

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
January 13, 2015
6:00 P.M.

CALL TO ORDER

Chairman Renfro called the meeting to order at 6:00pm. Present were Chairman Renfro, Commissioners Wendi Conley, Jonathan Lyons, Mike Jusko, and John McCutcheon. Absent were Commissioners Tracey Logan and Amy Fishman. Staff members present were Director of Planning and Zoning, Robert LaCroix, Planning Manager, Ryan Miller, Senior Planner, David Gonzales, and Planning Technician, Jodee Sanford.

CONSENT AGENDA

1. P2014-043

Discuss and consider a request by Bryan Powell, PE of Westwood Professional Services on behalf of David Booth of D. R. Horton Texas, LTD for the approval of a final plat for Castle Ridge, Phase 3 containing 62 single family lots on a 19.521-acre tract of land currently identified as Tract 37 of the J. Stricklans Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Single Family Residential (SF-10) District, general located east of SH-205, and take any action necessary.

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

PUBLIC HEARINGS

2. Z2014-036

Hold a public hearing to discuss and consider a request by Rick Dirkse on behalf of D. W. Bobst of J-BR2, LLC for the approval of a zoning change from a Single Family 10 (SF-10) District to a Planned Development District allowing for office, medical office and single-family land uses on two (2) parcels of land, being 1.666-acres, identified as Lots 1 & 2, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1312 & 1316 Ridge Road [FM-740], and take any action necessary.

Planning Manager, Ryan Miller, gave explanation of item stating that on December 18, 2014, the applicant, Rick Dirkse, submitted an application on behalf of the owner, Dan Bobst of JBR2, LLC, for the approval of a zoning change for two parcels of land zoned Single Family 10 District and addressed as 1312 & 1316 Ridge Road. Specifically, the requested zoning change proposed a Planned Development District that would limit the land uses on the subject property to general/professional office, small medical office and/or single-family residential uses; and, to provide for more restrictive density and dimensional requirements, which are intended to regulate any development on the subject properties into conforming to the architecture utilized by the adjacent single-family residential homes. The underlying zoning district of the proposed Planned Development District is a Residential-Office District, which according to the Article V, District Development Standards, of the Unified Development Code is intended, to allow for low intensity office development providing professional, medical and other office services to residents in adjacent neighborhoods and serve as an area of transition between residential and high-intensity nonresidential uses or busy arterial thoroughfares.

Mr. Miller further explained that with the zoning application, the applicant has submitted a PD Concept Plan that indicates intent to build two independent office buildings constructed on individual lots. The parking for these buildings will be accessible utilizing the two existing drive approaches adjacent to Ridge Road. All parking will be located in the front of the properties in

62 between the front façade of the proposed buildings and Ridge Road. The rear of the properties
63 should generally conform to the adjacent single-family development, and give the appearance of
64 a single-family residence. The applicant has stated that the intent of the project is to blend the
65 buildings with the adjacent single-family neighborhood and only provide the appearance of an
66 office building on Ridge Road. Staff has included additional standards in the Planned
67 Development District Ordinance that ensures that any structure constructed on the subject
68 property shall be built to a residential scale. These restrictions include limiting the building's
69 square footage, restricting the roof design to be a pitched roof system that is comparable to the
70 adjacent single-family residential homes, and requiring a wood screening fence that matches
71 the City's current residential fence standards. In addition, the height of the buildings have been
72 restricted to 36-feet, which is the same height restriction required by the Single Family
73 10District. Any requirements not specifically stated within the Planned Development District
74 shall conform to Residential-Office District standards as stipulated by Section 4.2, Residential-
75 Office District, of Article V, District Development Standards, of the Unified Development Code.

76
77 Mr. Miller further stated that the intent of the Residential-Office zoning district is to provide a
78 buffer or transition from residential neighborhoods to higher intensity non-residential land uses
79 and/or busy arterials and thoroughfares. This district has proven to be particularly successful
80 in areas where residential properties are adjacent to state roadways that accommodate a
81 moderate to high traffic volume. In reviewing this case it should be noted that Ridge Road is
82 classified as a Minor Arterial, Four Lane, Divided Roadway and accommodates a moderate level
83 of traffic. According to the Texas Department of Transportation's 2012 District Traffic Maps,
84 Ridge Road currently accommodates between 17,800 and 25,000 trips per day between the SH-
85 205/FM-740 split and IH-30. For reference, the average residential street generally
86 accommodates less than 1,000 trips per day. The reason that the Residential-Office District has
87 been successful in areas adjacent to busier thoroughfares is its unique ability to maintain a
88 residential aesthetic while buffering more intense land uses/thoroughfares with low intensity
89 non-residential land uses. These uses generally do not conflict with the adjacent residential
90 land uses, specifically with regards to the hours of operations, noise, lighting, traffic and other
91 environmental conditions commonly associated with non-residential developments. With this
92 being said, zoning is a discretionary action for the Planning & Zoning Commission and City
93 Council.

94
95 Mr. Miller explained the Future Land Use Map, adopted with the Comprehensive Plan,
96 designates the subject property for Medium Density Residential land uses. While the proposed
97 land use does continue to allow single-family residential land uses it would also allow office
98 land uses. Should the City Council approve the applicant's request, the Future Land Use Map
99 will be amended to reflect the proposed change in land use from a Medium Density Residential
100 designation to a Special District designation.

101
102 Also, on December 30, 2015, staff mailed 61 notices to property owners and residents within
103 500-feet of the subject property. Staff also emailed notice of the request to the Waterstone
104 Estates Homeowner's Association, which is the only HOA located within 1,500 feet of the
105 subject property. Additionally, staff posted a sign along Ridge Road as required by the Unified
106 Development Code. Staff received one property owner notification and one email in opposition
107 to the request.

108
109 Mr. Miller also explained to the Commission what recommendations it would have if the
110 Planning and Zoning Commission recommends approval of the applicant's request for a PD
111 Development Plan.

112
113 Commissioner Logan arrived to the meeting.

114
115 Chairman Renfro asked applicant to come forth and speak.

116
117 Rick Dirkse
118 3077 N Goliad
119 Rockwall TX

120
121 Applicant came forward and gave a background of his request, explaining he has rented space
122 for his business in various locations in Rockwall, before buying property on the north end of

town where he built his home and where he has officed out of for the past 21 years. Applicant went on to explain his office has outgrown his current location and has been looking for some time for a place to build his business but has found it is difficult to find a place to build ones business here in Rockwall. He went on to discuss his concept plan and showed a power point detailing it.

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

Erica Lyles
1603 S. Alamo
Rockwall, TX

Ms. Lyles came forward and expressed opposition to the proposed zoning change. Her concern is her property values being affected with commercial in her backyard.

Ken Dixon
205 Meadowdale
Rockwall, TX

Mr. Dixon expressed opposition to the proposed zoning change. He stated he has lived in his home 31 years and has concerns about increased traffic commercial business would cause on the already hard to navigate exits in the neighborhood. He also stated concern of property value on surrounding properties decreasing with a zoning change.

John White
1929 S. Lakeshore
Rockwall, TX

Mr. White came forward expressed opposition to the proposed zoning change. He has lived in his home for 38 years, and stated the reason he feels request should be denied is because it is currently zoned residential and that is how they bought and adding commercial will decrease property values as well as the traffic it will increase.

Andrea Burke
1724 Ridge Road
Rockwall, TX

Ms. Burke came forward expressed opposition to the zoning change. She expressed concern that people that are in favor of the zoning change is due to having had to sign paperwork before building new homes in that area stating they would be in favor of zoning change to be able to buy property. She stated she is also concerned if Mr. Dirkse decided in the future to move what kind of business would move into that building.

Joy Bounds
209 Tanya Dr.
Rockwall, TX

Ms. Bounds came forward and expressed opposition to zoning change. She has lived in her home 31 years and feels adding commercial development will affect the calm residential living they have enjoyed all these years.

Tom Hawkins
207 Dartmouth
Rockwall, TX

Mr. Hawkins came forward and stated he is in opposition of this proposed zoning change. His concern is what other kind of commercial business may come after this proposed one.

Mike Rogers

1404 Ridge Road
Rockwall, TX

Mr. Rogers came forward and expressed opposition of this zoning change. His concern is how commercial business will affect the resident's way of life that they are so accustomed to after all the years of living as a tight knit community.

Greg Nappier
1505 S. Lakeshore
Rockwall, TX

Mr. Napier came forward and stated he is not in favor of zoning change request. He recently made a fifty thousand renovation and feels adding commercial will decrease his property value. He is also concerned with the increase of traffic adding commercial business will add.

Ron Mason
1402 Ridge Road
Rockwall, TX

Mr. Mason came forward and expressed opposition to the proposed zoning change. He stated he feels the traffic it will cause will affect all the residents in this area; it has been residential all this time and feels it must continue to stay only residential.

Clark Staggs
1601 Seascape
Rockwall, TX

Mr. Staggs came forward and stated he is in favor of request for zoning change and feels this is an excellent location for a small professional office building.

William Lyle
1603 S. Alamo
Rockwall, TX

Mr. Lyle came forward and stated he has lived in Rockwall 19 years and stated his opposition for the zoning proposal is concerned with added traffic commercial will create and affect his property value.

Terry Nevitt
201 Becky Lane
Rockwall, TX

Ms. Nevitt came forward and stated opposition of proposed zoning change. She feels neighbors have invested thousands of dollars in keeping houses beautiful and feels if commercial comes in it will make those investments a waste because property values of homes will drop.

Chairman Renfro asked applicant to come forth for rebuttal.

Mr. Dirske came forward and stated he feels although many neighbors are in opposition of his proposal and would like a residence to be built there, he does not think that will happen and having him build this quality proposal is the next best thing to what they want and feels he will be a great neighbor.

Chairman Renfro called for a ten minute break and closed the public hearing.
Chairman Renfro brought the item back to the Commissioners for questions and discussion.

Commissioner Logan asked staff to clarify what aesthetic requirements the building would have to meet.

Planning Manager, Ryan Miller, explained the PD has an underlying zoning of residential office which has its specific list of requirements but in addition they would be required to have a pitched roof to blend in to adjacent properties decrease the screening fence standard which would allow for a wood fence also with the intent to appear as a residential property.

Chairman Renfro asked what uses would be permitted. Mr. Miller explained there are only three uses that are allowed on the property, which would be single family residential, professional office and a medical office.

Chairman Renfro also asked what would need to take place to overturn or loosen those requirements. Mr. Miller stated it would require a zoning amendment to the PD request which would go before the Commission as well as City Council.

Commissioner Lyons stated he felt this is not the best fit for this property and feels it would be best to be kept residential.

Commissioner Jusko stated he is in favor of the proposal because change is inevitable and Rockwall is growing and changing and feels this would be a good location for this.

Chairman Renfro asked Commission if there was no further discussion needed and opened the floor for motions.

Commissioner Lyons made motion to deny request. Commissioner Conley seconded the motion, which failed to pass with a vote of 3 in favor and 3 dissenting with Commissioner Fishman absent.

After further discussion from the Commission, Chairman Renfro made motion to approve request with staff recommendations. Commissioner McCutcheon seconded the motion, which failed to pass with a vote of 3 in favor and 3 dissenting with Commissioner Fishman absent.

Chairman Renfro noted that will be the vote that will be sent to Council.

3. Z2014-037

Hold a public hearing to discuss and consider a request by Bill Bricker of Bricker Enterprise Company (DBA Brick House Cars) on behalf of Rockwall Commercial Property Management for the approval of a Specific Use Permit to allow for an *Indoor Motor Vehicle Dealership/Showroom* on a one (1) acre portion of a larger 50.826-acre tract of land, identified as Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1200 E. Washington Street, and take any action necessary.

Planning Technician, JoDee Sanford, explained that the applicant has requested approval of a Specific Use Permit to allow for an *Indoor Motor Vehicle Dealership/Showroom*. On November 11, 2014, the City Council approved an ordinance that included adding this land use and associated special conditions to the permissible use chart within the UDC as a permitted use within the HC or HI zoning districts and requiring approval of an SUP within the GR or LI zoning districts. The subject property is zoned LI; therefore, it requires the approval of an SUP for this particular use.

Ms. Sanford further stated that the applicant's internet based business will utilize a portion of an existing 12,500 square foot building to house the indoor used car business operations. All business operations will take place inside the building and will be by appointment only. The applicant's request conforms to all special conditions required for this use as stipulated by the UDC.

Also, a notice was published in the Rockwall County Herald-Banner on December 26, 2014. Staff mailed one hundred thirty-five notices to property owners and non-owner occupants within 500 feet of the subject property. Additionally, staff posted signage along the street frontage adjacent to the subject property as required by the UDC. At the time this case memo was

305 drafted, staff had received five responses from three property owners indicating support for the
306 request.

307
308 Chairman Renfro asked if there are any controls in place that would limit the public from coming
309 and going without an appointment. Ms. Sanford stated the Commission could make that a
310 condition of approval. Chairman Renfro also asked if there would be any signage outside
311 indicating hours and such. Ms. Sanford stated there is not.

312
313 Planning Director, Robert LaCroix, added that to put in a requirement that would control public
314 stopping without an appointment would be unenforceable, therefore it is unlikely that could be
315 written in.

316
317 Commissioner McCutcheon asked how much of the existing building would be used for this
318 purpose. Ms. Sanford stated it would be 12,500 square feet. Commissioner McCutcheon asked if
319 there would be any outside storage allowed. Ms. Stanford stated there would not be outside
320 storage allowed overnight.

321
322 Chairman Renfro asked applicant to come forth and speak.

323
324 Bill Bricker
325 505 Westway Dr.
326 Rockwall, TX

327
328 Mr. Bricker came forward and gave explanation of request.

329
330 Commissioner Lyons made motion to approve with staff recommendations. Commissioner
331 Conley seconded the motion, which passed with a vote of 6-0 with Commissioner Fishman
332 absent.

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334
335 4. Z2014-038

336 Hold a public hearing to discuss and consider a request by Ben McMillian of Hazel & Olive on behalf of
337 the owner of the property for the approval of a Specific Use Permit to allow for a *General Retail Store* in
338 conjunction with an office and photography studio within Planned Development District 50 (PD-50) for
339 two (2) parcels of land, being 0.43-acres of land, identified as Lots 19A & 19B of the Amick Addition,
340 City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for
341 Residential-Office (RO) District land uses, addressed as 503 N. Goliad Street [SH-205], and take any
342 action necessary.

343
344
345 Senior Planner, David Gonzales, explained that the applicant, Ben McMillian of Hazel and Olive,
346 is requesting a Specific Use Permit to allow for a *General Retail Store* in conjunction with an
347 office and photography studio on two parcels of land that are currently vacant. The properties
348 are within Planned Development District (PD-50) No. 50 and the North Goliad Corridor Overlay
349 District, has an underlying zoning of Residential Office District, and is generally located at 503
350 N. Goliad Street. Based on the conceptual floor plan submitted, the office space and storage
351 area will be comprised of ~2,730 sq. ft. in area while the photography studio and *general retail*
352 will occupy 1,200 sq. ft. The office and photography studio uses are established by right;
353 however, the *general retail* component will require an SUP.

354
355 Mr. Gonzales further explained should the SUP be approved, the applicant intends to build a
356 facility with a ~3,540 sq. ft. building footprint, which will meet the architectural and building
357 design standards for new construction established in the NGC OV. This district establishes
358 design standards to guide the new construction of buildings, streetscapes, and architectural
359 styles to be consistent with the existing historical residential homes and businesses located
360 along the corridor. Building elevations will be submitted as part of the site planning process
361 and will be reviewed by the Historic Preservation Advisory Board to assure consistency with the
362 architectural styles and the standards of the district. The HPAB will forward its
363 recommendation to the Planning and Zoning Commission.

Mr. Gonzales also explained that based on the conceptual site plan submitted, the applicant is proposing the installation of thirteen parking spaces for the development. The required parking for both the retail store and photography studio is one space for each 250 sq. ft., while the office is calculated at one space per 500 sq. ft. for a total of eleven parking spaces, which meets the requirements for the site. Also, the conceptual site plan indicates the parking spaces to be located behind the front façade of the building; meeting the requirements for PD-50 and the RO district where parking is not to be located in the front yard.

On December 30, 2014, staff mailed one hundred-ten notices to property owners within 500 feet of the subject property; however, since there are no HOA/Neighborhood Organizations within 1500 feet participating in the notification program, there was no additional notice forwarded by e-mail. Additionally, staff posted a sign on the property as required by the Unified Development Code. Staff received one notice for and none opposed to the zoning change requested.

Chairman Renfro asked for discussion from Commission.

Commissioner Conley had question concerning traffic what point of access they would have. Mr. Gonzales stated the intent is to have access from Goliad and flow out thru Alamo.

Chairman Renfro asked applicant to come forth and speak.

Ben McMillan
176 Hampton Dr.
Dallas, TX

Mr. McMillan came forward and gave brief explanation of request.

Chairman Renfro asked Commission for any questions or discussion.

Commissioner Logan asked if there would be heavy truck delivery traffic. Mr. McMillan stated two trucks come twice daily, one being the postal service and the other the UPS delivery truck. No large trucks.

Chairman Renfro opened the public hearing and asked if there was anyone who wishes to come forth and speak. There being no one indicating such Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

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

5. Z2014-039

Hold a public hearing to discuss and consider a request by Zack Amick of Gordon Rockwall Investments, LLC for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for a 21.684-acre tract of land identified as Tract 4 of the N. M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located in between Commerce Street and T. L. Townsend Drive, and take any action necessary.

Planning Technician, Jodee Sanford, explained that the applicant has requested to rezone approximately 21.68-acres on the south side of IH-30 between Commerce Street and T.L. Townsend Drive from Agricultural District to Light Industrial District. The owner intends to develop a small portion of the property to the north as additional display for the existing Hyundai car dealership. The remainder of the property will be subdivided into pad sites that will be added in the future. Commerce Street will also be extended to connect with T.L. Townsend Drive. The Future Land Use map indicates this area as a potential "Special District"; however, rezoning the property to LI is considered to be conforming with respect to the Future Land Use plan as the zoning change will create consistency with the surrounding properties.

Ms. Sanford further explained that the majority of properties to the north are zoned Light Industrial. The properties to the south and west are zoned Heavy Commercial and Light

Industrial. The property to the east is zoned PD-10 with an underlying zoning of Multi-Family which is the existing site of the Mansions Apartments and Orion (age-restricted).

Ms. Sanford also stated that a notice was published in the Rockwall County Herald-Banner on December 26, 2014. Staff mailed forty-eight notices to property owners and non-owner occupants within 500 feet of the subject property. Additionally, staff posted signage along the street frontage adjacent to the subject property as required by the UDC. Staff had received one response in support of the request.

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

Zack Amick
1957 Stevens Rd.
Rockwall, TX

Mr. Amick came forward and gave brief explanation of request.

Chairman Renfro opened the public hearing and asked if there was anyone who wishes to come forth and speak. There being no one indicating such Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

Commissioner Lyons asked if there was a plan to put in any commercial business. Mr. Amick stated at this time there was no plan for that.

General discussion took place with staff concerning light industrial versus agriculture and other zoning benefit to the City.

Commissioner Lyons had question concerning noise restrictions in light industrial versus heavy commercial. Planning Director, Robert LaCroix, stated in the code there are performance standards that business have to maintain, and light industrial and heavy commercial are about the same.

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

6. Z2014-040

Hold a public hearing to discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of a Specific Use Permit (SUP) for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

Planning Manager, Ryan Miller gave explanation of request stating the applicant is requesting a Specific Use Permit for the purpose of establishing a Hotel and Conference Center on the subject property. The subject property is a 2.968-acre parcel of land situated within the Freeway Frontage Subdistrict of Planned Development District 32 [Ordinance No. 10-21]. According to the Subdistrict Land Use Chart located in Exhibit 'D' of Ordinance No. 10-21 the Hotel, Full Service land use requires a SUP in all subdistricts. As part of this request, staff has included a requirement in the SUP ordinance that a minimum of a 3,000 SF Conference Center shall be included with the development of the hotel. A Conference Center in this case is understood to be an area that is exclusively used to host conferences, exhibitions, large meetings, seminars, training session, and other similar events. In addition, the SUP ordinance also includes a stipulation that the hotel not be utilized as an Extended Stay, Transient or Residence Hotel. An Extended Stay, Transient or Residence Hotel in this case is understood to be any hotel facility in which the majority of the rooms contain facilities (i.e. storage, refrigeration, food preparation

area, and etcetera) that accommodate long-term inhabitation and which are advertised, designed and utilized for weekly or monthly occupancy.

Mr. Miller further stated that with the submittal of the SUP application, the applicant has also submitted an application for site plan; however, the site plan has been tabled until corrections are submitted by the applicant. The conceptual site plan and building elevations that will be included in the SUP ordinance are conceptual in nature and should not affect changes that are required through the site planning process. The approval of this case does not have an impact on the outcome of the site plan; however, the site plan case does contain a condition of approval that requires a SUP to be approved prior to acceptance of the site plan.

Mr. Miller also stated that on December 30, 2015, staff mailed 18 notices to property owners and residents within 500-feet of the subject property. Staff also emailed notice of the request to the Lakeside Village and Lago Vista Homeowner's Associations, which are the only HOAs located within 1,500 feet of the subject property. Additionally, staff posted a sign at the northwest corner of the intersection of the IH-30 Frontage Road and Lakefront Trail as required by the Unified Development Code. At the time this case memo was drafted no responses were received by staff.

Chairman Renfro asked applicant to come forth and speak.

Tom Kirkland
613 Willow Springs
Heath, TX

Mr. Kirkland came forward and gave brief explanation of request.

Chairman Renfro opened the public hearing and asked if there was anyone who wishes to come forth and speak. There being no one indicating such Chairman Renfro closed the public hearing and brought the item back to the Commission for discussion.

General discussion took place concerning parking requirements and location.

Commissioner McCutcheon expressed concern of having a hotel brought into Rockwall.

Commissioner Lyons made motion to approve with staff recommendations. Chairman Renfro seconded the motion, which passed with a vote of 5-0 with Commissioner McCutcheon dissenting and Commissioner Fishman absent.

ACTION ITEMS

7. MIS2014-018

Discuss and consider a request by Michael Swiercinsky of Sky Investment Property, Inc. for the approval of a tree mitigation plan for two (2) tracts of land, being 7.969-acres, identified as Tracts 4 & 19, E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the northwest corner of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Planning Manager, Ryan Miller, gave explanation of request stating that the applicant, Mike Swiercinsky of Sky Interests Corporation, has submitted a *Treescape Plan* indicating the majority of the existing trees situated on subject property will be removed as part of a future development plan. According to Section 4, *Plan Review and Approval*, of Article IX, *Tree Preservation*, of the Unified Development Code, "(t)he director of planning or his designee will review the Treescape Plan, report and make recommendations to the Planning and Zoning Commission ... (t)he Planning and Zoning Commission will review and approve or disapprove the Treescape Plan." Additionally, the UDC specifies that no Feature Tree (i.e. any oak, pecan or

elm tree that has a diameter at breast height of four inches or greater or any tree that has a dbh of 30-inches or greater) shall be removed without approval from the Planning and Zoning Commission. The proposed Treescape Plan submitted by the applicant indicates that a total of 1,891-inches of trees will be removed from the subject property, several of which are categorized as protected and feature trees. Of the total inches of tree being removed, a mitigation requirement of 1,532-inches or 1,374-inches and \$19,700.00, remaining purchasable tree credit at \$125.00 per inch will be required to satisfy the tree preservation ordinance. It should be noted that staff's calculations are less the requirements of the Scenic Overlay District, which will require 38, four inch caliper street trees be planted as part of the proposed future development plan. These trees will be required to be depicted on the landscape plans that will be submitted with the Site Plan.

Mr. Miller further explained that should the Planning and Zoning Commission approve the proposed Treescape Plan, the applicant will be requesting the City Council waive the standard *Tree Replacement and Planting Requirements* to allow the required mitigation be paid in a lump sum of \$111,262.00 to the Tree Fund.

Chairman Renfro asked applicant to come forth and speak.

Michael Swiercinsky
106 E. Rusk
Rockwall, TX

Mr. Swiercinsky came forward and gave brief explanation of request.

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

8. SP2014-033

Discuss and consider a request by Paul Cragun of Cumulus Design on behalf of the owner Shawn Valk for the approval of a site plan for a mini-warehouse facility on a 2.857-acre tract of land, zoned Commercial (C) District, being a portion of a larger 5.549-acre tract of land identified as a part of Tract 2 of the J. Cadle Survey, Abstract No. 65, City of Rockwall, Rockwall County, Texas, generally located south of the intersection of the IH-30 frontage road and Townsend Drive, and take any action necessary.

Planning Technician, Jodee Sanford, gave brief explanation of request stating that the applicant, Paul Cragun of Cumulus Design on behalf of Shawn Valk, is requesting approval of a site plan to allow for the construction of a mini warehouse facility located at 1245 State Highway 276. The subject property is identified as a portion of Tract 2 of the J. Cadle Survey, Abstract No. 65, Rockwall, Texas, which is zoned Commercial District and for which a Specific Use Permit was approved on July 7, 2014 to allow for the mini warehouse use. The property is located south of the IH-30 and T.L. Townsend intersection.

Ms. Sanford further explained that the site plan submitted by the applicant shows the construction of a four-story 118,800 sq. ft. mini warehouse facility situated on a 124,468 sq. ft. lot. The building will conform to all building setback requirements, and will be accessible from two 30-foot access drives located off of T.L. Townsend and SH-276. The proposed structure, parking plan and site plan all conform to the density and dimensional requirements stipulated for structures situated within a Commercial District and/or as required by the approved SUP.

Ms. Sanford also explained that according to Article VIII, Landscape Requirements, of the UDC properties located within a Commercial District are required to provide a minimum landscape percentage of fifteen percent of the total site area with 50% of the total requirement being

located within the front and side building setbacks adjacent to right-of-way. This requirement translates to a total provision of 18,668 square feet of landscaping area required for the subject property. The Landscape Plan provided by the applicant shows that approximately 20% of the total site area or 24,637 square feet has been dedicated to meeting the landscaping requirements and 71% will be located in front of and alongside buildings as required within the Commercial District. The landscape plan also indicates the required number of trees and that the 5% parking lot landscape requirement is being met. Additionally, the landscape plan provided by the applicant shows the row of Leyland Cypress adjacent to the RV parking as required through the SUP. No tree mitigation is necessary on this property. The Photometric Plan submitted by the applicant shows the inclusion of ten, wall mounted light fixtures, directed downward and fully cut-off. All lighting shown on the Photometric Plan conforms to the requirements stipulated in Article VII, Environmental Performance, of the UDC and/or the approved SUP.

Ms. Sanford went on to explain that the proposed building elevations submitted by the applicant show a four story structure being constructed utilizing brick, Austin stone and stucco. The elevations were approved during the SUP process and as a condition of the SUP are to strictly adhere to the concept elevations reviewed at that time. The elevations submitted with the site plan do adhere to the elevations approved with the SUP.

Chairman Renfro asked if there would be any outside storage. Ms. Sanford stated with the SUP there would be RV's and boats permitted.

Chairman Renfro asked applicant to come forth and speak.

Paul Cragun
2880 North Highway 360
Grand Prairie TX

Applicant came forward and gave brief explanation of request.

Commissioner McCutcheon made motion to approve with staff recommendations. Commissioner Conley seconded the motion which passed with a vote of 5-0 with Commissioner Logan dissenting and Commissioner Fishman absent.

DISCUSSION ITEMS

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

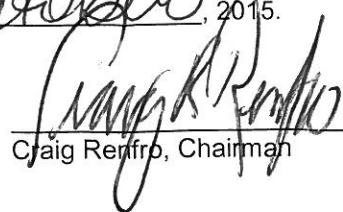
- ✓ Z2014-035: Zoning Change PD-3 to SF-10 (2nd Reading) [Approved]
- ✓ P2014-041: Lots 4, 5 & 6, Block A, Sharp Addition [Approved]
- ✓ P2014-042: Lot 1, Block A, Nissan of Rockwall Addition [Approved]

Planning Director Robert LaCroix provided a brief update about the outcomes of the above referenced cases. The Commission did not have any questions concerning this agenda item.

ADJOURNMENT

Meeting adjourned at 9:30 p.m.

671 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
672 ROCKWALL, Texas, this 13 day of October, 2015.


Craig Renfro, Chairman

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678 Attest:

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681 Laura Morales, Planning Coordinator
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