood to the retail area. La Croix stated that those are part of a different phase.

Commissioner Buchanan made a motion to approve P2012-018, a request by Bobby Samuel of Stone Creek 80/100s POD, Ltd/Skorburg Company for approval of a final plat of Stone Creek Phase III, being 50 single-family lots on 28.004-acres zoned (PD-70) Planned Development No. 70 and situated northwest of Featherstone Drive and east of Barlass Drive, City of Rockwall, Texas, with staff recommendations.

Commissioner Minth seconded the motion.

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

4 *(Commissioner Nielsen recused himself from the discussion of the next two items.)*

6 8. P2012-019

8 Discuss and consider a request by LaRae Tucker of Harrison French & Associates for
10 approval of a preliminary plat of J. McIntyre Addition, J.M. Allen Survey, Abstract No. 2,
12 City of Rockwall, Texas, being a 1.008 acre tract zoned (PD-10) Planned Development
District No. 10 and within the (205 BY-OV) 205 By-Pass Corridor Overlay district and the
(SH 276 OV) SH276 Corridor Overlay district, and situated at the northeast corner of
John King Boulevard and State Highway 276, and take any action necessary.

14 *(This item was discussed concurrently with the following item.)*

16 La Croix stated that the subject request is a preliminary plat for a 1-lot, 1.008-acre commercial
18 development to be known as the J. McIntyre Addition. The development has frontage on John
King Blvd. to the west and SH 276 to the south. The subject site is zoned (PD-10) Planned
20 Development District No. 10 with an underlying zoning of (C) Commercial. Last month the
Planning and Zoning Commission and the City Council approved an amendment to (PD-10)
22 Planned Development District No. 10, specific to the subject site so as to allow convenience store
with gasoline sales and a maximum of six (6) dispensers and twelve (12) pumps. A site plan for
the subject site is running con-currently with the preliminary plat.

24 Access issues, traffic improvements and right-of-way:

26 Access & Driveways

28 The preliminary plat proposes two (2) mutual access drives to service the site. One drive will
provide access from John King Blvd. and the other drive will provide access from the proposed
SH 276. Both proposed drives will provide access to the subject site and adjoining properties.

30 Right-of-Way

32 A total of 5-feet of right-of-way dedication is required and being dedicated for SH 276. No
34 additional right-of-way is required for John King Blvd.

36 Other Engineering Issues

38 The preliminary plat illustrates how water and sewer service will be provided. Other engineering
and fire department issues such as detailed utility line locations, firelane and fire hydrant
40 dimensions and locations, and so on will be addressed with submittal of full engineering plans
and the final plat for the lot as it develops.

42 The applicant is proposing to remove a total of 178" of protected trees, all of which are Hackberry
and Cedar for a mitigation total of 89". With the constraints of the Atmos Gas easement along SH
276 and the other plantings already proposed for the site the applicant has submitted an
44 alternative landscape mitigation calculation that takes into account the extra plantings being
installed by the applicant in the median of John King Blvd.

46 The applicant's proposed mitigation formula and calculation is as follows:

48 Ground Cover:	450 @ 0.1cal/in = 45.0in/cal
Ornamental Grass:	332 @ 0.1cal/in = 33.2in/cal
50 Perennials:	68 @ 0.1cal/in = 6.8in/cal
Shrubs:	204 @ 0.1cal/in = 20.4in/cal

52 Total Estimated Mitigation credit: = 105.4in/ca

54 Staff recommends approval subject to the following conditions:

- 56 1. Adherence to all Engineering and Fire Department standards and regulations.

2. Provide letter from Blackland allowing the installation of improvements in their 10' utility easement.

Chairman Herbst clarified the location of the monument sign.

Commissioner Buchanan clarified the landscaping of the median.

Richardo Doi
361 Spring Meadow Drive
Texas

Mr. Doi indicated that they agree with the conditions from staff.

Commissioner Minth made a motion to approve P2012-019, a request by LaRae Tucker of Harrison French & Associates for approval of a preliminary plat of J. McIntyre Addition, J.M. Allen Survey, Abstract No. 2, City of Rockwall, Texas, being a 1.008 acre tract zoned (PD-10) Planned Development District No. 10 and within the (205 BY-OV) 205 By-Pass Corridor Overlay district and the (SH 276 OV) SH276 Corridor Overlay district, and situated at the northeast corner of John King Boulevard and State Highway 276, with staff recommendations.

Commissioner Renfro seconded the motion.

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

9. SP2012-012

Discuss and consider a request by LaRae Tucker of Harrison French & Associates for approval of a site plan for a 7-Eleven retail store with gasoline product sales, located on a 1.008 acre tract described as J. McIntyre Addition, J.M. Allen Survey, Abstract No. 2, City of Rockwall, Texas, and zoned (PD-10) Planned Development District No. 10 and within the (205 BY-OV) 205 By-Pass Corridor Overlay district and the (SH 276 OV) SH276 Corridor Overlay district, specifically situated at the northeast corner of John King Boulevard and State Highway 276, and take any action necessary.

La Croix stated that the site plan submitted by the applicant is for a 7-Eleven retail store with gasoline sales. Last month the Planning and Zoning Commission and the City Council approved an amendment to (PD-10) Planned Development District No. 10, specific to the subject site so as to allow convenience store with gasoline sales and a maximum of six (6) dispensers and twelve (12) pumps. Included in the amending PD ordinance are a conceptual site plan, a conceptual landscape plan, conceptual building elevations and enhancements to the John King Overlay.

The site plan indicates a 3,010-sf, six (6) pump convenience store, requiring fifteen (15) parking spaces at a ratio of one (1) parking space for every 250 sq. ft. The applicant is meeting city requirements by proposing to install sixteen (16) parking spaces. The site will be accessed via one (1) proposed mutual access drive from John King Boulevard and one (1) mutual access drive from SH 276.

The applicant is proposing to install six (6) large canopy trees and eight (8) accent trees in the landscape buffer along John King Boulevard in an effort to comply with the SH 205 By-Pass Overlay district. A combination of shrubs, roses and grasses are also being proposed within the landscape buffer along John King Boulevard. As required by the SH 205 BY-Pass & SH 276 Overlay districts the applicant is installing three (3) large canopy trees and four (4) accent trees along the north side (rear facade) of the building. In addition to the proposed trees the applicant is proposing to install six (6) Wax Myrtles adjacent to the dumpster screen.

One of the restraints with this particular site is the 50' Atmos easement that crosses John King, enters the site and runs parallel with SH 276. Within this easement, Atmos allows only limited

landscaping, primarily in the form of shrubs and grass. As part of the PD Amendment, the Planning and Zoning Commission and the City Council approved a waiver to the SH 276 Overlay landscape requirements. The applicant is proposing and has received permission from Atmos to plant various shrubs along SH 276.

As currently submitted the remaining portion of the landscape plan meets all the requirements of the Unified Development Code.

All exterior lighting shall be a maximum of 20' in height (including the base), shall be directed downward with a maximum 1" reveal and all canopy lighting recessed into the canopy. At the time of this report the applicant was unable to provide staff with a revised copy of the photometric plan. At the P&Z work session staff provided the following comments to the applicant regarding the photometric plan:

- Light levels under the canopy are limited to a maximum 35-fc.
- Outside the canopy the maximum allowable light level is 20-fc.
- Along John King please revise the photometric plan to a maximum of 0.2-fc at the property line.

The applicant will have a revised photometric plan for the Commission's review at the Public Hearing on Tuesday.

During the PD amendment process the applicant, staff, the Architectural Review Board and the Planning and Zoning Commission worked very closely and a conceptual set of elevations for both the building and gas canopy were developed, approved and included as part of the PD ordinance. The elevations submitted by the applicant appear to comply with the elevations included in the PD Ordinance.

The proposed building is an 18' high single-story building, with one 24' high tower, constructed primarily of Natural Limestone veneer and brick, with EIFS accents. The building elevations include a clearstory above the display windows, display windows recessed into the tower element, recession of display windows along John King, and metal awnings on the SH 276 and John King facades.

As part of the project the applicant is proposing a 21' high gas canopy, with columns constructed of Natural Limestone veneer and brick. The gas canopy also includes the EIFS parapet wall detailing found on the primary building.

JOHN KING BLVD. DESIGN GUIDELINE ENHANCEMENTS

In conjunction with the PD amendment request, the applicant has submitted enhancement details for the subject site in an effort to comply with the John King Blvd. Design Guidelines located in the Comprehensive Plan. These enhancements include:

- Placement of a Flagstone Circle with a Limestone seating wall along John King
- The construction of a 10' trail (sidewalk) along John King
- The planting of low level landscaping within the median of John King

On June 26, 2012, the Architectural Review Board recommended approval of the site plan.

Staff recommends approval of the site plan subject to the following conditions:

1. Adherence to all Engineering and Fire Department Standards.
2. A revised photometric plan be submitted with the following corrections and approved by the P&Z:
 - a. Light levels under the canopy are limited to a maximum 35-fc.
 - b. Outside the canopy the maximum allowable light level is 20-fc.
 - c. Along John King a maximum of 0.2-fc at the property line.
3. Dumpster screen wall details to be provided to the Planning Department in conjunction with the building permit application.

a. Dumpster detail to include a self-latching mechanism on dumpster gates.

Commissioner Minth made a motion to approve SP2012-012, a request by LaRae Tucker of Harrison French & Associates for approval of a site plan for a 7-Eleven retail store with gasoline product sales, located on a 1.008 acre tract described as J. McIntyre Addition, J.M. Allen Survey, Abstract No. 2, City of Rockwall, Texas, and zoned (PD-10) Planned Development District No. 10 and within the (205 BY-OV) 205 By-Pass Corridor Overlay district and the (SH 276 OV) SH276 Corridor Overlay district, specifically situated at the northeast corner of John King Boulevard and State Highway 276, with staff recommendations and the additional condition that the monument sign be constructed with the same materials as the primary structure.

Commissioner Buchanan seconded the motion.

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


IV. ADJOURNMENT

The meeting adjourned at 8:28 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 14th day of AUGUST, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
July 31, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon and Matthew Nielsen.

Additionally, the following staff members were present: Robert LaCroix, Ryan Miller, David Gonzales and JoDee Sanford.

II. ACTION ITEMS

1. MIS2012-008

Discuss and consider a request by Our Savior Lutheran Church for approval to remove a 48" pecan tree (feature tree) in conjunction with new construction to the existing church facility at the property located at 3003 Horizon Road, Rockwall, Texas and take any action necessary.

Gonzales stated that Paul Pihlstrom, representing Our Savior Lutheran Church, is requesting removal of a 48" pecan tree that is currently situated between the "Main Building" and "Parrish Hall." An administrative site plan was approved in January of this year for the expansion of the Our Savior Lutheran Church and is currently under construction. However, during the site plan process, no trees were mitigated for and the 48" pecan was to be saved due to its status as a feature tree. The new addition will connect with the Main Building and Parrish Hall and will create a courtyard where the 48" pecan tree is located. The church is concerned with falling debris from the large tree that may be trapped and clog the drains, causing possible flooding of the building. Also cited as a concern with falling debris is the safety of the children playing in the court yard area.

The 48" pecan is considered a feature tree and is protected. Feature trees may not be removed without approval of the Planning and Zoning Commission. However, should the request be granted, replacement trees should be from the approved tree list provided in the Unified Development Code. Also, since this is a protected feature tree with a DBH greater than 30", the tree shall be mitigated for twice the inches being removed, for a total of 96". However, the site does have 57" inches of credits that will be applied towards mitigation. This will result in a total of 39" inches to be replaced. The applicant has submitted a letter indicating 13 – 3 inch replacement trees, which will be placed on site, primarily along the live screening wall adjacent to the residential area.

Based on concerns for the potential of flooding due to clogged drains from falling debris, and safety concerns for the children, staff considers the request to have merit. However, staff feels this to be a judgment call for the Planning and Zoning Commission due to the size of the feature tree.

Should the request be approved, Staff would recommend the following conditions.

1. That the 13 – 3 inch replacement trees provided be from the approved tree list in the Unified Development Code and be placed on site.
2. Provide landscape plan indicating placement of mitigation trees.

2 Commissioner McCutcheon asked for clarification on the type of drainage system that may be
 2 clogged by the tree.

4 Paul Pihlstrom
 125 Lemley Drive
 6 Heath, Texas

8 Mr. Philstrom stated that the new plan required box drains. They now have an upper and lower
 building and they are trying to protect the lower building. Doors from the new building go out into
 10 the courtyard and small children will be using this area as their confined play area. The church
 will be installing some playground equipment.

12 Commissioner McCutcheon asked if an arborist has evaluated the tree. Mr. Philstrom stated that
 14 they have had it evaluated and pruned; however, the tree continues to be an issue.

16 Chairman Herbst asked if the arborist believes the tree is in decline. Mr. Philstrom stated that is
 correct.

18 Commissioner Renfro asked if the tree is a problem or if the church is trying to create greater
 20 space for a play area. Mr. Philstrom stated that the tree is a problem in terms of drainage and
 safety.

22 Commissioner Minth made a motion to approve MIS2012-008, a request by Our Savior Lutheran
 24 Church for approval to remove a 48" pecan tree (feature tree) in conjunction with new
 construction to the existing church facility at the property located at 3003 Horizon Road,
 26 Rockwall, Texas, with staff recommendations.

28 Commissioner Jackson seconded the motion.

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

32 2. P2012-024
 34 Discuss and consider a request by Chris Cuny with FC Cuny Corporation, for approval of
 a replat of Lot 1, Block C, Rockwall Technology Park, being approximately 2.109 acres of
 36 land and described as Nolan Power Building, Lot 1, Block C, Rockwall Technology Park,
 City of Rockwall, Texas, zoned (LI) Light Industrial district and generally located at the
 38 northwest corner of Observation Trail and Technology Way, and take any action
 necessary.

40 Gonzales stated that the applicant, Chris Cuny of FC Cuny Corporation, is requesting an approval
 for a replat of Lot 1, Block C of the Rockwall Technology Park. The subject site is a 2.109 acre
 42 tract of land and is zoned Light Industrial District and is also known as the Nolan Power Building.

44 An administrative site plan was approved in April 2012 and will accommodate a 20,000 sq-ft
 office/warehouse development for this site. Also, the site will have two (2) points of access along
 46 Technology Trail and one (1) on Observation Trail. The purpose of the replat is to add fire lane,
 utility, street and sidewalk easements. The plat conforms to the minimum standards established
 48 for the (LI) Light Industrial District.

50 Staff recommends approval of the request with the following conditions:

52 1. Adherence to Engineering and Fire Department standards.
 54 2. Remove the label "by this plat" on all easement where indicated.
 3. Remove "EX." on all existing easements were indicated.
 4. Notary not necessary if sealed by Surveyor. Remove notary if applicable.
 56 5. Remove the word "Amended" from the statement "the purpose of the," in the title block
 and on page 2 within the owners certificate.

6. Correct title block to read "Replat of Lot 1, Block C Rockwall Technology Park being known as Nolan Power Building, Being a 2.109 Acre...."

Commissioner Renfro made a motion to approve P2012-024, a request by Chris Cuny with FC Cuny Corporation, for approval of a replat of Lot 1, Block C, Rockwall Technology Park, being approximately 2.109 acres of land and described as Nolan Power Building, Lot 1, Block C, Rockwall Technology Park, City of Rockwall, Texas, zoned (LI) Light Industrial district and generally located at the northwest corner of Observation Trail and Technology Way, with staff recommendations.

Commissioner Jackson seconded the motion.

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

III. DISCUSSION ITEMS

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

Mr. Staggs discussed case SP2012-014. He stated that this is a nice looking building. The ARB asked them to look at matching the color of the louvers on the A/C units below the windows to the brick on the building, the material used for the shutters, the iron fence, and asked them to consider a natural stone in lieu of cultured stone.

The second item reviewed was SP2012-016. He stated that they liked the clean architectural lines. The ARB asked the applicant to reconsider the color of the roof.

The last item considered was SP2012-015 and the ARB had no issues with the building as submitted.

4. P2012-022
Discuss and consider a request by Bobby Samuels for approval of a master plat including an open space master plan for Breezy Hill Addition, out of the J. Strickland Survey, Abstract No. 187 and T.R. Bailey Survey, Abstract No. 30, City of Rockwall, Texas, being 405.223 acres of land, zoned (PD-74) Planned Development No. 74 district and generally situated along the east and west sides of John King Boulevard, north of FM 552.

Chairman Herbst stated that this item was withdrawn from the agenda.

5. P2012-023
Discuss and consider a request by Bobby Samuels for approval of a preliminary plat for Breezy Hill Phase I, out of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Texas, being 21.76 acres of land, zoned (PD-74) Planned Development No. 74 district and generally situated along the east side of John King Boulevard, north of FM 552.

Chairman Herbst stated that this item was withdrawn from the agenda.

6. SP2012-014
Discuss and consider a request by Steven Homeyer with Homeyer Engineering, Inc. for approval of a site plan for Signature Senior Living, Assisted Living and Memory Care, being approximately 5.77 acres of land and described as Lot 1, Block A, Flagstone Corners, City of Rockwall, Texas, zoned (PD-54) Planned Development No. 54 district and generally situated on south side Ralph Hall Parkway east of Mims Road.

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

Commissioner Nielsen asked where the screening trees would be planted. Gonzales stated that some would be planted in the southeast corner of the property within the detention area.

2 Commissioner Jackson asked where the 36" Hackberry tree is located. Gonzales described the
4 location of the tree.

6 Steve Homeyer
6 Hoyemer Engineering, Inc.

8 Mr. Homeyer stated that no swimming pools are planned for this property.

10 Commissioner Nielsen asked if natural stone is feasible. Mr. Homeyer stated that there are some
12 concerns in terms of the weight of the stone as well as the changing the architectural design.

14 Commissioner Nielsen asked if the applicant would consider mitigation of the Hackberry tree as if
it was a feature tree. Mr. Homeyer replied that they would consider that proposal.

16 7. SP2012-015
18 Discuss and consider a request by Mark Pross with Pross Design Group, Inc. for approval
20 of a site plan for American National Bank, being approximately 0.93 acres of land and
22 described as Lot 1, Block 1, Independent Community Financial Corporation zoned (PD-1)
Planned Development No. 1 district and generally situated on the east side of Ridge Road
(FM 740) south of Summit Ridge Drive, specifically located at 1305 Ridge Road, City of
Rockwall, Texas.

24 Gonzales discussed the case and the location of the property.

26 Chairman Herbst asked for the width of the drive. LaCroix stated that the drive is fairly wide.
28 Chairman Herbst asked if the same drive would remain. Gonzales stated that the drive is 39 feet
wide. LaCroix stated that in some cases escape lanes are used.

30 Mark Pross
32 Pross Design Group
32 5310 Harvest Hill Road, Suite 180
34 Dallas, Texas

36 Mr. Pross stated that the site drops off on the east side. Widening the drive for an escape lane
may cause problems in terms of additional grading.

38 8. SP2012-016
40 Discuss and consider a request by Brent Murphee with Dowdey, Anderson & Associates,
42 Inc. for approval of a site plan for Emerus Emergency Hospital, being approximately 4.194
acres of land and described as Lots 1 & 2, Block B, Ellis Centre, City of Rockwall, Texas,
zoned (C) Commercial district, and generally situated on the north side of IH-30 at the
corner of Townsend Drive and Alpha Drive.

44 Miller reviewed the case and discussed the location of the property.

46 Brent Murphee
48 Dowdey, Anderson & Associates
50 5225 Village Creek Drive
Plano, Texas

52 Mr. Murphee stated that a representative from Emerus will attend the next meeting and give a
54 presentation.

56 Chairman Herbst asked if patients would be kept until they are stabilized and moved to another
facility. Mr. Murphee confirmed that to be the case.

58 Dr. Gary Bonacquisti

1114 Cambridge Court
Rockwall, Texas

Dr. Bonacquisti stated that he is the Medical Director at Presbyterian Hospital of Rockwall as well as the County Health Authority in Rockwall. Dr. Bonacquisti asked if patients would be transferred from this facility to another Baylor facility. He additionally asked if this facility will be billing under Baylor's non-profit organization.

Mr. Murphee stated that he unable to answer either of those questions as he is the project engineer.

9. SP2012-017

Discuss and consider a request by Tom Jones with Binkley and Barfield, for approval of a site plan for Lakes Regional Mental Health Mental Retardation Center, being approximately 3.00 acres of land and described as a portion of a 16.558 acre tract out of Abstract 0020, N. Butler, Tract 4-01, City of Rockwall, Texas, zoned (C) Commercial and generally situated on north side of Airport Road east of Industrial Boulevard.

Gonzales presented this case concurrently with the following case (P2012-025). He discussed the cases and described the location of the property.

Tom Jones
Binkley and Barfield
1801 Gateway
Richardson, Texas

Mr. Jones stated that their architect has been working with staff to meet the requirements for the zoning district.

LaCroix stated that there is an FAA requirement to submit an elevation formula and staff will discuss this with the applicant, but doesn't foresee any issues.

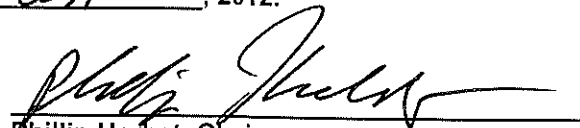
10. P2012-025

Discuss and consider a request by Tom Jones with Binkley and Barfield, for approval of a preliminary plat for Columbia Park Addition, being approximately 7.878 acres of land and described as a portion of a 16.558 acre tract out of Abstract 0020, N. Butler, Tract 4-01, City of Rockwall, Texas, zoned (C) Commercial and generally situated on north side of Airport Road east of Industrial Boulevard.

IV. ADJOURNMENT

The meeting adjourned at 6:54 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 14th day of AUGUST, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
August 14, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, and John McCutcheon. Matthew Nielsen was not in attendance.

Additionally, the following staff members were present: Robert LaCroix, Ryan Miller, David Gonzales and JoDee Sanford.

Chairman Herbst announced that Item #5 has been tabled at the request of the applicant.

1. Approval of Minutes for July 10, 2012 Planning and Zoning Commission meeting.

Commissioner Minth made a motion to approve the minutes for July 10, 2012.

Commissioner Renfro seconded the motion.

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

2. Approval of Minutes for July 31, 2012 Planning and Zoning Commission meeting.

Commissioner Renfro made a motion to approve the minutes for July 31, 2012.

Commissioner Jackson seconded the motion.

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

II. SITE PLANS/PLATS

3. SP2012-014

Discuss and consider a request by Steven Homeyer with Homeyer Engineering, Inc. for approval of a site plan for Signature Senior Living, Assisted Living and Memory Care, being approximately 5.77 acres of land and described as Lot 1, Block A, Flagstone Corners, City of Rockwall, Texas, zoned (PD-54) Planned Development No. 54 district and generally situated on south side Ralph Hall Parkway east of Mims Road.

Gonzales stated that the applicant is seeking approval of a site plan for a proposed Signature Senior Living and Memory Care facility that will be located on a 5.77-acre tract of land along Ralph Hall Pkwy, is east of Mims Rd and adjacent to the Rockwall Medical Center. The property is zoned (PD-54) Planned Development No. 54 with an underlying zoning of (C) Commercial district.

The proposed site will contain a 57,708-sf structure; will be accessed from two points of entry along Ralph Hall Pkwy and one from Flagstone Creek Blvd. The facility will have seventy-four (74) units overall with seventy-nine (79) beds available for their clients. The facilities parking ratio is based on the standards for a hospital, which is one space for each bed or as determined by the Director of Planning. The applicant is providing seventy-six (76) parking spaces overall and based on the uses classification; the applicants proposed parking count is considered sufficient for this development. The structure is very well articulated (horizontally) as indicated in the buildings footprint and meets or exceeds the minimum requirements for articulation.

The applicant has submitted a landscape plan indicating a total of 26.3% landscaping coverage for the site and will exceed the 15% minimum coverage for a commercial development. The site will include an assortment of canopy trees, accent trees, shrubs, and ground cover. Also, the applicant is proposing eighteen (18) large canopy trees spaced at 30-ft within the landscape buffer strip along Ralph Hall Pkwy (meeting the PD-54 requirements) and eight (8) canopy trees spaced at 50-ft within the landscape buffer along Flagstone Creek Blvd. The landscape plan as submitted meets or exceeds the minimum requirements established in the Unified Development Code.

A treescape plan has been submitted indicating a total of 299 inches plus one 24 inch Pecan which is considered a feature tree for a total of 323 inches to remain on site. The total inches to be removed from the site are 103 inches, of which are Hackberry trees in general. There is one Hackberry tree with a DBH of 36 inches and is considered a feature tree. Feature trees may not be removed without approval of the Planning and Zoning Commission. The applicant has indicated a total of 69.5 inches of mitigation required and will be providing 72 inches towards mitigation. This will result in an additional 24 trees to be placed on site.

Based on the lighting plan submitted, the site appears to meet the standards established in PD-54, as well as the (UDC) Unified Development Code. Also, PD-54 requires light poles not to exceed 20-ft in height (including the base) and that all light sources are to be full cut-off with a maximum one inch reveal and directed down to control glare and spillover lighting. Lighting at the property lines are not to exceed 0.2-FC. The UDC also requires lighting to be contained on site at a maximum intensity of 20-FC, with the exception for canopy lighting not to exceed 35-FC. The photometric plan as submitted meets or exceeds the standards established in the Unified Development Code.

The proposed building will be comprised of a cultured stone veneer, brick with soldier course banding wrapping around the building, and a composition roof with standing seam metal roof accents (roof, awnings and dormers). The structure incorporates several articulated features with tower and chimney elements, varied gabled roof heights, dormers, and faux shutters and awnings as window treatments. The overall height of the structure will be 35 feet, which does not exceed the height restrictions established in PD-54.

After meeting with the applicants on July 31, 2012, the (ARB) Architectural Review Board recommended the applicant provide a natural stone rather than cultured stone for the building. Also, the ARB recommended removal of the one set of shutters that are located on the east elevation (elevation No. 2) to provide a balance for this particular side. Based on the weight differential, the applicant stated the natural stone would be too heavy for the tower and chimney elements and would have to redesign the structure to support the stone. However, PD-54 does not require a natural or quarried stone for the structure; rather it requires natural materials such as stone, cast stone and brick at a minimum of 20% for each façade. The structure, as submitted, meets the minimum standards established for PD-54.

Staff recommends approval of the request with the following conditions:

Adherence to Engineering and Fire Department Standards.

Site Plan:

1. Re-label fire lane as "24 ft Fire lane and Access Easement."
2. A/C units to be visually screened from street rights of way and adjacent properties. Can use landscaping or screening walls matching materials on primary structure. (2 units at center entrance)

Landscape/Treescape Plan:

As per plan provided.

Elevations:

As per plan provided.

Photometric Plan:

1. PD-54 requires that all light poles, pole base or combination thereof shall not exceed 20-ft in height. All light fixtures are to be directed down and shielded. Light source not to exceed .02 ft candles at the property line. Provide detail.

Miscellaneous Details:

1. Signage requires separate permit from the building inspections department.
2. Provide self latching gate for dumpster enclosure. Provide detail.

Commissioner Buchanan asked if staff is recommending that the hackberry tree be removed. Gonzales stated that staff is recommending the 36" hackberry be removed. Commissioner Buchanan additionally inquired if staff is agreeable to all cultured stone on the building. Gonzales stated that cultured stone meets the requirements.

Commissioner Jackson asked what the hackberry creates as far as mitigation. Gonzales stated that it is not a feature tree. Commissioner Jackson asked if the plan reflected the total required mitigation. Gonzales responded that it does.

Steve Homeyer
Homeyer Engineering

Mr. Homeyer stated that they are the civil engineer on this project and would answer any questions from the commission.

Commissioner Jackson made a motion to approve SP2012-014, a request by Steven Homeyer with Homeyer Engineering, Inc. for approval of a site plan for Signature Senior Living, Assisted Living and Memory Care, being approximately 5.77 acres of land and described as Lot 1, Block A, Flagstone Corners, City of Rockwall, Texas, zoned (PD-54) Planned Development No. 54 district and generally situated on south side Ralph Hall Parkway east of Mims Road, with staff recommendations.

Commissioner Renfro seconded the motion.

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

4. SP2012-015
Discuss and consider a request by Mark Pross with Pross Design Group, Inc. for approval of a site plan for American National Bank, being approximately 0.93 acres of land and described as Lot 1, Block 1, Independent Community Financial Corporation zoned (PD-1) Planned Development No. 1 district and located within the (SOV) Scenic Overlay District, and generally situated on the east side of Ridge Road (FM 740) south of Summit Ridge Drive, specifically located at 1305 Ridge Road, City of Rockwall, Texas.

Gonzales stated that the applicant is seeking approval of a site plan for a proposed drive-through ATM that will be located on a 0.93-acre tract of land (formerly known as American National Bank) on the east side of Ridge Rd, is situated north of the Rockwall Commons addition and is zoned (PD-1) Planned Development No. 1.

The proposed site will contain a new covered drive-through ATM structure that will provide service for one vehicle and will accommodate the 6 car stacking requirement. The site will be accessed from one point of entry along Ridge Rd.

The applicant has submitted a landscape plan indicating a total of 81.5% landscaping coverage exceeding the 15% minimum coverage for a commercial development. The site will also include 2 additional canopy trees (Lacebark Elms) in the landscape buffer with Dwarf Wax Myrtles and Indian Hawthorne shrubbery as well.

The applicant is proposing to remove a 10" Live Oak that is considered a feature tree and is protected. Feature trees may not be removed without approval of the Planning and Zoning Commission. However, the applicant is proposing four (4) three (3) inch Bur Oak trees for a total of twelve (12) inches as mitigation. The trees will be located on the east side of the property, along the drive-through.

2 The lighting plan submitted indicates under canopy lighting for the drive-through facility with no
pole lighting for the site. The Unified Development Code requires all light sources to be contained
4 on site at a maximum intensity of 20-FC, with the exception for canopy lighting not to exceed 35-
FC. Also, all light sources are to be full cut-off with a maximum one inch reveal and directed
6 down to control glare and spillover lighting. Based on the lighting plan submitted, the site
appears to meet the standards established in the Unified Development Code.

8 The proposed drive-through site will be comprised of natural stone veneer and brick columns with
a standing seam metal roof element and stucco accents on each elevation for placement of wall
10 signage. The structure meets and/or exceeds the 20% natural stone requirement for the Scenic
Overlay district on each elevation. The overall height of the ATM structure will be 16 feet.

12 On July 31, 2012, the (ARB) Architectural Review Board recommended approval of the elevations.

14 Staff recommends approval of the request with the following conditions:

- 16 1. Adherence to Engineering and Fire Department standards.
- 18 2. Signage requires submittal and approval of a separate permit through the Building
Inspections Department.

20 Chairman Herbst clarified the location of the air conditioning unit. Gonzales responded that the
unit would not be seen. Chairman Herbst additionally stated that he had asked the applicant to
22 consider an escape lane.

24 Commissioner Renfro stated that he would like the applicant to address issues with having an
escape lane.

26 Mark Pross
28 Pross Design Group

30 Mr. Pross stated that the problem with an escape lane is the grading on the site. Mr. Pross stated
that they would like to keep the design without the escape lane.

32 Chairman Herbst asked if they could increase the size of the lane on the front side. Mr. Pross
34 responded that they don't see it being an issue that needs to be addressed.

36 Commissioner Minth stated that the concrete is already in place, so the grading should already be
resolved. Mr. Pross explained that the area would be regraded with the new drive.

38 Chairman Herbst asked if an escape lane would be feasible at this location. LaCroix stated that an
40 escape lane is not a requirement.

42 Commissioner Minth stated that she is questioning taking down more trees and making changes
to the site, but not including an escape lane. Mr. Pross stated that the bank is in negotiation with
44 another property owner to use the same access drive. He additionally stated that grading is an
issue on the site.

46 Commissioner Jackson made a motion to approve SP2012-015, a request by Mark Pross with
Pross Design Group, Inc. for approval of a site plan for American National Bank, being
48 approximately 0.93 acres of land and described as Lot 1, Block 1, Independent Community
Financial Corporation zoned (PD-1) Planned Development No. 1 district and located within the
50 (SOV) Scenic Overlay District, and generally situated on the east side of Ridge Road (FM 740)
south of Summit Ridge Drive, specifically located at 1305 Ridge Road, City of Rockwall, Texas,
52 with staff recommendations.

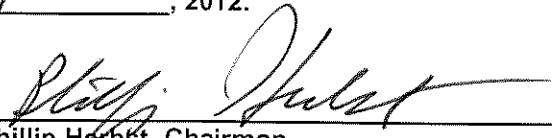
54 Commissioner Minth seconded the motion.

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

III. ADJOURNMENT

The meeting adjourned at 6:25 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 11 day of SEPT, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
August 28, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:02 p.m. with the following members present: Barry Buchanan, Connie Jackson, and Craig Renfro. Matthew Nielsen arrived at 6:10 p.m. Kristen Minth and John McCutcheon were not present.

Additionally, the following staff members were present: Robert LaCroix, Ryan Miller, David Gonzales and JoDee Sanford.

II. DISCUSSION ITEMS

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

LaCroix explained there were no cases for ARB to review this month.

2. Z2012-012

Hold a public hearing to discuss and consider a city initiated request to amend the Unified Development Code of the City of Rockwall to incorporate proposed changes to Article II, Authority and Administrative Procedures, Section 12, Historic Preservation Advisory Board, And Section 15, Historic Preservation Officer, and Article V, District Development Standards, Section 6.2, Historic Overlay (HO) District, as recommended by the State Coordinator of the Certified Local Government Program, a division of the Texas Historical Commission, and take any action necessary.

Gonzales briefly discussed the case and the process in becoming a "Certified Local Government."

Commissioner Buchanan asked about enforcement. LaCroix stated that it would go before the municipal court as a zoning code violation.

3. Z2012-013

Hold a public hearing to discuss and consider a request by Bobby Samuel (representing Breezy Hill 405, LTD) for the approval of a zoning change to amend Planned Development District 74 (PD-74) on property identified as Tracts 7 & 7-1 of the J. Strickland Survey, Abstract No. 187 containing 405.184 acres of land and being zoned Planned Development District 74 (PD-74), generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

Miller discussed the case and the changes to the PD that are being requested.

Commissioner Jackson asked where the neighborhood children will go to school. LaCroix stated that he has met with school district representatives and they are making plans for school sites near this area.

Commissioner Renfro asked which building phase the developers are in for this neighborhood. LaCroix explained that it typically takes at least 5-6 years for complete build out. They are just finishing the first phase and this development has about 5 phases.

Commissioner Buchanan asked if the rural streets with bar ditches would exist throughout the subdivision. Miller stated that these would only exist on the estate lots.

Commissioner Nielsen asked if the elimination of sidewalks is throughout the entire subdivision. Miller stated that the subdivision has a trail system and that some streets will still have sidewalks.

Commissioner Nielsen asked if other subdivisions exist in Rockwall that contain several different neighborhood concepts. LaCroix stated that this will be the first neighborhood like this in Rockwall. Staff has looked at similar subdivisions in other cities.

Chairman Herbst inquired about the change in the number of detention ponds. Miller explained that staff is still working through these details with the applicant.

Adam Buchek with Skoburg Company
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

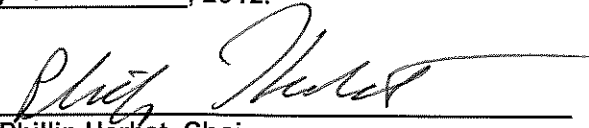
Mr. Buchek stated that they purchased the property in April 2007. They intended to develop the neighborhood immediately, but were put on hold due to the market. The purpose now is to finalize the details of the planned development, so that they may move forward with the development at this time. Mr. Buchek described the neighborhood concept.

Commissioner Nielsen asked for an example of a neighborhood with a similar mix of traditional and rural concepts. Mr. Buchek stated that he will bring pictures of neighborhoods with this mix of concepts to the next meeting. Commissioner Nielsen asked for clarification on the density of the neighborhood. LaCroix discussed the history of the development.

III. ADJOURNMENT

The meeting adjourned at 6:42 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 11 day of SEPT, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
September 11, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Kristen Minth, John McCutcheon, and Matthew Nielsen. Craig Renfro was not in attendance.

Additionally, the following staff members were present: Robert LaCroix, Ryan Miller, David Gonzales and JoDee Sanford.

1. Approval of Minutes for August 14, 2012 Planning and Zoning Commission meeting.

Commissioner Jackson made a motion to approve the minutes for August 14, 2012.

Commissioner Buchanan seconded the motion.

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

2. Approval of Minutes for August 28, 2012 Planning and Zoning Commission meeting.

Commissioner Jackson made a motion to approve the minutes for August 28, 2012.

Commissioner Buchanan seconded the motion.

A vote was taken and the motion passed 4-0, with Minth and McCutcheon abstaining.

II. PUBLIC HEARINGS

3. Z2012-012

Hold a public hearing to discuss and consider a city initiated request to amend the Unified Development Code of the City of Rockwall to incorporate proposed changes to Article II, Authority and Administrative Procedures, Section 12, Historic Preservation Advisory Board, And Section 15, Historic Preservation Officer, and Article V, District Development Standards, Section 6.2, Historic Overlay (HO) District, as recommended by the State Coordinator of the Certified Local Government Program, a division of the Texas Historical Commission, and take any action necessary.

Gonzales stated that the Texas Historic Commission defines the CLG program as a local, state and federal government partnership for historic preservation. It is designed to help cities and counties develop high standards of preservation to protect a wide range of important historic properties. Grants provided for CLG communities are to assist local governments in documenting and promoting the preservation of historic and archaeological sites.

Last year, at the direction of the City Council and the Historic Preservation Advisory Board, staff began to work on the application process for becoming a Certified Local Government (CLG) through the Texas Historical Commission (THC). After reviewing the City of Rockwall's initial CLG application the THC Program Coordinator, Matt Synatschk, identified a few key elements missing from the City's historic preservation ordinance that the state requires prior to becoming a CLG. The missing elements are centered within four areas:

- Historic Preservation Advisory Board Duties (HPAB)
- Historic Preservation Officer, City Staff, Duties (HPO)

- Minimum Maintenance Standards
- Demolition by Neglect

The proposed additions to the duties of both the HPAB and the HPO appear to be minor in nature. While the proposed additions to the Minimum Maintenance Standards and Demolition by Neglect sections of the City's preservation ordinance appear to also be minor in nature there was an initial concern from staff regarding the potential duplication and conflict with the Property Maintenance Code. With this in mind staff conducted a review of the proposed changes to the preservation ordinance against the existing Property Maintenance Code.

On August 16, 2012, the Historic Preservation Advisory Board recommended amending the Unified Development Code to incorporate the changes proposed.

Commissioner Nielsen asked Mr. LaCroix to clarify the Commission's role in reviewing this item.

Commissioner McCutcheon inquired to the possibility of the Historic Board conflicting with Planning & Zoning Commission. LaCroix stated that they should not conflict, but rather the Historic Board would focus on preservation.

Commissioner Minth stated that she agrees with the preservation aspect of this board.

Chairman Herbst opened the public hearing at 6:15 p.m.

There being no one wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:15 p.m.

Commissioner Minth made a motion to approve Z2012-012, a request to amend the Unified Development Code of the City of Rockwall to incorporate proposed changes to Article II, Authority and Administrative Procedures, Section 12, Historic Preservation Advisory Board, And Section 15, Historic Preservation Officer, and Article V, District Development Standards, Section 6.2, Historic Overlay (HO) District, as recommended by the State Coordinator of the Certified Local Government Program, a division of the Texas Historical Commission, with staff recommendations.

Commissioner Jackson seconded the motion.

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

4. Z2012-013

Hold a public hearing to discuss and consider a request by Bobby Samuel (representing Breezy Hill 405, LTD) for the approval of a zoning change to amend Planned Development District 74 (PD-74) on property identified as Tracts 7 & 7-1 of the J. Strickland Survey, Abstract No. 187 containing 405.184 acres of land and being zoned Planned Development District 74 (PD-74), generally located north of FM-552 and west of Breezy Hill Road, and take any action necessary.

Miller stated On October 4, 2004, the City Council denied a Preliminary Plat application for the subject property that proposed to establish 1,519 single family lots. The findings by the City Council sited an inability for the applicant to provide sufficient information establishing that an adequate water and sewer system could be provided to the proposed subdivision. This decision was challenged by the plaintiff, and after three (3) years of litigation, was ultimately ruled on by the Texas Supreme Court. The outcome of this dispute led to a Chapter 212 Development Agreement that was drafted in 2007 between the then owners of the subject property (Estate of W. W. Caruth Jr.), the prospective buyer/owner (Breezy Hill 405, LTD), and the City of Rockwall. The Chapter 212 Development Agreement was executed concurrently with the approval of Ordinance No. 07-13, which established Planned Development District 70 (PD-70) and the Stone Creek Subdivision on April 2, 2007.

On February 4, 2008 the subject property was annexed into the City of Rockwall by Ordinance No. 08-12. On approval of the annexation ordinance the property was designated as an Agricultural (Ag) District. This zoning designation was changed to Planned Development District 74 (PD-74) for a master planned residential community with tracts of land designated for public schools, retail/office development, and a public park and open space area with a trail system by Ordinance No. 09-19, which was approved under Zoning Case No. Z2009-013 on April 20, 2009. This ordinance contained the arranged Chapter 212 Development Agreement drafted in 2007 with modifications to the proposed land uses to allow for the incorporation of a 59-acre tract of retail/office uses located at the northeast corner of the intersection of John King Boulevard and FM-552 that was originally designated as residential on the Concept Plan. Since the original Concept Plan was approved in 2009, the Rockwall Independent School District (RISD) has elected not to utilize the school locations depicted along the eastern and western frontages of John King Boulevard as shown on the original Concept Plan; favoring sites located south of FM-552 instead.

The original Concept Plan approved with Planned Development District 74 (PD-74) indicated access into the residential subdivision from three (3) access roads located off John King Boulevard and five (5) access roads located off Breezy Hill Road. The 59-acre tract of land dedicated for general retail uses (located south of the proposed residential subdivision) was to be accessed from one (1) point of entry fronting on FM-552, and was specifically prohibited direct vehicular access from Breezy Hill Road by the development standards in the Planned Development Ordinance. The revised Concept Plan has reoriented the residential subdivision towards John King Boulevard and eliminated all access points along Breezy Hill Road. The proposed plan indicates that the subdivision will be accessible by eight (8) access drives evenly spaced along John King Boulevard. The Planned Development Ordinance shall be changed so that the general retail tract of land will have the option of obtaining access off of any of the three (3) adjacent frontages (i.e. John King Boulevard, FM-552 and/or Breezy Hill Road). As part of the reorientation of the residential subdivision the applicant has requested amending the Capital Facilities Agreement to reduce the developers' responsibility for the construction of Breezy Hill Road. The current Capital Facilities Agreement requires the developer to improve Breezy Hill Road to a minimum 24-foot concrete rural street section in conjunction with the phases of the proposed development plan. As a compensatory measure the applicant has requested that the ordinance be changed to require the developer to construct the full 28-foot concrete rural street section of Breezy Hill Road adjacent to the retail tract of land. The applicant will continue to be responsible for all right-of-way dedication, the ten (10) foot landscape buffer adjacent to the residential properties, and the 50-foot landscape buffer adjacent to the general retail tract of land along Breezy Hill Road.

The original single family residential lot mix approved in the development standards section of the Planned Development Ordinance indicated five (5) lot types (Types 'B', 'C', 'D', 'E' & 'F') with minimum lot sizes ranging from 60' x 120' (or 7,200 sq. ft.) to 100' x 200' (or 20,000 sq. ft.). The development as depicted on the Concept Plan showed 658 single family lots with the minimum average lot size of 10,000 sq. ft. In addition to the 658 single family lots, a 59-acre tract of land was dedicated for general retail land uses that will be located directly south of the residential subdivision. Also depicted on the original concept plan were two future school sites located along the eastern and western frontages of John King Boulevard.

Additionally, the revised Concept Plan indicates four (4) lot types (Types 'A', 'B', 'C' & 'D') with the range in minimum lot sizes remaining at 60' x 120' (or 7,200 sq. ft.) to 100' x 200' (or 20,000 sq. ft.). As part of this zoning amendment the applicant has requested to remove Lot Type 'C' from the original lot mix, which was a 70' x 100' (or 7,200 Sq. Ft.) lot type that required rear access through an alleyway. In the revised lot mix the 86 homes in the previously identified Lot Type 'C' will be merged with the revised Lot Type 'B'. This lot type also has a typical lot size of 70' x 100', but requires a larger minimum lot square footage (8,400 Sq. Ft.). Staff would also like to note that the new lot mix increases the number of larger 100' x 200' estate style lots from 76 to 98, which represents a 3.2% increase over the previous lot mix.

The proposed development as depicted on the revised Concept Plan shows a total of 691 single family lots with the minimum average lot size remaining at 10,000 sq. ft. The additional 33 single

family lots, added in replacement of the school sites, brings the gross residential density to 1.99 units/acre, which is in compliance with the Chapter 212 Development Agreement drafted in 2007 (requires a maximum of 2.0 units/acre).

The development standards approved with the original Planned Development Ordinance indicated the typical cross section for all interior streets is a 28-foot paved street composed of 50-feet of right-of-way, utilizing laydown curbs, and incorporating five (5) foot sidewalks set two (2) feet from the edge of the right-of-way. The revised development standards continue to use this street section as the typical pavement cross section in all phases for Lot Types 'A', 'B' & 'C'. The one exception is Lot Type 'D'. The applicant has requested to utilize a rural cross section adjacent to these lots that will have 50-feet of right-of-way composed of 28-feet of pavement leading into an eleven (11) foot bar ditch/drainage area (with a 3:1 [2%] minimum slope) followed by a 7½ foot utility easement adjacent to the right-of-way. Per the applicant, the purpose of this request is to incorporate a street design that is more rural in nature and is intended to give the neighborhood a unique and bucolic aesthetic. To compliment the rural street section staff has requested that the front yard building setbacks for lots adjacent to this street type be increased from 35-feet to 40-feet. Increasing the front yard building setback will also facilitate proper drainage on the residential lots located in these areas.

As with the original Concept Plan, the revised plan shows that the creek/drainage basin that transects the subject property will be preserved as open space. After the zoning is approved the Master Plat and Open Space Plan will establish the locations of the trail system and parkland dedication. As part of the original development standards approved with the Planned Development Ordinance the applicant was to dedicate ten (10) acres of parkland to the city for the purpose of establishing a public park. Since 2009, the Parks Department has increased the dedication requirement to eleven (11) acres to add parking areas adjacent to the parklands. The revised development standards in the Concept Plan have been updated to read eleven (11) acres to address the amendments to the Parkland Dedication Ordinance that were in adopted in 2009. Additionally, the revised development standards include the same requirements for supplementary open space elements and corridors as the original ordinance, including the provision for a centrally located private amenity center meant to serve the single family residential subdivision. The revised Concept Plan shows the provision of 83.3 acres of net open space (89.9 acres of gross open space), which exceeds the 20% minimum open space required by the Planned Development Ordinance. Per the requirements of this ordinance floodplains are only calculated at 50% credit for open space.

The development standards listed in the original Planned Development Ordinance state that the developer shall provide a minimum of two (2) retention ponds with hard edges and fountain features. The applicant has requested that the new development standards reduce this requirement to one (1) retention pond. The purpose of this request is related to the limited feasibility of permitting and constructing retention ponds. This is due to the strict water right requirements imposed on retention ponds and the permitting time (estimated at one year) imposed by the Texas Commission on Environmental Quality (TCEQ). Currently, the site has one existing pond that could be improved, and would be capable of detaining above the existing water level without retaining additional runoff. The development will still be required to meet the detention requirements imposed by state and local laws for a project of this size.

As with the original concept plan, the proposed concept plan depicts the single family residential lots adjacent to John King Boulevard being oriented so that the rear yard faces on to the thoroughfare, and in accordance with the requirements of the John King Boulevard Overlay District a 50-foot landscape buffer has been provided in between the proposed residential lots and the existing thoroughfare. As mentioned above the applicant has requested to construct a rural street section without sidewalks in the subdivision phases that contain estate style lots (Type 'D'). In lieu of sidewalks in these phases staff has requested that the applicant construct a ten (10) foot sidewalk/trail adjacent to John King Boulevard as recommended in the John King Boulevard Design Concept Plan located in the Comprehensive Plan.

On August 31, 2012, staff mailed eight (8) notices to property owners within 200 feet of the subject property. At the time this report was drafted no responses were received by staff. Additionally, staff posted signs along all street frontages adjacent to the subject property as required by the Unified Development Code (UDC).

Since the proposed amendments to Planned Development District 74 (PD-74) are compatible with the zoning designations on properties adjacent to the subject property and the request conforms to the City's Future Land Use Map, staff recommends approval of the applicant's request with the following conditions of approval:

- 1) Prior to the 1st reading of the amended Planned Development Ordinance by the City Council, the utility easements shown in the rural cross section on the Concept Plan need to be changed to 7½ feet to address the Engineering Departments comments.
- 2) After the 1st reading of the amended Planned Development Ordinance by the City Council, and prior to the 2nd reading and subsequent adoption of the amendments, the applicant will be required to sign the agreed upon Capital Facilities Agreement.
- 3) The Open Space/Master Plat shall conform to the amended Planned Development Ordinance and Concept Plan.
- 4) Prior to accepting a Preliminary Plat and/or a Planned Development Site Plan for the area designated as Retail on the Concept Plan, a PD Development Plan must be approved by City Council.
- 5) The developer shall be responsible for the construction of Breezy Hill Road, from the intersection of FM-552 and Breezy Hill Road to the northernmost corner of the general retail tract of land, at the time any portion of the of the Retail tract of land is platted.
- 6) The developer shall be responsible for the provision of adequate public facilities and services as stipulated in the Capital Facilities Agreement.
- 7) Any construction resulting from the approval of this zoning ordinance shall conform to the requirements set forth by Planned Development District 74 (PD-74), the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Adam Buczek
8214 Westchester Drive, Suite 710
Dallas, Texas 75225

Mr. Buczek gave a brief presentation.

Chairman Herbst asked for the location of the first phase of Breezy Hill. Mr. Buchek indicated the specific location.

Chairman Herbst opened the public hearing at 6:33 p.m.

Bruce Clark
313 Shenandoah Lane
Rockwall, Texas

Mr. Clark inquired as to the smallest lot. Chairman Herbst stated the smallest lot is 60 x 120.

Mr. Clark stated that his concern is with the runoff into the creek. He does like the plan for the development other than the 60 ft wide lots. He asked the applicant to consider putting larger lots on the North side of the development. In addition, he stated his concern with one retention pond.

Steve Engle
341 Breezy Hill
Rockwall, Texas

Mr. Engle stated that he lives across from the planned retail section of the development. He asked for clarification on this retail portion of the development. In addition, he asked if any buffer would be between the development and Breezy Hill.

Mr. Buczek stated that this concept, along with the lot sizes, is based on the current market.

Bobby Samuel
Skorburg Company
8214 Westchester, Suite 710
Dallas, Texas 75225

Mr. Samuel stated that retention is different the detention. This is just a concept plan for zoning purposes and they will have at least one pond.

There being no one wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:52 p.m.

Commissioner Minth asked if this neighborhood would have a Homeowner's Association. Mr. Buczek responded that it will have an HOA. In addition, he stated that there is an amenities center, but there are no specific designs at this time.

Commissioner Jackson made a motion to approve Z2012-013, a request by Bobby Samuel (representing Breezy Hill 405, LTD) for the approval of a zoning change to amend Planned Development District 74 (PD-74) on property identified as Tracts 7 & 7-1 of the J. Strickland Survey, Abstract No. 187 containing 405.184 acres of land and being zoned Planned Development District 74 (PD-74), generally located north of FM-552 and west of Breezy Hill Road, with staff recommendations.

Commissioner Buchanan seconded the motion.

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

III. SITE PLANS/PLATS

5. SP2012-016

Discuss and consider a request by Brent Murphee with Dowdey, Anderson & Associates, Inc. for approval of a site plan for Emerus Emergency Hospital, being 4.194 acres of land and described as Lots 1 & 2, Block B, Ellis Centre, City of Rockwall, Texas, zoned (LI) Light Industrial district and located within the (IH-30 OV) IH-30 Overlay District, and generally situated on the north side of IH-30 at the corner of Townsend Drive and Alpha Drive, and take any action necessary.

Miller stated that the applicant is proposing the construction of a state licensed emergency care facility on a 4.194-acre tract of land located adjacent to Interstate Highway 30 (IH-30). The purpose of the facility is to provide 24 hour emergent and urgent care to the surrounding area and to operate as a stabilization and transfer facility for trauma patients. The proposed facility will have a total building footprint of 19,929 square feet and be constructed with an incorporated blend of brick, stone, aluminum and glass. The first floor of the building will provide 18,793 square feet of emergency care. This area will integrate 16 hospital beds in eight (8) rooms, and will have a physician on staff 24 hours a day. The second floor will be 18,986 square feet in size and be mainly composed of medical offices (lease space).

The site plan shows the subject property being accessible from two (2) proposed drive approaches located off of Alpha Drive and the access road of IH-30. The approach off of IH-30 is still awaiting approval from the Texas Department of Transportation (TXDOT) and is subject to change based on their recommendations and pending a Traffic Impact Analysis (TIA). This approach is not necessary to the operation of the facility and is not included in the proposed fire lane layout; therefore, changes to this drive approach are considered to be minor by staff and

should not affect the approval of the site plan case. Currently, sidewalks are being shown on the site plan along Alpha Drive and Beta Court. Per the requirements of the Unified Development Code (UDC) sidewalks will also need to be provided adjacent to T. L. Townsend Drive. Staff has listed this as a condition of approval and the applicant has stated that they are willing to comply with this requirement.

The proposed emergency hospital and medical office space carries a parking requirement of one (1) parking space per each hospital bed provided and one (1) parking space per each 200 square feet of medical office. This translates to a total parking requirement of 111 parking spaces (16 spaces for the hospital beds and 95 spaces for the medical office space). According to the site plan, the proposed facility will be providing 121 parking spaces and is in conformance with all other parking related requirements per the provisions of the UDC.

The original landscape plan provided by the applicant indicated a total landscaped area of 92,829 square feet, which is equal to approximately 50% of the total site area. As depicted on the plan, the majority of the landscaping will be located within the ten (10') landscape buffers along Beta Court and Alpha Drive, and within the 20-foot landscape buffer adjacent to the IH-30 access road. As a condition of approval staff has requested that the applicant provide a revised landscape plan that shows conformance to the UDC.

Currently, the applicant has not submitted a revised photometric plan. The originally submitted photometric plan and lighting cuts sheets had very few issues and complied with the majority of the UDC's requirements. Specifically, staff made the following requests concerning the original lighting plan:

- 1) According to the UDC the numbers indicated at the property lines of a photometric plan should not exceed a maximum illumination of 0.2 of one (1) foot candle (FC). The numbers indicated on the photometric plan exceed the maximum permissible illumination as measured in FC.
- 2) According to the UDC all building or pole mounted lighting exceeding 15 watts shall be directed down with either a partial cut-off or full cut-off source. The proposed building mounted light (U30253) is a flush mounted light with two (2) 18 watt bulbs, which exceed the maximum wattage permitted for this type of light.

The exterior building façades will incorporate a mixture of smooth cut natural stone, quarried limestone block (rough cut stone), and masonry brick to create material variation along the wall faces and prevent a monochromatic appearance. The majority of the exterior (90%) will utilize the quarried limestone block and masonry brick to create a contrast that better expresses the articulation in the buildings' form. To accent the entryways and windows, and to further articulate the design of the building the architect has incorporated clear anodized aluminum bands and cultured stone at approximately 10% of the buildings façades. The building incorporates two (2) porte-cocheres at the entryways along the southern and western frontages and provides for aluminum arcades over the adjacent windows to present a covered entrance. The overall height of the structure is 34' 10", and in lieu of a parapet the architect has chosen to provide equipment screens that appear to be architecturally integrated into the design of the building. The building elevations comply with all the design criteria required by the IH-30 OV and the UDC. Additionally, both the emergency generator and dumpster enclosures will be finished in natural cut stone to create a uniform appearance between the buildings.

In response to the ARB's requests, the applicant changed the color of the mansard roof on the western elevation to a "Copper/Light Bronze" (identified as MTR on the building elevations), and rotated the building slightly clockwise from its original position to better accent the southern elevation. It should be noted that the applicant rotated the building 180 degrees prior to the slight clockwise rotation requested by the ARB. The purpose of the 180 degree rotation was in response to requests by prospective tenants in order to create a more prominent entryway.

It is the applicant's intent to bring this project forward with no variance requests and to comply with all applicable codes.

Since the applicant has not identified any appeals for this case, staff is recommending approval of the applicant's request for Site Plan consent for an emergency hospital in accordance with all pertinent regulations stipulated in the UDC with the following conditions of approval:

- 1) The finalized site plan shall control the development of the proposed emergency hospital facility.
- 2) All rooftop mechanical equipment shall be screened from view at the property lines of the subject property.
- 3) Prior to the approval of a replat the applicant will need to provide staff with an approved Texas Department of Transportation (TXDOT) permit for the drive approach adjacent to the IH-30 access road.
- 4) A five (5') foot sidewalk will be required adjacent to T. L. Townsend Drive.
- 5) A revised landscape plan showing conformance to all applicable standards specified in the UDC will be required.
- 6) A revised photometric plan showing conformance to all applicable standards specified in the UDC will be required.
- 7) A revised set of cut-sheets will be required showing conformance to the lighting standards. Specifically, Model No. U30253 will be required to use a bulb that is 15 watts or less, or be changed to a canister light that can be directed downward to be in conformance with the requirements of the UDC.
- 8) All comments provided by the Planning, Engineering and Fire Departments must be addressed and final revised plans must be submitted to the Planning Department prior to the approval of this site plan case and submittal of a replat.
- 9) Any construction or building necessary to complete this request must conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Commissioner Jackson made a motion to approve SP2012-016, a request by Brent Murphee with Dowdey, Anderson & Associates, Inc. for approval of a site plan for Emerus Emergency Hospital, being 4.194 acres of land and described as Lots 1 & 2, Block B, Ellis Centre, City of Rockwall, Texas, zoned (LI) Light Industrial district and located within the (IH-30 OV) IH-30 Overlay District, and generally situated on the north side of IH-30 at the corner of Townsend Drive and Alpha Drive, with staff recommendations.

Commissioner Minth seconded the motion.

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

6. P2012-027

Discuss and consider a request by LaRae Tucker of Harrison French & Associates for the approval of a final plat of Lot 1, Block A, J. McIntyre Addition being a 1.008-acre tract of land located within Planned Development District 10 (PD-10), the John King Boulevard (SH276 By-Pass OV) Overlay District, the SH276 Corridor (SH276 OV) Overlay District and the J. M. Allen Survey, Abstract No. 2 that is located at the northeast corner of John King Boulevard and State Highway 276 (SH276), and take any action necessary.

Miller stated that the applicant has submitted a request for the approval of a Final Plat.

Staff recommends approval of the Final Plat of J. McIntyre Addition in conformance with the following conditions of approval:

- 1) All comments from the Engineering, Planning and Fire Departments must be addressed prior to the filing of this plat.

- 2) All easements shown on the final plat will require filing information prior to the City of Rockwall filing the plat with the county.
- 3) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Commissioner Buchanan made a motion to approve P2012-027, a request by LaRae Tucker of Harrison French & Associates for the approval of a final plat of Lot 1, Block A, J. McIntyre Addition being a 1.008-acre tract of land located within Planned Development District 10 (PD-10), the John King Boulevard (SH276 By-Pass OV) Overlay District, the SH276 Corridor (SH276 OV) Overlay District and the J. M. Allen Survey, Abstract No. 2 that is located at the northeast corner of John King Boulevard and State Highway 276 (SH276), with staff recommendations.

Commissioner Jackson seconded the motion.

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

IV. ADJOURNMENT

The meeting adjourned at 7:07 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 9 day of OCTOBER, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION

City Hall, 385 South Goliad, Rockwall, Texas

Council Chambers

September 25, 2012

6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon, and Matthew Nielsen. Barry Buchanan was not in attendance.

Additionally, the following staff members were present: Robert LaCroix, Ryan Miller, David Gonzales and JoDee Sanford.

II. ACTION ITEMS

1. MIS2012-009

Discuss and consider a request by Joel Carmona for approval of a special request to the standards of the (PD-75) Planned Development No. 75 district (Ord. 09-37), specifically to the setback requirements stating that a carport shall be located at least 20 feet behind the front building façade of the primary structure as set forth by Article VI, Permissible Uses, of the Unified Development Code, for a property located at 221 Nicole, and take any action necessary.

Sanford stated that the applicant, Joel Carmona, is requesting a special exception to the requirements stipulated by Section 2.1.2(1) [Carports] of Article IV, Permissible Uses, of the Unified Development Code (UDC) for the purpose of constructing a carport at the front façade and adjacent to an existing single family home. The proposed carport will stand approximately ten (10') feet in total height and have a building footprint of 22 feet by 22 feet, or 484 square feet. The structure will consist of wooden posts and a hip roof with asphalt shingles and be constructed over an existing concrete pad.

Under the Use Standards, Article IV, Permissible Uses, of the Unified Development Code (UDC), carports must be located 20-ft behind the corner of the front façade. Carports not meeting these standards must obtain an SUP. However, the PD-75 Development Standards for Lake Rockwall Estates, under the Additional Standards for Areas 1 and 2, Section C. Consideration of Special Request states:

The City Council may consider special requests in the Lake Rockwall Planned Development District in Areas 1 and 2. Such requests may include, but not necessarily be limited to, the use of building materials not otherwise allowed, authorization of specific land uses not otherwise allowed, or other requests submitted for consideration.

Staff feels the request for the proposed carport meets the intent of the Planned Development District and, if approved, would not substantially alter the essential character of the District. The front building setback requirement for the main structure is 20 feet. The house is approximately 42 feet from the front property line; therefore, staff feels that this proposal with a 42 foot setback is acceptable and would recommend approval.

Commissioner Jackson made a motion to approve MIS2012-0009, a request by Joel Carmona for approval of a special request to the standards of the (PD-75) Planned Development No. 75 district (Ord. 09-37), specifically to the setback requirements stating that a carport shall be located at least 20 feet behind the front building façade of the primary structure as set forth by Article VI,

Permissible Uses, of the Unified Development Code, for a property located at 221 Nicole, with staff recommendations.

Commissioner McCutcheon seconded the motion.

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

III. DISCUSSION ITEMS

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

Mr. Mike Mershawn spoke on behalf of the ARB. He discussed the Board's review of case SP2012-020 and stated that they have no concerns with the case.

For case SP2012-020, Mr. Mershawn stated that the board asked the applicant to consider a different color scheme and provide a material board at the next meeting.

3. Z2012-014
Hold a public hearing to discuss and consider a request by Richard Horn with Centurion American for the approval of a zoning change to amend a portion of Planned Development District 10 (PD-10) on property identified as a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, being part of tract No. 1 described in a deed conveyed to Cambridge Co., recorded in Vol. 105, Pg. 505, of the Deed Records Rockwall County, Texas and containing 29.868-acres of land and to change the zoning from Commercial (C) district to Planned Development District 10 (PD-10) on a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, containing 11.683-acres of land, and take any action necessary.

Miller discussed the case and the location of the property.

Richard Horn
1221 N. IH-35E, Suite 200
Carrollton, Texas 75006

Mr. Horn explained his request and answered any questions.

4. SP2012-021
Discuss and consider a request by David Lowrey with Landlow, LLC., for approval of a site plan for a portion of Lot 1, Block 1, Rockwall Business Park, containing 2.15-acres of land zoned Commercial (C) district and within the SH 205 Overlay (SH 205 OV) District, specifically located at 811 Yellow Jacket Lane, City of Rockwall, Texas and take any action necessary.

Gonzales gave a brief overview of the case.

David Lowrey
811 Yellow Jacket Lane
Rockwall, Texas 75087

Mr. Lowrey explained the request and answered any questions.

5. SP2012-020
Discuss and consider a request by Bennett Ratliff with the Ratliff Group, LLC., for approval of an amended site plan for Honda of Rockwall, located on the proposed Lot 1, Block 1, Honda of Rockwall Addition, being 8.686-acres of land, zoned Commercial (C) district and situated within

the IH-30 Overlay district, located along the south side of Interstate 30 east of Commerce Street and west of John King Boulevard, City of Rockwall, Texas and take any action necessary.

Gonzales briefly discussed the case.

6. P2012-029

Discuss and consider a request by Bobby Samuels for approval of a master plat including an open space master plan for Breezy Hill Addition, out of the J. Strickland Survey, Abstract No. 187 and T.R. Bailey Survey, Abstract No. 30, City of Rockwall, Texas, being 405.223 acres of land, zoned (PD-74) Planned Development No. 74 district and generally situated along the east and west sides of John King Boulevard, north of FM 552, and take any action necessary.

Miller discussed this case and the following concurrently. He described the location of the property and summarized these cases.

7. P2012-030

Discuss and consider a request by Bobby Samuels for approval of a preliminary plat of Breezy Hill Phase 1, out of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Texas, being 21.76 acres of land, zoned (PD-74) Planned Development No. 74 district and generally situated along the east side of John King Boulevard, north of FM 552, and take any action necessary.

IV. ADJOURNMENT

The meeting adjourned at 6:46 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 9 day of OCTOBER, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
October 9, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon, and Matthew Nielsen.

Additionally, the following staff members were present: Robert LaCroix, Ryan Miller, David Gonzales and JoDee Sanford.

1. Approval of Minutes for September 11, 2012 Planning and Zoning Commission meeting.

Commissioner Jackson made a motion to approve the minutes for September 11, 2012.

Commissioner Buchanan seconded the motion.

A vote was taken and the motion passed 6-0, with Renfro abstaining.

2. Approval of Minutes for September 25, 2012 Planning and Zoning Commission meeting.

Commissioner Jackson made a motion to approve the minutes for September 25, 2012.

Commissioner Minth seconded the motion.

A vote was taken and the motion passed 6-0, with Buchanan abstaining.

3. ELECTION of Planning and Zoning Commission Chair and Vice-Chair positions

Commissioner Renfro nominated Phillip Herbst as Chair.

Commissioner Nielsen seconded the nomination.

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

Commissioner Jackson nominated Craig Renfro as Vice-Chair.

Commissioner Minth seconded the nomination.

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

II. PUBLIC HEARINGS

4. Z2012-014

Hold a public hearing to discuss and consider a request by Richard Horn with Centurion American for the approval of a zoning change to amend a portion of Planned Development District 10 (PD-10) on property identified as a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, being part of tract No. 1 described in a deed conveyed to Cambridge Co., recorded in Vol. 105, Pg. 505, of the Deed Records Rockwall County, Texas and containing 29.868-acres of land and to change the zoning from Commercial (C) district to Planned Development District 10 (PD-10) on a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard

Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, containing 11.683-acres of land, and take any action necessary.

Miller indicated that On August 15, 2003, the Cambridge Companies, Inc. attempted to file a Preliminary Plat and Site Plan application for Tract 4 of Planned Development District 10 (PD-10). At the time of the application PD-10 had approximately 127-acres of land (composed of Tracts 4, 5 & 6) that permitted the development of multi family uses at a density of 16 units per acre, with the potential to create over 2,000 units (under Ordinance 74-32). The application submitted by the Cambridge Companies was not accepted by the City due to the imposition of a 120 day moratorium on development, which went into effect on August 11, 2003 under Resolution 03-20 (extended by Resolutions 03-33 & 04-06). Cambridge disputed the validity of the moratorium and asserted that the city was required to accept and approve the application based on its conformance with the existing zoning. The City asserted that the moratorium was valid, and that the current zoning for the 127-acres of land was too intensive and inconsistent with the Comprehensive Plan. The outcome of this dispute led to the adoption of a resolution on February 16, 2004, which helped established Ordinance No. 04-25 and its new guidelines for Tracts 4, 5 & 6 of PD-10. Under this resolution Tracts 4 & 5 were sub-divided into new tracts (labeled 'A' through 'I') permitting the development of multi family, age restricted multi family, townhomes, single family, and commercial land uses. Additionally, Tract 6 was re-designated to allow the development of townhomes and/or single family land uses.

Tract 6 is a 29.868-acre tract of land situated at the northwest corner of the intersection of T. L. Townsend Drive and SH276. Along the western and eastern boundaries of the property run two (2) branches of Buffalo Creek and several acres of floodplain that heavily restrict the buildable area. The floodplain is in excess of the 10% open space requirement that the current zoning ordinance stipulates as a minimum provision. Additionally, the current zoning ordinance permits the construction of townhomes at a minimum lot size of 35' x 100' (or 3,500 square feet) at a maximum density of eight (8) units per acre

On September 14, 2012, the applicant, Richard Horn Jr. on behalf of Centurion American, submitted an application for a zoning change for the 29.868-acre tract of land identified as Tract 6 and a small 10.452-acre tract of floodplain zoned Commercial (C) District that is situated directly west of PD-10. The purpose of the proposed amendment/zoning change is to modify the existing Planned Development Ordinance to account for the following issues:

The Concept Plan, designated as Exhibit 'B' in the Draft Ordinance, shows the 40.32-acre zoning area being sub-divided into two (2) lots. Lot 1 (3.95 acres) will be designated as a Commercial (C) District and Lot 2 (36.37 acres) will maintain the existing townhome and single family district designations established by the current ordinance. Floodplain transverses the property and creates a natural barrier between the proposed lots. Additionally, floodplain adjacent to the eastern boundary of Lot 2 creates a natural buffer between the commercial uses to the east of the subject property and the existing buildable area on Lot 2. It is staff's opinion that the additional land taken in by the zoning request does not increase the buildable area of the existing 29.868-acre tract of land.

Currently, PD-10 requires a minimum lot size of 35' x 100' (or 3,500 square feet) at a maximum density of eight (8) units per acre. The applicant is requesting to change this minimum requirement to 22' x 100' (or 2,200 square feet) for the purpose of accommodating a smaller townhouse product. Additionally, the applicant is requesting to decrease the minimum distance allowed between buildings from (which are permitted to be 140 feet in length) from 20-feet to ten (10) feet. By reducing the lot size and building spacing, and increasing the number of acres in the zoning area, staff estimates that the number of units will increase by approximately 25 to 35 percent. The actual number of units able to be constructed on Lot 2 will depend heavily upon a land study and potential floodplain mitigation, which could add buildable acreage to the 36.37-acre lot. Staff has requested additional information from the applicant concerning the exact buildable acreage for Lot 2 of the zoning area, and the proposed differential between the number of 3,500 square foot lots able to be constructed versus the number of 2,200 square foot lots proposed. Due to the uncertainty of the number of units able to be constructed staff is requiring a

reduction in the maximum permissible density from eight (8) units per acre to six (6) units per acre, and a cap on the maximum number of units permitted at 148 units.

In order to ensure consistency with surrounding and adjacent development staff has requested that the applicant revise the masonry requirements stipulated in Exhibit 'C', Development Standards, of the Planned Development Ordinance to be more consistent with the masonry requirements required for development in the adjacent overlay districts (e.g. Interstate Highway 30 [IH30-OV] Overlay District and the SH276 [SH276-OV] Overlay District). The applicant has agreed to the changes, which will limit the amount of cementaceous stucco (excluding EFIS products) and fiber board permitted to be used in the construction of the townhomes to 50%. Additionally, stucco is required to be a minimum of eight (8) feet above grade on all façades visible from a street or open space. The overall masonry requirement for this development will be 90%.

The proposed Townhomes will be required to be accessed from an alleyway and have a two (2) car garage, setback a minimum of 20-feet from the rear property line. This will provide four (4) dedicated parking spaces for each unit and match the current single family standards. Additionally, the applicant has stated that visitor parking will be included as part of the Subdivision Site Plan.

As part of the development, the developer will be required to construct the remainder of T. L. Townsend Drive, which will have 85 feet of right-of-way at build out. Additionally, the developer will be required to provide sidewalks adjacent to T. L. Townsend. Staff feels the improvement of this roadway will help mitigate some of the applicant's requests and lessen the burden currently sustained by SH276.

The dedicated open space requirement is 10% of the gross acreage of the property to include floodplain, and which will satisfy any parkland dedication requirements. Currently, the property is in conformance with this requirement, and with the addition of the 10.452-acres of floodplain (proposed to be added through the zoning request) will be in excess of the requirement. While not required, the applicant has stated that a trail system maybe constructed around the development.

On September 25, 2012, staff mailed thirty (30) notices to property owners within 200 feet of the subject property. Additionally, staff posted signs along all street frontages adjacent to the subject property and at the corner of T. L. Townsend Drive and SH276 as required by the Unified Development Code (UDC). At the time this report was drafted two (2) responses in favor of the zoning change were received by staff.

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

1) The maximum permitted density for this development shall six (6) units per acre with a maximum of 148 units permitted to be constructed.

2) Prior to accepting a Final Plat for Lot 1 (the area designated as Commercial on the Concept Plan);

3) Prior to accepting a Final Plat for Lot 2 (the area designated as Townhome/Single Family on the Concept Plan), a Site Plan must be approved by City Council;

4) The developer shall be responsible for the construction of all necessary improvements scheduled for T. L. Townsend Road;

5) A Traffic Impact Analysis (TIA) shall be required at the time of submittal for the Site Plan;

6) The drive located along SH276 will be required to be approved and permitted by the Texas Department of Transportation (TXDOT) prior to the submittal of the Site Plan;

2 7) The developer shall be responsible for the provision of adequate parking and public facilities
4 and services as stipulated in Planned Development District 10 (PD-10) and the Unified
Development Code (UDC); and,

6 8) Any construction resulting from the approval of this zoning ordinance shall conform to the
8 requirements set forth by Planned Development District 10 (PD-10), the Unified Development
Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city
adopted engineering and fire codes and with all other applicable regulatory requirements
administered and/or enforced by the state and federal government.

10 Chairman Herbst asked if there were limits on the number of units allowed under the previous PD
12 ordinance. Miller responded that the buildable area was limiting factor for this property.

14 Commissioner Nielsen asked for additional explanation on the increase in the number of units.
16 Miller stated that staff asked the applicant for a differential showing the difference in the number
of units, but it was not received. Commissioner Nielsen also asked why the applicant added the
18 10 acres behind Costco if that property is not buildable. Miller indicated that the applicant would
be better able to respond to the question. Discussion took place regarding the settlement
agreement in place for this property.

20 Commissioner Jackson asked about the two favorable responses that were received. Miller stated
22 that the he spoke to the individual that owned both of these properties and he was in favor of the
development.

24 Commissioner Minth inquired about the amount of fiberboard allowed. Miller indicated up to 50%
26 will be allowed. LaCroix clarified that Commissioner Minth meant "Hardiboard." Commissioner
Minth stated that allowing 50% Hardiboard is a concern because it will look dated. Commissioner
28 Minth asked if garbage containers were required to be kept inside the garage. LaCroix stated that
he isn't aware of any requirement.

30 Chairman Herbst opened the public hearing at 6:22 p.m.

32 Rick Horn with Centurion American
34 1121 I-35 E
Carrollton, Texas

36 Mr. Horn explained that the project is under contract and they are trying to amend the zoning to
38 allow for 10' separation between structures. They have begun preliminary discussions with staff
to ensure compliance with fire codes. They are looking for other opportunities to provide
40 additional parking and the engineer will be working with city staff to address this issue. Mr. Horn
stated that they felt the floodplain area would be better suited to PD zoning versus Commercial
42 zoning.

44 Commissioner Minth asked if the number of units would have more than a 4 unit building. Mr.
Horn explained the buildings would be limited to 5 units. Commissioner Minth asked about
46 fireproofing requirements. LaCroix stated that will be considered later. Commissioner Minth
additionally asked about minimum building square footages. Mr. Horn stated that the minimum
48 standards are located in the PD ordinance. Minth asked if any units would have side entries. Mr.
Horn explained side entries are only at the private patios for particular units. Commissioner Minth
50 said that 10' for a side entry is not enough.

52 Commissioner Nielsen asked if the applicant agreed that with staff that the number units
requested would increase by 20-25%. Mr. Horn indicated that he wasn't sure about the amount of
54 increase. Commissioner Nielsen stated that he is concerned about second guessing an
agreement that was made originally. He asked under the current requirements, if 90-100 units
56 would work. Mr. Horn stated that under the current requirements he could remove the floodplain,
install the required piping and build 8 units to the acre. He stated that he is saying it is 18
58 buildable acres. He is trying to modify a 35' lot to a 22' lot and provide a great neighborhood.

LaCroix stated that the settlement was based on the 30 acres as a baseline recommended by an outside consultant. The governing factor was outside of the floodplain. This case is adding 10 acres outside of this development. The 30 acres was limited by the development standards to govern what was built on this property. Staff's analysis is that based on the zoning that exists today, you could get close to 100+ units. Commissioner asked Mr. Horn how many units he felt could go on the property. Mr. Horn indicated that more than 125 could work on the property. This is based upon the current FEMA maps indicated the buildable area. Currently, the 22' product is what the market is dictating at this time. Commissioner Nielsen asked if there are any changes to the material requirements. LaCroix stated that Commissioner Minth has recommended that the City's residential material requirements apply. They are currently at 80% masonry/20% secondary.

Commissioner Renfro stated that he would like an increase in the amount of masonry instead of the Hardiplank.

Commissioner Minth asked for clarification on the number of units this change would allow. Commissioner Nielsen stated that under the current zoning about 108 units would fit. They are asking for an increase to 140 units or approximately a 33% increase in the number of units.

Commissioner Buchanan confirmed that 90% masonry is the current standard and that the applicant would agree to that percentage. The applicant stated that he would agree to that standard.

There being no one wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:48 p.m.

Chairman Herbst asked if the Commission would like to reduce the amount of Hardiplank allowed. Miller stated that the Commission could reduce the amount allowed.

Commissioner Minth stated her belief that the residential requirements of the area should apply.

Commissioner Nielsen asked why the applicant is bringing in 10 additional acres. LaCroix stated it could be part of the land contracting with the owner. Additionally, the 10 acres is indicated as a conservation easement and nothing could be built on this property. Commissioner Nielsen stated that he is not hearing a strong argument that justifies a change in zoning from what the Council originally agreed upon.

Commissioner Buchanan stated that if a developer is willing to increase the standards, then P&Z should go along with that increase.

Commissioner Renfro clarified how the Commission could change the masonry requirements.

Commissioner Minth stated that there is commercial area around this property along with an entry-level neighborhood; therefore, she would find it difficult to justify a higher-end townhome. She would find a 22' lot appropriate for the area, but would prefer a 28' lot.

Commissioner Herbst explained that the original agreement was reached over 10 years ago and conditions have changed.

Commissioner Nielsen stated that he doesn't believe that we should change our requirements based upon what is popular at the time. He would be willing to find a middle ground.

Commissioner Minth asked if the lot size was 28' with a 10' separation, would this be a good compromise over reducing both the lot size and the separation between buildings.

Commissioner Buchanan stated that he is okay with a standard of 6 units per acre. He has seen townhomes in McKinney with side patios, but does not think side entrances will work.

Commissioner Minth made a motion to approve Z2012-014, a request by Richard Horn with Centurion American for the approval of a zoning change to amend a portion of Planned Development District 10 (PD-10) on property identified as a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, being part of tract No. 1 described in a deed conveyed to Cambridge Co., recorded in Vol. 105, Pg. 505, of the Deed Records Rockwall County, Texas and containing 29.868-acres of land and to change the zoning from Commercial (C) district to Planned Development District 10 (PD-10) on a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, containing 11.683-acres of land, with staff recommendations and the additional conditions of a 90% masonry requirement and requirement of 10' separation between buildings with a front entry and 14' separation between buildings with a side entry unit.

Commissioner Jackson seconded the motion.

A vote was taken and the motion passed 5-2, with McCutcheon and Nielsen against.

III. SITE PLANS/PLATS

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

LaCroix spoke on behalf of the ARB. He stated that the Board reviewed the site plan for the property located at 811 Yellow Jacket. Their main concern was the color of the building. They were okay with the design of the building. The applicant stated that they will bring some options back for the ARB to consider. They asked the applicant to add some architectural elements to the front of the building. The ARB is recommending approval of the case at this time.

6. SP2012-017

Discuss and consider a request by Tom Jones with Binkley and Barfield for approval of an exception to the exterior material requirements under Sec. 4.1 General Commercial District Standards of the Unified Development Code, and more specifically to allow stucco to be located below the minimum eight feet from grade, in association with an administrative site plan for the Lakes Regional Mental Health Mental Retardation Center, being approximately 3.00 acres of land and described as a portion of a 16.558 acre tract out of Abstract 0020, N. Butler, Tract 4-01, City of Rockwall, Texas, zoned (C) Commercial and generally situated on north side of Airport Road east of Industrial Boulevard, and take any action necessary.

Gonzales stated that the applicant, Tom Jones with Binkley and Barfield, has submitted an administrative site plan for the Lakes Regional MHMR to be located on a 3.0 acre tract of land along the north side of Airport Road and is east of Industrial Blvd. The property, a portion of a 16.558 acre tract, has been recently rezoned from (AG) Agricultural district to (C) Commercial district in July of this year.

The development will feature a 9628-sq ft building comprised primarily of cultured stone, stucco and a composition roof. The amount of stone provided for the structure exceeds the City's 20% minimum requirement. There will be 58% on the south elevation (front), 53% on the east elevation, 59% on the west, and 48% on the north (rear) elevation. The stone will appear on the first four feet above grade on all sides, with full stone columns on the Porte Cochere as well as the projections where there are gabled roof elements. Also there is an approximately four-foot wide stucco banding that wraps around the building, with stucco accents as window trim and a cast stone band providing separation between the cultured stone and stucco. The structure will have a composition roof with Hardiboard trim and exposed cypress trusses on the gabled roof elements.

As depicted, the stucco banding provides a contrasting element that blends with the structure and is aesthetically pleasing.

According to the Unified Development Code, Sec. 4.1 General Commercial District Standards, stucco may not be located in the first eight feet above grade on a façade visible from a street. Based on the submitted elevations, stucco is present within the first eight feet above grade for the south elevation, which is primary entrance and is visible from Airport Road. However, exceptions to this requirement may be permitted on a case by case basis by the Council upon submission and approval of elevation drawings of the subject structure.

As submitted, staff supports the applicants request and recommends approval of the exception.

Commissioner Nielsen asked for more explanation regarding the standard for stucco. Gonzales explained the requirement.

Joe Cruz
580 Warren Thomas
Texarkana, Texas

Mr. Cruz stated that they are asking for the variance in order to keep the appearance of the building consistent on all four sides as well as add to the articulation.

Commissioner Jackson made a motion to approve SP2012-017, a request by Tom Jones with Binkley and Barfield for approval of an exception to the exterior material requirements under Sec. 4.1 General Commercial District Standards of the Unified Development Code, and more specifically to allow stucco to be located below the minimum eight feet from grade, in association with an administrative site plan for the Lakes Regional Mental Health Mental Retardation Center, being approximately 3.00 acres of land and described as a portion of a 16.558 acre tract out of Abstract 0020, N. Butler, Tract 4-01, City of Rockwall, Texas, zoned (C) Commercial and generally situated on north side of Airport Road east of Industrial Boulevard, with staff recommendations.

Commissioner Minth seconded the motion.

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

7. P2012-025

Discuss and consider a request by Tom Jones with Binkley and Barfield, for approval of a preliminary plat for the Columbia Park Addition, being approximately 7.878 acres of land and described as a portion of a 16.558 acre tract out of Abstract 0020, N. Butler, Tract 4-01, City of Rockwall, Texas, zoned (C) Commercial and situated on the north side of Airport Road east of Industrial Boulevard, and take any action necessary.

(Commissioner Buchanan recused himself from the discussion.)

Gonzales explained that the applicant has submitted a preliminary plat of the Columbia Park Addition, which includes four lots totaling 7.878-acres and is a portion of a 16.558-acre tract of land. The site was recently rezoned from (AG) Agricultural district to (C) Commercial district and is located on the north side of Airport Rd and east of Industrial Blvd.

The preliminary plat shows the proposed layout of all access, firelane, utility and drainage easements for the site and more specifically for Lot 4. An administrative site plan for the Lakes Regional Mental Health Mental Retardation Center has been submitted concurrently with the development being proposed on Lot 4, a 3.00-acre site. Lots 1, 2, and 3 (4.878-acres) will remain vacant at this time. Also, the preliminary plat indicates the proposed 0.49-acre right-of-way dedication for the proposed extension of Industrial Blvd. And finally, the proposed development will be accessed by one proposed drive along Airport Rd.

In addition to approval of the accompanying administrative site plan, future submittal and approval of full engineering plans and a final plat will be required before construction of the development can begin. The preliminary plat meets all requirements of the Commercial (C) district and staff recommends approval of the request.

2 Staff recommends approval of the preliminary plat with the following conditions:

- 4 1. Submittal and approval of engineering plans.
- 6 2. Adherence to all fire department requirements.
- 8 3. Treescape plan required at final plat process.
- 10 4. Correct title block to include "Being a portion of a 16.558-acre tract of land situated in Abstract 0020, N. Butler, Tract 4.01."
- 12 5. Correct label for buildings square footage.

14 Chairman Herbst stated that the property line looks like it is very close to a home and asked if any notification is necessary. Gonzales stated that it is not necessary from a legal perspective.

16 Tom Jones
18 1801 Gateway
Richardson, Texas

20 Mr. Jones indicated that he has no issue with any of the comments made previously. Additionally, they plan to preserve all the trees at the back of the property at this time.

22 Commissioner Jackson made a motion to approve P2012-025, a request by Tom Jones with Binkley and Barfield, for approval of a preliminary plat for the Columbia Park Addition, being approximately 7.878 acres of land and described as a portion of a 16.558 acre tract out of Abstract 0020, N. Butler, Tract 4-01, City of Rockwall, Texas, zoned (C) Commercial and situated on the north side of Airport Road east of Industrial Boulevard, with staff recommendations.

26 Commissioner Minth seconded the motion.

28 A vote was taken and the motion passed 6-0, with Buchanan abstaining.

30 8. SP2012-021
32 Discuss and consider a request by David Lowrey with Landlow, LLC., for approval of a site plan for a portion of Lot 1, Block 1, Rockwall Business Park, containing 2.15-acres of land zoned Commercial (C) district and within the SH 205 Overlay (SH 205 OV) District, specifically located at 811 Yellow Jacket Lane, City of Rockwall, Texas, and take any action necessary.

34 Gonzales stated that the applicant, David Lowrey representing Landlow, LLC, is requesting approval of a site plan to allow for a 2nd floor addition to the existing Ridge Point Athletic Club located at 811 Yellow Jacket Lane. The redesigned building features a 2nd floor addition that will house an office complex and will be comprised primarily of stucco, matching the existing buildings exterior materials. The proposed site is zoned Commercial district and is located within the SH 205 Overlay district.

36 The site can be accessed by two points of entry along Yellowjacket Lane with cross access from Goliad Street as an additional point of access. Currently, the site has 84 existing parking spaces for use by the Rockwall Athletic Club and the existing office space for the building. The applicant is proposing an additional 35 parking spaces for a total of 119 parking spaces for the facility. The 2nd floor calculated floor plan includes 14,200 sq-ft of office space and requires 47 spaces for the addition. Staff will require the existing buildings calculated floor plan (less transit spaces and corridors) to determine the total parking count for the site.

40 The applicant is proposing an assortment of canopy trees, accent trees, shrubs, and ground cover for the site. Also, all existing planters are to remain and will contain flowering shrubs.

42 The (UDC) Unified Development Code requires all light sources (e.g. pole, wall packs, etc.) to be full cut-off with a maximum one inch reveal and directed down to control glare and spillover lighting. Lighting at the property lines are not to exceed 0.2-FC. The UDC also requires lighting to be contained on site at a maximum intensity of 20-FC, with the exception for canopy lighting not to exceed 35-FC. Also, light poles not to exceed 30-ft in height (including the base).

2 The proposed 21,400 sq-ft 2nd floor addition will house an office complex and will be incorporated
4 into the exiting structure. Since the existing buildings exterior material is stucco, the applicant is
6 proposing the use of stucco as the primary material for the addition with cast stone accents on
8 the towers. The addition will provide a balcony for the tenants use and features a pyramid styled
10 roof element incorporated into the flat roof design. The pyramid roof structure is comprised of
standing seam metal and a unique glass peaked roof form (coming to an apex at forty-five feet)
and creating a natural light source that will be open to the lower level. Also, there is the addition
of four tower elements providing a balance that compliments the site. Accenting the towers will
be approximately six feet of cast stone at the base with glass pyramid styled caps.

12 The existing buildings exterior material is comprised primarily of stucco. The applicant is
14 proposing to use 93% stucco as the primary material and 7% cast stone on the towers for the new
16 addition, while not meeting the 20% natural or quarried stone requirement. However, the property
18 is located within the SH 205 Overlay district and under the Architectural Standards, Masonry
Requirements of the Unified Development Code, the use of cementaceous products, such as
stucco, shall be limited to 50% of the buildings exterior finish... Also required is 20% natural or
quarried stone on walls which are visible from a public street or open space.

20 The applicant is seeking two variances for the exterior materials. This will require a
22 recommendation from the Planning and Zoning Commission and a $\frac{3}{4}$ majority vote of the City
Council for approval:

- 1) A variance to allow more than 50% stucco.
- 2) A variance to the 20% natural or quarried stone requirement.

26 Should the request be approved, staff would recommend the following conditions:

1. Adherence to Engineering and Fire Department standards.
2. A variance to the exterior material requirements to allow for more than 50% stucco. Also,
a variance to the 20% natural or quarried stone requirement for each facade facing a
public street or open space. These variance will require a $\frac{3}{4}$ majority vote of Council for
approval.
3. Screening of any roof top or ground mounted equipment from the property line and
adjacent properties.
4. Photometric plan to meet city standards and is required prior to issuance of a building
permit.

36 Commissioner Buchanan asked for clarification on the number of parking spaces. Gonzales
38 stated that 120 spaces would be required and the applicant has provided 119 spaces.

40 Commissioner Nielsen inquired as to the amount of stucco on the building.

42 David Lowery
44 *(No address was given)*

46 Mr. Lowery stated that the existing building is stucco and they would like to continue with that
material.

48 Commissioner Renfro asked if they have looked at putting some stone banding on the building.
Mr. Lowery stated that the architect is looking at some stone as well as color samples. He
50 commented that they are trying to improve the building as much as possible.

52 Commissioner Nielsen stated that he would like to see something with less stucco that is more
54 consistent with the requirements.

56 Commissioner Jackson made a motion to approve P2012-025, a request by David Lowrey with
Landlow, LLC., for approval of a site plan for a portion of Lot 1, Block 1, Rockwall Business Park,
containing 2.15-acres of land zoned Commercial (C) district and within the SH 205 Overlay (SH 205

OV) District, specifically located at 811 Yellow Jacket Lane, City of Rockwall, Texas, with staff recommendations.

Commissioner Buchanan seconded the motion.

A vote was taken and the motion passed 4-3, with Renfro, Minth, and Nielsen against.

(Chairman Herbst called a recess at 7:39. The meeting resumed at 7:45.)

9. SP2012-020

Discuss and consider a request by Bennett Ratliff with the Ratliff Group, LLC., for approval of an amended site plan for Honda of Rockwall, located on the proposed Lot 1, Block 1, Honda of Rockwall Addition, being 8.686-acres of land, zoned Commercial (C) district and situated within the IH-30 Overlay district, located along the south side of Interstate 30 east of Commerce Street and west of John King Boulevard, City of Rockwall, Texas, and take any action necessary.

Gonzales explained that a site plan for the Honda of Rockwall project was originally approved in September 2008. After a delay due to a state dealer protest process, the applicant appeared before the Planning and Zoning Commission in November 2011 to request an amendment the site plan and building elevations. After receiving direction from the Architectural Review Board and the Planning and Zoning Commission, the applicants request to amend the site plan was approved in December 2011.

As part of a Honda Corporate requirement, Mr. Ratliff is once again requesting to amend the elevations for the proposed Honda of Rockwall facility. The change requested is primarily for the front façade/elevation, leaving intact the remainder of the facility as approved last year with the exception of an additional "green screen" wall with Boston ivy located on the west elevation.

The proposed changes to the front elevation include a redesign of the "drum" (with Honda logo) which will remove a portion of the ACM panels to incorporate a curtain wall system that will provide more natural light into the facility. Also changed will be three sectional glazed panels above the "wave" branding element by replacing the area with concrete tilt wall panels to match the primary structure. And finally, the applicant is proposing to reduce the ACM gray trim that outlines the buildings façade.

Staff feels the proposed changes to the elevations are worthy of consideration and supports the applicants request.

Staff recommends approval of the request with the following conditions:

1. Adherence to all Engineering and Fire Department standards.
2. Provide all documents for filing of the final plat.

Bennett Ratliff
The Ratliff Group

Mr. Ratliff stated that he would answer any questions.

Commissioner Buchanan made a motion to approve SP2012-020, a request by Bennett Ratliff with the Ratliff Group, LLC., for approval of an amended site plan for Honda of Rockwall, located on the proposed Lot 1, Block 1, Honda of Rockwall Addition, being 8.686-acres of land, zoned Commercial (C) district and situated within the IH-30 Overlay district, located along the south side of Interstate 30 east of Commerce Street and west of John King Boulevard, City of Rockwall, Texas, with staff recommendations.

Commissioner Jackson seconded the motion.

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

10. P2012-029

Discuss and consider a request by Bobby Samuels for approval of a master plat including an open space master plan for Breezy Hill Addition, out of the J. Strickland Survey, Abstract No. 187 and T.R. Bailey Survey, Abstract No. 30, City of Rockwall, Texas, being 405.223 acres of land, zoned (PD-74) Planned Development No. 74 district and generally situated along the east and west sides of John King Boulevard, north of FM 552, and take any action necessary.

(Miller discussed P2012-029 and P2012-030 concurrently.)

Miller stated that the Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 691 single family lots developed in eight (8) phases on 345.8-acres of land. The 691 single family lots will be broken down per the requirements of Planned Development District 74 (PD-74) [shown in Figure 1 below] and include lots ranging in size from 60' x 120' to 100' x 200'. Also located in this area will be approximately 67.5 acres of open space, which will include an eleven (11) acre public park and an amenities center that will service the development. The Open Space Master Plan shows the provision of ten (10) foot trails/sidewalks adjacent to John King Boulevard, and the location of an internal trail system that will provide circulation within the residential subdivision. Directly south of the subdivision is a 59.4-acre retail tract of land that is subject to the requirements for commercial properties as stipulated in PD-74.

The 345.8-acres of land that comprises the residential subdivision depicted in the Master Plat will be composed of eight (8) phases, broken up into a total of 13 sub-phases, and accessible by eight (8) access roads located at even intervals along John King Boulevard. John King Boulevard transects the property creating a segregated section of the subdivision on the south (or west) side of the thoroughfare consisting of 35 Type 'C' lots. The remainder of the 691 single family lots will be located on the northern (or eastern) side of the road. The depicted eight (8) phases exclude the retail portion of the Planned Development District, which will require the approval of a PD Development Plan prior to the submission of a Site Plan or Final Plat. If the City Council approves the proposed Master Plat/Open Space Master Plan then the applicant will be required to submit a Planned Development Site Plan, a Preliminary Plat, engineering plans, a Treescape Plan, and a Final Plat. The submitted Master Plat/Open Space Master Plan appears to conform to the requirements stipulated by Ordinance 12-26 (PD-74).

On September 25, 2012, the Parks Board met to review the Master Plat/Open Space Master Plan for the proposed subdivision. The following is a list of their recommendations to the City Council (these recommendations have been included into the conditions of approval for this case):

1) The Parks Department will accept the proposed 11 acres of parkland (as long as it is outside the floodplain),

2) All open space and any improvements constructed within the open space shall be maintained by the HOA (or PID). The Final Plat will need to include a note stating that the HOA (or PID) will assume the responsibility of maintenance in the open space areas,

3) The six (6) foot trail proposed to run through the interior of the park will need to be relocated to the perimeter of the park. Prior to construction of the trail, the developer should coordinate with city staff for the exact location of the trail. The trail section shall comply with city standards in terms of trail design (concrete) and construction, and

4) The developer shall provide water and electricity access from a public street to the dedicated parkland. If utilities are on the opposite side of the street a stub out for water and electricity should be provided. Staff recommends that access be provided from the eastside of the street that runs north and south along the northwest corner of the proposed parkland dedication adjacent to Phase IV.

The preliminary plat submitted by the applicant represents the first phase of the Breezy Hill Subdivision, and is intended to provide a layout for 27 of the 691 scheduled residential lots.

These 27 lots are a portion of the 98 Type 'D' lots required by PD-74, which are to be a minimum of 100' x 200' and incorporate a rural street section (shown on the preliminary plat). This phase of the subdivision will be accessible by two (2) streets intersecting with the eastside of John K. Boulevard, north of FM552. The properties backing up to John K. Boulevard will be buffered from the street by a 50-foot landscape buffer. This buffer will be required to contain a minimum of a 30-inch berm, and trees and shrubs will further screen these properties from the street. Additionally, a ten (10) foot trail/sidewalk will be constructed by the developer in conjunction with, and adjacent to, this phase of the development per the requirements of PD-74. The submitted preliminary plat appears to conform to all the density and dimensional requirements specified in the development standards stipulated in Ordinance 12-26 (PD-74).

The applicant has not submitted a Treescape Plan at this time. These plans will need to be submitted prior to the approval of a final plat.

Since the proposed Master Plat/Open Space Master Plan are in full compliance with all applicable requirements of Planned Development District 74 (PD-74) and the plans conform with all applicable requirements stipulated by the Unified Development Code, staff recommends approval of this request pending conformance with the following conditions:

1) A Planned Development Site Plan will be required to be submitted and approved by City Council prior to the approval of a Final Plat for any phase of development depicted on the Master Plat,

2) Engineering plans will need to be submitted and approved prior to the approval of a Final Plat,

3) A Treescape Plan for the full site will be required to be submitted along with the Final Plat for the first phase of this development,

4) Prior to the approval of a Preliminary/Final Plat for the 59.4-acre retail tract of land a PD Development Plan will be required to be approved by the Planning & Zoning Commission and City Council,

5) The Master Plat/Open Space Master Plan shall conform to the recommendations made by the Parks Board (above), and

6) Any construction resulting from the approval of this Master Plat/Open Space Master Plan shall conform to the requirements set forth by the Unified Development Code (UDC), the 2009 International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Bobby Samuel
Skorburg Company
8214 Westchester, Suite 710
Dallas, Texas 75225

Mr. Samuel stated that he appreciates staff's work on this case and would be happy to answer any questions.

Commissioner Jackson made a motion to approve P2012-029, a request by Bobby Samuels for approval of a master plat including an open space master plan for Breezy Hill Addition, out of the J. Strickland Survey, Abstract No. 187 and T.R. Bailey Survey, Abstract No. 30, City of Rockwall, Texas, being 405.223 acres of land, zoned (PD-74) Planned Development No. 74 district and generally situated along the east and west sides of John King Boulevard, north of FM 552, with staff recommendations.

Commissioner McCutcheon seconded the motion.

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

11. P2012-030

Discuss and consider a request by Bobby Samuels for approval of a preliminary plat of Breezy Hill Phase 1, out of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Texas, being 21.76 acres of land, zoned (PD-74) Planned Development No. 74 district and generally situated along the east side of John King Boulevard, north of FM 552, and take any action necessary.

Commissioner Minth made a motion to approve P2012-030, a request by Bobby Samuels for approval of a preliminary plat of Breezy Hill Phase 1, out of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Texas, being 21.76 acres of land, zoned (PD-74) Planned Development No. 74 district and generally situated along the east side of John King Boulevard, north of FM 552, with staff recommendations.

Commissioner Renfro seconded the motion.

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

12. P2012-031

Discuss and consider a request by Jim Nichols of Di Sciullo-Terry, Stanton & Associates, for approval of a replat of Lots 19, 20, 21, and 22 of the Skyview Country Estates No. 3 Addition, being approximately 7.052-acre tract of land, located at 1362 East FM 552, Rockwall, TX, zoned (AG) Agricultural district, situated east of John King Blvd and north of FM 552, and take any action necessary.

Gonzales indicated that Mr. Jim Nichols, representing Di Sciullo-Terry, Stanton & Associates, is requesting approval of a replat for the recently annexed Ridgeview Church property, which includes all of lots 19 – 22 of the Skyview Country Estates No. 3 Addition and establishes one 7.052-acre lot. The property is located at 1362 East FM 552, is east of John King Blvd and along the north side of FM 552.

After the property was annexed in July of this year, a plat application was filed with the county and approved, but was never filed for record. Since the property is within the corporate limits of the City, the purpose of this replat will be to provide the proper platting process with the City, dedicate utility easements, and establish a right-of-way line along FM 552 for future dedication purposes.

The plat conforms to the City's standards and staff recommends approval of the request.

Staff recommends approval of the request with the following conditions:

1. Re-label "Oncor Electric Delivery Company" easement to "Electric Utility Easement."
2. Remove signature block for the "Rockwall County Judge", not required.

Robert Rash
3 Soapberry Lane
Rockwall, Texas

Mr. Rash stated that he is a resident of Rockwall and a member of the church. The church began construction before they were annexed. This is the first phase and they have two additional phases planned for the future.

Commissioner Minth made a motion to approve P2012-031, a request by Jim Nichols of Di Sciullo-Terry, Stanton & Associates, for approval of a replat of Lots 19, 20, 21, and 22 of the Skyview Country Estates No. 3 Addition, being approximately 7.052-acre tract of land, located at 1362 East FM 552, Rockwall, TX, zoned (AG) Agricultural district, situated east of John King Blvd and north of FM 552, with staff recommendations.

Commissioner Nielsen seconded the motion.

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


4 IV. ADJOURNMENT

6 The meeting adjourned at 7:57 p.m.

8 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 13 day of Nov, 2012.

10

12


Phillip Herbst, Chairman

14

Attest:

16


JoDee Sanford, Planning Coordinator

18

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION

City Hall, 385 South Goliad, Rockwall, Texas

Council Chambers

October 30, 2012

6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, and Matthew Nielsen. John McCutcheon was not in attendance.

Additionally, the following staff members were present: Robert LaCroix, Ryan Miller, David Gonzales and JoDee Sanford.

II. ACTION ITEMS

1. MIS2012-011

Discuss and consider a request by Lorena Rubio for a single family home with a special exception to the setback requirements stating that a garage shall be located at least 20 feet behind the front building façade as set forth in Article VI, Section 4.1, Lots less than five acres, of the City of Rockwall Development Code (UDC), for a property located at 587 Tubbs Road and zoned Planned Development District 75 (PD-75), and take any action necessary.

Sanford explained that the applicant, Lorena Rubio, is requesting a special exception to the requirements stipulated by Section 4.1, Lots less than 5 acres, of Article VI, Parking and Loading, of the Unified Development Code (UDC) for the purpose of constructing a single family home with a front entry garage that does not meet the setback requirement of 20 feet behind the front façade.

Under the standards for Residential Parking, stipulated in the Unified Development Code (UDC), front entry garages must be located 20-ft behind the front façade of the primary structure, unless the driveway is a "J-swing" where the garage door is perpendicular to the street. The building plans submitted show that one garage entry will be setback 1' 8" from the front façade and a second garage entry will be setback 4' 6" from the front façade. The front building setback requirement for the main structure is 20-ft. The single family home will meet the front yard building setback as well as the rear and side yard setbacks.

The PD-75 Development Standards for Lake Rockwall Estates, under the Additional Standards for Areas 1 and 2, Section C, Consideration of Special Request states:

The City Council may consider special requests in the Lake Rockwall Planned Development District in Areas 1 and 2. Such requests may include, but not necessarily be limited to, the use of building materials not otherwise allowed, authorization of specific land uses not otherwise allowed, or other requests submitted for consideration.

Upon receipt of such special requests, the Planning and Zoning Commission shall review the same and forward its recommendation to the City Council for consideration. The City Council may approve special request and any such approval shall preempt any other underlying zoning restrictions in the Zoning Ordinance. Such special requests may be denied by the City Council by passage of a motion to deny.

Staff feels the request for the proposed single family home meets the intent of the Planned Development District and, if approved, would not substantially alter the essential character of the District. Staff recommends approval of the applicant's request.

If the Planning & Zoning Commission and City Council choose to approve the applicant's request, staff recommends the following conditions:

1. Adherence to Engineering, Planning and Fire Department standards.
2. Submittal and approval of building permit.
3. The single family home must adhere to the structural and material requirements of the building code.

Chairman Herbst asked about the home exceeding the maximum lot coverage. Sanford explained that the Board of Adjustments regulates the lot coverage; however, the applicant is planning on reducing the size of the home.

Commissioner Nielsen stated that many of the homes in the area appear to have the same setbacks. He asked whether they also were given special exceptions. LaCroix indicated that many of the homes were built prior to annexation.

Alejandro Rubio
577 Tubbs Road
Rockwall, Texas

Commissioner Buchanan asked Mr. Rubio if he would consider moving the garage to meet the setback since he is planning to reduce the size of the home. Mr. Rubio stated that would prefer to have more space in the backyard.

Commissioner Jackson made a motion to approve MIS2012-011, a request by Lorena Rubio for a single family home with a special exception to the setback requirements stating that a garage shall be located at least 20 feet behind the front building façade as set forth in Article VI, Section 4.1, Lots less than five acres, of the City of Rockwall Development Code (UDC), for a property located at 587 Tubbs Road and zoned Planned Development District 75 (PD-75), with staff recommendations.

Commissioner Buchanan seconded the motion.

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

2. MIS2012-012

Discuss and consider a request by Mauricio I. Avila for a waiver to the masonry requirements set forth in Article V, Section 3.1, General Residential District Standards of the City of Rockwall Unified Development Code (UDC), and more specifically to allow 90% Hardiboard or similar product for an (SF-7) Single-Family Residential district home, zoned (PD-75) Planned Development No. 75, is situated at Rockwall Lake Estates Ph II, Lot 1213, and located at 195 Wayne St., City of Rockwall, Texas, and take any action necessary.

Gonzales stated that the applicant, Mauricio I. Avila, is requesting a waiver to Section 3.1(A)(1) of the Unified Development Code. The applicant is proposing a 1216-s.f. manufactured home with exterior cladding being comprised of 90% Hardiboard, on an engineered foundation, and 20-ft driveway. The above referenced section states "Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement". Section 3.1(A)(1) also states that the Planning and Zoning Commission may approve a waiver for materials not meeting the requirements of said section.

Staff feels the request to be a judgment call for the Planning and Zoning Commission due to the fact that the manufactured home does not meet the 80% masonry requirement as established for the SF-7 residential district. However, other homes have been approved in the past for exterior materials exceeding 50% Hardi Plank or the use of an equivalent material.

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

1. Adherence Fire Department standards.
2. Submittal and approval of a building permit.
3. Must adhere to the standards established in PD-75 for the SF-7 district.
4. Exterior Building materials (including the skirting) shall consist of 90% Hardiboard or equivalent materials

Chairman Herbst asked if the mobile home will support the Hardi Plank material. Gonzales replied that the applicant was going to confirm that the home will support the material.

Commissioner Buchanan asked if this home meets the one-time replacement. Gonzales stated that it does not meet the one-time replacement criteria.

Mauricio Avila
195 Wayne St.
Rockwall, Texas

Mr. Avila indicated that the mobile home is a 1995 model and it will support the Hardiboard material.

LaCroix stated that staff would need to verify that the home will support the material prior to it being placed on the property.

Commissioner Minth made a motion to deny MIS2012-012, a request Mauricio I. Avila for a waiver to the masonry requirements set forth in Article V, Section 3.1, General Residential District Standards of the City of Rockwall Unified Development Code (UDC), and more specifically to allow 90% Hardiboard or similar product for an (SF-7) Single-Family Residential district home, zoned (PD-75) Planned Development No. 75, is situated at Rockwall Lake Estates Ph II, Lot 1213, and located at 195 Wayne St., City of Rockwall, Texas, with staff recommendations.

Commissioner Renfro seconded the motion.

A vote was taken on the motion to deny the applicant's request which passed 5-1, with Jackson voting against.

3. P2012-032

Discuss and consider a request by Steven Homeyer with Homeyer Engineering, Inc. for approval of a replat of Lots 1 - 7, Block A, Flagstone Corners, being approximately 8.263 acres of land, generally zoned (PD-54) Planned Development No. 54 district with a 1.293 acre portion zoned (PD-60) Planned Development No. 60 district, and situated on the south side of Ralph Hall Parkway east of Mims Road, and take any action necessary.

Gonzales explained that the applicant, Steven Homeyer, is requesting an approval for a replat of Lots 1 - 7, Block A of the Flagstone Corners Addition. The subject site is an 8.263 acre tract of land and is zoned (PD-54) Planned Development District No. 54 with a 1.293 acre portion zoned (PD-60) Planned Development District No. 60. The replat will combine the 7 lots into 2 lots for a proposed senior living, assisted living and memory care facility to be built on Lot 8.

A site plan was approved in August of this year that will accommodate a 57,708 sq-ft development on 5.773 acres for the proposed Lot 8. The proposed Lot 9 will consist of 2.490 acres and will

2 remain vacant at this time. Also, the site will have two (2) primary points of access along Ralph
Hall Parkway with one (1) additional means of access on Flagstone Creek Blvd.

4 The purpose of the replat is to dedicate firelane, public access, utility, sewer, and drainage
easements for the proposed Lot 8, while abandoning a series of firelane, access, utility, and
6 drainage easements for the entire site. The plat conforms to the minimum standards established
for the (PD-54) Planned Development District No. 54 and (PD-60) Planned Development District No.
8 60 and staff recommends approval of the request.

10 Staff recommends approval of the replat with the following conditions:

- 12 1. Adherence to Engineering and Fire Department standards.
- 14 2. Re-label lots 1R and 2R on title block, plat and owners certificate (pg 2) to read as Lots 8
and 9.
- 16 3. Correct title block to read "Replat Flagstone Corners Lot 8 and 9" and to include "Being a
Replat of Lots 1-7 being 8.263 acres..."
- 18 4. Label (POB) Point of Beginning on plat.

20 Commissioner Minth made a motion to approve P2012-032, a request by Steven Homeyer with
Homeyer Engineering, Inc. for approval of a replat of Lots 1 - 7, Block A, Flagstone Corners, being
approximately 8.263 acres of land, generally zoned (PD-54) Planned Development No. 54 district
22 with a 1.293 acre portion zoned (PD-60) Planned Development No. 60 district, and situated on the
south side of Ralph Hall Parkway east of Mims Road, with staff recommendations.

24 Commissioner Jackson seconded the motion.

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

- 28
- 30 4. P2012-033
Discuss and consider a request by Jay Bedford of A. J. Bedford Group, Inc. for approval of
Newman Center Addition, Lot 7, Block A, being a replat of Lot 5, Block A, Newman Center
32 Addition, City of Rockwall, being 2.148 acres tract zoned (C) Commercial District and located
at 1040 East IH-30, and take any action necessary.

34 Sanford stated that the applicant, Jay Bedford of A.J. Bedford Group, is requesting approval of a
36 replat for the Newman Center Addition, Lot 5. The property is located at 1040 E. I-30 and is zoned
(C) Commercial district.

38 The purpose of the replat is to abandon a 24-ft cross access easement located on Lot 5. A portion
40 of this easement located on Lot 6 was abandoned earlier this year to allow Rockwall Honda to
secure the northwest side of their property with a gate and/or enclose the area for security
42 purposes. Both property owners have authorized the request and staff supports the request.

44 Staff recommends approval of the replat with the following conditions:

- 46 1. Adherence to Engineering, Planning, and Fire Department standards.
2. Notary not necessary if surveyor's certificate is sealed.

48 Commissioner Jackson made a motion to approve P2012-033, a request by Jay Bedford of A. J.
Bedford Group, Inc. for approval of Newman Center Addition, Lot 7, Block A, being a replat of Lot
50 5, Block A, Newman Center Addition, City of Rockwall, being 2.148 acres tract zoned (C)
Commercial District and located at 1040 East IH-30, with staff recommendations.

52 Commissioner Renfro seconded the motion.

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

5. P2012-034

Discuss and consider a request by Bobby Samuel of The Skorgburg Company for approval of a replat of Stone Creek Phase II-B, City of Rockwall, being single-family lots on 10.315 acres, zoned (PD-70) Planned Development No. 70 district and situated north and east of Bordeaux Drive and northwest of Featherstone Drive, and take any action necessary.

(Sanford discussed case P2012-034 and the following case P2012-035 concurrently.)

Sanford stated that the applicant, Bobby Samuel with Skorgburg Company, is requesting approval of a replat of Stone Creek Phase II-A and Stone Creek Phase II-B. The original plats were approved by the Planning and Zoning Commission and City Council in July 2011. The purpose of the replats is to add 10-foot utility easements across the front of each lot. Staff recommends approval of these requests.

Staff recommends approval of the replats with the following conditions:

1. Adherence to Engineering, Planning, and Fire Department standards.

Commissioner Buchanan asked where the easements were on the plat originally. LaCroix stated that the easements were not put on the plat.

Commissioner Buchanan made a motion to approve P2012-034, a request by Bobby Samuel of The Skorgburg Company for approval of a replat of Stone Creek Phase II-B, City of Rockwall, being single-family lots on 10.315 acres, zoned (PD-70) Planned Development No. 70 district and situated north and east of Bordeaux Drive and northwest of Featherstone Drive, with staff recommendations.

Commissioner Jackson seconded the motion.

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

6. P2012-035

Discuss and consider a request by Bobby Samuel of The Skorgburg Company for approval of a replat of Stone Creek Phase II-A, City of Rockwall, being single-family lots on 13.121 acres, zoned (PD-70) Planned Development No. 70 district and situated south of Featherstone Drive and east of Deverson Drive, and take any action necessary.

(Sanford discussed case P2012-035 with the previous case.)

Commissioner Buchanan made a motion to approve P2012-035, a request by Bobby Samuel of The Skorgburg Company for approval of a replat of Stone Creek Phase II-A, City of Rockwall, being single-family lots on 13.121 acres, zoned (PD-70) Planned Development No. 70 district and situated south of Featherstone Drive and east of Deverson Drive, with staff recommendations.

Commissioner Jackson seconded the motion.

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

III. DISCUSSION ITEMS

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

Mr. Staggs spoke on behalf of the ARB. On case Z2012-017, Mr. Staggs stated that he is very impressed with the building. They have requested that the applicants soften the building by installing some "green" elements on the building.

On case SP2012-022, they asked the applicant to add some metal elements on the building as well as some additional articulation.

For case Z2012-015, the ARB asked the applicant to add some variation to the panels on the top of the building, possibly with perforated metal panels.

Commissioner Buchanan asked if the ARB addresses the location of the building. Mr. Staggs stated that they don't consider the location.

8. Z2012-015

Hold a public hearing and consider a request by Cristal Villarreal for the approval of a Specific Use Permit (SUP) to allow for a restaurant less than 2,000 sq. ft. with a drive-through as specified by the Unified Development Code (UDC), for a 0.182 acre tract of land situated in the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas in the City of Rockwall, being a portion of Lots 5 & 6, Block A, Wal-Mart Supercenter Addition, zoned Commercial (C) District and within the IH-30 (IH-30 OV) Overlay District, being specifically located at 782 IH-30, and take any action necessary.

Gonzales gave an overview of the case and description of the location. He stated that the applicant has submitted new elevations of the building with some changes.

Cristal Villarreal
Jacobs Engineering

The Commission generally discussed the case.

9. Z2012-016

Hold a public hearing and consider a request by Dub Douphrate with Douphrate & Associates, Inc. for the approval of a zoning change to amend a portion of Planned Development District 5 (PD-5) on an 11.2825 acre tract of land situated in the SS. McCurry Survey, Abstract No. 146, and the J.H.B. Jones Survey, Abstract No. 124, and being all of Lots 2 & 3, Block A of Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, generally situated at the northeast corner of Memorial Drive and N. SH-205, and take any action necessary.

Miller described the case and the location of the property.

Dub Douphrate
Douphrate & Associates

Mark Matisse (Owner)

The Commission discussed the case.

10. Z2012-017

Hold a public hearing and consider a request by Jake Petras for the approval of a Specific Use Permit (SUP) to allow for a retail store with more than two (2) gasoline dispensers within a General Retail (GR) District as specified by the Unified Development Code (UDC), for a 1.8169 acre tract of land zoned Commercial (C) District and General Retail (GR) District, and described as part of the Joseph Cadle Survey, Abstract No. 65, being all of Lot 1R, Block A of the Montego Addition, and a portion of Lot 2, Block A of the Rockwall Shopping Center, Rockwall County, Texas, and being generally located at the northwest corner of the intersection of SH-205 and the IH-30 frontage road, within the IH-30 (IH-30 OV) Overlay District and the SH-205 (SH-205 OV) Overlay District, and take any action necessary.

Miller discussed the location of the property and gave a brief overview of the case.

Jake Petras
QuikTrip

Mr. Petras answered questions from the Commission.

11. SP2012-022

Discuss and consider a request by Matthew King of Matthew King Architect, for approval of a site plan of a retail building located on Lot 8, Rockwall Business Park East, City of Rockwall, being a 1.017 acre tract zoned (C) Commercial and situated within the (SH 205 OV) SH 205 Overlay District, generally situated on the northwest corner of E. Ralph Hall Parkway and S. Goliad Street, and take any action necessary.

Gonzales described the location of the property and explained the case.


IV. ADJOURNMENT

The meeting adjourned at 7:57 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 13 day of Nov, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
November 13, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon and Matthew Nielsen.

Additionally, the following staff members were present: Robert LaCroix, Lance Estep, Ryan Miller, David Gonzales and JoDee Sanford.

1. Approval of Minutes for October 9, 2012 Planning and Zoning Commission meeting.

Commissioner Minth made a motion to approve the minutes for October 9, 2012.

Commissioner Jackson seconded the motion.

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

2. Approval of Minutes for October 30, 2012 Planning and Zoning Commission meeting.

Commissioner Jackson made a motion to approve the minutes for October 30, 2012.

Commissioner Minth seconded the motion.

A vote was taken and the motion passed 6-0, with McCutcheon abstaining.

(Chairman Herbst moved to Case SP2012-022)

II. PUBLIC HEARINGS

3. Z2012-015

Hold a public hearing and consider a request by Cristal Villarreal for the approval of a Specific Use Permit (SUP) to allow for a restaurant less than 2,000 sq. ft. with a drive-through as specified by the Unified Development Code (UDC), for a 0.182 acre tract of land situated in the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas in the City of Rockwall, being a portion of Lots 5 & 6, Block A, Wal-Mart Supercenter Addition, zoned Commercial (C) District and within the IH-30 (IH-30 OV) Overlay District, being specifically located at 782 IH-30, and take any action necessary.

Gonzales stated that the applicant, Cristal Villarreal, representing Seattle's Best Coffee, is requesting approval of a Specific Use Permit (SUP) to allow for a restaurant that is less than 2,000 square feet in area and more specifically, a coffee shop that includes a drive-through facility. The coffee shop is to be located within the Wal-Mart Super Center parking lot at 782 IH-30 on a 0.182 acre tract of land through a ground lease with Wal-Mart. The property is zoned (C) Commercial District and is located within the IH-30 Overlay District (IH-30 OV).

Seattle's Best Coffee is proposing a development that will include a five hundred twenty-three (523) square foot modular building with a drive-through lane and walk up window. The building will consist of 20% Austin Stone (natural) and 33% Ledge Stone (cast) for a 53% total stone finish.

2 The upper portion of the building will consist of a fiber-concrete masonry panel depicting
4 branding elements on the façade. Also present are canopies at the display window as well as the
6 service windows, which provide some horizontal articulation for the structure. Along with the
8 color rendering, the applicant has provided a "night" rendering that depicts the visual appearance
10 of the store in the evening hours for your consideration.

12 The SUP Site Plan provided indicates that the leased area is to be located two (2) parking rows
14 east of the Murphy USA site, which will eliminate thirty-seven (37) parking spaces. However, the
16 applicant has provided a "Parking Study" produced by Dunaway Associates, which concluded
18 that the addition of the Seattle's Best Coffee site, along with the other facilities located on the Wal-
20 Mart Addition, does not require remediation based on the amount of parking required (844 spaces)
22 and what is provided (936 spaces) when the site is completed. The SUP Site Plan meets or
24 exceeds the Unified Development Codes minimum standard for stacking vehicles in the drive-
through lane.

26 Dunaway Associates has also provided the applicant a "Traffic Evaluation" study for the
28 proposed site indicating the number of "trips" a coffee shop with a drive-through facility will
30 generate during AM and PM peak hours. Most "trips" to the site are expected to be passer-by
32 traffic at a rate of 89%. Dunaway's evaluation included site visit observations, anticipated site
34 traffic, anticipated queuing analysis, land configuration and traffic signing, and traffic intensity in
Wal-Mart Supercenter parking lot. Based on Dunaway's evaluation, it is their belief that the
Seattle's Best Coffee development will not impact or hinder the operations within the Wal-Mart
Supercenter parking lot.

36 Staff recommends that the Commission include the Elevations and the SUP Site Plan submitted
38 as exhibits in the SUP in order to tie these elements to the property as requested. Additionally,
40 based on the parking and traffic studies provided by the applicant and with the site shifting east
42 of the Murphy USA location, it is staff's opinion that the proposed location is considered optimal
44 for this particular use and staff supports the applicant's request.

46 A public notice has been published in the Rockwall County News, on the City's website, and a
48 sign has been posted on the property. Also, notices have been mailed to thirty-six (36) property
50 owners within 200 feet of the subject property as required by law. At the time of this report, staff
52 has received one (1) response "in favor of," and one (1) response "opposed to" the request.

54 Staff recommends approval of the request with the following conditions:

- 56 1. A restaurant less than 2,000 square feet with a drive-through shall be allowed on the
subject property in accordance with the attached Exhibits "A" & "B,"
 - 58 A. Exterior elevation, including building materials depicted.
 - 60 B. SUP Site Plan
- 62 2. The restaurant shall not exceed five hundred fifty (550) square feet in area with a minimum
64 six (6) car stacking requirement for the drive-through.
- 66 3. Alteration to building elevations shall be subject to review and recommendation by the
Architectural Review Board, Planning and Zoning Commission, and approval by the City
68 Council.
- 70 4. Submittal and approval of a site plan.
- 72 5. Submittal and approval of a building permit.
- 74 6. Adherence to Engineering and Fire Department standards.
- 76 7. The City Council reserves the right to review the Specific Use Permit granted herein upon
the expiration of one (1) year from the date hereof.

78 Chairman Herbst opened the public hearing at 6:20 p.m.

80 Crista Villarreal
82 Jacobs Engineering

Houston, Texas

Chairman Herbst asked the applicant if there are any plans for outside seating. Ms. Villarreal indicated there are no plans for outside seating.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:22 p.m.

Commissioner Jackson made a motion to approve Z2012-015, a request by Cristal Villarreal for the approval of a Specific Use Permit (SUP) to allow for a restaurant less than 2,000 sq. ft. with a drive-through as specified by the Unified Development Code (UDC), for a 0.182 acre tract of land situated in the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas in the City of Rockwall, being a portion of Lots 5 & 6, Block A, Wal-Mart Supercenter Addition, zoned Commercial (C) District and within the IH-30 (IH-30 OV) Overlay District, being specifically located at 782 IH-30, with staff recommendations.

Commissioner Buchanan seconded the motion.

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

4. Z2012-016

Hold a public hearing and consider a request by Dub Douphrate with Douphrate & Associates, Inc. for the approval of a zoning change to amend a portion of Planned Development District 5 (PD-5) on an 11.2825 acre tract of land situated in the SS. McCurry Survey, Abstract No. 146, and the J.H.B. Jones Survey, Abstract No. 124, and being all of Lots 2 & 3, Block A of Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, generally situated at the northeast corner of Memorial Drive and N. SH-205, and take any action necessary.

Miller indicated that on October 19, 2012 the applicant, Dub Douphrate with Douphrate & Associates, submitted an application on behalf of Makko Development, Inc. to amend Planned Development District 5 (PD-5) to allow for the development of *Age Restricted Living Units* contingent upon the construction of a *Convalescent Care/Memory Care Facility*. The 11.2825-acre tract of land, located at the southeastern corner of the intersection of Quail Run Road and SH-205, was annexed into the City of Rockwall on February 3, 1961 by Ordinance No. 61-02, and is identified as Lot 2, Block A of Quail Run Retail Addition. On September 4, 1973, the subject property was zoned to Planned Development District 5 (PD-5) for General Retail (GR) District uses by Ordinance No. 73-31. This designation was amended on October 2, 2000 by Ordinance No. 00-28, in conjunction with a conceptual plan that depicted a neighborhood shopping center with a large retail grocery store and gas station scheduled to be developed on the subject property. The concept plan was approved but never initiated, and the subject property remains vacant. According to Ordinance No. 00-28 the underlying zoning for the subject property remains General Retail (GR) District with the addition of special provisions for the construction of a neighborhood convenience center, restaurant with drive through facilities, pharmacy with drive through facilities, and a retail convenience store with six (6) gasoline dispensers.

The applicant is requesting the zoning amendment to allow *Age Restricted Living Units* in response to interest from a third party in developing a *Memory Care Facility* on a portion of the subject property. According to the *Permissible Use Charts* in Article IV of the Unified Development Code (UDC) a *Memory Care Facility* (or *Convalescent Care Facility*) is permitted by right in a General Retail (GR) District and is not contingent on the approval of this zoning request. The applicant's request would only permit the construction of the *Age Restricted Living Units* if the requirements of the attached draft ordinance are satisfied, and would not permit any additional uses not already permitted in a General Retail (GR) District or specified in the current zoning ordinance. It is the applicant's intent for the *Age Restricted Living Units*, if approved, to be a separate but associated use of the *Memory Care Facility*. For example, the applicant has stated

that the *Memory Care Facility* will provide residents of the *Age Restricted Living Units* with services such as meal preparation, medical attention, and potentially transportation services. Additionally, the applicant has agreed to heavy restrictions within the Planned Development District Ordinance pertaining to the timeline for development and an expiration period for the proposed use.

The Concept Plan provided by the applicant shows the subject property being divided into two (2) tracts of land identified as Phase I & II. Phase I shows an example site plan for a *Memory Care Facility*, and Phase II shows the conceptual plan for the *Age Restricted Living Units*. This portion of the plan depicts a total of 28 units being provided, which will be configured into four (4) duplexes and five (5) quadplexes. Additionally, the Concept Plan indicates that a club house will be provided for the purpose of offering residents a meeting space. As part of this submittal the applicant has submitted sample elevations of the proposed living units (labeled as Exhibit 'D' in the attached draft ordinance). The lot adjacent to Phase II (identified as Lot 3, Block A of Quail Run Retail Addition) is separate from the zoning area, and is expected to be developed with a standalone retail store.

In response to the applicant's zoning request staff has drafted an ordinance that designates a timeline for the development of this property and restricts when the *Age Restricted Living Units* can be developed. Furthermore, staff has placed a thirty-six (36) month expiration period for the *Age Restricted Living Units* to be constructed as a valid use within the Planned Development District. Staff has also provided development standards that are similar in nature to the adjacent single family neighborhood.

The Future Land Use Map, adopted with the Comprehensive Plan on March 5, 2012, designates the subject property for *Commercial* land uses. Due to the dependence, established in the attached draft ordinance, of the proposed use on the potential *Memory Care Facility*, and despite eventual separate ownership of the properties, staff perceives the proposed development of this land as a campus style (joint) development. Taking this into consideration, it is staff's opinion that the proposed uses meet the intent of the Future Land Use Map designation. Furthermore, according to the Comprehensive Plan, future development in the city should provide "... a range of housing types, from large lot custom homes to urban housing in order to accommodate different age groups, incomes and lifestyles" and "(m)edium density housing should be generally used ... as a buffer from commercial or higher density residential." With the potential "*by-right*" development of a *Memory Care Facility* on a portion of the subject property, it is staff's perception that the proposed *Age Restricted Living Units* could create a logical transition of uses and buffer the existing single family residences from SH-205. The applicant has stated that the intent of the age restricted community is to create a campus style use with the adjacent *Memory Care Facility* that blends the two developments with the adjoining single family neighborhood in terms of scale and design standards. It is also worth noting that the last feasible proposal staff received for the subject property was in August of 2000. This request was for the development of a neighborhood shopping center, large retail grocery store, and gas station. Due to the nature of the proposed use, it would be far less intensive than a retail or commercial use and have a lesser impact on the adjacent single family homes specifically in relation to traffic, lighting, visibility, and noise.

With that being said, staff ultimately feels that the approval of the proposed amendments to Planned Development District 5 (PD-5) is a judgment call for the Planning & Zoning Commission and City Council; however, if the Planning & Zoning Commission and City Council consider approval, strict adherence to the development conditions and expiration period contained in the draft ordinance and the conditions contained in the recommendation section of this case memo (below), should be followed.

On November 2, 2012, staff mailed twenty-five (25) notices to property owners within 200 feet of the subject property. Additionally, staff posted signs along the SH-205 street frontage adjacent to the subject property as required by the Unified Development Code (UDC). At the time this report

was drafted, two (2) responses in the notification area in opposition of the zoning change were received by staff.

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

- 1) The development of the proposed *Age Restricted Living Units* strictly adhere to the Concept Plan in Exhibit 'B', Development Standards in Exhibit 'C', and generally conform to the Building Elevations in Exhibit 'D' of the attached Draft Ordinance.
- 2) Prior to the submission of a site plan for the *Age Restricted Living Units*, a site plan and building permit for a *Convalescent Care/Memory Care Facility* shall be approved and issued, and construction shall have commenced on the property per the requirements in Exhibit 'C' of the Draft Ordinance.
- 3) Prior to the issuance of a building permit for the *Age Restricted Living Units*, a site plan shall be approved by the Planning & Zoning Commission, and if necessary City Council, per the requirements in Exhibit 'C' of the Draft Ordinance.
- 4) At least one (1) occupant of each housing unit provided in the Age Restrict Community must be 55 years of age or older per the requirements in Exhibit 'C' of the Draft Ordinance.
- 5) The Age Restricted Living Units as a permitted land use shall expire thirty-six (36) months after the approval of the attached Draft Ordinance.
- 6) The Applicant/Owner shall be required to provide staff with a copy of the deed restrictions for the property to verify that the age restrictions conform with the proposed zoning ordinance.
- 7) The developer shall be responsible for the provision of adequate parking and public facilities and services as stipulated in Planned Development District 5 (PD-5) and the Unified Development Code (UDC); and,
- 8) Any construction resulting from the approval of this zoning ordinance shall conform to the requirements set forth by Planned Development District 5 (PD-5), the Unified Development Code, the 2009 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Commissioner Nielsen clarified that no connection is being made in the ordinance between the individuals in the memory care facility and those residing in the age-restricted living facility. Miller indicated that the city cannot legally put that type of connections between the facilities within the ordinance. Commissioner Nielsen went on to express concern regarding the use of the facility changing in the future and that the memory care facility would only have to start construction within the 36 month time period to allow the other use. LaCroix indicated that the Commission could elect to change that portion of the ordinance at their discretion to be more restrictive. LaCroix further stated that the land use could be limited to memory care as part of a PD amendment.

Commissioner Minth asked if the units could be subdivided at any point in the future for individual ownership of the units. LaCroix stated that subdividing the units would not be allowed. Miller explained that it is a campus style use and to subdivide the units, it would take a zoning request. Commissioner Minth indicated that the deed restrictions would make a huge difference. Miller stated it is staff's recommendation that the deed restrictions are provided to staff prior to the approval of a Certificate of Occupancy (CO) to ensure that they are compatible with the zoning ordinance, but that staff could not legally tie the deed restrictions to the ordinance.

Chairman Herbst opened the public hearing at 6:42 p.m.

Mark Matisse
3200 Rankin
Dallas, Texas

Mr. Matisse described the property and gave a presentation on the development he is proposing.

Commissioner Nielsen asked Mr. Matisse his plans for the future of the property after development. Mr. Matisse stated that there is always a chance that a property gets sold; however, regardless of ownership, the residents would be required to be 55 or older. Commissioner Nielsen stated that only one individual living at the residence would be required to be age 55 or over. Mr. Matisse stated that is correct; however, in other similar facilities, the average age is 80 and that the communities do not have children living within them nor do they attract families with children. Additionally, the monthly costs associated with living in the facility would not be economically feasible to other individuals outside of the 55 years of age or older group.

Commissioner Minth stated that the facilities would be handicapped equipment, deed restrictive, and designed for individuals that will make use of the memory care facility next door.

Commissioner Renfro stated that the age-restricted living will not go in unless the memory care facility is built prior to that. In addition, the developer's debt will require the memory care facility to be functional prior to the living units in order to mitigate the risk. Development will occur on this property and could be a shopping center or other type development.

Commissioner Buchanan asked how long the other facilities that Mr. Matisse mentioned have been in use. Mr. Matisse indicated that one facility has been open for 3 years, while the other has been in use since 2005-06 and that the facilities are at capacity. He stated that there is a demand for this type of development, but it doesn't work unless it is next to a service provider.

Commissioner Nielsen asked the plan for building the two phases. Mr. Matisse stated that the memory care facility will be built and as soon as they break ground, the plan is to get a building permit and break ground on the living units.

Commissioner Minth stated that the underlying zoning on the property is General Retail and she listed some of the uses allowed within that zoning.

General discussion took place amongst the Commissioners.

Commissioner Minth asked if the appearance of the units are tied in to the ordinance, and could they be designed to be higher end, so they would be a higher price point. Miller indicated that the elevations are being attached to the ordinance as an exhibit and a zoning change would be required in order to change them in the future.

Commissioner Nielsen asked if the ordinance could limit occupancy or if a requirement could be made that a percentage of the occupants within the unit are age 55 or older. Miller stated that HUD's definition of 'Age Restricted' is being applied in the ordinance and if a percentage requirement was added that the city would risk being in violation of the Fair Housing Act.

Additional discussion took place amongst the Commissioners.

Commissioner Jackson stated that she doesn't have a problem with the development at this point and that she is pleased that the revised elevations with materials.

Mary Boyles
1503 Brittany Way

Rockwall, Texas

Mrs. Boyles stated that she did not move to the area to be neighbored by duplexes or quadplexes. The units look nice, but she doesn't want it next to her home. She is concerned with the traffic. It is a busy area, but a quiet area and wants to keep it that way. She doesn't believe it is in the best interest of the people that already live in the area.

Glen Boyles
1503 Brittany Way
Rockwall, Texas

Mr. Boyles stated that he and his wife retired to the area. He doesn't want to live next to duplexes. He expects his property to appreciate instead of depreciate. He stated his understanding that a retail store or other retail establishment would be developed. He doesn't see a convenience factor with this and is against the development.

Glen Farris
945 Yellowjacket Ln #708
Rockwall, Texas

Mr. Farris stated that he owns property on Memorial Drive. He believes that the issue is with what will be the highest and best use for the property, not a multi-family issue. This proposal is the best and highest use for the property in Mr. Farris' opinion. Mr. Farris stated that a retail development will increase the traffic in the area 10 times greater than the proposed development. He also appreciates that this development will be one-story. Other retail development would increase the traffic and bring a greater amount of garbage. His hope is that the Commission would approve the case and move it on to Council.

Mike Williams
1504 Brittany Way
Rockwall, Texas

Mr. Williams stated that he is disturbed by this type of community coming into their neighborhood. He is concerned about the traffic. He believes that other retail uses would increase traffic on the weekend, but this will increase the traffic by adding families, along with visitors and staff. There are other facilities available in Rockwall for Seniors that are not adjacent to single-family communities. He believes that is a good reason to deny this request.

Ronald Hampton
1438 Red Wolf Dr.
Rockwall, Texas

Mr. Hampton he lives in Quail Run and that his family also owns a home there. He asked if the developer planned to do any grading on the property to lower the height of the units. He stated that traffic is a concern in the area; however, a retail development could increase traffic beyond the increase that will occur with this development. He asked if the units would have individual trash pick-up or if dumpsters may be used. He stated that individual trash pick-up would be preferred over dumpsters. Additionally, he prefers this type of development over some of the allowed retail uses that would be 36' high and a high intensity use with installation of tall lights. He was also concerned with the required setback of the living units. He stated that this development would be preferred versus a higher intensity use.

Robb Dean
1124 Memorial
Rockwall, Texas

Mr. Dean stated that the property will be retail, if it is left as is. He agrees that this is the highest and best use for the property and the neighborhood. He asked if the exterior materials would be allowed if used on a home within the adjacent neighborhood. He indicated that the quality of materials and the construction standards should be similar to the neighborhood in his opinion.

David Tuttle
1490 Memorial Dr.
Rockwall, Texas

Mr. Tuttle explained that he has lived in the neighborhood for 7 years. He agrees that this is the best use of the property. He would encourage the Commission to put everything in writing. His asked if there was a possibility to incorporate this development into the Quail Run Valley Homeowner's Association, since they will be using the neighborhood amenities. In addition, it would give the homeowners some say in the building materials or any changes of those in the future. He is concerned with the screening requirements for dumpsters and the blending of the fence line, greenbelts and landscaping.

Samantha Williams
1110 Memorial Dr.
Rockwall, Texas

Mrs. Williams lives in Quail Run with her family. Her husband is over age 55 and she has children. She doesn't understand the need for separate living units outside of the facility. She doesn't have issue with the memory care facility as long as that is its use. She would like the people that have already retired to this area to be considered.

Mr. Matisse stated that something will be built on this property. He believes that this development is the best use of the property and will be the least intrusive. Their other similar communities are good neighbors. The construction standards are similar to the adjacent neighborhood. He stated that these units are not constructed for large families. He believes that this is a benefit for the community.

Commissioner Buchanan asked about a dumpster for the living unit facility or individual pick-up. Mr. Matisse stated that he believes it will be individual pick-up. Commissioner Buchanan asked about the front porch and the roof line. Mr. Matisse stated that because of the units don't have back yards, they are installing front porches. Commissioner Buchanan stated that it is important that the units blend with the neighborhood.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 7:41 p.m.

Commissioner Renfro asked about the ownership of the corner lot. Miller indicated that the corner lot is not part of the zoning request and could be developed as General Retail under the current zoning ordinance.

Commissioner Buchanan stated that the homes behind the property would retain their value more with this type of facility rather than some type of retail shopping center.

Commissioner Nielsen asked about changing the wording of the ordinance to restrict the construction of the living facility contingent upon the opening of the memory care facility. LaCroix replied that the ordinance could be changed to reflect that the construction of the age-restricted living units is contingent upon the issuance of a Certificate of Occupancy for the memory care facility by recommendation of the Commission.

Commissioner Jackson made a motion to approve Z2012-016, a request by Dub Douphrate with Douphrate & Associates, Inc. for the approval of a zoning change to amend a portion of Planned

2 Development District 5 (PD-5) on an 11.2825 acre tract of land situated in the SS. McCurry Survey,
4 Abstract No. 146, and the J.H.B. Jones Survey, Abstract No. 124, and being all of Lots 2 & 3, Block
6 A of Quail Run Retail Addition, City of Rockwall, Rockwall County, Texas, generally situated at the
8 northeast corner of Memorial Drive and N. SH-205, with staff recommendations and the additional
conditions that the deed restrictions be reviewed by the Commission and that the multi-family
facility Certificate of Occupancy be tied to the Certificate of Occupancy for the memory care
facility.

10 Commissioner Buchanan seconded the motion.

12 Commissioner Minth asked if exterior materials of the units need to be addressed at this time.
14 Miller indicated the residential standards are listed in Exhibit C of the ordinance unless the
Commission wants to make additional recommendations. Additionally, Commissioner Minth
confirmed that the trail system, ponds, and park within Quail Run are public. LaCroix confirmed
they are for public use.

16 Commissioner Renfro asked if the construction standards are the same standards for the Quail
18 Run neighborhood. LaCroix stated that they are the same standards; however, Quail Run may
have their own deed restrictions.

20 Commissioner Minth stated that she likes the standing seam roof and that she lives close to the
22 neighborhood. She agrees that traffic is a concern, but wants to assure the residents of the
neighborhood that they are taking their opinions into consideration. She also remembers the
24 deed restrictions of the neighborhood to be similar.

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

28 *(Chairman Herbst called for a recess at 7:54PM. The meeting resumed at 8:01PM.)*

30 5. Z2012-017

32 Hold a public hearing and consider a request by Jake Petras for the approval of a Specific
34 Use Permit (SUP) to allow for a retail store with more than two (2) gasoline dispensers within
a General Retail (GR) District as specified by the Unified Development Code (UDC), for a
36 1.8169 acre tract of land zoned Commercial (C) District and General Retail (GR) District, and
described as part of the Joseph Cadle Survey, Abstract No. 65, being all of Lot 1R, Block A of
the Montego Addition, and a portion of Lot 2, Block A of the Rockwall Shopping Center,
Rockwall County, Texas, and being generally located at the northwest corner of the
38 intersection of SH-205 and the IH-30 frontage road, within the IH-30 (IH-30 OV) Overlay
District and the SH-205 (SH-205 OV) Overlay District, and take any action necessary.

40 Miller stated that the subject property is a 1.8169-acre tract of land located at the northwest corner
42 of IH-30 and SH-205. The portion of the property currently zoned as a Commercial (C) District was
replatted as Lot 1R, Block A of the Montego Addition on October 30, 2001. The remainder of the
44 property is zoned as a General Retail (GR) District and is identified as a portion of Lot 2 of the
Rockwall Central Shopping Center Addition, which was approved on May 17, 1985. The applicant,
46 Jake Petras, is requesting the approval of the Specific Use Permit (SUP) for the purpose of
constructing a QuikTrip retail store with nine (9) gasoline dispensers. According to the
48 *Permissible Use Charts* located in Article IV, *Permissible Uses*, of the Unified Development Code a
Retail Store with more than Two (2) Gasoline Dispensers is permitted by right in a Commercial (C)
50 District, but requires a Specific Use Permit (SUP) in a General Retail (GR) District.

52 As part of the Specific Use Permit (SUP) submittal the applicant has submitted building
elevations, a concept site plan, a concept landscape plan, and elevations of the proposed
54 signage. It is the intent of staff to tie the building and signage elevations to the operational
ordinance to ensure that the future site plan and subsequent building permit submittals adhere to
56 the plans provided with this case.

2 The applicant is proposing the construction of a 5,720 square foot building that will incorporate
4 material variations through the integration of two (2) complimentary brick colors (Bronzestone
6 Brick and Midnight Black), tile, and architectural metals. The building's façade will be broken up
8 by offsets in the walls that help create depth in the structure's appearance. At the changes in the
10 wall planes the building will incorporate columns that utilize a dark tile (Radiant Iron), which
12 provides a stark contrast to the brick walls and metal accents. Through the use of deviations in
14 the color patterns and materials and the integration of several architectural features (i.e. offsets in
the wall planes, arcades and canopies, tower elements, etc.), the building's façade creates an
increased sense of verticality. This is amplified through the addition of an oversized metal
cornice that adorns the tops of the wall planes, and provides for additional distinction in the
roofline of the structure. Finally, the applicant has added decorative columns and caps to the rear
elevation to meet the four (4) sided architecture requirement stipulated for properties located
within the IH-30/SH-205 Overlay Districts.

16 The gas canopy will contain nine (9) gasoline dispensers and be constructed from the same
18 materials utilized on the primary structure. The columns supporting the canopy will be slightly
20 rotated to reduce the linear appearance of the structure and will utilize the same brick color
22 scheme as used on the primary structure. The canopy itself will be constructed with a silver
architectural metal (HLZ Hairline Silver) and provide offsets to help create relief in the canopy's
design.

24 The elevations provided by the applicant meet the majority of the development standards
26 stipulated by the zoning districts and the overlay districts as required by the Unified Development
Code, but are deficient with regard to a few standards. Specifically, the structure does not meet
the following requirements:

- 28 1) The IH-30 Overlay District requires buildings with a footprint of less than 6,000 square feet
30 to have a pitched roof.
- 32 2) The minimum masonry percentage for a building in the IH-30/205 Overlay District is 90%
masonry of which 20% is required to be natural or quarried stone.

34 According to the IH-30 Overlay District standards, corporate identities that conflict with the
36 building design criteria in the Unified Development Code may be reviewed on a case-by-case
38 basis by the Planning & Zoning Commission and City Council. In this case, the applicant has
40 stated that the proposed building elevations represent the new corporate building identity of
42 QuikTrip. Staff would also like to point out that the adjacent retail shopping center and
44 restaurants do not currently meet the stone requirements stipulated for properties in the overlay
district. Furthermore, the Architectural Review Board (ARB) was satisfied with the material
variations and roofline variation presented in the current elevations, and did not think the
inclusion of stone would be beneficial to the overall design of the building. It is staff's opinion
that the building will blend well with adjacent development and that the requested variances will
not reduce the quality of the product presented.

46 The concept site plan shows the inclusion of two (2) signs to be located on the subject property:
48 1) a pole sign which will be situated along the IH-30 frontage road adjacent to the western
50 property line and 2) a monument sign which will be situated adjacent to the northern and eastern
52 property lines along SH-205. Typically, a site is permitted one (1) sign unless the property
54 exceeds seven (7) acres along IH-30 or five (5) acres along another arterial/roadway in which case
it would be permitted two (2) signs. In this case the subject property is less than the required
acreage, but has two unique frontages along major thoroughfares that could warrant the
additional signage. Additionally, the proposed locations of the signs meet the location and
spacing requirements stipulated in the City's Municipal Code. Staff is not opposed to the
additional signage or the proposed locations of the signs, but has requested that the applicant
provide revised elevations that architecturally integrate the signs into the development scheme on

the remainder of the site. In response to this request the applicant has submitted improved elevations (depicted in Exhibit 'D' of the Draft Ordinance) that show the proposed signage incorporating the same accent brick (Midnight Black) and cornice design used on the primary structure. Additionally, the elevation of the pole sign shows a monument style base being incorporated into the signage detail that helps tie the sign into the remainder of the site.

The remaining concept site plan and landscape plan provided in the exhibits of the Draft Ordinance show generally how the site will be developed, but are only conceptual in nature and will require site plan approval by the Planning & Zoning Commission, and City Council if necessary, pending the approval of this Specific Use Permit (SUP). Any variances required for the building or signage elevations shall be approved with the adoption of the proposed Draft Ordinance, and future submittals will be required to conform to the exhibits contained in the Draft Ordinance.

On November 2, 2012, staff mailed nine (9) notices to property owners within 200 feet of the subject property. Additionally, staff posted signs along SH-205 and the IH-30 frontage road as required by the Unified Development Code (UDC). At the time this report was drafted two (2) responses (from one [1] property owner) in favor of the Specific Use Permit (SUP) were received by staff.

If the Planning & Zoning Commission decides to recommend approval of the applicant's request for a Specific Use Permit (SUP), staff would recommend the following conditions of approval:

- 1) That the Concept Site Plan in Exhibit 'B' and Building Elevations in Exhibit 'C' of the draft ordinance shall generally control the development of the Retail Store with more than two (2) gasoline dispensers;
- 2) That all signage established on the subject property shall generally conform to the Sign Elevations in Exhibit 'D' of the draft ordinance;
- 3) Prior to the issuance of a building permit a Site Plan shall be submitted and approved by the Planning & Zoning Commission, and City Council if necessary.
- 4) Prior to approval of a building permit the Texas Department of Transportation (TXDOT) shall approve and issue permits for the proposed drive approach located off the IH-30 frontage road, the closure of the existing drive approach off of SH-205, and the proposed widening of the shared drive approach off of SH-205;
- 5) No outside display of merchandise or outside storage shall be permitted on the subject property, with the exception of the following items which will be required to be indicated on the approved site plan: ice machine, propane cage, and/or DVD rental kiosk.
- 6) The City Council reserves the right to review this Specific Use Permit (SUP) request [Case No. Z2012-017] one (1) year after the approval and adoption of the attached draft ordinance; and

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

Commissioner McCutcheon stated his concern with the access points, especially off of the frontage road. Miller responded that the access off of the frontage road is part of the site plan and is currently existing. Commissioner McCutcheon indicated that the location of this entrance could cause traffic issues, but does understand that TxDot must approve changes as well.

2 Commissioner Minth asked if the City could add pylons to address the traffic flow. Miller indicated that any pylons at the location would require TxDot approval.

4 Commissioner Nielsen asked about the pole sign. Miller stated that the location is allowed one pole sign within the IH-30 Overlay District. Commissioner Nielsen indicated that he would prefer two monument signs.

6

8 Commissioner Renfro asked about additional access points other than the one off the frontage road. Miller stated that another access point will be off of SH-205 as a shared access with the shopping center.

10

12 Commissioner McCutcheon asked about installing a curb or reconfiguring the entrance to avoid traffic issues. LaCroix stated that this would still require TxDot approval because the access drive is within TxDot right-of-way.

14

16 Chairman Herbst opened the public hearing at 8:20 p.m.

18 Jake Petras
1120 N. Industrial Blvd.
20 Euless, Texas

22 Mr. Petras stated that the driveway off the frontage is important to this location. QuikTrip is working with TxDot to install a "pork chop" within the driveway to deter drivers from attempting to turn in from the turnaround under the interstate as well as prevent other traffic issues related to this driveway. Mr. Petras also stated that their economics increase if they have a pole sign that allows drivers to see gas prices from the interstate.

24

26

28 Commissioner Jackson asked if the store is planning on any outside display. Miller stated that the operational ordinance restricts the outside storage to what is shown on the site plan.

30

32 Commissioner Renfro asked if the applicant considered changes to the canopy. Mr. Petras stated that they feel this is a clean, slick look and they believe this is the best option for this location.

34 Commissioner Minth stated that she really likes for the canopy to look nice; however, she does like that they have grooves that break up the appearance of the canopy.

36

38 There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 8:30 p.m.

40 Commissioner Jackson made a motion to approve Z2012-017, a request by Jake Petras for the approval of a Specific Use Permit (SUP) to allow for a retail store with more than two (2) gasoline dispensers within a General Retail (GR) District as specified by the Unified Development Code (UDC), for a 1.8169 acre tract of land zoned Commercial (C) District and General Retail (GR) District, and described as part of the Joseph Cadle Survey, Abstract No. 65, being all of Lot 1R, Block A of the Montego Addition, and a portion of Lot 2, Block A of the Rockwall Shopping Center, Rockwall County, Texas, and being generally located at the northwest corner of the intersection of SH-205 and the IH-30 frontage road, within the IH-30 (IH-30 OV) Overlay District and the SH-205 (SH-205 OV) Overlay District, with staff recommendations.

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50 Commissioner Buchanan seconded the motion.

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

54 III. SITE PLANS/PLATS

56 6. SP2012-022

Discuss and consider a request by Matthew King of Matthew King Architect, for approval of a site plan of a retail building located on Lot 8, Rockwall Business Park East, City of Rockwall, being a 1.017 acre tract zoned (C) Commercial and situated within the (SH 205 OV) SH 205 Overlay District, generally situated on the northwest corner of E. Ralph Hall Parkway and S. Goliad Street, and take any action necessary.

Gonzales indicated that the applicant is seeking approval of a site plan for a proposed retail building to be located on a 1.017 acre tract of land and that is situated along SH 205 and Ralph Hall Pkwy, within the Plaza at Rockwall development. The property is zoned (C) Commercial District and lies within the (SH 205 OV) SH 205 Overlay District.

The proposed site will contain a single story, 11,200-sf structure which will be used primarily as a veterinarian clinic, with available space for other retail uses. The site will be accessed from two points of entry along SH 205 and Ralph Hall Pkwy. The site currently has twelve (12) existing parking spaces located along SH 205 and an additional forty-four (44) spaces along Ralph Hall Parkway that were provided during the Rockwall Plaza Phase II development. The applicant will be providing six (6) new spaces that are set closer to the building for an overall total of sixty-two (62) parking spaces for the site. Based on the use classification and including the forty-four (44) existing off-site parking spaces adjacent to the property, the proposed parking count is considered sufficient to serve this development. The building footprint depicts bump-outs on all sides of the structure that meet or exceed the minimum requirements for horizontal articulation.

The applicant has submitted a landscape plan indicating a total of 62.7% landscape coverage for the site which exceeds the 15% minimum coverage requirement for a commercial development. The site will include an assortment of canopy trees, accent trees, shrubs, and ground cover. Additionally, during development of the Rockwall Plaza Ph II, a number of trees were provided along SH 205 and Ralph Hall Parkway. Also approved was a regional detention pond that abuts the proposed site. Due to the existing landscaping/trees provided during the Rockwall Plaza Ph II development (specifically along SH 205) and including what the applicant is proposing, staff is of the opinion that the landscape plan as presented meets or exceeds the intent of the Unified Development Code for the SH 205 Overlay District as well as the overall site.

The (UDC) Unified Development Code requires all lighting to be contained on-site at a maximum intensity of 20-FC, with the exception for canopy lighting (fully recessed into the canopy) not to exceed 35-FC. Lighting at the property lines are not to exceed 0.2-FC to control glare and spillover lighting. The applicant is proposing three (3) light poles for the site that do not exceed the 30 foot height maximum for the district and twenty-six (26) wall sconces that wrap around the building. The wall sconces will have lighting components that shine directly up and downward which provides lighting accents on the walls. The UDC requires all light sources to be fully cut-off with a maximum one inch reveal and directed down to control glare and spillover lighting, with an exception for decorative lighting that contains a 15 watt or less bulb. The applicant is proposing to use 15 watt bulbs for the up lighting components of the wall sconces to control glare. Based on the photometric plan submitted, the site appears to meet the standards established in the (UDC) Unified Development Code.

After meeting with the applicants on October 30, 2012, the Architectural Review Board recommended the applicant extend the canopies/awnings across the buildings facade and provide additional articulation for the north elevation.

The applicant is proposing a building that architecturally is representative of Rockwall Plaza Ph II while seeking an individual identity. The building colors are to blend in with the surrounding properties and will be comprised of Lueders Limestone as the primary material with the columns creating an architectural detail integrated into the buildings facade. The structure incorporates several articulated features which include metal canopies attached to each tower element, angled metal awnings located on the east, south and a portion of the north elevations, and a glass storefront providing a natural light source for the interior of the building. Stucco will be used as a

secondary material and is not present below the first four (4) feet of the structure, which complies with the SH 205 Overlay District standards. The tower elements are representative of the overall height of the structure at 30 feet, while providing vertical articulation on all sides of the building.

Staff recommends approval of the site plan with the following conditions:

Site Plan:

1. Provide a self latching gate for the dumpster enclosure.

Elevations:

1. All roof mounted equipment must be visually screened from street rights-of-way and adjacent properties.

Photometric Plan:

1. Provide detail of light pole and base. Not to exceed 30 feet in height.

Commissioner Buchanan confirmed that in some areas the standard for the light pole and base does not exceed 30 feet. Gonzales stated that this is the case in some areas; however, this location does allow up to 30 feet.

Commissioner Renfro made a motion to approve SP2012-022, a request by Matthew King of Matthew King Architect, for approval of a site plan of a retail building located on Lot 8, Rockwall Business Park East, City of Rockwall, being a 1.017 acre tract zoned (C) Commercial and situated within the (SH 205 OV) SH 205 Overlay District, generally situated on the northwest corner of E. Ralph Hall Parkway and S. Goliad Street, with staff recommendations.

Commissioner Jackson seconded the motion.

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

(Chairman Herbst moved to the Public Hearing portion of the Agenda.)

IV. ADJOURNMENT

The meeting adjourned at 8:30 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 11 day of Dec, 2012.


Phillip Herbst, Chairman

Attest:


JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
November 27, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Kristen Minth, John McCutcheon and Matthew Nielsen. Connie Jackson and Craig Renfro were not in attendance.

Additionally, the following staff members were present: Robert LaCroix, Lance Estep, Ryan Miller, David Gonzales and JoDee Sanford.

II. DISCUSSION ITEMS

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

(Due to the ARB meeting still being in session, the Commission moved to Item #2 on the Agenda.)

Mr. Clark Staggs discussed the ARB recommendations.

Case SP2012-023: ARB recommended additional architectural elements added to the north side of the building.

Chairman Herbst indicated that he is concerned with the east elevation because it will be visible from the shopping center. Mr. Staggs indicated that the east side of the building will be the receiving area for deliveries. LaCroix stated that some signage and canopies could be used on the east side of the building.

Case SP2012-024: ARB was pleased with the design and materials of the building.

Case SP2012-026: ARB recommended that the chimneys be enhanced. The applicants indicated that they would address this by using a thin brick material.

Case SP2012-027: ARB recommended additional elements to add character and to use glass to enhance the entry.

Commissioner Buchanan asked about enhancements to the south elevation of SP2012-027. Mr. Staggs stated they did not discuss this because the pad site to the south will screen that once it is developed. They gave most of their attention to the front elevation.

Commissioner Nielsen inquired if the ARB considered the materials of the building for SP2012-026. Mr. Staggs indicated they did review the material boards.

Commissioner McCutcheon asked about the louvers over the windows for SP2012-027. Mr. Staggs stated that the louvers will be painted in a gun metal color that will be a nice contrast to the dark charcoal color of the building.

(The Commission continued with Item #3 on the Agenda.)

2. SP2012-023

Discuss and consider a request by Rhett Dollins of Pogue Engineering & Development Co., Inc., for approval of a PD Site Plan for Lot 4, Block A, Stone Creek Retail Addition, being a 6,812-sf retail development on 1.189-acres zoned (PD-70) Planned Development No. 70 District and situated at the southeast corner of FM 552 and SH 205 within the North SH 205 Overlay District, and take any action necessary.

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

Commissioner Buchanan inquired about any shared park with the existing shopping center. Estep clarified that none of the Tom Thumb parking is being incorporated as part of the required parking for this development.

Chairman Herbst asked when the applicant might know the tenants for the building in order to confirm the elevations.

Rhett Dollins
Pogue Engineering
1512 Grand Central Drive
McKinney, Texas

Mr. Dollins stated that they are considering some elements that could be added to the north side of the building that would still allow flexibility for tenants.

Chairman Herbst stated that he would like the applicant to comply with the four-sided architecture for the development. LaCroix stated that he recommended to the applicants that they submit alternative elevations that may be used depending on the tenants.

Commissioner Nielsen stated that he would prefer to have a clear idea of the tenants at the next meeting

(At this time, the Commission back to Item #1 on the Agenda.)

3. SP2012-024

Discuss and consider a request by Mathew King of Matthew King Architect for the approval of a Site Plan for a day care facility on two (2) acres of land situated on a portion of Block 86B of the B. F. Boydston Addition being a 3.171 acre tract of land situated in the City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH66 (SH66 OV) Overlay District and generally located on the south side of SH66 east of the intersection of S. Lakeshore Drive and SH66, and take any action necessary.

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

Chairman Herbst asked for clarification on the back property line.

Commissioner Buchanan asked if there is a left hand turn into the property. Miller indicated that there is no median opening off of Rusk.

Matt King
1212 Cabernet
Allen, Texas

Mr. King indicated that there is a family cemetery plot that appears on the survey; however, shrubs and brush run along that property line that separate the cemetery from this development.

4. SP2012-025

Discuss and consider a request by Steve Lenart with Lenart Development Co., LLC for the approval of a Site Plan on property zoned Planned Development District 10 (PD-10) and identified as a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, being part of Tract No. 1 described in a deed conveyed to Cambridge Co., recorded in Volume 105, Page 505, of the Deed Records Rockwall County, Texas and containing 29.868-acres of land, and on a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, containing 10.452-acres of land zoned Commercial (C) District, and take any action necessary.

Miller discussed this case and Item #8 (P2012-036) concurrently.

Miller gave a brief overview of the cases and described the property.

Chairman Herbst asked about whether there are requirements that would necessitate access points along a lengthy alleyway. Miller stated there are no requirements within the Planned Development District, but stated that staff will review the Subdivision requirements prior to the next meeting.

Commissioner Buchanan stated that 37 of the 76 lots are shown within the floodplain. Miller responded that this is pending a flood study that will be required prior to a final plat. Commissioner Buchanan also inquired about other subdivisions with similar lot sizes. Miller replied that portions of Breezy Hill had similar sized lots and these lots do meet the zoning requirements.

Mark Holliday
Peloton Land Solutions
10880 JW Elliot Drive.
Frisco, Texas

Mr. Holliday stated that the alley does have an additional access point off of a cul-de-sac. In addition, they will be required to do a flood study and their intention is to reclaim as much property as possible.

Commissioner Buchanan asked about revisions to FEMA maps, if the flood study allows property to be reclaimed outside of the floodplain. Mr. Holliday indicated that they will submit a letter of revision to FEMA to get the maps updated per the new flood study.

5. SP2012-026

Discuss and consider a request by Jacob Sumpter of Mycoskie McInnis Associates for approval of a Site Plan for a one story, 56,990-sf nursing home situated on a 6.705-acre tract of land in the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Texas, and is zoned (PD-10) Planned Development District No. 10 and within the (205 BY-OV) 205 By-Pass Corridor Overlay district and the (SH 276 OV) SH 276 Corridor Overlay district, and generally situated at the southwest corner of John King Boulevard and State Highway 276, and take any action necessary.

Gonzales discussed this case along with Item #9 (P2012-037).

Gonzales briefly described the property and gave an overview of the cases.

Jacob Sumpter
200 E. Abram
Arlington, Texas

Mr. Sumpter gave a brief presentation on the building elevations.

Commissioner Nielsen asked for clarification of the materials on several screening areas.

Bill Stafford, Architect
Fort Smith, Arkansas

Mr. Stafford stated that the materials will be a complimentary color to the stone.

Commissioner McCutcheon asked about drainage on the property. Mr. Sumpter stated that a detention basin will be located on the south side of SH-276.

6. SP2012-027

Discuss and consider a request from W. Anthony Eeds of White Rock Studio for approval of a Site Plan for a 5,000-sf medical office development located on Lot 7, Block A, Presbyterian Hospital of Rockwall Addition, being approximately 0.693-acres zoned (PD-9) Planned Development No. 9 District and situated along Tubbs Road south of Horizon Road, and take any action necessary.

Estep discussed the case and the location of the property.

Tony Eeds
1407 San Saba Drive
Dallas, Texas

Mr. Eeds stated that sun shades will be on the south side of the building. They are also considering adding rock on the west end of the building that faces the hospital. Additionally, they are likely to open up the north side with glass.

Commissioner Buchanan asked about including some green elements to the building. Mr. Eeds stated that the sun shades are substantial enough to support climbing vines.

7. SP2012-028

Discuss and consider a request by Jake Petras for the approval of a Site Plan for a retail store with more than two (2) gasoline dispensers on a 1.8169 acre tract of land zoned Commercial (C) District and General Retail (GR) District, and described as part of the Joseph Cadle Survey, Abstract No. 65, being all of Lot 1R, Block A of the Montego Addition, and a portion of Lot 2, Block A of the Rockwall Shopping Center, Rockwall County, Texas, and being generally located at the northwest corner of the intersection of SH-205 and the IH-30 frontage road, within the IH-30 (IH-30 OV) Overlay District and the SH-205 (SH-205 OV) Overlay District, and take any action necessary.

Miller explained the case and generally described the property.

Chairman Herbst inquired about the development taking some parking spaces from the adjacent shopping center. Miller indicated that the shopping center is over parked, but that staff will reevaluate the parking.

Jake Petras
QuikTrip
1120 N. Industrial Blvd.
Euless, Texas

Mr. Petras stated that they have looked into the parking and the shopping center has adequate parking to meet code requirements even with removing those spaces. They are also executing a parking agreement with the shopping center for shared parking.

Commissioner Nielsen asked about widening the drive off the frontage road. Mr. Petras stated that they are still working with TxDot to come to a resolution.

8. P2012-036

Discuss and consider a request by Steve Lenart with Lenart Development Co., LLC for the approval of a Preliminary Plat on property zoned Planned Development District 10 (PD-10) and identified as a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, being part of Tract No. 1 described in a deed conveyed to Cambridge Co., recorded in Volume 105, Page 505, of the Deed Records Rockwall County, Texas and containing 29.868-acres of land, and on a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, containing 10.452-acres of land zoned Commercial (C) District, and take any action necessary.

Miller discussed this case along with Item #4.

9. P2012-037

Discuss and consider a request by Jacob Sumpter of Mycoskie McInnis Associates for approval of a Preliminary Plat for a 9.134-acre tract of land situated in the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Texas, and is zoned (PD-10) Planned Development District No. 10 and within the (205 BY-OV) 205 By-Pass Corridor Overlay district and the (SH 276 OV) SH276 Corridor Overlay district, and situated at the southwest corner of John King Boulevard and State Highway 276, and take any action necessary.

Gonzales discussed this case concurrently with Item #5 (SP2012-026).

2 10. SP2012-029

4 Discuss and consider a request by Cristal Villarreal for the approval of a site plan for a
6 519-sf restaurant with a drive-through located on approximately 0.182-acres, being a
8 portion of Lot 6, Block A, Wal-Mart Supercenter Addition, zoned Commercial (C) District
and within the IH-30 (IH-30 OV) Overlay District, being specifically located at 782 IH-30,
City of Rockwall, Texas and take any action necessary.

10 **Gonzales briefly discussed the history of the case and the location of the property.**

12 **Chairman Herbst asked about a drive through escape lane. Gonzales stated that there is
no escape lane and the City does not require an escape lane.**

14 11. Z2012-018

16 Hold a public hearing and consider a request by Hallie Fleming for approval of a Specific
18 Use Permit (SUP) to allow for a retail use in conjunction with a photography studio within
Planned Development District 50 (PD-50), specifically at 507 North Goliad, being Lot 1,
Block A, Artventures Studio Addition, City of Rockwall, Texas, and take any action
necessary.

20 **Sanford explained the case and discussed the location of the property.**

22 **Hallie Fleming**
24 **507 N. Goliad**
26 **Rockwall, Texas**

28 **Ms. Fleming explained her business concept and plans for the property.**

30 **Chairman Herbst asked LaCroix to brief the Commission on previous cases that
appeared before the City Council.**

32 **LaCroix stated that three public hearings went to Council. The Seattle's Best Coffee was**
34 **approved. The living units associated with a memory care facility within PD-5 was**
36 **denied by Council with a vote of 5-2. The memory care facility is allowed by right and the**
developer plans to continue with that development. The QuikTrip was approved by a
unanimous vote by the Council.

38 **III. ADJOURNMENT**

40 **The meeting adjourned at 7:15 p.m.**

42 **PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF**
ROCKWALL, Texas, this 11 day of DEC, 2012.

44
46 
48 **Phillip Herbst, Chairman**

48 **Attest:**

50 
JoDee Sanford, Planning Coordinator

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
December 11, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Phillip Herbst at 6:00 p.m. with the following members present: Barry Buchanan, Connie Jackson, Craig Renfro, Kristen Minth, John McCutcheon and Matthew Nielsen.

Additionally, the following staff members were present: Robert LaCroix, Lance Estep, Ryan Miller, David Gonzales and JoDee Sanford.

1. Approval of Minutes for November 13, 2012 Planning and Zoning Commission meeting.

Commissioner Jackson made a motion to approve the minutes for November 13, 2012.

Commissioner Buchanan seconded the motion.

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

2. Approval of Minutes for November 27, 2012 Planning and Zoning Commission meeting.

Commissioner Minth made a motion to approve the minutes for November 27, 2012.

Commissioner McCutcheon seconded the motion.

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

II. PUBLIC HEARINGS

3. Z2012-018

Hold a public hearing and consider a request by Hallie Fleming for approval of a Specific Use Permit (SUP) to allow for a retail use in conjunction with a photography studio within Planned Development District 50 (PD-50), specifically at 507 North Goliad, being Lot 1, Block A, Artventures Studio Addition, City of Rockwall, Texas, and take any action necessary.

Sanford stated that the applicant, Hallie Fleming, is requesting approval of a Specific Use Permit (SUP) to allow for retail sales in conjunction with a photography studio. The property is located at 507 N Goliad St. and is zoned Planned Development District 50 (PD-50). PD-50 was established in 2002 as a Residential/Office (RO) District to allow property owners the ability to convert their homes to low intensity commercial type uses.

A photography studio is a permitted use within PD-50. The proposed retail portion of the applicant's business will allow photography clients to purchase apparel used during their photography sessions. The retail space will occupy less than 200 square feet.

In addition, consideration should be given to the hours of operation. Other businesses within PD-50 have been restricted within their respective SUP's primarily due to the residential properties that surround PD-50 and the potential for late night traffic conditions (e.g. noise, lights, etc.). To be consistent, staff would recommend the hours of operation be limited to 7am to 8:00pm.

In 2004, a site plan for ArtVentures was approved with three (3) designated parking spaces for the site. A variance was granted to allow for a gravel parking lot. Currently, the drive and one (1) handicap parking space are asphalt. Based on the floor plan submitted and the City's parking

requirements, staff feels that the current number of parking spaces is adequate for the intended use; however, staff is recommending that the rest of the parking spaces and access easement at the rear of the property be paved with either asphalt or concrete. In addition, no parking will be allowed along SH-205 or in front of the building.

Based on the floor plan submitted, the uses being proposed, and the ability to park each use, staff recommends approval of the applicant's request.

A public notice has been published in the Rockwall County News and a sign has been posted on the property. Also, notices have been mailed to twenty-five (25) property owners within 200-ft of the subject property as required by state statute. At the time of this report, staff has received three (3) responses "in favor of" the request.

Staff recommends approval of the request with the following conditions:

1. The Retail Use shall not exceed two hundred (200) sq-ft in area in accordance with the floor plan attached hereto as Exhibit "A".
2. Business operations shall be limited to the hours of 7:00 a.m. to 8:00 p.m.
3. The parking area and access easement shall be paved with asphalt or concrete.
4. No parking shall be allowed within the SH-205 right-of-way or in front of the building.
5. Signage must conform to the requirements of PD-50.
6. Adherence to Engineering and Fire Department standards.
7. The City Council reserves the right to review the Specific Use Permit granted herein one (1) year after the approval and adoption of the SUP ordinance.

Commissioner Buchanan asked about the maintenance of the fence on the property. Sanford indicated that the property owner would be responsible for maintaining the fence.

Commissioner Nielsen inquired about staff's recommendation that the parking be paved, when the land owner has indicated that they cannot pave the parking. LaCroix stated that it is up to the Commission to decide whether they want to allow for gravel.

Chairman Herbst opened the public hearing at 6:08 p.m.

Hallie Fleming
305 River Fern
Garland, Texas

Ms. Fleming stated that the retail will be limited to 250 square feet. It is possible that Ms. Fleming may purchase the property at some point in the future and she would pave the parking at that time. As of now, paving is not an option, because the property owner has stated that she does not have the funds to pave at this time.

Commissioner Buchanan asked about the total square footage of the building. LaCroix stated there are 1360 square feet. Ms. Fleming said that 250 square feet will be used as retail space and the other portion will be used for living space.

There being no others wishing to come forth and speak, Chairman Herbst closed the public hearing at 6:11 p.m.

Commissioner Buchanan indicated that he is concerned with making a recommendation for paving when the applicant does not own the property and the owner has stated they cannot pave at this time.

Commissioner Jackson made a motion to approve Z2012-018, a request by Hallie Fleming for approval of a Specific Use Permit (SUP) to allow for a retail use in conjunction with a photography studio within Planned Development District 50 (PD-50), specifically at 507 North Goliad, being Lot 1, Block A, Artventures Studio Addition, City of Rockwall, Texas, with staff recommendations increasing the maximum square footage from 200 sq ft to 250 sq ft and allowing the existing gravel parking and easement.

2 Commissioner Renfro seconded the motion.

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

6 III. SITE PLANS/PLATS

8 4. SP2012-023

10 Discuss and consider a request by Rhett Dollins of Pogue Engineering & Development Co., Inc.,
12 for approval of a PD Site Plan for Lot 4, Block A, Stone Creek Retail Addition, being a 6,812-sf
14 retail development on 1.189-acres zoned (PD-70) Planned Development No. 70 District and
situated at the southeast corner of FM 552 and SH 205 within the North SH 205 Overlay District,
and take any action necessary.

16 Estep stated that the subject property is located on the SE corner of SH 205 and FM 552 and is
18 within the boundaries of both Planned Development-70 (PD-70) (Stone Creek Residential and
Retail) and the North SH 205 Overlay District (N-SH 205 OV). The property is considered a pad site
of the Shops at Stone Creek, which is anchored by Tom Thumb.

20 Most of the site design standards applicable to this property will be derived from the N. SH 205
22 OV. It is worth noting that PD-70 contains language specific to pad sites, indicating that special
consideration should be given to architectural compatibility and pedestrian interconnectivity with
the existing development.

24 The existing development at the Shops at Stone Creek is constructed with natural stone, stucco
26 and brick materials with EIFS accents. Architectural features of the development include mansard
28 roofs, wooden brackets, cornices, frosted glass, a wooden trellis, canopies and moldings. The
development also contains a pedestrian open space feature within the parking area to the east of
the subject property.

30 The applicant is proposing a 6,500 SF retail strip center. At this time, the applicant is unsure of the
32 tenant makeup of the facility. The site plan proposes tenant space for two restaurants and one
retail space.

34 Additional tenants posed as options by the applicant include a drive-thru bank, drive-thru
36 restaurant or a restaurant with patio seating. Staff is concerned about the uncertainty, as some of
the tenant options mentioned by the applicant have issues that pertain to site screening and
38 architectural compatibility and integrity. To help address some of these issues the applicant has
submitted an alternative site plan showing how the site would be laid out if a drive-thru banking
40 facility were to be situated on site.

42 Access to the site is provided by the main development entry off of SH 205, with a secondary
44 access off of FM 552. The property itself does not have direct access to either SH 205 or FM 552.

46 Based upon the uses proposed at this time, the minimum parking requirements are as follows:

48 Restaurant use: 1 space per 100 SF, or 50 spaces

Retail use: 1 space per 250 SF, or 6 spaces

50 The applicant is proposing a total of 80 spaces, which far exceed the City's minimum parking
52 requirements. The minimum required parking could change, depending upon the final use of each
tenant space. However, staff estimates that the parking provided will be adequate for most any
use that occupies the proposed structure.

54 In accordance with the pedestrian interconnectivity requirements noted in PD-70, staff has asked
56 the applicant to provide a pedestrian connection to the open space area to the east of the
proposed development in addition to the required perimeter sidewalks along SH 205 and FM
58 552.

A proposed dumpster is located SE of the proposed building and will be screened with similar materials as those used on the primary structure and equipped with a self-latching gate.

The landscape plan submitted by the applicant is mainly focused on delineating existing landscaping along SH 205 and FM 552. The applicant is proposing to relocate several of the existing trees to accommodate the required sidewalks, on-site parking lot paving and monument sign visibility.

Most of the required perimeter landscaping was installed prior to the applicant's request. The N. SH 205 OV requires a vehicular use area (VUA) screen along major thoroughfares using berms, shrubs, or a combination thereof. The applicant is showing conformance to these requirements.

The applicant has set aside over 17% of the total site area for landscaping, which exceeds the 15% minimum required by the Unified Development Code (UDC).

The applicant's landscape plan shows Bald Cypress trees framing the building at four corners within the VUA. Nellie R. Stevens Hollies are planted along the east elevation, accented by Asian Jasmine. The aforementioned materials will screen the east elevation from the view of pedestrians and vehicles within the Shops at Stone Creek development.

The applicant has also submitted a line of site study to show sufficient parapet wall screening of roof mounted utility equipment. The pad mount transformer to the SE of the building will be screened using Nellie R. Stevens Hollies on three sides of the box.

The photometric plan provided by the applicant proposes four (4) fixtures mounted at twenty feet (20') above finished grade and two (2) wall-mounted fixtures mounted at eighteen feet (18') above finished grade.

Foot Candle measurements at the SH 205 and FM 552 right-of-way lines conform to the maximum 0.2 FC requirement of the Unified Development Code (UDC). The UDC does require 0.2 FC along all property lines, but allows the Commission flexibility in considering lighting plans that exceed the maximum FC requirement for planned shopping centers, where spillover lighting is common. The applicant's plan does exceed 0.2 FC along the south and east property lines.

Building elevations submitted by the applicant show materials consistent with materials used within the existing Shops at Stone Creek development. Natural stone and field brick with display windows dominate the south and west elevations of the proposal.

Architectural features proposed for the structure include metal canopies, articulation, varied roof height, display windows and (potentially) a stone and wooden trellis which would integrate nicely with the existing development.

Staff has several concerns with the proposed elevations. Again, tenant uncertainty plays into that concern, which is focused on the north and east elevations. The north elevation faces FM 552 and is critical to the look and feel of the development. The proposal shows a large brick wall with stone corners and a little vertical articulation. The applicant has indicated that tenant uncertainty prohibits them from committing to any significant architectural features; however, to address staff's concerns the applicant has provided staff with an alternate building elevation showing a drive-thru window, covered by porte-cochere that will be supported by two stone columns.

The east elevation (i.e. the rear of the building) faces the existing parking lot and will be viewed by internal vehicular traffic and pedestrians. The UDC requires four-sided architecture, which will help to soften the look of the rear elevation. The applicant has included large screening shrubs as part of their landscape plan in an effort to screen the east elevation. While not required, staff is requesting that the applicant add a stone pillar to the east elevation to provide some articulation and help break up the monochromatic brick wall.

As was previously mentioned, the biggest items of concern are the ARB's comments regarding the proposed elevations and the uncertain tenant occupancy. To address this concern, the applicant has submitted revised elevations showing an alternative site plan and building

elevation. This alternative shows how the site and building will be laid out if a drive-thru banking facility locates on the property. Assuming the ARB agrees to the alternative architectural elevations presented by the applicant, the remainder of the site plan does not concern City staff.

Staff recommends approval with the following conditions:

1. Final approval of the Engineering requirements.
2. Final approval of the Fire Department requirements.
3. Show a pedestrian connection to the open space area east of the subject property on the alternative site plan.
4. Staff recommends that the applicant add an additional stone pillar in the center of the east building elevation to add some additional articulation and break up the brick wall face.
5. On the dumpster elevations indicate that the gate will be self-latching.

Commissioner Nielsen asked that, if the case is approved, will the use limited to a bank rather than a fast food restaurant. Estep responded that the elevations and architectural features will be approved rather than uses.

Rhett Dollins
1512 Bray Central, Suite 100
McKinney, Texas

Mr. Dollins stated that a fast food restaurant would require a specific use permit. The currently are unsure as to building tenants, but they have provided elevations for several different tenants.

Commissioner Jackson asked if the dumpster would remain the same size. Mr. Dollins stated that it would; however, if there is a restaurant tenant, then a grease trap would go from the building to the dumpster.

Commissioner Nielsen stated he would like to see more than one pillar on the east elevation.

Lisa Swift
GSO Architects
5310 Harvest Hill
Dallas, Texas

Ms. Swift stated her agreement with needing more than one pilaster.

Commissioner Nielsen made a motion to approve SP2012-023, a request by Rhett Dollins of Pogue Engineering & Development Co., Inc., for approval of a PD Site Plan for Lot 4, Block A, Stone Creek Retail Addition, being a 6,812-sf retail development on 1.189-acres zoned (PD-70) Planned Development No. 70 District and situated at the southeast corner of FM 552 and SH 205 within the North SH 205 Overlay District, with staff recommendations and the additional condition that more than one stone pillar be added to the east elevation.

Commissioner Jackson seconded the motion.

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

5. SP2012-024

Discuss and consider a request by Mathew King of Matthew King Architect for the approval of a Site Plan for a day care facility on two (2) acres of land situated on a portion of Block 86B of the B. F. Boydston Addition being a 3.171 acre tract of land situated in the City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH66 (SH66 OV) Overlay District and generally located on the south side of SH66 east of the intersection of S. Lakeshore Drive and SH66, and take any action necessary.

Miller stated that the subject property is a vacant two (2) acre tract of land, zoned General Retail (GR) District, located in the SH66 (SH66 OV) Overlay District, and situated adjacent to the southern right-of-way line of SH66 (W. Rusk Street). The property is a portion of a larger 3.171-

acre tract of land identified as Block 86B, of the B. F. Boydston Addition, Rockwall County, Texas and was annexed into the city prior to 1959.

The applicant has submitted a request proposing the construction of a 10,900 square foot day care facility on the subject property. The site plan shows the property being accessible from a 28-foot access drive located off of SH66 and leading into a circular drive approach surrounded by 31 parking spaces. The property is currently accessible by two (2) existing curb cuts situated off of SH66. The 15-foot approach is situated at the northeast corner of the property and will be removed at the time of construction. The 24-foot curb cut in the center of the property will be widened to 28-feet and will require the approval of the Texas Department of Transportation (TxDOT) in order to widen the drive approach the additional four (4) feet. The parking requirement for the proposed use is one (1) parking space per 300 square feet of building area, which translates to a total parking requirement of 36 parking spaces for the proposed 10,900 square foot facility. Currently, the site plan shows a deficiency of five (5) of the required 36 parking spaces and will require the approval of a variance to parking requirements list in Article VI, Parking and Loading, of the Unified Development Code (UDC) from the City Council.

As part of this submittal staff requested that the applicant submit a Traffic Impact Analysis (TIA) to assess the impact of the proposed use and to evaluate the use at peak traffic periods associated with pick-up and drop-off times for the day care facility. Based on the site plan submitted by the applicant the TIA concluded that the proposed facility would not have a substantial impact on traffic along SH66 and that the increase in traffic would be relatively small during peak traffic periods. The following are the recommendations provided by the TIA (staff has inserted these recommendations into the conditions of approval below):

- 1) The driveway design should include a radius larger than 20-feet with entry and exit lanes being a minimum of 14-feet in width to allow for smooth and efficient flow of traffic.
- 2) During pick-up and drop-off times, traffic in front of the school should operate in a one-way counter clockwise manner to facilitate efficient circulation of traffic on site.

Additionally, the applicant has provided staff with a stacking plan that shows the site is capable of cueing a minimum of nine (9) vehicles off of SH66. With the exception of the variance to the minimum parking requirements the remainder of the site plan is in conformance with all municipal code requirements.

The largest factor driving the design layout depicted on the site plan is the location of several mature trees that the applicant wishes to preserve and incorporate into the landscape design for the day care facility. Existing currently on the site are 25 trees situated at the front of the subject property. These trees consist of a mixture of Oak, Live Oak, Pecan, Elm, Cedar and Texas Ash trees all of which are classified as protected trees per the Unified Development Code (UDC), and have a diameter at breast height (dbh) ranging from five (5") inches to 40-inches. Of the 25 protected trees four (4) trees are consider feature trees. While the preservation of these trees satisfies the majority of the tree requirements with respect to the 15% required landscaping for this project, the applicant is proposing to add an additional six (6) trees on site (two [2] Shurmard's Red Oak trees and four [4] Live Oak trees). Additionally, the applicant will be providing plantings located in the center of the circular drive and headlight screening adjacent to SH66. The proposed Treescape and Landscaping Plans are in substantial conformance with the requirements stipulated in the UDC.

The Photometric Plan provided by the applicant shows conformance to the illumination requirements stipulated by the Unified Development Code (UDC). Specifically, the plan shows that the illumination on site does not exceed 20 Foot Candles (FC) and that illumination at the property lines does not exceed 0.2 of one (1) FC. The applicant has requested to provide decorative lighting in six (6) of the trees that front on to SH66. The proposed decorative lighting does not significantly increase illumination on the site or at the property lines, and staff is not opposed to the additional lighting pending the applicant meet the following requirements: 1) The proposed lights shall not be mounted higher than 20 feet, and 2) The lighting shall be directed downward and be in compliance with the illumination requirements of the UDC.

2 The day care facility will be constructed from an incorporated blend of brick, natural stone, cast
stone, and Hardiboard, and complies with the masonry requirements stipulated by the SH66 (SH66
4 OV) Overlay District. The applicant has stated that the intent of the building's design is to be
architecturally compatible and visually similar to the office buildings located directly west of the
6 subject property. The exterior of the front façade will integrate a cross gabled roof with gable
dormer windows extending forward and breaking up the flat sloping surface. A cupola will crown
8 the roof and extend the total height of the structure from 25½ feet to approximately 36'-11". The
windows in the front will be framed with cast stone window surrounds, and a water table will be
10 incorporated to provide horizontal projection in the building faces and allow for transition
between brick and stone wall surfaces. Accenting the entryway of the facility will be a porte-
12 cochere or carriage porch that will provide for a covered entryway at pick-up and drop-off periods.
This feature will utilize cast stone columns and a brick gable that will blend aesthetically into the
14 front façade of the remaining structure. The building elevations submitted by the applicant
comply with all the design criteria required by the SH66 OV and the Unified Development Code
16 (UDC).

18 The parking provided on the site plan is currently deficient by five (5) parking spaces, and will
require approval of a variance by the City Council. The applicant has stated that the purpose of
the variance request is to preserve several protected trees that restrict the buildable area of the
20 site. Additionally, staff does acknowledge that:

- 22 1) The applicant has provided a Traffic Impact Analysis (TIA) that states the proposed drive
configuration and amount of parking is more than sufficient for the proposed use on the
24 subject property (pending the recommendations provided in the report, which staff has
added to the recommendations section); and
- 26 2) The applicant has provided staff with a stacking plan showing that the proposed drive
28 configuration provides space for the cueing of a minimum of nine (9) vehicles during drop-
off and pick-up times. This is in addition to the 31 parking spaces provided on site;

30 With the exception of the proposed variance to the parking requirements the applicant's request
32 is in substantial conformance to all the requirements stipulated by the Unified Development Code
(UDC) and the Municipal Code of Ordinances. Furthermore, due to the above mentioned reasons
34 (in the Variance Request section of this case memo) staff feels comfortable that the parking
provided by the applicant will be sufficient to serve the proposed use on the subject property;
36 therefore, staff recommends approval of the applicants request pending conformance with the
following conditions of approval:

- 38 1) Prior to the issuance of a building permit a replat for the property will be required to be
40 approved by the Planning & Zoning Commission and City Council;
- 42 2) Prior to the issuance of a building permit a copy of an approved permit from the Texas
Department of Transportation (TXDOT) must be submitted to staff for the proposed
44 widening of the drive approach off of SH66;
- 46 3) The day care facility shall comply with the recommendations stipulated in the Traffic
Impact Analysis (TIA). Specifically:
48 a. The driveway design should include a radius larger than 20-feet with entry and exit
50 lanes being a minimum of 14-feet in width to allow for smooth and efficient circulation
of traffic, and
52 b. During pick-up and drop-off times, traffic in front of the school should operate in a
54 one-way counter clockwise manner to facilitate efficient circulation of traffic on site;
- 56 4) The proposed tree lighting shall not exceed a mounting height of 20 feet as required for
pole mounted lights by the SH66 (SH66 OV) Overlay District stipulated in Article V,
58 Development Standards, of the UDC;

- 2 5) All lighting proposed for this site shall be directed downward and be in compliance with
4 the illumination requirements stipulated in Article VII, Environmental Performance, of the
6 UDC;
- 8 6) All comments provided by the Engineering and Fire Departments must be addressed prior
10 to the submittal of a replat; and
- 12 7) Any construction resulting from the approval of this Site Plan shall conform to the
requirements set forth by the Unified Development Code, the 2009 International Building
Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire
codes and with all other applicable regulatory requirements administered and/or enforced
by the state and federal government.

14 Matthew King
1212 Cabernet
16 Allen, Texas

18 Commissioner Jackson asked for the number of employees expected. Mr. King stated that there
will be 20 employees and 200 children will attend. Commissioner Jackson indicated her concern
20 with the number of parking spaces.

22 Commissioner Jackson asked about an outdoor play area. Mr. King stated there will be a fenced
play area.

24 Ricky Rose
26 9905 Waterview Parkway

28 Mr. Rose stated that a bus may drop off special needs children, but no other school buses will
drop off at the daycare. Two vans will deliver school age children in the morning to their
30 prospective schools.

32 Commissioner Buchanan stated that he is also concerned with the parking and he doesn't believe
that there are enough parking spaces.

34 Commissioner Nielsen asked if parking has been an issue at Mr. Rose's other daycare location.
36 Mr. Rose stated that they do not have parking issues at the other location.

38 Commissioner Minth stated that from her observations, parking is not an issue at other daycares
with less parking.

40 Commissioner Nielsen made a motion to approve SP2012-024, a request by Mathew King of
42 Matthew King Architect for the approval of a Site Plan for a day care facility on two (2) acres of
land situated on a portion of Block 86B of the B. F. Boydston Addition being a 3.171 acre tract of
44 land situated in the City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District,
situated within the SH66 (SH66 OV) Overlay District and generally located on the south side of
46 SH66 east of the intersection of S. Lakeshore Drive and SH66 with staff recommendations.

48 Commissioner Minth seconded the motion.

50 A vote was taken and the motion passed 5-2, with Jackson and Renfro against.

- 52 6. SP2012-025
54 Discuss and consider a request by Steve Lenart with Lenart Development Co., LLC for the
approval of a Site Plan on property zoned Planned Development District 10 (PD-10) and
56 identified as a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M.
Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, being part of Tract
No. 1 described in a deed conveyed to Cambridge Co., recorded in Volume 105, Page 505, of the
58 Deed Records Rockwall County, Texas and containing 29.868-acres of land, and on a tract of
land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract

No. 48, City of Rockwall, Rockwall County, Texas, containing 10.452-acres of land zoned Commercial (C) District, and take any action necessary.

(SP2012-025 and P2012-036 were discussed concurrently.)

Miller stated that on August 15, 2003, the city denied applications for a Preliminary Plat and Site Plan for Tract 4 of Planned Development District 10 (PD-10) due to a 120 day moratorium on development, which went into effect on August 11, 2003 under Resolution 03-20 (extended by Resolutions 03-33 & 04-06). This decision was challenged by the then owner of the subject property, the Cambridge Companies, Inc. who disputed the validity of the moratorium and asserted that the city was required to accept and approve the application based on its conformance with the existing zoning. The outcome of this dispute led to the adoption of a resolution on February 16, 2004, which established Ordinance 04-25 and the new guidelines for development for the 127-acres of land in PD-10 (identified as Tracts 4, 5 & 6). Under this resolution Tracts 4 & 5 were sub-divided into new tracts (labeled 'A' through 'I') permitting the development of multi family, age restricted multi family, townhomes, single family, and commercial land uses. Additionally, Tract 6 was re-designated to allow the development of townhomes and/or single family land uses.

Tract 6 is a 29.868-acre tract of land situated at the northwest corner of the intersection of T. L. Townsend Drive and SH-276. A large percentage of the property is situated within the floodplain due to two branches of Buffalo Creek that transect the property along the western and eastern boundaries, and heavily restrict the buildable area. In addition to the 29.868-acre tract of land identified as Tract 6, the subject property includes a 10.452-acre tract of land that is directly east of Tract 6 and is currently zoned Commercial (C) District. The applicant is requesting approval of a Preliminary Plat (P2012-036) and Site Plan that shows the 41.546-acre tract of land being subdivided into 76 single family residential lots (27.530-acres with open space) and two commercial lots (10.066 acres and 3.95 acres). The total density of the proposed single family subdivision will be 2.7 units per gross acre, which is in conformance with the requirements of Planned Development District 10 (PD-10). A summary of the density and dimensional requirements for detached single family residential homes as stipulated for Tract 6 by PD-10 [Ordinance 04-25] are as follows:

According to the site plan provided by the applicant the proposed subdivision will be accessible by two (2) 29-foot streets that will have 50-feet of right-of-way and approaches on T. L. Townsend Drive. All streets provided within the development meet city standards and will be privately maintained in conformance with the requirements of Planned Development District 10 (PD-10). The applicant has stated that the purpose of keeping the streets private is to install gates at the two (2) entryways along T. L. Townsend Drive. Currently, the site plan does not show the location of the gates, and staff is requesting that a revised site plan be submitted indicating these locations. Additionally, staff is requesting that the applicant provide elevations of the gates which specify the location of the Knox Boxes and show conformance to city requirements.

Adjacent to the roadways the site plan shows a mixture of 50' x 100' and 55' x 100' lots. The 50' x 100' lots are located on the interior of the subdivision and will have rear entry garages accessible by 12-foot alleyways that will have a minimum of 20-feet of right-of-way. The 55' x 100' lots are primarily located along the outside of the subdivision adjacent to the surrounding open space, and will have front entry garages. All lots shown on the site plan conform to the requirements of Planned Development District 10 (PD-10).

The landscape and screening plans submitted by the applicant indicate that a ten (10) foot landscape buffer will be provided adjacent to T. L. Townsend Drive. Within the buffer the applicant will be providing a combination of Lacebark Elm, Bur Oak, Live Oak, and Cedar Elm trees to meet the street tree requirements stipulated by the Unified Development Code (UDC). A six (6) foot, board-on-board wood fence with stone columns at the ends will be used to screen the residential properties from T. L. Townsend Drive, and a wrought iron fence with evergreen screening shrubs will be situated adjacent to the cul-de-sac adjacent to T. L. Townsend Drive. At the entryways to the subdivision on each side of the road will be a six (6) foot brick and stone monument sign indicating the name of the subdivision. Along SH-276 the landscape plan

indicates the provision of a 25-foot landscape buffer adjacent to the three (3) lots that back up to the thoroughfare. These properties will be screened with a six (6) foot masonry fence (see the Variance section of this case memo) and will have a minimum of three (3) canopy trees and four (4) accent trees for every 100 linear feet of frontage. To meet the requirements of Planned Development District 10 (PD-10) the applicant will be using a mixture of Bur Oak, Live Oak, Cedar Elm, Texas Redbud and Possumhaw trees. Staff is requesting that the applicant indicate the location of the required sidewalks along T. L. Townsend Drive and SH-276, or provide a note on the landscaping plans that states the required funds will be put into escrow with the city.

The applicant is requesting a variance to the fence requirements stipulated in Planned Development District 10 (PD-10). According to Ordinance No. 04-25, no solid screening fences shall be constructed adjacent to SH-276, and any screening fence constructed shall be a minimum of 50% wrought iron or a similar material that allows a measure of transparency. The applicant is proposing to construct a six (6) foot masonry fence with stone and brick columns at evenly spaced intervals along the frontage of SH-276. The exterior of the fence will utilize thin width brick and will be visually similar to the materials used on the entryway signage and fence columns adjacent to T. L. Townsend Drive.

With the exception of the proposed variance the applicant's request conforms to all the density and dimensional requirements stipulated for a single family development on Tract 6 within Planned Development District 10 (PD-10). While staff cannot recommend approval of the variance requested by the applicant, staff feels that the proposed variance is warranted due to the traffic noise produced along SH-276. If the Planning & Zoning Commission and City Council choose to approve the applicant's request staff would recommend the following conditions of approval:

- 1) Prior to the approval of a final plat for the property identified as Tract 3 on the site plan (and the companion preliminary plat) a zoning request to amend Planned Development District 10 (PD-10) to add commercial uses for this portion of the Planned Development shall be required;
- 2) Prior to the approval of a final plat for the property identified as Tract 2 on the site plan the companion preliminary plat (P2012-036) shall be required to be approved;
- 3) Prior to the submission of a final plat for the property identified as Tract 2 on the site plan a flood study will be required to be approved by the Engineering Department;
- 4) Per the Engineering Department detention will be required for the proposed single family development depicted on Tract 2 of the site plan. A revised site plan will be required showing the location of the detention;
- 5) A revised site plan will be required showing the location of the gates, and the provision and location of the required Knox Boxes. Additionally, staff is requesting a detail showing the elevation of the gates;
- 6) A revised set of landscape plans will need to be submitted indicating the location of the required sidewalks along T. L. Townsend Drive and SH-276. Alternatively the developer may include a note on the landscape plans indicating that the funds for the sidewalks will be placed in escrow with the city;
- 7) All trees within the SH-276 landscape buffer are required to be a minimum of four (4) inches in caliper. Revise the landscape plans to reflect conformance to this requirement;
- 8) Prior to the development of the tracts identified for commercial uses (Tracts 1 & 3) a final plat shall be required to be approved and filed;
- 9) The developer shall be responsible for the provision of adequate public facilities and services as stipulated in Planned Development District 10 (PD-10) and the Unified Development Code (UDC);

2 10) The developer shall be responsible for the construction of all necessary improvements
4 scheduled for T. L. Townsend Drive pending the Engineering Departments Proportionality
6 Analysis;

8 11) The site plan shall conform to all requirements stipulated by the Engineering and Fire
10 Departments, and

12 12) Any construction resulting from the approval of this zoning ordinance shall conform to the
14 requirements set forth by Planned Development District 10 (PD-10), the Unified
16 Development Code, the 2009 International Building Code, the Rockwall Municipal Code of
18 Ordinances, city adopted engineering and fire codes and with all other applicable
20 regulatory requirements administered and/or enforced by the state and federal
22 government.

24 Chairman Herbst inquired about a street name within the subdivision. LaCroix stated that the
26 name would need to be changed.

28 Commissioner Buchanan stated that he agrees with the fence along SH276, but would like to see
30 some architectural features of the wall. Miller stated that it is a masonry wall with stone columns
32 and will have landscaping.

34 Commissioner Nielsen asked about two entrances to the neighborhood with very long streets.
36 Miller stated that the streets meet the requirements for both planning and fire departments.
38 Commissioner Nielsen additionally asked about the lot sizes of this neighborhood compared to
40 the neighborhood across the street. LaCroix stated that these lots are smaller compared to those
42 across the street. Miller stated that the proposed neighborhood does meet the PD requirements.

44 Commissioner McCutcheon stated that he is concerned about the additional traffic on SH276.

46 Commissioner Buchanan asked about additional traffic lights on SH276. LaCroix stated that
48 SH276 is a state roadway.

50 Mark Holliday
52 Peloton Land Solutions
54 10880 John W Elliot Drive
56 Frisco, Texas

58 Mr. Holliday stated that they have no problem changing the name of the street. They have made
changes to the alleyways in order to address concerns of the commission. With regard to the
variance, they believe that a masonry screening wall is warranted on SH276.

Commissioner Nielsen stated that he is disappointed and concerned that this development will
have a negative effect. LaCroix stated that this is not a zoning request and as long as the
applicant is meeting the technical requirements then it is difficult to not approve the development.

Chairman Herbst made a motion to approve SP2012-025, a request by Steve Lenart with Lenart
Development Co., LLC for the approval of a Site Plan on property zoned Planned Development
District 10 (PD-10) and identified as a tract of land situated in the Joseph Cadle Survey, Abstract
No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas,
being part of Tract No. 1 described in a deed conveyed to Cambridge Co., recorded in Volume 105,
Page 505, of the Deed Records Rockwall County, Texas and containing 29.868-acres of land, and
on a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard
Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, containing 10.452-acres of
land zoned Commercial (C) District, with staff recommendations.

Commissioner Jackson seconded the motion.

A vote was taken and the motion passed 5-2, with McCutcheon and Nielsen against.

7. P2012-036

Discuss and consider a request by Steve Lenart with Lenart Development Co., LLC for the approval of a Preliminary Plat on property zoned Planned Development District 10 (PD-10) and identified as a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, being part of Tract No. 1 described in a deed conveyed to Cambridge Co., recorded in Volume 105, Page 505, of the Deed Records Rockwall County, Texas and containing 29.868-acres of land, and on a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, containing 10.452-acres of land zoned Commercial (C) District, and take any action necessary.

(SP2012-025 and P2012-036 were discussed concurrently.)

Commissioner Minth made a motion to approve P2012-036, a request by Steve Lenart with Lenart Development Co., LLC for the approval of a Preliminary Plat on property zoned Planned Development District 10 (PD-10) and identified as a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, being part of Tract No. 1 described in a deed conveyed to Cambridge Co., recorded in Volume 105, Page 505, of the Deed Records Rockwall County, Texas and containing 29.868-acres of land, and on a tract of land situated in the Joseph Cadle Survey, Abstract No. 65 and the N.M. Ballard Survey, Abstract No. 48, City of Rockwall, Rockwall County, Texas, containing 10.452-acres of land zoned Commercial (C) District, with staff recommendations.

Commissioner Renfro seconded the motion.

A vote was taken and the motion passed 5-2, with McCutcheon and Nielsen against.

8. SP2012-026

Discuss and consider a request by Jacob Sumpter of Mycoskie McInnis Associates for approval of a Site Plan for a one story, 56,990-sf nursing home situated on a 6.705-acre tract of land in the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Texas, and is zoned (PD-10) Planned Development District No. 10 and within the (205 BY-OV) 205 By-Pass Corridor Overlay district and the (SH 276 OV) SH 276 Corridor Overlay district, and generally situated at the southwest corner of John King Boulevard and State Highway 276, and take any action necessary.

(SP2012-026 and P2012-037 were discussed concurrently.)

Gonzales explained that the applicant is seeking approval of a site plan for a proposed nursing home facility that will be located on a 6.705-acre tract of land on the proposed Lot 1, Block 1, Rockwall Bypass Addition. The applicant has submitted a Preliminary Plat concurrently with the Site Plan request. The property is situated on the south west corner of State Highway 276 and John King Blvd and is zoned (PD-10) Planned Development District No. 10 with an underlying zoning of (C) Commercial district. The property lies within the (SH 276 OV) SH 276 Corridor Overlay district and the (205 BY-OV) 205 By-Pass Corridor Overlay district and must adhere to the standards established within each respective district.

It should be noted the applicant has submitted corner enhancement details for the subject site in an effort to comply with the John King Blvd Design Guidelines located in the Comprehensive Plan. However, due to a 40-ft Atmos Gas Easement on the property, the applicant is limited in what can be designed for the corner enhancement based the location of this easement relative to the features prescribed in the guidelines. The corner will be enhanced with Holland pavers creating a herringbone design to soften the area and will be connected to the 10-ft walkway/trail for pedestrians and cyclists. Furthermore, the applicant is proposing roadway plantings with a variety of shrubs and grasses (e.g. knock out roses, red yucca's, autumn sage, purple verbena, etc.) along the median, enhancing John King Blvd for pedestrians and motorist alike.

The proposed site will contain a 56,990-sf single story structure that will be utilized as a nursing home facility with 120 beds. The site will be accessed from one point of entry along State Highway 276 and two points of entry along John King Blvd. The parking ratio for a nursing home

is one parking space per six (6) beds, including one parking space for each employee on the largest shift. Based on the Unified Development Codes requirement and the largest employee shift (60 employees), the site will require 80 parking spaces. However, the applicant is proposing 111 parking spaces overall, exceeding the City's standards.

The dumpster enclosure, located on the south west corner of the lot, will be 8-ft in height (overlay district requirement) while matching the materials on the primary structure and will also incorporate a prefinished metal gate with a self-latching mechanism.

The applicant has submitted a landscape plan indicating a total of 47.6% landscaping coverage for the development, thereby exceeding the 15% minimum coverage for a commercial development. The site will include an assortment of canopy trees, accent trees, shrubs, and ground cover creating an aesthetically pleasing environment for their patients and neighboring properties. Also, the applicant is proposing sixteen (16) large canopy trees and twenty-one (21) accent trees within the landscape buffer strip along State Highway 276, meeting the standards established for this particular overlay district. However, due to the 40-ft Atmos Gas Easement along John King Blvd, the applicant will be unable to meet the requirements for planting canopy and accent trees as outlined in the 205 By-Pass Overlay standards. In lieu of these requirements, the applicant will enhance the median as per the John King Blvd Design Concept Plan. Details of this plan are included with the Landscape package.

A treescape plan has been submitted indicating a total of 372 inches to be removed from the site including one (1) - 13 inch Eastern Red Cedar requiring mitigation. It should be noted that cedar trees are replaced at half of their caliper inches being removed when the tree is equal to or greater than 11 inches. Total mitigation indicated on the Treescape Plan is 7 inches and this meets the requirements set forth in the Unified Development Code.

According to the residential adjacency standards established in the Unified Development Code, commercial developments adjacent to any residential district requires a 6-ft masonry fence for screening purposes. Due to poor soil conditions located at this site, the applicant is proposing a 6-ft ornamental iron fence with a living screen along the western and southern portions of the development. This request is consistent with other requests for wrought iron fences with live screening, and more recently in PD-54, along Ralph Hall Parkway. This request requires approval of a variance from City Council.

The photometric plan indicates thirteen lighting pole standards placed throughout the site with Lithonia "shoe box" style lighting fixtures. The 205 By-Pass and SH 276 Overlay Districts require light poles not to exceed 20-ft in height (including the base) and that all light sources are to be full cut-off with a maximum one inch reveal and directed down. Also, the Unified Development Code requires all lighting to be contained on site at a maximum intensity of 20-FC, with the exception for canopy lighting not to exceed 35-FC and to be fully recessed into the canopy. The development has a porte-cochere at the main entrance with nine under canopy lights that meets these guidelines. Lighting at the property lines are not to exceed 0.2-FC to control glare and spillover lighting. Based on the lighting plan submitted, the site appears to meet the standards established in the Unified Development Code and both overlay district requirements.

The proposed site will contain a single story, 56,990 sq-ft building comprised of Lone Star Liberty Classic natural stone, Acme brick with soldier course banding accentuating the brick and stone, a composition roof with decorative chimney elements used for screening, and EIFS along the trim and water table as contrasting accents. The SH 276 Overlay and 205 By-Pass Overlay district's requires a minimum of four architectural elements to be present on the building. This facility is very well articulated, both vertically and horizontally, and meets or exceeds the architectural requirements by incorporating varied roof heights with peaked roof elements, two cupolas at the main entrance and N.E. entry area, an outdoor patio/open air court yard and a porte-cochere at their main entrance. The overall height of the nursing home will be 31-ft 9 ¼ inches, not exceeding the height restrictions for this district.

After meeting with the applicants on November 27, 2012, the (ARB) Architectural Review Board recommended the applicant use a thin cut stone to adhere to the decorative chimney elements

rather than the exposed EIFS as presented for screening of the roof mounted exhaust fans. The color rendering and color elevations depict the change as recommended by the ARB.

Based on the Unified Development Code requirements and the site plan as submitted, the following variance requires approval from City Council.

According to the residential adjacency standards established in the Unified Development Code, commercial developments adjacent to any residential district requires a 6-ft masonry fence for screening purposes. Due to the poor soil conditions identified at this site, the applicant is proposing a 6-ft ornamental iron fence with a living screen along the western and southern portions of the development. This request is consistent with other requests for wrought iron fences with live screening, and more recently in PD-54, along Ralph Hall Parkway.

As submitted, staff is in support of the variance requested.

Staff recommends approval of the Site Plan as well as the variance requested with the following conditions:

Site Plan:

1. Adherence to Engineering and Fire Department standards.
2. All signage, including monument sign requires separate permit through the Building Inspections Department.
3. Approval of a variance for a 6-ft ornamental iron fence with live screening from City Council.

Elevations:

The plan meets (or exceeds) the intent of the Unified Development Code as submitted.

Landscape Plan:

The plan meets (or exceeds) the intent of the Unified Development Code as submitted.

Treescape Plan:

The plan meets (or exceeds) the intent of the Unified Development Code as submitted.

Photometric Plan:

All light fixtures/sources (poles, wall packs, etc.) are to be directed down and shielded with a full or partial cut-off (maximum one inch reveal). Light source not to exceed 0.2-FC at the property line and shall not exceed 20-FC overall intensity for the site, with the exception of under canopy lighting not to exceed 35-FC. All under canopy lighting shall be fully recessed into the canopy.

Commissioner Jackson asked about the size of the plants at the ornamental fence that faces the neighborhood.

Jacob Sumpter
200 E. Abram
Arlington, Texas

Mr. Sumpter indicated that the property backs up to an alley for the neighborhood and the homes have privacy fences. The plants that they will install are five gallon shrub that can grow up to 8 feet tall.

Commissioner McCutcheon asked whether the plants will be inside or outside the fence. Mr. Sumpter stated that the shrubs will be inside the fence, so that they can be maintained by the property owner.

Commissioner Jackson made a motion to approve SP2012-026, a request by Jacob Sumpter of Mycoskie McInnis Associates for approval of a Site Plan for a one story, 56,990-sf nursing home situated on a 6.705-acre tract of land in the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Texas, and is zoned (PD-10) Planned Development District No. 10 and within the (205 BY-OV) 205

By-Pass Corridor Overlay district and the (SH 276 OV) SH 276 Corridor Overlay district, and generally situated at the southwest corner of John King Boulevard and State Highway 276, with staff recommendations.

Commissioner Minth seconded the motion.

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

9. P2012-037

Discuss and consider a request by Jacob Sumpter of Mycoskie McInnis Associates for approval of a Preliminary Plat for a 9.134-acre tract of land situated in the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Texas, and is zoned (PD-10) Planned Development District No. 10 and within the (205 BY-OV) 205 By-Pass Corridor Overlay district and the (SH 276 OV) SH276 Corridor Overlay district, and situated at the southwest corner of John King Boulevard and State Highway 276, and take any action necessary.

(SP2012-026 and P2012-037 were discussed concurrently.)

Commissioner Minth made a motion to approve P2012-037, a request by Jacob Sumpter of Mycoskie McInnis Associates for approval of a Preliminary Plat for a 9.134-acre tract of land situated in the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Texas, and is zoned (PD-10) Planned Development District No. 10 and within the (205 BY-OV) 205 By-Pass Corridor Overlay district and the (SH 276 OV) SH276 Corridor Overlay district, and situated at the southwest corner of John King Boulevard and State Highway 276, with staff recommendations.

Commissioner McCutcheon seconded the motion.

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

(Chairman Herbst called for a short recess at 7:27PM.)

(Chairman Herbst reconvened the Commission at 7:37PM.)

10. SP2012-027

Discuss and consider a request from W. Anthony Eeds of White Rock Studio for approval of a Site Plan for a 5,000-sf medical office development located on Lot 7, Block A, Presbyterian Hospital of Rockwall Addition, being approximately 0.693-acres zoned (PD-9) Planned Development No. 9 District and situated along Tubbs Road south of Horizon Road, and take any action necessary.

Estep indicated that the subject property is located adjacent to Presbyterian Hospital on Tubbs Road, between Summer Lee Drive and FM 3097. Planned Development-9 (PD-9) is the primary zoning classification of the property, with an underlying classification of General Retail.

PD-9 encompasses a large area between Ridge and Horizon Roads and contains a mix of residential and commercial uses. In 1988, the area around the hospital was designated as General Retail as part of Ordinance 88-20. The hospital was approved for development in 2006, followed soon thereafter by several ancillary medical office buildings (MOB).

The applicant is proposing an additional ancillary MOB approximately 4989 SF in size. The property is adjacent to the hospital's helipad site, with vacant property to the south that is intended for similar MOB-type development in the future.

Access to the site is provided by a private access entrance off of Tubbs Road. Interconnectivity will provide for additional access from the main campus entry drive off of FM 3097. The property itself has no direct access to Tubbs Road.

Based upon the medical office use of the structure, the Unified Development Code (UDC) requires 1 space per 200 SF, or a total of 25 spaces. The applicant is proposing a total of 41 spaces, which far exceeds the City's minimum requirements.

2 A proposed dumpster is located NW of the proposed building and is required to be screened with
similar materials as those used on the primary structure and equipped with a self-latching gate.

4 Due to franchise utility easement issues and fire lane coverage, the property requires a replat to
6 correct these deficiencies and include a dedicated fire line.

8 Due to the rearranging of the building on the proposed lot at the time of this report, the applicant
has not submitted a revised landscape plan for review. However, based on the previous
10 landscape plan submitted, the applicant indicates a variety of trees and shrubs proposed for the
site, meeting the intent of PD-9 and the Unified Development Code.

12 As a condition of approval, staff will accept the landscape plan for the revised site to verify
14 compliance with PD-9 and the UDC.

16 The applicant has not included exterior lighting as part of their proposal. The applicant has stated
the possibility of using accent lighting and/or main entry lighting, but no VUA lighting will be
18 included as part of the project at this time.

20 Once the applicant has made the final determination regarding accent and entry way lighting, cut
sheets will be provided to ensure that all fixtures are cut-off, unless under 15 watts. It should be
22 noted that all lighting sources are to be shielded and oriented down so as to not be visible from
the property line.

24 The building elevations indicate the building to be 100% masonry, consisting of stone, light brick
26 and dark brick for accents. The original concept submitted by the applicant indicated 15% stone
along the front (north) elevation and less than 10% stone on all other elevations.

28 The north and east elevations are visible from a public street, therefore are required to incorporate
30 a minimum of 20% stone per the UDC. After speaking with the Architectural Review Board (ARB)
on November 27, 2012, modifications to the structure were made to meet their recommendations
32 as well as meet the UDC's standards for stone. The north elevation will consist of 30.48% stone,
while the east elevation will consist of 86.51% stone. The applicant has incorporated cantilevers
34 to support the canopies and provide horizontal articulation on all sides of the building. However,
the south elevation appears to be vertically linear towards the center of the building and extends
36 for more than three times the buildings height without vertical relief. Furthermore, the applicant's
intent is to match the materials and architectural features with the existing hospital and will be
38 seeking an exception to allow the south elevation as submitted.

40 In 2006, the hospital was granted a waiver for vertical articulation on the south elevation. The
applicant will seek a similar waiver in this case, arguing that the vacant property to the south will
42 be developed and will screen the buildings' south elevation. Such a variance will require a simple
majority vote by the City Council for approval.

44 The applicant intends to request a waiver of the articulation requirements for the south elevation,
46 similar to the waiver sought after by and granted to Presbyterian Hospital. The applicant believes
the vacant lot to the south will eventually be developed and will, in essence, screen the south
48 elevation from view.

50 On 11/27/2012, the ARB discussed the proposed building elevations and asked the applicant to
make several changes, specifically to include the use of more stone on the east and west
52 elevations. No specifics were discussed regarding the south elevation. The intent of the applicant
is to create a design that effectively blends in with other adjacent MOB's and the hospital.

54 Staff recommends approval of the site plan with the following conditions:

- 56 1. Final approval of the Engineering requirements.
- 58 2. Final approval of the Fire Department requirements.

3. Submittal and approval of a replat to address easements and fire access.
4. Should the site contain any exterior lighting, a photometric plan may be required meeting the standards set forth in the UDC. Provide cut sheets for any proposed exterior lighting. All light sources are to be full cut-off with a maximum one inch reveal and directed down with the exception of decorative lighting with a maximum 15 watt bulb.
5. Approval of an exception to the articulation standards on those elevations not meeting the minimum standards set forth in the UDC, specifically the south elevation.
6. All signage requires submittal and approval of a separate permit with the Building Inspections Department prior to installation.
7. Provide dumpster detail with materials matching the primary structure and an opaque gate equipped with a self-latching mechanism.

Commissioner Jackson clarified the appearance of the south elevation.

Tony Eeds
White Rock Studio
1407 San Saba Drive
Dallas, Texas

Mr. Eeds stated those are shade structures and the shadowing they will create.

Commissioner Jackson made a motion to approve SP2012-027, a request from W. Anthony Eeds of White Rock Studio for approval of a Site Plan for a 5,000-sf medical office development located on Lot 7, Block A, Presbyterian Hospital of Rockwall Addition, being approximately 0.693-acres zoned (PD-9) Planned Development No. 9 District and situated along Tubbs Road south of Horizon Road, with staff recommendations.

Commissioner Buchanan seconded the motion.

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

11. SP2012-028

Discuss and consider a request by Jake Petras for the approval of a Site Plan for a retail store with more than two (2) gasoline dispensers on a 1.8169 acre tract of land zoned Commercial (C) District and General Retail (GR) District, and described as part of the Joseph Cadle Survey, Abstract No. 65, being all of Lot 1R, Block A of the Montego Addition, and a portion of Lot 2, Block A of the Rockwall Shopping Center, Rockwall County, Texas, and being generally located at the northwest corner of the intersection of SH-205 and the IH-30 frontage road, within the IH-30 (IH-30 OV) Overlay District and the SH-205 (SH-205 OV) Overlay District, and take any action necessary.

Miller explained that the subject property is a 1.8169-acre tract of land located at the northwest corner of the IH-30 access road and SH-205. The portion of the property currently zoned as a Commercial (C) District was replatted as Lot 1R, Block A of the Montego Addition on October 30, 2001. The remainder of the property is zoned as a General Retail (GR) District and is identified as a portion of Lot 2 of the Rockwall Central Shopping Center Addition, which was approved on May 17, 1985. The applicant, Jake Petras, is requesting the approval of a Site Plan for the purpose of constructing a QuickTrip retail store with nine (9) gasoline dispenser. Prior to this request the applicant submitted a Specific Use Permit (SUP) [Case No. Z2012-017] application in conformance with the requirements of the Permissible Use Charts located in Article IV, Permissible Uses, of the Unified Development Code (UDC), which state that a Retail Store with more than Two (2) Gasoline Dispensers shall require an SUP in a General Retail (GR) District. As part of the SUP submittal staff required that the applicant submit final building and signage elevations, which were reviewed by the Architectural Review Board (ARB), Planning & Zoning Commission (P&Z) and approved by the City Council on December 3, 2012 as exhibits in the operational ordinance. In approaching the case in this manner it is staff's intent to ensure that the site plan submittal conforms to the

approved SUP ordinance and to associate the ordinance to the site plan review process. As part of the site plan submittal the applicant has submitted a site plan, landscape plan and a photometric plan.

The site plan provided by the applicant generally conforms to the conceptual site plan approved with the Specific Use Permit (SUP) and shows similar locations for the proposed building and gas canopy; however, the gas canopy does encroach into the required front yard building setback in an excess of what is permitted by the Unified Development Code (UDC). According to Article V, District Development Standards, of the UDC an ordinary projection of a structure into the required building setback shall not exceed more than 30-inches. Currently, the gas canopy extends into the required building setback approximately seven (7) feet and will require the approval of a variance from the Board of Adjustments (BOA). As a contingency the applicant has stated that they are willing to modify the gas canopy design to conform to the building setback standards if they are not granted a variance by the BOA. It is staff's opinion that the proposed changes (if necessary) to the gas canopy would not constitute a major change to the building elevations, and that the proposed gas canopy would still generally conform to the elevations approved with the SUP ordinance.

Currently, the site has two (2) existing approaches, one (1) off of SH-205 and one (1) off of the IH-30 access road. The site plan indicates that the drive approach off of SH-205 will be removed at the time of construction in favor of widening the drive approach north of the subject property. This drive approach currently services the shopping center located directly west of the proposed development. The location of the drive approach along the IH-30 access road will remain unchanged, but will require approval from the Texas Department of Transportation (TXDOT) due to the extension of the paving required to link the drive to the subject property. TXDOT has contact staff to provide confirmation that they have received plans from the applicant and are reviewing the applicant's proposal. With the exception of the encroachment of the gas canopy into the front yard building setback the site plan submitted by the applicant conforms to the density and dimensional requirements of the UDC.

According to the Unified Development Code (UDC) the Commercial (C) and General Retail (GR) Districts require a minimum landscaping percentage of 15% of the total site area. This requirement translates to a minimum landscaped area of 11,872 square feet required for the subject property. The landscape plan indicates that the applicant is proposing to exceed the required amount of total landscaping by 694 square feet, and will be providing a total percentage of 16% (12,566 square feet). Additionally, the applicant will be required to meet the IH-30 (IH-30 OV) and SH-205 (SH-205 OV) Overlay District landscaping requirement, which require three (3) canopy and four (4) accent trees per every 100 linear feet of street frontage; as well as a berm and/or shrubbery or a combination of with a minimum height of 30-inches. To meet these requirements the applicant will be providing eight (8) four (4) inch caliper Texas Redbud trees, six (6) four (4) inch caliper Shumard Red Oak trees, and a 20-inch berm topped with two (2) rows of Needle Point Holly bushes along the IH-30 access road, and an additional eight (8) four (4) inch caliper Texas Redbud trees, six (6) four (4) inch caliper Shumard Red Oak trees, and a 20-inch berm topped with clusters of four (4) Needle Point Holly bushes along the SH-205 street frontage. In addition to the overlay district requirements the applicant will also be providing six (6) four (4) inch caliper Texas Ash trees in the parking areas on site and an additional four (4) four (4) inch caliper Texas Ash trees off-site in the parking areas of the adjacent shopping center. The landscape plan provided by the applicant is in substantial conformance with the landscaping requirements of the UDC and will be complimentary to the existing landscape buffer in the TXDOT right-of-way, which is adjacent to the subject property at the corner of the intersection of SH-205 and the IH-30 access road.

The photometric plan provided by the applicant is in conformance with the on site (20 FC) and under canopy (35 FC) illumination requirements stipulated by Article VII, Environmental Performance, of the Unified Development Code (UDC); however, the plan does exceed the maximum light levels permitted to spillover onto a street. According to the UDC, the maximum allowable light intensity permitted at a property line adjacent to a street shall not exceed 0.2 FC. Currently, the photometric plan shows levels exceeding 0.2 FC at the property line adjacent to IH-30 and SH-205. The applicant is requesting a variance to the lighting standards stipulated in the UDC for the purpose of allowing lighting levels to exceed 0.2 FC at the property lines. According

2 to the photometric plan the property line adjacent to the IH-30 access road will have light levels
ranging from 0.3 FC to 1.1 FC and the property line adjacent to SH-205 will have light levels
4 ranging from 0.3 FC to 2.5 FC. With exception of the aforementioned variance request the
photometric plan provided by the applicant is in conformance with the requirements of the UDC.

6 The applicant is requesting a variance to the maximum permissible light levels permitted at a
property line adjacent to a public street as required in Article VII, Environmental Performance, of
8 the Unified Development Code (UDC). As stated previously in this case memo light levels range
from 0.3 FC to 2.5 FC adjacent to SH-205 and the IH-30 access road. Staff is not opposed to the
10 applicant's request to exceed the light levels adjacent to the IH-30 access road due to a large
amount of TXDOT right-of-way in between the subject property and the roadway. With this
12 additional buffer the light levels are effectively between 0 and 0.2 FC at the actual street.
Additionally, TXDOT has permitted the applicant to construct a light pole within their right-of-way
14 and directly adjacent to the drive approach and access road of IH-30. As stated above, the
lighting values along SH-205 also exceed the maximum permitted level of 0.2 FC. This is mainly
16 due to the placement of a 22-foot light pole adjacent to the shared drive approach located at the
northeast corner of the property. The applicant contends that this light is necessary for the
18 purpose of lighting the adjacent drive approach, and that this is a safety measure. It is staff's
opinion that the existing lighting levels adjacent to this drive are sufficient and that the additional
20 lighting is not necessary.

22
24 With the exception of the requested variance the applicant's request is in conformance to all the
requirements stipulated by the Unified Development Code (UDC), the Municipal Code of
Ordinances, and to the exhibits in the operational ordinance approved with the Specific Use
26 Permit (SUP) request. If the Planning & Zoning Commission and City Council choose to grant the
applicant's request then staff would recommend the following conditions of approval:

- 28 1) Prior to the issuance of a building permit the applicant will be required to receive a
30 variance for the encroachment of the gas canopy into the front yard building setback or
modify the canopy so that it is in conformance with the requirements of the Unified
32 Development Code (UDC);
- 34 2) All signage established on the subject property shall generally conform to the Sign
Elevations in Exhibit 'D' of the approved Specific Use Permit (SUP) ordinance;
- 36 3) Prior to approval of a building permit the Texas Department of Transportation (TXDOT)
38 shall approve and issue permits for the proposed drive approach located off the IH-30
frontage road, the closure of the existing drive approach off of SH-205, and the proposed
40 widening of the shared drive approach off of SH-205;
- 42 4) The photometric plan needs to conform to the required 0.2 FC light levels required at the
property line adjacent to SH-205. The applicant will be required to submit a new
44 photometric plan showing conformance to this requirement;
- 46 5) No outside display of merchandise or outside storage shall be permitted on the subject
property, with the exception of the following items which will be required to be indicated
48 on the approved site plan: ice machine, propane cage, and/or DVD rental kiosk.
- 50 6) All comments provided by the Engineering and Fire Departments must be addressed prior
to the submittal of a building permit; and
- 52 7) Any construction or building necessary to complete this Site Plan request must conform
54 to the requirements set forth by the Unified Development Code, the 2009 International
Building Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and
56 fire codes and with all other applicable regulatory requirements administered and/or
enforced by the state and federal government.

58
60 Chairman Herbst asked about the lighting levels on SH205. Miller indicated it is a significant
amount over what is allowed, because they are using a pole light at the entry on SH205.

Jake Petras
QuikTrip Corporation
1120 N. Industrial Blvd.
Euless, Texas

Mr. Petras stated they are slightly increasing the lighting on SH205 in order to address safety concerns. They are open 24 hours and neighboring properties are not open the same hours; therefore, they cannot depend on lighting from them.

Commissioner Buchanan asked about shielding the light from SH205. Mr. Petras stated that shielding will defeat the purpose of the lighting.

Commissioner Nielsen asked why staff is concerned about lighting onto SH205. Miller stated that it is a safety and aesthetic issue.

Chairman Herbst asked Mr. Petras to indicate the location of the pole in relation to the monument sign. Mr. Petras indicated the location and stated that they have discussed several different locations; however, this is the best location.

Commissioner McCutcheon stated his agreement with the lack of lighting at the location. Miller indicated that the concern is with lighting bleeding onto the street rather than the shopping center. Commissioner McCutcheon additionally stated that lighting will be included under the canopy of the gas station.

Commissioner Minth stated that she doesn't think that particular light is necessary.

Commissioner Renfro stated that he would appreciate consideration given to other options.

Commissioner Buchanan said that he would prefer lower levels of light on the street.

Commissioner Nielsen agreed and said that he would also like them to consider landscape lighting or other options.

Chairman Herbst asked about the height of the light pole. Mr. Petras indicated it would be 25'. Chairman Herbst asked if a shorter light would work to light the drive. LaCroix stated that bollard lighting may not work at this location.

Commissioner Jackson made a motion to approve SP2012-028, a request by Jake Petras for the approval of a Site Plan for a retail store with more than two (2) gasoline dispensers on a 1.8169 acre tract of land zoned Commercial (C) District and General Retail (GR) District, and described as part of the Joseph Cadle Survey, Abstract No. 65, being all of Lot 1R, Block A of the Montego Addition, and a portion of Lot 2, Block A of the Rockwall Shopping Center, Rockwall County, Texas, and being generally located at the northwest corner of the intersection of SH-205 and the IH-30 frontage road, within the IH-30 (IH-30 OV) Overlay District and the SH-205 (SH-205 OV) Overlay District, with staff recommendations.

Commissioner McCutcheon seconded the motion.

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

12. SP2012-029

Discuss and consider a request by Cristal Villarreal for the approval of a site plan for a 519-sf restaurant with a drive-through located on approximately 0.182-acres, being a portion of Lot 6, Block A, Wal-Mart Supercenter Addition, zoned Commercial (C) District and within the IH-30 (IH-30 OV) Overlay District, being specifically located at 782 IH-30, City of Rockwall, Texas and take any action necessary.

David stated that the applicant, Cristal Villarreal of the Jacobs Engineering Group and representing Seattle's Best Coffee, is requesting approval of a Site Plan for a coffee shop that

includes a drive-through facility. The coffee shop is to be located within the Wal-Mart Super Center parking lot located at 782 IH-30 on a 0.182 acre tract of land through a ground lease with Wal-Mart. The property is zoned (C) Commercial District and is located within the (IH-30 OV) IH-30 Overlay District.

The site required an SUP to allow for the coffee shop with a drive through operating on the Wal-Mart location. The SUP was approved by City Council on December 3, 2012

The proposed site will contain a 519-sf structure, which will be used primarily as a drive through coffee shop on a 0.182-acre tract of land. The drive through will accommodate eight vehicles and exceeds the minimum requirements for stacking vehicles in a drive through established by the Unified Development Code. The site can be accessed from two points of entry along the IH-30 service road as you enter the Wal-Mart Super Center parking lot. There are seven parking spaces for customers to utilize as they approach the walk up service window. Based on the uses classification, the proposed parking count is considered sufficient to serve this facility.

The applicant has submitted a landscape plan indicating a total of 22.5% landscape coverage for the site which exceeds the 15% minimum coverage requirement for a commercial development. The site will include an assortment of shrubs, ground cover and several canopy trees to provide an aesthetically pleasing environment for this facility.

Also, the applicant is proposing to remove two (2) Live Oaks (12 inch and 16 inch) totaling twenty-eight (28) inches that are considered feature trees and are protected. These two trees are located within a parking space and the drive through lane and require removal based on the facilities layout. Feature trees may not be removed without approval of the Planning and Zoning Commission and must be replaced inch for inch upon removal. However, the applicant is proposing four (4) three (3) inch trees from the approved tree list (e.g. two Cedar Elms, one Shumard Red Oak and one Chinese Pistache) for a total of twelve (12) inches as mitigation. This will leave a sixteen (16) inch deficiency in terms of mitigation for the site. However, based on the size of the development, the applicant is requesting that the remaining sixteen (16) inch deficiency in mitigation trees be donated to the Parks Department for future plantings.

Based on the unique characteristics of the lot, staff supports the applicants request for the donation of mitigation trees to the Parks Department. Also, staff is of the opinion that the landscape plan as presented meets or exceeds the intent of the Unified Development Codes requirement for this site.

Since this property is serviced through a ground lease with Wal-Mart Super Center, the existing light poles on site are considered adequate. The applicant does not intend to provide additional parking lot lighting, therefore will not require a photometric plan.

As you may know, the building elevations and materials for this project were tied down and approved with Ordinance No. 12-29 (SUP No. 99) to allow for the restaurant (coffee shop) on the Wal-Mart Super Center Parking lot on December 3, 2012. With that in mind, the applicant was not required to re-submit the building elevations for review.

Staff recommends approval of the request with the following conditions:

Site Plan:

1. Any ground mounted or roof top HVAC units are to be screened from adjacent properties.
2. Adherence to Engineering standards, including any off-site easements required.
3. Adherence to Fire Department standards.

Landscape Plan:

The plan meets (or exceeds) the intent of the Unified Development Code as submitted.

Treescape Plan:

That the sixteen (16) inch deficiency in mitigation trees be donated to the Parks Department for future planting.

Elevations:

Must adhere to the elevations and material requirements established in Ordinance No. 12-29 (SUP No. 99).

Photometric Plan:

Not required. Existing light poles for Wal-Mart Center on site.

Commissioner Buchanan made a motion to approve SP2012-029, a request by Cristal Villarreal for the approval of a site plan for a 519-sf restaurant with a drive-through located on approximately 0.182-acres, being a portion of Lot 6, Block A, Wal-Mart Supercenter Addition, zoned Commercial (C) District and within the IH-30 (IH-30 OV) Overlay District, being specifically located at 782 IH-30, City of Rockwall, Texas, with staff recommendations.

Commissioner Jackson seconded the motion.

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

13. P2012-038

Discuss and consider a request by Brent Murphee with Dowdey, Anderson & Associates, Inc. for the approval of a Replat for Lot 1, Block A, Emerus Emergency Hospital Addition, being 4.194 acres of land and described as Lots 1 & 2, Block B, Ellis Centre, City of Rockwall, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District and generally located at the northeast corner of the intersection of IH-30 and T. L. Townsend Drive, and take any action necessary.

Miller indicated that the purpose of this plat is to combine two (2) existing lots into one (1) lot to facilitate the construction of a state licensed emergency care facility.

The subject property is zoned Light Industrial (LI) District and is situated within the IH-30 (IH-30 OV) Overlay District.

A companion Site Plan case (SP2012-016) was submitted and conditionally approved on August, 14, 2012.

The Landscaping and Treescape Plans were approved with the site plan. No tree preservation is proposed or required for this site.

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

Conditional approval of this plat by the City Council shall constitute approval subject to the conditions in the Recommendation section below.

With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

Staff recommends approval of the replat for Lot 1, Block A, Emerus Emergency Hospital Addition in conformance with the following conditions of approval:

- 1) All comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this plat;
- 2) Prior to the filing of this replat the applicant will need to provide staff with an approved Texas Department of Transportation (TXDOT) permit for the drive approach adjacent to the IH-30 access road;
- 3) All easements and easement abandonments depicted on the plat will require filling information (i.e. volume and page) prior to filling the plat with the county; and

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

8 Commissioner Jackson made a motion to approve P2012-038, a request by Brent Murphee with
10 Dowdey, Anderson & Associates, Inc. for the approval of a Replat for Lot 1, Block A, Emerus
12 Emergency Hospital Addition, being 4.194 acres of land and described as Lots 1 & 2, Block B, Ellis
14 Centre, City of Rockwall, Texas, zoned Light Industrial (LI) District, situated within the IH-30
Corridor Overlay (IH-30 OV) District and generally located at the northeast corner of the
intersection of IH-30 and T. L. Townsend Drive, with staff recommendations.

16 Commissioner Renfro seconded the motion.


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

20 LaCroix indicated that there is an item on the City Council agenda to appoint the Commission as
the Capital Improvement Review Committee to discuss roadway impact fees and other issues.

22 IV. ADJOURNMENT

24 The meeting adjourned at 8:14 p.m.

26 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
ROCKWALL, Texas, this 8 day of JAN, 2013.

28
30 
32 Phillip Herbst, Chairman

34 Attest:

36 
JoDee Sanford, Planning Coordinator