

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**January 10, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Sandra Whitley, Mark Moeller, Annie Fishman, Tracey Logan and Johnny Lyons. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

II. CONSENT AGENDA

1. Approval of Minutes for the December 13, 2016 Planning and Zoning Commission meeting.

2. P2016-053

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a final plat for Breezy Hill, Phase VI containing 77 single-family residential lots on 31.254-acre portion of a larger 61.528-acre tract of land identified as Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, generally located northeast of the intersection of N. John King Boulevard and Life Springs Drive, and take any action necessary.

3. P2016-054

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH 60's POD, LTD for the approval of a preliminary plat for Breezy Hill, Phase X containing 79 single-family residential lots on 19.784-acre portion of a larger 29.181-acre tract of land identified as Tract 7-05 of the J. Strickland Survey, Abstract No. 187; the J. Simmons Survey, Abstract No. 190; and the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated with the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located northeast of the intersection of N. John King Boulevard and FM-552, and take any action necessary.

**Commissioner Trowbridge made a motion to approve the consent agenda. Commissioner Moeller seconded the motion, which passed by a vote of 7-0.**

III. APPOINTMENTS

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

**Architectural Review Board representative, Jerry Welch, gave brief explanation of agenda items that were discussed at the ARB meeting. Mr. Welch advised the Commission the Board approved all items on their agenda with the exception of SP2016-034 which was tabled to allow the applicants to review the Boards comments and recommendations.**

IV. PUBLIC HEARING ITEMS

5. Z2016-033

Hold a public hearing to discuss and consider a request by Himmat Chuhan on behalf of the owner Pastem Corporation for the approval of a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial (C) District that exceeds 36-feet in height in the Scenic Overlay (SOV) District for a 1.74-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated

64 within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and  
65 take any action necessary.  
66

67 **Planning Director, Ryan Miller, advised the Commission that the applicant has requested to**  
68 **postpone this agenda item to the February 14<sup>th</sup> meeting and no action would be required from**  
69 **the Commission.**  
70

71  
72 6. Z2016-041

73 Hold a public hearing to discuss and consider a request by Tony Austin of TAC, Inc. on behalf of the  
74 owner Cameron & Cameron for the approval of a zoning change from an Agricultural (AG) and  
75 Commercial (C) District to a Planned Development District for a multi-family apartment complex on a  
76 12.59-acre tract of land identified as Tract 8 of the B. J. T. Lewis Survey, Abstract No. 255, City of  
77 Rockwall, Rockwall County, Texas, zoned Agricultural (AG) and Commercial (C) District, situated within  
78 the SH-205 Overlay (SH-205 OV) District, located on the west side of T. L. Townsend Drive south of  
79 Justin Road, and take any action necessary.  
80

81 **Planning Director, Ryan Miller, advised the Commission the applicant has requested to withdraw**  
82 **the agenda item.**  
83

84 **Chairman Renfro made a motion to approve to withdraw the agenda item. Commissioner**  
85 **Trowbridge seconded the motion, which passed by a vote of 7-0.**  
86

87  
88 7. Z2016-044

89 Hold a public hearing to discuss and consider a request by Robert Miklos of Miklos Law, PLLC on  
90 behalf of Hacienda Car Wash, Inc. for the approval of a Specific Use Permit (SUP) for a carwash within  
91 the Scenic Overlay (SOV) District on a 2.008-acre tract of land being identified as Lots 1 & 2-01, Block  
92 A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)  
93 District, situated within the Scenic Overlay (SOV) District, located south of the intersection of W. Yellow  
94 Jacket Lane and Ridge Road [FM-740], and take any action necessary.  
95

96  
97 **Senior Planner, David Gonzales, gave brief explanation of requested stating that a car wash**  
98 **whether it is a self-service or full service, and in this case it is a full service that is being**  
99 **requested. It is a use permitted by right within the Commercial District; however it is within the**  
100 **Scenic Overlay District which requires a Specific Use Permit as well as meeting the standards**  
101 **that are within the Unified Development Code for car washes which states that entrances and**  
102 **exists to the car wash shall not directly face any public street and on corner sites, car wash**  
103 **entrances or exits shall not open toward the street with the highest traffic volume, and the car**  
104 **wash shall be set back a minimum of 50-feet from any street frontage. In this case, the proposed**  
105 **carwash tunnel will be situated approximately 170-feet from Ridge Road and the entrance to the**  
106 **carwash will not face Ridge Road. The applicant's request conforms to all applicable**  
107 **requirements regarding a Specific Use Permit; however, granting an SUP remains a**  
108 **discretionary act of the City Council. If approved the applicant will be required to submit a site**  
109 **plan and replat the lot.**  
110

111 **Mr. Gonzales went on to state that on December 27, 2016, staff mailed 43 notices to property**  
112 **owners and residents within 500-feet of the subject property and also emailed a notice to the**  
113 **Turtle Cove Homeowner's Association. One notice was received in opposition of the request.**  
114

115 **Mr. Gonzales advised the Commission the applicant was present and he, as well as staff was**  
116 **available for questions.**  
117

118 **Chairman Renfro opened the public hearing and asked the applicant to come forward.**  
119

120 **Robert Miklos**  
121 **1800 Valley View Lane**  
122 **Farmers Branch, TX**  
123

124 **Mr. Miklos came forward and stated he represents Hacienda Car wash and was available for**  
125 **questions.**

126 Commissioner Trowbridge asked if the business would include a retail component, and if the  
127 current business would be closing and relocating to the new location. Mr. Miklos stated that was  
128 correct.

129  
130 Russell Frank  
131 Rockwall, TX

132  
133 Mr. Frank came forward and advised he was available for questions.

134  
135 Commissioner Moeller asked that due to the layout of the land he had some concern over how  
136 the drainage issue would be addressed when there is heavy rains, he asked if they had a plan in  
137 place to handle that. Mr. Frank stated they are currently still working on that issue.

138  
139 Mr. Gonzales added that those issues would be dealt with and answered during the time of site  
140 plan.

141  
142 Commissioner Whitley asked how long the current Hacienda car wash has been open. Mr. Frank  
143 stated it has been in business for 18 years.

144  
145 Commissioner Lyons asked if he could provide the Commission any renderings of what it will  
146 look like. Mr. Frank stated they are currently working on those renderings. Commissioner Lyons  
147 expressed concern for the traffic it may cause, and what they are doing to alleviate any issue  
148 that that may cause. Mr. Frank stated they will have a long driveway.

149  
150 Marco Vega  
151 General Manager of Hacienda Car Wash  
152 (No address given)

153  
154  
155 Mr. Vega came forward to address Commissioner Lyons concern with the traffic and stated it will  
156 be a longer tunnel to help alleviate any traffic backing up.

157  
158 Commissioner Logan asked concerning the La Jolla car wash that was approved in recent  
159 month, was that no longer in play. Mr. Gonzales stated the SUP was approved in 2015 and that  
160 was for a self-service car wash and that SUP is still in effect, but whether or not someone builds  
161 there or not is not known.

162  
163 Chairman Renfro asked for further clarification of what the layout will consist of. Mr. Miklos  
164 provided the conceptual plan and general discussion took place concerning the layout and how  
165 it will handle traffic flow.

166  
167 Planning Director, Ryan Miller, added that what the applicant is providing at this time is simply a  
168 conceptual plan and will most likely change significantly at the time of site plan but will be  
169 required to meet all City requirements.

170  
171 Chairman Renfro asked if anyone wished to speak concerning the case to come forward and do  
172 so.

173  
174 Dr. Rob Mehl  
175 2237 Ridge Road  
176 Rockwall, TX

177  
178 Dr. Mehl came forward and stated he bought his property thirty years ago as part of the Scenic  
179 Overlay and being within that Overlay District played a big part as to why he chose to buy his  
180 property. He expressed his opposition to the request because he feels his property Lakewood  
181 Office Park is very compatible to the Scenic Overlay District, and is concerned that by allowing  
182 Specific Use Permits over and over, it will be undermining what a Scenic Overlay District really  
183 is. He went on to state that although he is fond of the Hacienda Car Wash establishment, he  
184 does not feel this is the right location for them to relocate to, it would create a different character  
185 for the neighborhood and does not feel like it would fit the Scenic Overlay. He also expressed  
186 concern with the traffic issue the large influx of cars.

187

188 Chairman Renfro asked if there was anyone else who wished to speak to come forward and do  
189 so, there being no one indicating such Chairman Renfro closed the public hearing and brought  
190 the item back to the Commission for discussion.  
191

192 Commissioner Logan expressed concern with the already approved Specific Use Permit for the  
193 self-service car wash and the close proximity to the requested car wash, both of which would be  
194 on the Scenic Overlay.  
195

196 Chairman Renfro asked for clarification if a car wash use was allowed by right aside from it  
197 being in a Scenic Overlay. Mr. Gonzales stated in is allowed by right in any Commercial District  
198 but requires the SUP because it falls within the Scenic Overlay District. Chairman Renfro noted  
199 that the Specific Use Permit gives City Council the authority to review it on an annual basis to  
200 ensure it is meeting what was specified within the SUP, and if it is not the business could be  
201 asked to cease operating. Mr. Gonzales stated that specific language has not been put within  
202 this particular SUP, but if the Commission would like to have that language within the SUP staff  
203 can forward that to City Council for their consideration. As it is now, the language is mirrored to  
204 what was approved for the Specific Use Permit that was approved on La Jolla Pointe.  
205

206 Commissioner Fishman expressed similar concern that of which Commissioner Logan had, of  
207 having two car washes in such close proximity from each other and asked staff what the time  
208 limit had been placed on the SUP that has already been approved. Mr. Gonzales stated there was  
209 not a condition added to that SUP for City Council to review after one year, and that car wash is  
210 a self-service car wash as opposed to what is being proposed.  
211

212 General discussion took place concerning what language could be put into the Specific Use  
213 Permit in regards to controls and restrictions.  
214

215 Commissioner Trowbridge stated this proposal seems to comply much more with the intent of  
216 than the one that was approved in 2015, which the Planning and Zoning Commission voted  
217 against and feels that putting a time restriction on this SUP would hamper the development.  
218

219 Commissioner Lyons stated he feels it would be a good fit to the area, but expressed concern  
220 with the entry, would like to see the layout where the cars can pull in easily to not cause traffic  
221 slowing down. He went on to state that with it being on the Scenic Overlay the restrictions will  
222 be laid out where it will be a nice facility.  
223

224 Commissioner Lyons made a motion to approve Z2016-044 with staff recommendations.  
225 Commissioner Trowbridge seconded the motion, which passed by a vote of 6-1 with  
226 Commissioner Logan dissenting.  
227

228  
229 8. Z2016-045

230 Hold a public hearing to discuss and consider a request by Tom Kirkland of TEKMAK Development  
231 Company on behalf of Randall Noe of Rockwall Rental Properties, LP for the approval of a Specific Use  
232 Permit (SUP) for a Hotel, Residence in a Commercial (C) District on an approximately 3.0-acre tract of  
233 land be a portion of a larger 8.613-acre tract of land Tract 4 of the J. D. McFarland Survey, Abstract No.  
234 145, and Lot 1, Block B, Goldencrest Addition, City of Rockwall, Rockwall County, Texas, zoned  
235 Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated north of the  
236 intersection of Greencrest Boulevard and the IH-30 Frontage Road, and take any action necessary.  
237

238 Planning Director, Ryan Miller, gave brief explanation of request stating that the subject property  
239 is located at the southeast corner of IH-30 and Greencrest and is near the high school and the  
240 Walmart property and is zoned Commercial and falls within the IH30 Overlay District. The  
241 applicant is requesting an SUP for a residence hotel; the Unified Development Code states that  
242 all hotels in Commercial Districts, whether they are residence or a regular hotel, require a  
243 Specific Use Permit.  
244

245 Mr. Miller went on to state it is 100% residential units, meaning that it contains all elements of a  
246 dwelling unit, specifically what is looked at in these cases is if it includes a kitchen facility and  
247 what the applicant is proposing in this case do provide at least a sink, refrigerator, and a  
248 microwave. The product they are proposing will be a four story hotel with approximately 112  
249 units.  
250

251 Mr. Miller further stated that staff mailed 9 notices to property owners within 500 feet of the  
252 subject property and also notified the Flagstone Estates and Turtle Cove HOA's which are the  
253 only subdivisions within 1500 feet of the subject property, and one notice was received in favor  
254 of the request.  
255

256 Mr. Miller stated his applicant was present and he, as well as the applicant was available for  
257 questions.  
258

259 Chairman Renfro asked the Commission for any questions for staff.  
260

261 Commissioner Trowbridge asked if the City currently has any 100% extended stay or residence  
262 hotels. Mr. Miller stated there is entitlement along IH-30 corridor, and there is currently one that  
263 is 100% residence.  
264

265 Chairman Renfro opened the public hearing and asked the applicant to come forward.  
266

267 Thomas Kirkland  
268 613 Willowspring  
269 Heath, TX  
270

271 Mr. Kirkland came forward and stated that as a result of some of the questions that were brought  
272 up during the work session, which were more in regards to the residence nature of the hotel; he  
273 brought Mr. Ron Stuart who is a 30 year veteran of Marriott and area Vice-President to the  
274 western region to assist in answering those questions. One of the questions at the work session  
275 was the concern that the back of the hotel was adjoining the school property. Since the work  
276 session he had the architect add fencing along the backside of the hotel. Mr. Kirkland provided a  
277 slide show that showed the hotel renderings and different photos of the product they are  
278 proposing as well as the target clientele for the product. He went on to explain that  
279 approximately 60% of the units will be studio units which is approximately 320 square feet  
280 although there is some variation and the remainder would be one bedroom units.  
281

282 Chairman Renfro shared that several citizens approached him with concern of the proximity of  
283 the hotel to the high school and asked how a secure separation would be provided between  
284 minors in high school with adults that perhaps are out by the pool area and have access by a  
285 fence.  
286

287 Ron Stuart  
288 333 Oak Hollow Drive  
289 Plano, TX  
290

291 Mr. Stuart came forward and stated that in answer to the question of the proximity to the school  
292 and what measures they are taking to address that concern, they feel that it would need to be  
293 collaboration between the ownership group and City officials during the design phase. They  
294 could take the feedback back internally on their end and make sure to collaborate with the  
295 ownership group during the design process. Marriott has a very rigorous design process in  
296 order for projects to come through and any concerns that get raised along the way are taken  
297 seriously and addressed. He went on to state they believe a lot of the concern of the proximity to  
298 the high school can be addressed by natural barriers such as landscaping as well as the fencing  
299 to shield the high school in the back.  
300

301 Commissioner Trowbridge asked concerning the extended stay product, of the 40% of people  
302 that stay 3-5 days is there any statistics that show how often those guests usually cook in or are  
303 they going out and using the surrounding services. Mr. Stuart stated he did not have any  
304 statistics but having operated extended stay hotels he can say that the use is very minimal.  
305 What guests seem to like is that they have the ability to go out and enjoy the community and  
306 return to the room and have a place to store their leftover meal in the refrigerator, warm it up in  
307 the microwave, they have some capacity with the small kitchen area.  
308

309 Commissioner Lyons stated that although the hotel is very nice and Marriott is a nice product he  
310 expressed concern with the proximity to the high school.  
311

312 Mr. Stuart added that the majority of the guests usually leave in the morning and do not return  
313 until the evening, which means the majority of the guests would not be in the hotel during  
314 school hours.

315  
316 Commissioner Whitley stated she felt intrigued by a project such as this in Rockwall and feels it  
317 would help take advantage of the development in neighboring cities, and a product like this  
318 could be a place for families, particularly in the summertime, but she expressed concern with the  
319 proximity to the high school and would like to see them really focus on what type of barrier they  
320 will use aside from just landscaping.

321  
322 Commissioner Logan stated asked how long the product would be retained by Marriott once it is  
323 built. Mr. Stuart stated once a project is approved by the City and by Marriott they would sign a  
324 franchise agreement for a minimum of 20 years regardless of ownership which would keep it a  
325 Marriott hotel for at least that amount of time.

326  
327 Commissioner Moeller expressed concern with the location as well as the 100% residency and  
328 design of the structure, asked the applicant to explain further on what a mid-scale property, as  
329 this one has been referred to be. Mr. Stuart explained that the proposal is a mid- scale which is  
330 usually determined by price point.

331  
332 Commissioner Lyons asked what would happen if the franchisee walks away would Marriott buy  
333 it and take over that property. Mr. Stuart stated that was correct, it is guaranteed to remain a  
334 Marriott for 20 years.

335  
336 Chairman Renfro asked anyone who wished to speak, to come forward and do so.

337  
338 Michael Hunter  
339 220 W. Quail Run Road  
340 Rockwall, TX

341  
342 Mr. Hunter came forward and expressed his general favor for the request, he stated Marriott is a  
343 good product and having a product such as this would be beneficial to Rockwall.

344  
345 Wayne Mershawn  
346 2313 Ridge Road  
347 Rockwall, TX

348  
349 Mr. Mershawn expressed general favor for the request stating he has done work for the Marriott  
350 Corporation and they are a great company with great standards and would be a good addition to  
351 Rockwall.

352  
353 Chairman Renfro asked if anyone else wished to speak to come forward and do so, there not  
354 being anyone indicating such, Chairman Renfro closed the public hearing and brought the item  
355 back to the Commission for discussion.

356  
357 Commissioner Fishman asked staff if there could be a time limit tied to the Specific Use Permit  
358 specifically as to when they renew. Mr. Miller stated the Commission could make that  
359 recommendation to the City Council. In a business such as this, it may be difficult to finance the  
360 project with a restriction such as that in the SUP itself.

361  
362 General discussion took place concerning what restrictions or conditions could be placed on  
363 the Specific Use Permit.

364  
365 Chairman Renfro made motion to approve Z2016-045. Commissioner Whitley seconded the vote,  
366 which passed by a vote of 5-2, with Commissioners Trowbridge and Moeller dissenting.

367  
368 Chairman Renfro called a ten minute break at 7:42 p.m.

369  
370 Chairman Renfro reconvened the meeting at 7:53 p.m.

371  
372 9. Z2016-046  
373 Hold a public hearing to discuss and consider a request by Sarah Williamson of Kimley-Horn and  
374 Associates on behalf of Stone Creek SF LTD & Stone Creek Balance LTD for the approval of a PD

375 Development Plan for a grocery store on 7.46-acre identified as a portion of as a portion of a larger  
376 164.812-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall,  
377 Rockwall County, Texas, being zoned Planned Development District 70 (PD-70), situated within the  
378 North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the  
379 intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary.  
380

381 Senior Planner, David Gonzales, gave brief explanation of request stating the property is located  
382 at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street and is  
383 within the Overlay District. In October 19, 2009, the City Council passed Ordinance No. 09-44,  
384 which amended the concept plan and development standards for the approximate 395.075-acre  
385 tract of land commonly referred to as PD-70, or Stone Creek Addition. The amendment to the PD  
386 concept plan and PD development standards designated an approximately seven acre area as  
387 Retail (the subject property) and required the approval of a PD Development Plan for this retail  
388 addition. Additionally on August 15, 2011, the City Council passed Ordinance No. 11-35 (PD-70),  
389 which amended Ordinance No. 09-44 in order to reconfigure and enlarge the "Retail" area from  
390 approximate seven acres to 8.402- acres; however, the development of the property shall  
391 continue to be governed by the PD Development standards established in Ordinance No. 09-44.  
392 Key characteristics built into the PD concept plan include the integration of adjacent uses such  
393 as pedestrian walkways, landscape buffers, and other urban design elements rather than the  
394 separation of uses by screening walls. The purpose of these requirements was to create  
395 compatibility with the surrounding neighborhoods.  
396

397 Mr. Gonzales went on to state that the applicant is requesting approval of a PD Development  
398 Plan for a proposed 35,962 SF grocery store on a 7.46-acre tract of land being as a portion of a  
399 larger 164.812-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131 and  
400 zoned Planned Development District 70. The subject property is situated within the North SH-205  
401 Overlay District and is generally located at the northwest corner of the intersection of E. Quail  
402 Run Road and N. Goliad Street. It should be noted that a PD site plan which is case SP2016-034  
403 has been submitted concurrently with this request. Prior to the approval of the PD Site Plan, the  
404 PD Development Plan will require approval. According to Ordinance No. 09-44, the proposed  
405 grocery store is permitted by-right pending the maximum building area does not exceed 80,000  
406 sq. ft. The ordinance also requires the design of the retail area to be pedestrian oriented and  
407 easily accessible to the adjacent residential neighborhoods, integrating the design with the  
408 adjacent uses and not separating them by screening walls or other physical barriers. The design  
409 should also incorporate urban design elements with landscape buffers to create compatibility  
410 with the surrounding neighborhoods. It should be noted that a floodplain traverses through the  
411 western portion of the development and continues along the northern boundary of the subject  
412 property. This natural barrier separates the development from Stone Creek, Phase IV and  
413 prevents pedestrian accessibility to that area. The PD Concept Plan provides for a five foot  
414 sidewalk connecting to the existing sidewalk along Quail Run Road. This path will allow  
415 pedestrians to access the property. The PD Concept Plan indicates this area to be landscaped  
416 and includes a sitting area that can be used for pedestrian activities. The concept plan also  
417 depicts the use of landscaping elements in lieu of screening walls as required by PD-70.  
418 Additionally, the PD concept plan indicates eastern red cedar trees will be planted along the  
419 northern property line, which will limit visibility of the development from the homes in Stone  
420 Creek, Phase IV. In addition, the concept plan indicates the loading dock and dumpster  
421 enclosure will be orientated facing Quail Run Road and only minimal landscaping will provide to  
422 screening to this area. The applicant intends to demonstrate that this areas' visibility is limited  
423 based on its topography and location. This will require approval by the City Council to allow the  
424 orientation facing onto the public street.  
425

426 Mr. Gonzales further noted that considering the intent of PD-70 with the creation of pedestrian  
427 oriented characteristics, the proposed PD concept plan appears to conform to the intent of the  
428 ordinance with respect to creating a pedestrian oriented environment. It should be noted that the  
429 City Council retains discretionary approval of the PD Development Plan with regard to the  
430 screening and pedestrian elements for the purpose of ensuring the proposed request does not  
431 have a negative impact on the adjacent subdivisions.  
432

433 Mr. Gonzales added that on December 27, 2016, staff mailed 54 notices to property owners and  
434 residents within 500-feet of the subject property and emailed notices to the Stone Creek, Quail  
435 Run, Lakeview Summit and Random Oaks/Shores Homeowner's Associations, which are the  
436 only HOA's located within 1,500 feet of the subject property.

437 Staff has received six responses opposed to the applicants' request; however, the majority of  
438 the opposition appears to be opposed to the grocery store use and not the elements being  
439 addressed in this PD Development Plan.  
440

441 Mr. Gonzales advised the Commission the applicants were present and available for questions.  
442

443 Mr. Trowbridge asked how a grocery store that sits back on 100 car spaces and 20 feet above a  
444 road is considered pedestrian friendly. Mr. Gonzales stated the pedestrian accessibility comes  
445 from the existing sidewalk down Quail Run as well as what they are providing along Quail Run  
446 from the front entry. Mr. Miller added that the idea of the PD was to have a horizontal mixed use  
447 where the neighborhood uses had accessibility to the retail use similar to what was done where  
448 the existing Tom Thumb is where they used large berms and landscaping to screen instead of  
449 walls to separate uses and provided pathways between neighborhoods and the uses in the Tom  
450 Thumb shopping Center.  
451

452 Chairman Renfro opened the public hearing and asked the applicant to come forward.  
453

454 Kevin Gatsky  
455 Representative of Kimley-Horn and Associates  
456 (No address given)  
457

458 Mr. Gatsky came forward and gave a power point presentation that gave history and background  
459 of the LIDL product and who they are. He explained the LIDL grocer originates from Germany  
460 and has approximately 10,000 stores over 26 countries with over 315,000 employees and is the  
461 fifth largest retailer in the world. The presentation showed existing stores that would be similar  
462 to what they are proposing and showed building elevations that were shown to the ARB this  
463 evening prior to the meeting. They received comments back from the ARB and will be making  
464 changes to the elevations they will be adding some stone and horizontal articulation and will be  
465 bringing those changes back from a site plan perspective which is related to item #12 on this  
466 agenda and those changes will be brought forward at the January 31<sup>st</sup> meeting. Mr. Gatsky went  
467 on to state that this grocer is comparable to a Trader Joe's or a Whole Foods and that is the  
468 market type they will be looking into as they come into different parts of the country. They sell  
469 roughly 80-90% of their own store label and then carry other popular brands.  
470

471 Mr. Gatsky went on to state that concerning the site plan, they will have a living screen back to  
472 the north and on the southeast corner. Regarding elevations, the truck dock, the doors to the  
473 truck dock are approximately 260 feet from the edge of the street to the truck dock doors. The  
474 truck dock doors will be roughly 9 feet below the street elevation. The trash enclosure will have  
475 doors on it and is enclosed on three sides as well and is 165 feet from the physical street and is  
476 approximately 6 feet below grade. The presentation showed what areas will be screened and  
477 where the pedestrian accessibility would be. Mr. Gatsky finished the presentation and stated he  
478 as well as his team were available for any questions.  
479

480 Chairman Renfro asked for any questions from the Commission.  
481

482 Commissioner Trowbridge asked if this is a high end grocer, what would the ratio of fresh foods  
483 versus packaged goods be. Mr. Gatsky stated that is still being worked out as they make their  
484 entry into the United States.  
485

486 Commissioner Trowbridge asked where the source the product from, would it be internationally  
487 or domestically. Mr. Gatsky stated they were still working on looking at distribution sites in  
488 Texas.  
489

490 Chairman Renfro expressed concern with the location as there are already two large grocery  
491 shopping centers, Tom Thumb and Kroger, in the vicinity that services those neighborhoods,  
492 would this be the highest and best use for this corner. Mr. Miller stated that there are several  
493 areas where there are expansive stretches of Commercial, and Commercial districts allow same  
494 uses and there is nothing prohibiting two uses that are the exact same under different brands  
495 establishing themselves in parcels adjacent from each other. The use is allowed by right, but  
496 what is being considered with this request is what the ordinance allows which is pedestrian  
497 access to the property and the screening.  
498



499 Commissioner Logan asked concerning the site, when it was zoned Commercial is Quail Run  
500 Road considered a driveway, and would that be an acceptable location for a driveway for  
501 Commercial. Mr. Miller stated that the idea when the CVS came in originally they planned on  
502 providing access to the property at the back and that is what is seen the shared access point  
503 and those were already set up with that development.  
504

505 Commissioner Moeller asked if there were any artist renderings to show the front view from the  
506 street to get an understanding of how the trash enclosure as well as the loading docks will look  
507 like. Mr. Gatsky stated they would provide that at the January 31<sup>st</sup> meeting when the site plan  
508 comes before the Commission.  
509

510 Commissioner Lyons asked what made the company successful in Europe. Mr. Gatsky stated he  
511 would refer that question to a representative from LIDL.  
512

513 Cynthia Reva  
514 835 LBJ Freeway  
515 Dallas, TX  
516

517 Ms. Reva came forward and stated LIDL has established has established their headquarters in  
518 the United States in Arlington, Virginia. What makes them successful in Europe is efficiency and  
519 the flow of the store, the easy access in and out for the customers as well as price point. They  
520 are putting a lot of thought into their US expansion, and it may not mirror what the concept of  
521 the Europe stores because they understand it is a different customer.  
522

523 Chairman Renfro opened the public hearing and asked if anyone wished to speak to come  
524 forward and do so.  
525

526 Darryl Davis  
527 798 York  
528 Rockwall, TX  
529

530 Mr. Davis came forward and stated his opposition to the request. His property would be directly  
531 in front of the store and have only been in their home a little over two years, and would not have  
532 purchased the home had he known something like what is being proposed may be developed he  
533 would not have purchased his home. He expressed concern with it being an eye sore with  
534 parking light lighting, noise and additional traffic. Mr. Davis also mentioned the fact that there  
535 are already two grocery stores, an additional one that has been approved already and a Walmart  
536 neighborhood market within three miles, expressed concern with the amount of grocery stores  
537 so close together.  
538

539 Bob Wacker  
540 806 Miramar Drive  
541 Rockwall, TX  
542

543 Mr. Wacker came forward and stated his opposition to the request. His concern is if this grocer  
544 stay in existence, could it possibly become a grocer that goes out of business and leaves an  
545 empty building which will be an eye sore. He also expressed concern of developers clearing  
546 trees he is asking to make sure the developers do not touch the greenbelt. Additional concerns  
547 he spoke of was the traffic issue it would create and with no cross walk it does not make it  
548 pedestrian friendly. He as well as his neighbors are aware it will be developed but are asking the  
549 City that the greenbelt does not get affected.  
550

551 Chairman Renfro closed the public hearing and brought the item back to the Commission for  
552 discussion.  
553

554 Commissioner Trowbridge commented that the square footage of this development falls  
555 perfectly between a small grocer such as Aldi and a larger one. He feels the applicant has done a  
556 good job in portraying the proposal as something the City as a whole want, which is a high end  
557 grocer and although the use is allowed by right, what is being considered, the pedestrian  
558 accessibility, trash enclosure and the screening and with what is being proposed does not find it  
559 compelling enough.  
560  
561

562 Commissioner Lyons asked staff if there would be a site plan where the Commission would be  
563 able to see what the store would look like. Mr. Miller stated the Commission is not considering  
564 building elevations at this time, what is being considered is the screening to adjacent properties  
565 and pedestrian accessibility.  
566

567 Staff provided pictures of aerials of the neighborhood and of the site to give the Commission a  
568 better perspective of where the store would be located in reference to the screening and general  
569 proximity of the existing grocery stores within the area that have been discussed. General  
570 discussion took place referencing the pictures staff provided concerning the pedestrian  
571 accessibility and the screening.  
572

573 Commissioner Trowbridge made a motion to deny for the lack of compelling reason to approve  
574 the screening of the trash receptacles and the forward facing loading docks. Chairman Renfro  
575 seconded the motion.  
576

577 Commissioner Fishman asked if the 12 foot landscape screening they were asking for is the  
578 maximum height they as a Commission can ask for. Mr. Miller stated the Commission can  
579 request for it to be more. Commissioner Fishman asked if they could add taller screening to the  
580 motion.  
581

582 Chairman Renfro noted there was a motion on the floor along with a second, asked  
583 Commissioner Fishman if the question was pertinent to the motion. Commissioner Fishman  
584 stated it was and asked if they could request taller screening, perhaps make it a 15 foot  
585 screening requirement. Mr. Gonzales stated the applicant needed to be asked what type of tree  
586 would be used to determine what the maximum height is expected to be and that might better  
587 answer Commissioner Fishman's question.  
588

589 Mr. Gatsky asked staff what would be required by Code for the screening. Mr. Miller stated the  
590 Code currently requires per the Overlay District that the building be under the four sided  
591 architectural requirement, that one row of trees be provided at the rear of the building.  
592

593 Commissioner Trowbridge asked if the proposed landscape plan meets the requirements Mr.  
594 Miller discussed. Mr. Gonzales stated the landscape is part of the site plan phase and that would  
595 be taken account for at that point, but the landscape plan that they have turned in does meet the  
596 requirements of the district.  
597

598 General discussion took place as to what is being approved with the intent of the Planned  
599 Development concerning the wording of the screening within the ordinance and the Unified  
600 Development Code as well as how the site plan process comes into play.  
601

602 Commissioner Logan made noted that if they put the loading docks in the back and they screen  
603 the dumpster, move the dumpster somewhere else, on the back where it's closer to the  
604 neighbors they would then meet all the rules. Therefore by not approving the request, the  
605 applicant then could put the loading docks on the back and the dumpster somewhere else,  
606 where it could possibly be closer to the neighbors, and noisier, but by doing it that way they  
607 would be meeting the requirements. She went on to note that with that being said they as a  
608 Commission need to be careful to know what is being eliminated.  
609

610 Commissioner Lyons asked staff to clarify with the motion on the floor what a vote of yes would  
611 be. Mr. Miller stated a vote of yes with the motion that is on the floor would be to deny the  
612 proposal.  
613

614 Chairman Renfro withdrew his motion. Mr. Miller further stated that it will still be going forward  
615 to City Council, and the Commission would kick in a three quarter majority vote because it is a  
616 zoning case and what it would mean is if it approved by City Council the ordinance would be  
617 adopted on second reading. If it was denied by City Council the applicant would be able to  
618 resubmit an application proposing an alternate screening.  
619

620 Commissioner Lyons made a motion to approve Z2016-046 with staff recommendations  
621 Commissioner Logan seconded the motion which passed by a vote of 5-2 with Commissioners  
622 Trowbridge and Renfro dissenting.  
623

624 Chairman Renfro noted that agenda item # 12 (SP2016-034) is being tabled to the January 31<sup>st</sup>  
625 Planning and Zoning meeting.

626  
627  
628 V. ACTION ITEMS

629  
630 10. MIS2017-001

631 Discuss and consider the approval of a special request by Michael Hunter of the North Texas  
632 Community Development Corporation for a waiver to building setback requirements for the purpose of  
633 constructing a duplex on a 0.09-acre parcel of land identified as Lot 1B, Block H, Sanger Addition, City  
634 of Rockwall, Rockwall County, Texas, being zoned Multi-Family 14 (MF-14) District, situated within the  
635 Southside Residential Neighborhood Overlay (SRO) District, addressed as 504 Ross Street, and take  
636 any action necessary.

637  
638 Planning Director, Ryan Miller, gave brief explanation of the request stating that the applicant  
639 has submitted a special request concerning the property at the corner of the intersection of  
640 Peters Colony and Ross Street that is located within the Southside Residential Neighborhood  
641 Overlay District. On October 5, 2015, the City Council approved a special request for the subject  
642 property, which reduced the side yard setback adjacent to Ross Street from 20-feet to ten feet.  
643 The purpose of this request was to allow a two story duplex to be constructed on the subject  
644 property. Also requested on October 5, 2015 was an exception to the masonry requirements for  
645 the purpose of allowing 100% HardiePlank lap-siding. This request failed due to lack of a motion  
646 by the City Council.

647  
648 Mr. Miller went on to state that the applicant has submitted a letter to staff requesting that the  
649 City Council approve an additional variance of five inches adjacent to the property line fronting  
650 on to Ross Street. This will reduce this building setback to 9'-7". According to the letter  
651 submitted by the applicant the additional five inches is needed to support the stone veneer. The  
652 original house plans submitted by the applicant showed 100% HardiePlank lap-siding and did  
653 not account for the changes that were required due to the failure of the masonry exception.

654  
655 Mr. Miller stated the applicant was present and available for questions.

656  
657 Commissioner Trowbridge asked if there was any legal reason why there cannot be a 19 ½ foot  
658 wide inside space versus 20 foot. Mr. Miller deferred the question to the applicant.

659  
660 Chairman Renfro asked the applicant to come forward.

661  
662 Michael Hunter  
663 Executive Director of the North Texas Community Development Corporation  
664 Rockwall, TX

665  
666 Mr. Hunter came forward and stated that the lot is very narrow, 40x100 feet, and with the setback  
667 requirements there was no way to build anything on it and therefore they asked for the variance  
668 of 10 feet north and south to be able to get a 20 foot pad on the lot. However after searching  
669 there was only one architectural design that was found that would fit the lot, and it is what they  
670 are bringing forward. After the City Council added the stone requirement it ended up going five  
671 inches into the setback and that is the reason for the request.

672  
673 Chairman Renfro asked the Commission for any discussion or questions.

674  
675 Commissioner Lyons made a motion to approve with staff recommendations. Commissioner  
676 Trowbridge seconded the motion, which passed by a vote of 7-0.

677  
678  
679 11. SP2016-032

680 Discuss and consider a request by John Wardell of Lake Pointe Church for the approval of a site plan  
681 for a worship and education building for an existing church on a 2.55-acre portion of a larger 34.46-acre  
682 parcel of land identified as Lot 1, Block A, Lake Pointe Baptist Church Addition, City of Rockwall,  
683 Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)  
684 District, located east of the intersection of FM-740 and the IH-30 Frontage Road, and take any action  
685 necessary.

687 Planning Director, Ryan Miller, gave brief explanation of request stating that the subject property  
688 is a portion of the Lake Pointe Church property and located off of IH-30 in the IH-30 Overlay  
689 District. Even though it is located within the IH-30 Overlay District the majority of the property  
690 was established long before those requirements were put into place. Additionally the existing  
691 building is majority is EIFS, and in this case the applicant is requesting to match that design  
692 scheme. The proposed worship and education building is a 44,000 square feet and will be  
693 located behind an existing 2-story parking garage and will not have visibility from IH-30 or Ralph  
694 Hall Parkway. The applicant is proposing to use the same EIFS material that was used on the  
695 primary structure and also incorporate a little bit of stone. The Unified Development Code states  
696 that EIFS is a secondary material and is only allowed on up to 10% of the building's façade. In  
697 this case, the applicant is requesting a variance to the secondary materials standards and is  
698 proposing between 15% to 79% secondary materials per façade.  
699

700 Mr. Miller stated the applicant was not present but staff is available for questions.  
701

702 Chairman Renfro made a motion to approve SP2016-032 with staff recommendations.  
703 Commissioner Trowbridge seconded the motion which passed by a vote of 7-0.  
704

705 12. SP2016-034

706 Discuss and consider a request by Sarah Williamson of Kimley-Horn and Associates on behalf of Stone  
707 Creek SF LTD & Stone Creek Balance LTD for the approval of a PD site plan for a grocery store on  
708 7.46-acre identified as a portion of a larger 164.812-acre tract of land identified as Tract 3 of the S. King  
709 Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned  
710 Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District,  
711 generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street  
712 [N. SH-205], and take any action necessary.  
713

714 Agenda item was tabled to the January 31, 2017 meeting.  
715

716 13. SP2016-036

717 Discuss and consider a request by Cameron Slown of F. C. Cuny on behalf of the owner N & H Legacy  
718 for the approval of a site plan for a multi-tenant retail building on a 2.22-acre portion of land being  
719 identified as Lots 8 & 11, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas,  
720 zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, situated at the  
721 southeast corner of the intersection of Andrews Drive and Horizon Road (FM-3097), and take any action  
722 necessary.  
723

724 Senior Planner, David Gonzales, gave brief explanation of request stating that it is within PD-57  
725 and are required to come before the Commission for approval of the site plan. The site plan does  
726 meet the technical requirements within the PD as well as the UDC. Also, the ARB approved the  
727 building elevations unanimously with no comments. The applicant also has now submitted a  
728 photometric plan which is in compliance, and that was one of the recommendations in the  
729 recommendation section, since they have now submitted that, condition number two will be  
730 marked out since they have met that.  
731

732 Mr. Gonzales added that the applicant is present and available for questions.  
733

734 Chairman Renfro asked the applicant to come forward.  
735

736 Jimmy Strohmeyer  
737 2701 Sunset Ridge  
738 Rockwall, TX  
739

740 Mr. Strohmeyer came forward and stated this request is part of the Alliance Addition and  
741 currently the building out there are almost total stone, which when looking at the lot that is one  
742 part of a bigger lot, they would not like to repeat that. They would instead like to blend with the  
743 surrounding buildings, without repeating the same stone.  
744

745 Chairman Renfro brought the item back to the Commission for discussion.  
746

747 Commissioner Whitley made a motion to approve SP2017-001 with staff recommendations.  
748 Commissioner Lyons seconded the motion which passed by a vote of 7-0.  
749

750 14. SP2017-001

751 Discuss and consider a request by Jeffery Dolian, PE of Kimley-Horn and Associates, Inc. on behalf of  
752 Eames Gilmore, Sr. of the Target Corporation for the approval of an amended site plan to change the  
753 exterior façade of an existing retail building situated on a 10.37-acre parcel of land identified as Lot 2,  
754 Block A, Steger Towne Crossing, Phase 1, City of Rockwall, Rockwall County, Texas, zoned  
755 Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 850 Steger  
756 Towne Drive, and take any action necessary.

757  
758 **Senior Planner, David Gonzales, gave brief explanation of request stating the applicant is**  
759 **requesting approval of an Amended Site Plan for the purpose of remodeling the building façade**  
760 **on an existing Target store. The Target store is situated on an approximately 10.37-acre parcel**  
761 **of land and is zoned Commercial and is within the Scenic Overlay District. On June 17, 1996, the**  
762 **City Council approved a Site Plan for the Target store. At that time, the West Elevation, the front**  
763 **elevation, consisted of masonry and did not require any variances. Since the approval of the**  
764 **original site plan, the applicant is proposing to remodel the front façade of the building to**  
765 **include metal panels over the front entrance as well as on the southwest corner of the building.**

766  
767 **The applicant is requesting a variance to the material, and according to the Unified Development**  
768 **Code, secondary materials used on the façade of the building must be less than 10% of the**  
769 **elevation area. In this case, the applicant is proposing to utilize 17% metal paneling on the West**  
770 **Elevation. The UDC states that corporate identities that conflict with the building design criteria**  
771 **shall be reviewed as a variance by the Planning and Zoning Commission and the City Council.**

772  
773 **Mr. Gonzales added that the applicant is present and available for questions.**

774  
775 **No discussion took place concerning this agenda item.**

776  
777 **Commissioner Logan made a motion to approve SP2017-001 with staff recommendations and**  
778 **variances as listed in staff's report. Commissioner Lyons seconded the motion which passed by**  
779 **a vote of 7-0.**

780  
781  
782 15. SP2017-002

783 Discuss and consider a request by Greg Wallis of Mereshawn Architects on behalf of Kris Sharp for the  
784 approval of an amended site plan for the addition of a warehouse building on an existing facility situated  
785 on a 1.095-acre parcel of land identified as Lot 4, Block A, Sharp Addition, City of Rockwall, Rockwall  
786 County, Texas, zoned Planned Development District 46 (PD-46), situated within the SH-276 Overlay  
787 (SH-276 OV) District, located on the south side of Springer Road, east of the intersection of Springer  
788 Road and Corporate Crossing [FM-3549], and take any action necessary.

789  
790 **Senior Planner, David Gonzales, gave a brief explanation of request stating that the applicant is**  
791 **requesting approval of variances to allow for a flat roof design, allowing only the north (front**  
792 **façade) elevation to contain stone, and to not meet the vertical and horizontal articulation**  
793 **standards for the east and west elevations. The variances requested are for the purpose of**  
794 **constructing a 4,996 sq. ft. building that will serve as an additional facility for office and**  
795 **warehouse purposes, to an existing 4,996 sq. ft. building. An amendment to the site plan is**  
796 **required due to the proposed building exceeding 50% of the size of the existing building. The**  
797 **applicant is proposing the new facility to be constructed as a mirror image of the existing**  
798 **facility. The ARB did review the request and approved it unanimously. The only other item that is**  
799 **concerning the treescape plan, which showed there would be two trees being removed off the**  
800 **site and they will need to mitigate for either by replacing or adding two trees to the sight and/or**  
801 **paying into the tree fund.**

802  
803 **Mr. Gonzales stated the applicant was present and available for questions.**

804  
805 **No discussion took place concerning this agenda item.**

806  
807 **Commissioner Lyons made a motion to approve SP2017-002 with staff recommendations and**  
808 **variances as listed in staff's report. Commissioner Fishman seconded the motion which passed**  
809 **by a vote of 7-0.**

810  
811 VI. DISCUSSION ITEMS

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


- ✓ MIS2016-011: Masonry Exception for 102 N. Taylor Street [Approved]
- ✓ Z2016-033: SUP for a Residence Hotel at 700 E. IH-30 (1<sup>st</sup> Reading) [Remanded back to P&Z]
- ✓ Z2016-038: SUP for an Accessory Building at 1950 Copper Ridge Circle (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-039: Amendment to PD-65 (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2016-040: Amendment to PD-68 (1<sup>st</sup> Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

VII. ADJOURNMENT

Chairman Renfro adjourned the meeting at 9:33 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
Texas, this 31 day of January, 2017.

  
\_\_\_\_\_  
Craig Renfro, Chairman

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**January 31, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Sandra Whitley, Mark Moeller, Annie Fishman, Tracey Logan and Johnny Lyons. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

II. CONSENT AGENDA

1. Approval of Minutes for the December 27, 2017 Planning and Zoning Commission meeting.

2. Approval of Minutes for the January 10, 2017 Planning and Zoning Commission meeting.

3. P2017-001

Discuss and consider a request by Vinod Sharma of Little Genius of Texas, LLC for the approval of a final plat of Lot 1, Block A, Montessori School Addition being a of 2.288-acre tract of land identified as Tract 2-3 of the W. T. DeWeese Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Genera Retail (GR) District land uses, located at the southeast corner of FM-552 and Stone Creek Drive, and take any action necessary.

4. P2017-002

Discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of CN Rockwall Investors, LLC for the approval of a replat for Lot 3, Block A, Briscoe/Hillcrest Addition being a 1.1084-acre tract of land currently identified as Lots 1 & 2, Block A, Briscoe/Hillcrest Addition and Tract 41-2 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Summit Office Subdistrict and the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of Horizon Road [FM3097] and the IH-30 frontage road, and take any action necessary.

5. P2017-004

Discuss and consider a request by Maria Bonilla of Winkleman & Associates on behalf of Jim Ziegler of PegasusAblon for the approval of a replat for Lots 8 & 9, Block A, The Harbor-Rockwall Addition being a 19.013-acre tract of land currently identified as Lots 5 & 7, Block A, The Harbor-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 7 (PD-7) and Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of the intersection of Summer Lee Drive and Lakefront Trail, and take any action necessary.

6. P2017-005

Discuss and consider a request by Sarah Williamson of Kimley-Horn and Associates on behalf of Stone Creek SF LTD & Stone Creek Balance LTD for the approval of a final plat for Lots 1 & 2, Block A, Stone Creek Grocer being a replat of 0.733-acres identified as a portion of Lot 27, Block A, Stone Creek, Phase VII Addition and a final plat of 8.666-acres out of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being a total of 9.399-acres, zoned Planned Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary.

7. SP2017-005

Discuss and consider a request by David Smith on behalf of Barbara Criswell for the approval of a site plan converting an existing single-family structure into a medical office building on a 0.344-acre tract of land described as Lot 2 of the Barnes Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within

64 the N. Goliad Corridor Overlay (NGC OV) District, addressed as 602 N. Goliad Street [SH-205], and  
65 take any action necessary.

66  
67 8. MIS2016-012

68 Discuss and consider a request by John Arnold of BH Balance I LLC for the approval of an amended  
69 tree mitigation plan for Breezy Hill, Phase VI being 79 single-family residential lots on 32.020-acre  
70 portion of a larger 61.528-acre tract of land identified as Tract 7 of the J. Strickland Survey, Abstract No.  
71 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for  
72 Single Family 10 (SF-10) District land uses, generally located northeast of the intersection of N. John  
73 King Boulevard and Life Springs Drive, and take any action necessary.

74  
75 **Commissioner Lyons made a motion to approve the consent agenda. Commissioner Trowbridge**  
76 **seconded the motion which passed by a vote of 7-0.**

77  
78 III. APPOINTMENTS

79  
80 9. Appointment with Architectural Review Board representative to receive the Board's  
81 recommendations and comments for items on the agenda requiring architectural review.

82  
83 **Architectural Review Board representative, Jerry Welch, gave a brief explanation of agenda**  
84 **items that were discussed at the ARB meeting.**

85  
86  
87 IV. ACTION ITEMS

88  
89 10. SP2016-034

90 Discuss and consider a request by Sarah Williamson of Kimley-Horn and Associates on behalf of Stone  
91 Creek SF LTD & Stone Creek Balance LTD for the approval of a PD site plan for a grocery store on  
92 7.46-acres of land identified as a portion of a larger 164.812-acre tract of land identified as Tract 3 of the  
93 S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned  
94 Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District,  
95 generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street  
96 [N. SH-205], and take any action necessary.

97  
98 **Senior Planner, David Gonzales, gave brief explanation of request stating that the subject**  
99 **property is situated within the North SH-205 Overlay District and is generally located at the**  
100 **northwest corner of the intersection of E. Quail Run Road and N. Goliad Street. It sits north of**  
101 **where the Kroger and the CVS is located, and there is the City's fire station east of the subject**  
102 **property as well as Stone Creek Phase IV that is north and to the east Stoner Creek VII which is**  
103 **currently under development. Mr. Gonzales advised the Commission that they were provided an**  
104 **updated elevation that is different than what was provided in their packet and is what was**  
105 **presented to the ARB earlier in the evening. The difference is that they have included the stone**  
106 **for primarily the south elevation, and part of what ARB took a look at was the variance that**  
107 **would be going forward for the northeast and west elevations and those do not meet the**  
108 **minimum stone requirements that would get to the 20 percent. Also, based on the new**  
109 **elevations they show a calculation for secondary materials, that being the metal paneling of the**  
110 **roof on the west elevation. In looking at the curtain wall system the Code allows for glass or**  
111 **curtain wall systems to be considered as masonry therefore the applicant is being asked to give**  
112 **a recalculation and with that it may bring it under the 10 percent secondary material and if so a**  
113 **variance would not be required for the secondary materials, however until staff receives that**  
114 **calculation staff would like to move forward with that from the Commission in the event that the**  
115 **calculation does come back at 10 percent or 11 percent, that way it is already covered.**

116  
117 **Mr. Gonzales went on to state that the proposed grocery store LIDL, is proposing a 35,962 SF**  
118 **grocery store on a 7.46-acre tract of land identified as a portion of a larger 164.812-acre tract of**  
119 **land, also a PD Development Plan which has gone to City Council after being approved by the**  
120 **Commission, and is going for a second reading before the City Council to approve the PD**  
121 **Development Plan and that is scheduled February 6<sup>th</sup> and must be approved prior to approval of**  
122 **this PD site plan. This has been added as a condition of approval and any approval by the**  
123 **Planning and Zoning Commission will constitute conditional approval.**



127 Mr. Gonzales further explained that with the exception of the variances, the submitted site plan,  
128 building elevations, photometric, treescape and landscape plans conform to the technical  
129 requirements contained within the Unified Development Code and Planned Development District  
130 70. The applicant has provided a treescape plan indicating a total of 428-caliper inches being  
131 removed from the site. Of the trees being removed the treescape plan indicates the removal of  
132 several feature trees, any pecan, elm, or oak, which are considered to be protected and require  
133 the approval of the Planning and Zoning Commission for removal. Replacement of a hardwood  
134 tree requires replacement on an inch-for-inch basis. The applicant's landscape plan depicts the  
135 provision of 56, three inch caliper trees leaving a mitigation balance of 260-caliper inches.  
136

137 Mr. Gonzales stated that the applicant was present and he as well as the applicant are available  
138 for questions.  
139

140 Chairman Renfro asked for questions for staff from the Commission.  
141

142 Commissioner Trowbridge asked for clarification of what was being approved, is it the variance  
143 to the stone composition on the facades and that elevations presented do not meet the Overlay  
144 District requirement. Mr. Gonzalez stated the calculation has the total square footage, less any  
145 glass, windows and doors and being that it doesn't meet the 20 percent it requires the variance.  
146

147 Chairman Renfro asked for further questions, with no more questions he brought the item back  
148 to the Commission for deliberation or action.  
149

150 Commissioner Lyons made a motion to approve item SP2016-034, with staff recommendations.  
151 Commissioner Trowbridge seconded the motion and stated he wished to discuss it further.  
152

153 Commissioner Trowbridge expressed concern with there being such a large delta with the stone  
154 component although he likes the modern design of the building but with the surrounding  
155 development in this area this would be unique to that and it would stand out and may not  
156 necessarily blend.  
157

158 Chairman Renfro asked the applicant to come forward.  
159

160 Kevin Gatsky  
161 Kimbley- Horn and Associates  
162 Dallas, TX  
163

164 Mr. Gatsky came forward and stated that the south elevation has roughly 24 percent stone  
165 masonry on it, they didn't include stone to the north elevation because it is screened from the  
166 creek to the north and would not be seen since it is the back of the building. The east side which  
167 is the lower right elevation that faces the fire station to the east has a small piece of stone that  
168 wraps around from the south elevation and that is why they didn't continue the stone on the  
169 three columns because it faces east towards the fire station. There is also some stone on the  
170 front elevation which faces west that is wrapped on the right side column. Mr. Gatsky went on to  
171 explain that the percentages sometimes can be somewhat skewed, in looking at the front  
172 elevations if the glass and the roofing system is removed, it would be 19 percent of the  
173 remaining masonry is stone, however the City calculates it different.  
174

175 Chairman Renfro asked the Commission what concerns they had from what is being presented  
176 as opposed to what was provided previously and after hearing the Architectural Review Boards  
177 recommendations.  
178

179 Commissioner Lyons asked Commissioner Trowbridge if his concern was that it doesn't have  
180 enough stone or is the concern that it won't match the surrounding businesses. Commissioner  
181 Trowbridge stated he is being technical in the amount of stone, because similar developments in  
182 this Planned Development were closer in asking for variances and such and this request is a  
183 significantly different. His concern is how much technical variance should be allowed.  
184

185 Chairman Renfro stated he felt confident in the Architectural Review Board's recommendation  
186 because it appears they felt it will be a development that will transition well with this particular  
187 area of the community.  
188  
189

190 Commissioner Logan asked staff if stucco would count as stone. Mr. Gonzales stated stucco is  
191 considered a masonry and as long as they don't exceed 50 percent, which they don't in this  
192 case, it does meet the Code requirement.  
193

194 Chairman Renfro stated there was a motion on the table to approve and brought the item back to  
195 the Commission for a vote. The motion to approve passed by a vote of 6-1 with Commissioner  
196 Trowbridge dissenting.  
197

198  
199 11. SP2017-007

200 Discuss and consider a request by Brett Mashchak of Academy Sports + Outdoors on behalf of Tim  
201 Denker of Steger Dunhill, LLC for the approval of an amended site plan for an existing building situated  
202 on a 5.511-acre parcel of land identified as Lot 4, Block A, Steger Towne Crossing, Phase 1, Addition,  
203 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30  
204 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 920 Steger Towne Drive, and  
205 take any action necessary.  
206

207 Planning Director, Ryan Miller, gave a brief explanation of request stating the applicant is  
208 requesting approval of an amended site plan for the purpose of changing the existing building  
209 elevations for a building that is about 56,125 square feet. The building is better known as the old  
210 Sports Authority building and has now identified a new tenant and that tenant is asking to  
211 accommodate branding for an Academy Sports and Outdoors sporting goods store. Specifically  
212 the building is not being changed all that much most of it is aesthetic, color and painting, but  
213 they are squaring off the signage which increases the amount of EIFS, which will raise the total  
214 amount of EIFS on the front façade to 13.32%. According to both the IH-30 Overlay and Scenic  
215 Overlay Districts all exterior walls are to be 90% masonry with the remaining ten percent being  
216 permitted to be secondary materials. EIFS is not defined as a masonry material and as a result  
217 would be limited to ten percent of the buildings' façade. In this case, although it is a very minor  
218 change the applicant will require a variance to the secondary material requirements because it is  
219 going from complying to non-complying.  
220

221 Mr. Miller stated the applicant was present and he as well as staff was available for questions.  
222

223 Chairman Renfro asked the applicant to come forward.  
224

225 Brett Mashchak  
226 3557 Garden Ridge Way  
227 Orlando, FL  
228

229 Mr. Mashchak came forward and stated they are requesting to make slight modifications to the  
230 building for their signage. They look to get the project underway soon to get the building  
231 converted and ready to go as soon as possible and therefor would like to get the approval of the  
232 variance.  
233

234 Chairman Renfro asked what timeline they were looking to get the project under way and  
235 completed. Mr. Mashchak stated they are hoping to get started around March to be completed by  
236 mid-summer.  
237

238 Commissioner Lyons asked if they were planning on doing anything to the building's sides. Mr.  
239 Mashchak stated the only updates they are making to that would be to the colors, essentially the  
240 block walls that are existing would just be changed to their branding colors.  
241

242 Commissioner Trowbridge made a motion to approve SP2017-007 with staff recommendations.  
243 Commissioner Fishman seconded the vote which passed by a vote of 7-0.  
244

245  
246 V. DISCUSSION ITEMS  
247

248 12. Z2017-001

249 Hold a public hearing to discuss and consider a request by Terry Gwin of SWBC Real Estate, LLC on  
250 behalf of the owner Gene Lambreth of Pneuma Ventures, LTD for the approval of a zoning change from  
251 a Light Industrial (LI) District to a Planned Development District for a multi-family apartment complex on  
252 a 42.548-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of

253 Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-  
254 Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery Boulevard and John  
255 King Boulevard, and take any action necessary.  
256

257 Planning Director, Ryan Miller, stated the applicant was present and briefly explained that staff  
258 has drafted a preliminary ordinance which was provided in the Commissions packet, that  
259 outlines the requirements of the request.  
260

261 Chairman Renfro asked the applicant to come forward.  
262

263 Robert LaCroix  
264 4517 Scenic Dr.  
265 Rowlett, TX  
266

267 Mr. LaCroix came forward and gave a brief explanation of some of the points on the subject  
268 property. In July of last year there was a previous application from a different developer that was  
269 approved by the Commission but was denied by City Council due to some issues they had.  
270 Some of the characteristics of the property are the substantial amount of floodplain within the  
271 property which limits what can be built on the property. Mr. LaCroix explained it is zoned  
272 Industrial and is adjacent to the Industrial Park but has a completely different characteristic than  
273 all the other properties that have been developed in the Industrial Park. The ability to develop on  
274 this property comes back to the floodplain splits the north end of it allowing only about 50  
275 percent of gross land to be developed on it. Another characteristic that does not make it  
276 conducive to an Industrial use is the location; it is tucked behind Discovery Lane and is not  
277 readily visible. Mr. LaCroix went on to state that the concern when high density housing is  
278 discussed are the traffic concerns, but the uniqueness of this property is that is surrounded by  
279 thoroughfares and minor collectors that make access in and out of this property fairly easy and  
280 therefore there shouldn't be any traffic concerns even with the high intensity use. Another  
281 concern may be that the property is designated for Industrial use, but looking at the Future Land  
282 Use map, east of SH-276 there have already been hundreds of acres slated for Industrial use.  
283

284 Mr. LaCroix went on to explain this is a new developer that has reduced the density from the last  
285 application that was before the Commission last July. It was at over 17 units per acre and the  
286 proposed density is now 15.2 units per acre and they have now utilized the open space more  
287 effectively on the property. They are trying to create a large buffer with the northern part where  
288 there is a residential community. The proposal is for two phases that will be identical 325 units  
289 on each side, with an average unit size of 1,000 square feet, the smallest being a one bedroom  
290 will be approximately 600 square feet, each phase will have its own amenities. Mr. LaCroix  
291 further stated that they reached out to the surrounding Industrial tenants and the feedback they  
292 received is that this type of high quality development is welcomed. They feel it will provide an  
293 option of living for those who want high quality living without making a permanent purchase of a  
294 home, or those who move into Rockwall and are transitioning before purchasing a home. Mr.  
295 LaCroix went on to state the applicant feels it is a transitional property and this use is the best  
296 use for this property.  
297

298 Chairman Renfro made comment that what the previous developer was requesting, was to have  
299 the ability to change certain aspects of the property, will the new applicant be requesting the  
300 same. Mr. LaCroix stated both phases will be identical to each other.  
301

302 Chairman Renfro asked what the rent rate is anticipated to be. Mr. LaCroix stated it will be  
303 approximately \$50 a square foot, which is above market and is equivalent to a \$250-300,000  
304 home.  
305

306 Commissioner Logan expressed concern with apartment complexes, while they do produce tax  
307 revenue; they typically are a larger drain to the tax base than they are a contributor. Mr. LaCroix  
308 state that would not be based on the sale tax, it would be an ad valorem tax. They will contribute  
309 to the City, and to the community with products and services they use and buy.  
310

311 Commissioner Trowbridge stated that although he liked what they have brought forward with  
312 lowering the density, he expressed concern with the percentage of multi-family that Rockwall  
313 currently is, which is 13 percent, in comparison to other cities, and what adding to that would do  
314

315 to that percentage considering there has already been 1,100 units approved throughout other  
316 areas in the City.

317  
318 There being no further questions Chairman Renfro indicated the case will return to the  
319 Commission for action at the next scheduled meeting.

320  
321  
322 13. Z2017-002

323 Hold a public hearing to discuss and consider a request by Lisa Wilck Palomba on behalf of Paul J.  
324 Wilck, Jr. for the approval of a zoning change from an Agricultural (AG) District to Single-Family Estate  
325 2.0 (SFE-2.0) District on a 5.192-acre tract of land being identified as Tract 8-02 of the W. W. Ford  
326 Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,  
327 addressed as 463 H. Wallace Lane, and take any action necessary.

328  
329 **Planner, Korey Brooks, stated the applicant was present and available for questions.**

330  
331 **Chairman Renfro asked the applicant to come forward.**

332  
333 **Lisa Wilck Palomba**  
334 **502 Scenic Place**  
335 **Heath, TX**

336  
337 **Ms. Palomba came forward and stated her parents currently live on the property which is 5**  
338 **acres. The goal is to subdivide it into two lots, her father would retain 3 acres and he would gift**  
339 **her the remaining 2 acres where she is planning on building a single family home for herself.**  
340 **She plans to take care of her parents as they get older and having the request approved would**  
341 **facilitate that. Ms. Palomba provided pictures of the footprint of the house she is planning on**  
342 **building.**

343  
344 **There being no questions Chairman Renfro indicated the case will return to the Commission for**  
345 **action at the next scheduled meeting.**

346  
347  
348 14. Z2017-003

349 Hold a public hearing to discuss and consider a request by Maria Bonilla of Winklemann & Associates  
350 on behalf of Jim Ziegler of PegasusAblon for the approval of an amendment to Planned Development  
351 District 7 (PD-7) for the purpose of incorporating a 0.30-acre portion of land currently zoned Planned  
352 Development District 32 (PD-32) and amend the PD Development Standards stipulated by *Ordinance*  
353 *No.'s 73-47, 82-36 & 87-11*, being a 28.44-acre tract of land identified as a portion of Lot 7 and all of  
354 Lots 3, 4 & 5, Block A, the Harbor-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned  
355 Planned Development District 7 (PD-7) & Planned Development District 32 (PD-32), located at the  
356 southwest corner of the intersection of Lakefront Trail and Summer Lee Drive, and take any action  
357 necessary.

358  
359 **Planning Director, Ryan Miller, gave a brief explanation of request stating that the Harbor**  
360 **recently changed ownership and in part of getting the Harbor back in line, the applicant has**  
361 **asked staff to look at the zoning and revise the zoning. In looking at the original ordinance that**  
362 **currently regulates both the Harbor and the Hilton property therefor there are only two property**  
363 **owners in the entire PD. That ordinance was written in 1987 and is somewhat outdated and also**  
364 **a little vague. What is trying to be done with the new ordinance is spell out the way the property**  
365 **is being used today. The uses are tied to the General Retail District and what has been done is**  
366 **prohibited several of the uses that don't fit in the area and also included some changes to the**  
367 **District in terms of what requires a Specific Use Permit, the permitted uses was also increased.**  
368 **What the applicant is going for is an entertainment venue and some of those uses aren't**  
369 **permitted currently in the General Retail District but do fit the mold of what the applicant is**  
370 **proposing. Since it will be affecting the adjacent properties, staff did notify the Hilton and in**  
371 **order to move forward on their property with amending the zoning staff will need something**  
372 **from them stating that they are accepting of the zoning change.**

373  
374  
375 **Mr. Miller added that all that is changing is a couple of uses that will be permitted by right and**  
376 **those are spelled out in the ordinance that was provided to the Commission to review, and the**  
377 **rest are just cleaning the ordinance up. The only other aspect that is being done is requiring of a**

378 PD Development Plan should any major changes happen within the District and that would be  
379 more to preserve the development scheme and ensure that neither property changes and  
380 impacts the other property.  
381

382 Mr. Miller advised the Commission was present and he as well as staff were available for  
383 questions.  
384

385 Chairman Renfro asked the applicant to come forward.  
386

387 Jim Ziegler  
388 6205 Wichita Trail  
389 Flower Mound, TX  
390

391 Mr. Ziegler came forward and stated he is managing director of Pegasus Ablon who has recently  
392 purchased The Harbor. They are excited to be part of the community and have a lot of great  
393 things that are going to happen at The Harbor. He added that during the time they were thinking  
394 of purchasing the property they met with Cinemark to discuss what their plans for the future  
395 were, and what came out of that was Cinemark's desire to expand the existing cinema with a  
396 remodel and an addition. As part of their purchase of The Harbor, they purchased an addition  
397 piece of land adjoining the Cinemark to allow for their expansion and that was in a different PD,  
398 which is what brought forth the request. He stated he is open to any questions the Commission  
399 may have.  
400

401 Chairman Renfro asked what the plan was for parking once the Cinemark expansion is complete.  
402 Mr. Ziegler stated that concerning the parking, what they have heard from many people is that  
403 parking has been an issue but they feel that there is a lot of parking available and the issue is  
404 with the management currently in place. When they take over they plan on managing it better to  
405 decrease the current issues.  
406

407 Mr. Miller added that there was a development agreement done that permitted The Harbor retail  
408 area to use 268 of the approximately 400 parking spaces that the City lot provides. Based on  
409 that, the applicant was able to defer their parking requirement and therefore any expansion of  
410 the cinema would be covered under that agreement and they are currently within their parking  
411 ratios and are in conformance.  
412

413 Chairman Renfro asked if there were any plans in the future to go vertical parking. Mr. Ziegler  
414 stated there was a plan in the future if the owners of Lot 7 desire to develop that site. Mr. Miller  
415 added that the applicant has added 163 on street parking spaces that will be public parking  
416 within City right of way. As the District develops out more on street parking will be provided.  
417

418 Chairman Renfro expressed concern with any trees being removed along Summer Lee Drive to  
419 provide additional parking because there are currently ribbons around several along that road.  
420 Mr. Ziegler stated they conducted a tree survey to understand what is currently there, they are  
421 considering possibly adding some parking along there but it would not mean they would be  
422 removing too many trees necessarily because parking would be more up against existing  
423 parking. The trees were tagged to identify the locations to see how they fit in an overall parking  
424 field to narrow the amount of trees that would need to be removed.  
425

426 Chairman Renfro asked what the size of the Cinemark is currently and what they want to expand  
427 to. Mr. Ziegler stated they are currently 38,000 square feet and they want to add an additional  
428 8,000 square feet.  
429

430 Commissioner Trowbridge asked what the increase in theatres it will be when the addition to the  
431 Cinemark is complete. Mr. Ziegler stated it will be two theatres but what will actually happen in  
432 doing that the Cinemark will look to remodel the entire facility and in doing so will reduce the  
433 seat count because they will be going with the larger recliner type seats.  
434

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

438 15. P2017-003

439 Discuss and consider a request by Mike Swiercinsky of 7.1 Ridge, LLC for the approval of a preliminary  
440 plat for Lots 1-7, Block A, Sky-Ridge Addition being an 8.61-acre tract of land being identified as Tracts

441 4 & 19 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas,  
442 zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at  
443 the northwest corner of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take  
444 any action necessary.

445  
446 **Planner, Korey Brooks, stated a representative of the applicant was present and available for**  
447 **question.**

448  
449 **Bill Thomas**  
450 **Engineering Concepts and Design**  
451 **201 Windco**  
452 **Wylie, TX**

453  
454 **Mr. Thomas came forward and stated he was representing Mr. Swiercinsky on the preliminary**  
455 **plat to begin the infrastructure improvements such as drive approaches, relocating lights. They**  
456 **have had the hydrology worked out with the floodplain and have reclaimed enough land where it**  
457 **can be a viable retail commercial site. The intent is to get infrastructure started and they will be**  
458 **in coordination with TXDOT, there will be some additional field work that TXDOT will want to do**  
459 **between the road and what is currently graded. They are entering this preliminary plat in order to**  
460 **get started with engineering of just the perimeter improvements; no current site plan is planned**  
461 **at this time.**

462  
463 **Chairman Renfro asked if the property was currently entitled for what they are proposing. Mr.**  
464 **Thomas stated the property and adjacent properties are zoned Commercial with the railroad**  
465 **tracks in the rear. Chairman Renfro asked if they would just be office pads on the front of the**  
466 **property. Mr. Thomas stated they would be retail, office pads.**

467  
468 **There being no further questions Chairman Renfro indicated the case will return to the**  
469 **Commission for action at the next scheduled meeting.**

470  
471  
472 16. SP2017-004

473 Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of Gregg Murray pf  
474 Service King Collision Repair for the approval of a site plan amendment for an Auto Body Shop (i.e.  
475 Service King Collision Repair) on a 3.2039-acre tract of land described as Tract 7-01 of the J. Lockhart  
476 Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, located at 1780 E IH-30, zoned  
477 Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action  
478 necessary.

479  
480 **Planner, Korey Brooks, stated the applicant was present and available for questions.**

481  
482 **Jeff Carroll**  
483 **750 IH-30 Suite 110**  
484 **Rockwall, TX**

485  
486 **Mr. Carroll came forward and stated they were bringing the Service King elevations back to the**  
487 **Commission for changes they have made. They are reduced the front canopy as well as some**  
488 **general modifications that corporate wanted to go ahead and make starting with the Rockwall**  
489 **project. They were able to add more stone on the front and the percentages of stone and the**  
490 **CMU decorative block went up and they also reduced the amount of stucco and roofing.**

491  
492 **Mr. Brooks provided pictures of the approved elevations and the revised elevations.**

493  
494 **Commissioner Logan asked concerning the location of the smoke stacks. Mr. Carroll stated they**  
495 **were generally located in the middle of the building and were paint booth heat exhausts.**

496  
497 **Mr. Brooks added that the ARB reviewed the revised elevations and made a recommendation to**  
498 **approve as submitted and since no changes are being made to the variances it will return on the**  
499 **consent agenda at the next scheduled meeting.**

500  
501 17. SP2017-006

502 Discuss and consider a request by Maria Bonilla of Winkleman & Associates on behalf of Jim Ziegler of  
503 PegasusAblon for the approval of an amended site plan for the expansion of the existing Cinemark 12

504 Rockwall movie theater being a 12.894-acre tract of land currently identified as Lot 5 and a portion of  
505 Lot 7, Block A, The Harbor-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned  
506 Planned Development District 7 (PD-7) and Planned Development District 32 (PD-32), addressed as  
507 2125 Summer Lee Drive, and take any action necessary.  
508

509 Senior Planner, David Gonzales, stated the request is for a 7,400 square foot expansion of the  
510 Cinemark and the materials will match the existing building. The ARB reviewed the case and  
511 approved recommendation. Mr. Gonzales added that some discussion concerning site plan  
512 questions took place during agenda Item #14 that was for the zoning case pertaining to the  
513 subject property.  
514

515 Mr. Miller added that this item will be on the consent agenda at the next scheduled meeting.  
516

517  
518 18. Director's Report of post Council meeting outcomes of Planning & Zoning cases.  
519

- 520 ✓ SP2016-032: Variances for Lake Pointe Church's Worship and Education Building [Approved]  
521 ✓ SP2017-001: Variance for Target Corporation [Approved]  
522 ✓ SP2017-002: Variances for the Addition to the Sharp Warehouse [Approved]  
523 ✓ MIS2017-001: Waiver for 504 Ross Street [Approved]  
524 ✓ P2016-053: Final Plat for Breezy Hill, Phase VI [Approved]  
525 ✓ P2016-054: Preliminary Plat for Breezy Hill, Phase X [Approved]  
526 ✓ Z2016-033: SUP for a Residency Hotel on Vigor Way (1<sup>st</sup> Reading) [Postponed]  
527 ✓ Z2016-040: Amendment to PD-68 (2<sup>nd</sup> Reading) [Approved]  
528 ✓ Z2016-044: SUP for a Carwash in the SOV (1<sup>st</sup> Reading) [Approved]  
529 ✓ Z2016-045: SUP for a Residence Hotel on Greencrest Drive (1<sup>st</sup> Reading) [Approved]  
530 ✓ Z2016-046: PD Development Plan for a Grocery Store in PD-70 (1<sup>st</sup> Reading) [Approved]  
531

532  
533 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
534 referenced case at the City Council meeting. No discussion took place concerning this agenda  
535 item.  
536

537  
538 VI. ADJOURNMENT  
539

540 Chairman Renfro adjourned the meeting at 7:22 p.m.  
541

542  
543  
544 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,  
545 Texas, this 17 day of February, 2017.  
546

547  
548  
549  
550   
551 \_\_\_\_\_  
552 Johnny Lyons, Vice- Chairman

553 Attest:

554   
555 \_\_\_\_\_  
556 Laura Morales, Planning Coordinator  
557  
558  
559  
560

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**February 14, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Vice-Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Sandra Whitley, Mark Moeller, Annie Fishman, Tracey Logan and new Commissioner Eric Chodun. Staff members present were Planning Director, Ryan Miller, Planner, Corey Brooks, Planning Coordinator, Laura Morales, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

II. CONSENT AGENDA

1. Approval of Minutes for the January 31, 2017 Planning and Zoning Commission meeting.

2. P2017-003

Discuss and consider a request by Mike Swiercinsky of 7.1 Ridge, LLC for the approval of a preliminary plat for Lots 1-7, Block A, Sky-Ridge Addition being an 8.61-acre tract of land being identified as Tracts 4 & 19 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at the northwest corner of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

3. P2017-006

Discuss and consider a request by Tim Seymore of Seymore Custom Homes, LLC for the approval of a final plat for Lot 3, Block B, 205 Business Park Addition being a 1.5-acre tract of land identified as Tract 2-20 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 424 National Drive, and take any action necessary.

4. SP2017-004

Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of Gregg Murray pf Service King Collision Repair for the approval of a site plan amendment for an Auto Body Shop (i.e. Service King Collision Repair) on a 3.2039-acre tract of land described as Tract 7-01 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, located at 1780 E IH-30, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action necessary.

5. SP2017-006

Discuss and consider a request by Maria Bonilla of Winkleman & Associates on behalf of Jim Ziegler of PegasusAblon for the approval of an amended site plan for the expansion of the existing Cinemark 12 Rockwall movie theater being a 12.894-acre tract of land currently identified as Lot 5 and a portion of Lot 7, Block A, The Harbor-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 7 (PD-7) and Planned Development District 32 (PD-32), addressed as 2125 Summer Lee Drive, and take any action necessary.

6. MIS2017-002

Discuss and consider a request by John Arnold of the Skorborg Company for the approval of a tree mitigation plan for Stone Creek, Phase VIII being 102 single-family residential lots on a portion of a larger 91.139-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single Family-10 (SF-10) District land uses, generally located at the northwest corner of the intersection of Hay Road and E. Quail Run Road, and take any action necessary.

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



64 III. PUBLIC HEARING ITEMS

65 7. Z2017-001

66 Hold a public hearing to discuss and consider a request by Terry Gwin of SWBC Real Estate, LLC on  
67 behalf of the owner Gene Lambreth of Pneuma Ventures, LTD for the approval of a zoning change from  
68 a Light Industrial (LI) District to a Planned Development District for a multi-family apartment complex on  
69 a 42.548-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of  
70 Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-  
71 Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery Boulevard and John  
72 King Boulevard, and take any action necessary.  
73

74  
75 Planning Director, Ryan Miller, gave brief background on the property stating that a request to  
76 rezone the property from a Light Industrial District to a Planned Development District for a Multi-  
77 Family apartment complex came before the Commission in August of last year which was  
78 denied. On November 29<sup>th</sup> of last year, the Commission reviewed another application requesting  
79 to submit an application for a similar request. Under the Unified Development Code, since a case  
80 was denied the applicant submitting an application within one year of the denial date is required  
81 to come before the Commission and verify a substantial change. In this case, the applicant  
82 demonstrated they were because they were proposing to reduce the number of units from 750 to  
83 650 units, which reduced the density from 18 units/acre to 15.28 units/acre, therefore the Planning  
84 and Zoning Commission did approve due to the significant change and allowed the application  
85 to come forward. That application was submitted on February 17<sup>th</sup> to rezone the 42 ½ acre parcel  
86 of land to a Planned Development District from a Light Industrial District for a multi-family  
87 apartment complex that would consist of 650 units.  
88

89 Mr. Miller went on to state that the subject property was annexed into the City in 1985 and is  
90 currently identified as Technology Industrial in the Future Land Use Map. The applicant is  
91 proposing to rezone for a 650 unit multi-family apartment complex that would consist of two  
92 phases of 325 units. Each phase will consist of nine buildings and each phase will have a pool  
93 area and a minimum 20% open space. The applicant provided a lot mix that was provided in the  
94 Commissions case memo for their review. Essentially the minimum unit size will range from 650  
95 square feet to 1,460 square feet and contain 65% one bedroom units, 26% two bedroom units,  
96 and 7.69% three bedroom units. The average unit size will be 983 square feet and the density will  
97 be 15.28 units per acre. The highest zoning district permitted within the City under straight  
98 zoning is the Multi-Family 14 District which allows up to 14 units per acre; however the applicant  
99 is requesting a Planned Development District which allows the Planning and Zoning  
100 Commission and City Council to consider higher densities. Mr. Miller went on to explain that in  
101 looking at the parking the applicant is showing to conformance to the parking requirements, in  
102 addition they're incorporating 25% covered parking in garage areas. The conceptual building  
103 elevations submitted by the applicant indicate that the buildings will be composed of 30%  
104 natural stone and 70% lap siding, those elements have been included in the draft ordinance and  
105 conformance to those requirements is considered to be a condition of approval. The only two  
106 aspects of this case that depart from the Unified Development Code are the density; they are  
107 requesting roughly 1.28 units per acre over the permitted 14 units per acre. Also, the masonry  
108 requirement departs from the Unified Development Code in that they are proposing over 50%  
109 cementaceous siding, but they are incorporating 30% natural stone which meets the Overlay  
110 District requirements.  
111

112 Mr. Miller further explained that the Future Land Use Map, contained within the Comprehensive  
113 Plan, designates the subject property for Technology/Light Industrial land uses. The proposed  
114 development would require this designation to be changed to a High Density Residential  
115 designation, which according to the Comprehensive Plan is defined as any use that exceeds 3  
116 units per acre. In addition, the Comprehensive Plan states that high density residential land  
117 used should be used as a transitional use from commercial or existing retail use, or where it will  
118 serve as a logical extension of an existing high density development. In this case, the proposed  
119 subject property and zoning change do appear to conform to the majority of the Comprehensive  
120 Plan's policies and guidelines with regard to the High Density Residential designation. However,  
121 the density being proposed and any change to the Future Land Use Map is a discretionary  
122 decision for the Planning and Zoning Commission as well as City Council. S  
123

124 Mr. Miller went on to stat that on January 30, 2017, staff mailed 60 notices to property owners  
125 and residents within 500-feet of the subject property and emailed notices to the Lofland Farms  
126 and Meadow Creek Estates Homeowner's Associations, which are the only HOA's located within

127 1,500 feet of the subject property. Staff had received 3 email responses in opposition to the  
128 request. Mr. Miller advised the Commission the both staff and the applicant are available for  
129 questions.  
130

131 Vice-Chairman Lyons opened the public hearing and asked the applicant to come forward and  
132 speak.  
133

134 Terry Gwin  
135 President & CEO of SWBC  
136 (No address given)  
137  
138

139 Mr. Gwin came forward and gave a brief power point that showed SWBC is a large company that  
140 specializes in class A Multi-family developments throughout four major metropolitan areas  
141 within the state of Texas. The slide show provided pictures of developments that have been  
142 completed that showed what they would be building in Rockwall. Mr. Gwin went on to state they  
143 are looking to develop the site as a two phase development, with the first phase consisting of  
144 325 units in approximately 21.28 acres, each phase will be identical. Each phase will have its  
145 own clubhouse and amenities. The pond and trees will allow for buffering from the industrial  
146 area. Mr. Gwin added that reasons as to why the site is fit for a Multi-Family product because it  
147 has natural amenities and lends itself for a residential multi-family. They feel the need for this  
148 type of development is needed in Rockwall. Mr. Gwin spoke of the tax benefits it would bring to  
149 the City as well.  
150

151 Vice-Chairman Lyons asked for questions for the applicant from the Commission.  
152

153 Commissioner Fishman expressed concern with the traffic this may generate, asked if there has  
154 been a traffic study. Mr. Gwin stated they have not done any traffic studies but they feel it would  
155 not be an issue because that area has excellent circulation with the improvements the City has  
156 done.  
157

158 Commissioner Trowbridge asked if the developments they have built have all been in suburban  
159 areas. Mr. Gwin stated they were. Commissioner Trowbridge asked concerning the garages. Mr.  
160 Gwin stated they would be both tucked in and covered parking. Mr. Miller added 25% would be  
161 tucked under garages.  
162

163 Vice-Chairman Lyons asked if there was anyone in the audience wishing to speak to come  
164 forward and do so.  
165

166 Patrick Thomas  
167 1806 Preakness Dr.  
168 Rockwall, TX  
169

170 Mr. Thomas came forward and stated he is opposed to the request. His home will be one of the  
171 closest to the development. He expressed concern of the traffic issues it would generate, and  
172 the issue of maintenance over time. He stated he came from a suburban area of Dallas that had  
173 several multi-family and saw how over time that deteriorated the area. There hope in moving into  
174 the area was that it would be residential homes, not multi-family.  
175

176 Linda McMullin  
177 1810 Preakness Drive  
178 Rockwall, TX  
179

180 Ms. McMullin came forward and expressed her opposition to the request. She feels that without  
181 doing a traffic study it will generate traffic issues. She is also concerned with the problems  
182 multi-family developments bring to the area.  
183

184 Tom Padgett  
185 1802 Preakness  
186 Rockwall, TX  
187  
188

189 Mr. Padgett came forward and stated his opposition to the request. He and his wife recently  
190 moved from Mesquite and moved to Rockwall to move away from the multi-family that they were  
191 surrounded by in Mesquite. Feels his property value will be affected as well as the issues that  
192 the increased traffic will generate.  
193

194 Clark Staggs  
195 1601 Seascape  
196 Rockwall, TX  
197

198 Mr. Staggs came forward and stated that he was an interested bystander and in doing some  
199 quick math on the area that the applicant is proposing to build on and although he does not  
200 know what the net buildable is, but figured that if it was 30 or 35 net buildable they could easily  
201 put over 100 semi- custom luxury residences on the property and figuring a total value of those  
202 would be close to forty million dollars making the tax evaluation the same.  
203

204 Vice-Chairman closed the public hearing and asked the applicant to come forward for rebuttal.  
205

206 Mr. Gwin came forward and stated they are going to try and be cognoscente of the neighbors  
207 and the closest property is 400 feet from where the development would be, and although the  
208 ideal for the neighborhood would be for it to remain open space, it is in a growing thriving  
209 community and it is a piece of property that is going to be developed and it won't be single  
210 family homes. But they are open to meeting with the neighbors to receive any input they have  
211 that would make them more comfortable with the project.  
212

213 Spencer Byington  
214 5600 S. FM 148  
215 Kauffman, TX  
216

217 Mr. Byington came forward and addressed the concern that was brought up of the transient  
218 reputation that a multi-family is known to have. He stated this particular apartment community is  
219 ranged to be from the \$1.50-\$1.66 a foot rage which on a 900 foot average would have a \$1600  
220 plus month rent payment. The type of tenant they attract would not be the typical transient  
221 tenant. The product they develop is luxury living for baby boomers and millennials.  
222

223 Commissioner Chodun asked Mr. Gwin with the price per square foot that was brought up, why  
224 the density is still 14 units per acre. Mr. Gwin stated there was no real magic to the number, it's  
225 from what they purchased the land at, they have to get certain revenue off of that, and they have  
226 cut it back from where it was. By cutting back, they would have to cut back on other things such  
227 as the amenities, and they would like for it to be a high quality product.  
228

229 Commissioner Logan asked staff concerning the density calculation, what that was based on.  
230 Mr. Miller stated it was based on gross not net.  
231

232 Commissioner Trowbridge asked if they did a third party GC. Mr. Gwin stated they have a GC  
233 Company and they would be building this development themselves.  
234

235 Vice-Chairman Lyons brought the item back to the Commission for discussion or action.  
236

237 Commissioner Trowbridge stated that although he feels apartments are good for the City  
238 because it adds population and builds revenues by adding utilities and they are a reputable  
239 builder that is proposing a quality product, he feels the timing for such a development is not  
240 now.  
241

242 Commissioner Trowbridge made motion to deny the request. Commissioner Logan seconded  
243 the motion. The motion to deny passed by a vote of 5-2 with Commissioners Lyons and Fishman  
244 dissenting.  
245

246  
247 8. Z2017-002

248 Hold a public hearing to discuss and consider a request by Lisa Wilck Palomba on behalf of Paul J.  
249 Wilck, Jr. for the approval of a zoning change from an Agricultural (AG) District to Single-Family Estate  
250 2.0 (SFE-2.0) District on a 5.192-acre tract of land being identified as Tract 8-02 of the W. W. Ford

251 Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,  
252 addressed as 463 H. Wallace Lane, and take any action necessary.  
253

254 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
255 requesting to rezone the property from an Agricultural District to a Single-Family Estate 2.0  
256 District for the purpose subdividing the property into two parcels and building a home.  
257 Currently, there is an existing single-family home situated on the subject property. According to  
258 Section 2.1 Agriculture District of Article V, District Development Standards, of the Unified  
259 Development Code, a single-family dwelling is allowed on any Agriculture District zoned  
260 property that is more than ten acres. Since the subject property will be less than ten acres after  
261 subdividing, the tract will need to be rezoned. According to the UDC, the minimum lot yard  
262 frontage in the SFE-2.0 District is 150-feet. While Lot 1 will have the required frontage, Lot 2 will  
263 not, therefore the applicant requested a variance to lot frontage from the Board of Adjustments.  
264 On January 12, 2017, the Board of Adjustments approved a variance to reduce the lot frontage  
265 from 150-feet to 100-feet on Lot 2. The request is in compliance with the Comprehensive Plan.  
266

267 Mr. Brooks went on to state that on January 30, 2017, staff mailed thirteen notices to property  
268 owners within 500-feet of the subject property and notified the Oaks of Buffalo Way HOA which  
269 is the only HOA within 1,500-feet of the subject property and staff received two notices in  
270 opposition of this request.  
271

272 Mr. Brooks advised the Commission the applicant was present.  
273

274 Vice-Chairman Lyons opened up the public hearing and asked the applicant to come forward.  
275

276 Lisa Palomba  
277 502 Scenic Place  
278 Heath, TX  
279

280 Ms. Palomba came forward and stated the intent of the request is to subdivide to build a single  
281 family home.  
282

283 Vice-Chairman opened up the public hearing and asked if anyone wished to speak to come  
284 forward, there being no one indicating such Vice Chairman Lyons closed the public hearing.  
285

286 Commissioner Trowbridge made a motion to approve with staff recommendations.  
287 Commissioner Moeller seconded the motion which passed by a vote of 7-0.  
288  
289

290 9. Z2017-003

291 Hold a public hearing to discuss and consider a request by Maria Bonilla of Winkleman & Associates  
292 on behalf of Jim Ziegler of PegasusAblon for the approval of an amendment to Planned Development  
293 District 7 (PD-7) for the purpose of incorporating a 0.30-acre portion of land currently zoned Planned  
294 Development District 32 (PD-32) and amend the PD Development Standards stipulated by *Ordinance*  
295 *No.'s 73-47, 82-36 & 87-11*, being a 28.44-acre tract of land identified as a portion of Lot 7 and all of  
296 Lots 3, 4 & 5, Block A, the Harbor-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned  
297 Planned Development District 7 (PD-7) & Planned Development District 32 (PD-32), located at the  
298 southwest corner of the intersection of Lakefront Trail and Summer Lee Drive, and take any action  
299 necessary.  
300

301 Planning Director, Ryan Miller, gave a brief explanation of the request Planned Development  
302 District 7 was approved by City Council on November 12, 1973 by Ordinance No. 73-47. At the  
303 time of adoption, the planned development district permitted a combination of neighborhood  
304 service, water recreation, single-family and multi-family land uses. This ordinance was later  
305 amended on August 2, 1982 by Ordinance No. 82-36, which incorporated a concept plan and  
306 expanded the land uses to include a commercial hotel, marina, retail, multi-family and  
307 condominiums. On April 6, 1987, the planned development district was again amended to limit  
308 the land uses. This limited set of land uses included office, restaurants, hotel and marina. This  
309 is the zoning ordinance that is currently in place. The applicant has submitted an application  
310 requesting to rezone Planned Development District 7 for three purposes. The first being that  
311 they recently purchased The Harbor and they are looking at changing the use set that is allowed  
312 and turn it into more of an entertainment type venue. Secondly they're looking at expanding the  
313 current PD-7 boundary by a small amount to accommodate an expansion of the existing

314 Cinemark theater. And the final use is to tie down the general retail uses for the property and  
315 clarify the 87 Ordinance, in addition they will be adding a brewery distillery including brew pub  
316 and winery as a by right use. In addition to modifying the Harbor retail area, staff prepared a  
317 draft ordinance that touches on the Hilton area to better clarify those areas as well. Consent was  
318 received for those changes from the owners of the Hilton. In addition there is a PD Development  
319 Plan requirement which ties in the design scheme and any changes to the development in that  
320 area would require them to go through a PD Development Plan process. When the vacant  
321 property that currently exists in Area 3 comes in they will have to go through a PD Development  
322 Plan.

323  
324 Mr. Miller added that on January 30, 2017, staff mailed 383 notices to property owners and  
325 residents within 500-feet of PD-7 and emailed notices to the Signal Ridge, Chandler's Landing,  
326 Water's Edge, and Lago Vista Homeowner's Associations, which are the only HOA's located  
327 within 1,500 feet of the subject property. At the time the case memo was drafted, staff received  
328 one property owner notification and one email in support of the zoning amendment, and one  
329 email stating no opposition but citing a concern with potential noise. Two additional notices  
330 were received today that stated opposition, however they appear to be in opposition of a marina  
331 not of the request.

332  
333 Mr. Miller advised the applicant was present and he as well as staff were available for questions.

334  
335 Vice-Chairman Lyons asked for questions from the Commission for staff.

336  
337 Commissioner Trowbridge asked concerning the by right uses that are allowed being the  
338 restaurants, full service theater, brewery and winery; would those be the only ones that are  
339 allowed by right. Mr. Miller stated they were not they are in addition to the General Retail land  
340 uses. The way the ordinance is structured is it allows the General Retail District land uses.

341  
342 Commissioner Whitley asked concerning the noise ordinance that is in place currently. Mr. Miller  
343 stated Mr. Miller stated there are currently ordinances in place that restrict the amount of noise  
344 that businesses and other operations are allowed to put off and they are measured at those  
345 property lines and the City's Code Enforcement enforces those.

346  
347 Commissioner Fishman asked concerning the parking as in this general area it at times poses a  
348 problem. Mr. Miller stated that currently there is an existing City lot and per the parking  
349 agreement that the applicant has with the City that was put in place when originally built, they  
350 are entitled to 286 of the parking spaces and that is in addition to their existing parking.

351  
352 Vice-Chairman Lyons opened the public hearing and asked the applicant to come forward.

353  
354 James Ziegler  
355 6205 Wichita Trail  
356 Flower Mound, TX

357  
358 Mr. Ziegler came forward and stated he is the managing director of PegasusAblon who is the  
359 new owners of The Harbor. Prior to them purchasing the property the previous owner foreclosed  
360 and the property had been languishing for the last six years under the ownership of the lender  
361 that foreclosed on it and has not been well maintained and they are very excited to take  
362 ownership. They have also purchased an additional 10,000 square feet of land adjoining the  
363 Cinemark to allow for an expansion.

364  
365 Commissioner Trowbridge asked if the Cinemark lease has been extended. Mr. Ziegler stated it  
366 has.

367  
368 Commissioner Chodun asked aside from the Cinemark expansion, do they foresee any other  
369 improvements or alterations to the structure. Mr. Ziegler stated that actual construction, other  
370 than minor things such as fixups, they do not foresee any. They are however redoing the  
371 landscaping and are upgrading the lighting.

372  
373 Commissioner Moeller asked if they were considering putting security cameras. Mr. Ziegler  
374 stated they will have on site security personnel, but they will not have security cameras.

376 Vice-Chairman Lyons asked if anyone wished to speak to come forward and do so, there being  
377 no one indicating such, Vice-Chairman Lyons closed the public hearing and brought the item  
378 back to the Commission for discussion or motion.  
379

380 Commissioner Fishman made a motion to approve Z2017-003. Commissioner Whitley seconded  
381 the motion which passed by a vote of 7-0.  
382  
383

384 IV. ACTION ITEMS

385 10. Z2016-033

386 Discuss and consider a request by Himmat Chuhan on behalf of the owner Pastem Corporation for the  
387 approval of a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial  
388 (C) District that exceeds 36-feet in height in the Scenic Overlay (SOV) District for a 1.74-acre parcel of  
389 land identified as Lot 1, Block A, Comfort Inn & Suites Rockwall Towne Centre Addition, City of  
390 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30  
391 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.  
392  
393

394 Planner, Korey Brooks, gave a brief background of the request stating that this request came  
395 before the Commission at the end of last year. There is an existing SUP that was approved in  
396 2008 that allowed for a hotel in a Commercial District and at the time that SUP was approved the  
397 SUP prohibited Residence Hotels and also limited the building to 58 feet in height and stipulated  
398 that the elevations strictly adhere to what was outline in the SUP. Since that time the applicant  
399 has proposed to change the elevations of the building and therefore requesting to change the  
400 SUP. The applicant is requesting a Residence Hotel with the provision that no more than four of  
401 the rooms would contain a kitchen, and the remaining would be standard rooms. Additionally  
402 they are requesting the hotel to be 60 feet in height and within the Overlay District anything over  
403 60 feet requires an SUP. The applicant has also provided different elevations. The request came  
404 before the Commission in November of last year and the Commission made a recommendation  
405 to deny the request mostly due to the height of the building.  
406

407 Mr. Brooks went on to state that on October, 27, 2016, staff sent 35 notices to property  
408 owners/residents within 500-feet of the subject property and emailed notices to the Lakeside  
409 Village and Turtle Cove HOA's, which are the only HOA's/Neighborhood associations that are  
410 within 1,500-feet of the subject property. Staff has received one notice in opposition of the  
411 request.  
412

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

416 Vice-Chairman Lyons asked the applicant to come forward.  
417

418 Clark Staggs  
419 1601 Seascape  
420 Rockwall, TX  
421

422 Mr. Staggs came forward and stated the reason the previous project was withdrawn after the  
423 Commission denied the request and they chose not to move forward in taking it forward to City  
424 Council, was because they determined the design could substantially and dramatically be  
425 improved. Since that time they went to Best Western and asked for their suggestions and they  
426 since found an architect that had designed a new prototype for Best Western. They felt that  
427 design would comply well with Rockwall's mandate for stone and brick and they chose a  
428 contemporary design. Mr. Staggs provided a power point that included pictures of what the new  
429 design will look like. It will be a four story building and they are asking for the height to be 60  
430 feet. The brick and stone will be complimented by a material of metallic called a rain screen with  
431 a satin finish stainless steel material which is fairly new but very architecturally attractive. Mr.  
432 Staggs went on to state that Best Western has taken on a new logo and provided pictures of  
433 what that looks like as well as pictures of what the interior of the hotel will look like.  
434

435 Mr. Staggs further stated this property is being proposed at 80 rooms and out of those 80 rooms  
436 they are proposing 47 standard rooms, 33 would be studio suites. They feel there will be  
437 sufficient demand for this type of product. Four would be the one bedroom with a separate day  
438 area and the remaining would all have a mid-size refrigerator, hot plate and a microwave. And in

439 the industry that defines a kitchen and the industry has determined this type of product is in  
440 high demand by those that need to stay for more than just a day or two. They feel this site is  
441 very suitable to what they are proposing. Mr. Staggs added that Mr. Himmat Chauhan who  
442 currently runs the Best Western Inn and Suites in Rockwall was also present to answer any  
443 questions.

444  
445 Vice-Chairman Lyons asked in what tier this particular Best Western Residency Suites would fall  
446 under as far as the quality of it. Mr. Staggs directed that question to Mr. Chauhan.

447  
448 Himmat Chauhan  
449 2914 Lakeside Village  
450 Rockwall, TX

451  
452 Mr. Chauhan came forward and stated it will be an upper mid- scale property.

453  
454 Vice-Chairman Lyons asked concerning the cooktop, how many rooms would have that feature.  
455 Mr. Chauhan stated it would be a hotplate and 33 rooms would include those as well as a mid-  
456 size fridge and a microwave. Vice-Chairman Lyons asked for clarification of the amount of  
457 rooms that would have that as he understood it was proposed to only have four rooms that  
458 would be for extended stay. Mr. Chauhan four rooms would be one bedroom suites.

459  
460 Mr. Miller asked Mr. Chauhan to repeat the lot mix for clarification of wording of the Ordinance.  
461 Mr. Chauhan stated 47 rooms will be 350 square feet standard rooms, 33 studio rooms that will  
462 be approximately 400 to 430 square feet and will have a hotplate, mid-size fridge and microwave.  
463 And the remaining four rooms will be 1 bedroom suites to accommodate a larger family.

464  
465 Mr. Chauhan went on to state that he currently operates the Best Western Plus in Rockwall  
466 which was previously Holiday Inn Express. In the six years since they took over ownership they  
467 now have a 90 percent occupancy. He feels this product is needed as so many projects in  
468 neighboring Cities have big developments coming in and this product will be in high demand.

469  
470 Commissioner Fishman asked if they would retain long term ownership of the property. Mr.  
471 stated they would.

472  
473 Commissioner Trowbridge asked for clarification of the number of rooms that would be  
474 considered "residency". Mr. Chauhan stated 37 will have the residential component.

475  
476 Commissioner Trowbridge asked if there was a rent premium associated with having the in-  
477 house kitchen over having a standard room. Mr. Chauhan stated it was not a rent premium but  
478 rather an additional option for the guests.

479  
480 Commissioner Chodun asked what made it an upper-middle class classification. Mr. Chauhan  
481 stated is in the past Best Western did not have any standards in hotels, but now have three tiers  
482 which are Best Western, Best Western Plus and Best Western Premiere. The Best Western Plus  
483 is competing with a Hampton, Holiday Inn Express therefore they have to make sure they have  
484 certain size rooms, certain amenities are provided and certain kind of furniture is provided and  
485 that is basically what makes it an upper mid- scale.

486  
487 Commissioner Fishman stated that although it appears it will be a well maintained property she  
488 expressed concern with a Residence Hotel having just been approved in the area.

489  
490 Commissioner Trowbridge expressed concern with the amount of rooms that would provide the  
491 extended stay component.

492  
493 Commissioner Moeller expressed concern with the amount of rooms and the influx of the recent  
494 approval of a residence hotel within the vicinity.

495  
496 Commissioner Trowbridge made a motion to deny Z2016-033. Commissioner Fishman seconded  
497 the motion. The motion to deny passed by a vote of 7-0.

498  
499  
500  
501

502 11. Hold an election to elect a Chairman for the Planning and Zoning Commission.  
503

504 Vice-Chairman welcomed new Commissioner Chodun to the Commission. He then brought the  
505 item up for discussion or motion.  
506

507 Commissioner Logan made a motion to nominate Commissioner Lyons to serve as Chairman.  
508 Commissioner Moeller seconded the motion.  
509

510 Commissioner Fishman made a motion to nominate Commissioner Trowbridge. Commissioner  
511 Trowbridge seconded the motion. The motion passed to nominate Commissioner Lyons as  
512 Chairman by a vote of 5-2, with Commissioners Trowbridge and Fishman dissenting.  
513

514 Chairman Lyons made a motion to nominate Commissioner Trowbridge to serve as Vice-  
515 Chairman. Commissioner Fishman seconded the motion, which passed by a vote of 7-0.  
516

517  
518 V. DISCUSSION ITEMS  
519

520 12. MIS2017-004

521 Hold a public hearing to discuss and consider the approval of an ordinance adopting the City's Water  
522 and Wastewater Master Plans.  
523

524 Assistant City Engineer, Amy Williams, gave brief explanation of the agenda item stating that  
525 State Law requires that any city that has impact fees to update those every five years and in  
526 doing so the City likes to see a plan for an overall buildout plan for the City on the demands  
527 within the City and the ETJ for the future. When impact fees are done maps are done by a  
528 hydrologist consultant that the City hires to look at the water and sewer demands for anything in  
529 the City limits or the ETJ. Ms. Williams went on to state that in 2014 the impact fees were  
530 approved and the maps made, but at the time they did not get in with the impact fees to be  
531 approved and therefore this is just going through and getting everybody's approval on the  
532 masters. On the February 28<sup>th</sup> meeting there will be a public hearing to take action.  
533

534 No discussion took place concerning this agenda item.  
535

536 13. Z2017-004

537 Hold a public hearing to discuss and consider a city initiated request to amend Section 4, *Specific Use*  
538 *Permits*, of Article IV, *Permissible Uses*, of the Unified Development Code for the purpose of  
539 establishing 1) general regulations for Specific Use Permits (SUP) issued upon the adoption of the  
540 proposed ordinance, 2) regulations relating to the abandonment, expiration and revocation of Specific  
541 Use Permits (SUP) and 3) an expiration period of one (1) year for all Specific Use Permits (SUP) and  
542 Conditional Use Permits (CUP) issued by the City that are inactive, abandon or pending.  
543

544 Planning Director, Ryan Miller, gave a brief explanation of the request and stated City Council  
545 directed staff to amend Section 4, Specific Use Permits SUP, of Article IV, Permissible Uses, of  
546 the Unified Development Code. Currently every time an SUP is approved there is no mechanism  
547 system to expire them if they don't take action on them. For example the car wash that was  
548 approved on Ridge Road and no action has been taken to move forward on the project and years  
549 later a request is brought forward for another car wash across the street what played into the  
550 Commissions consideration was the outstanding entitlement and then having two car washes in  
551 such close proximity of each other. This ordinance would help to clear that issue up, by putting  
552 expiration on SUP's if one is approved and no action is taken to pull a building permit within one  
553 year that SUP would expire. If they pull a building permit within that year but then fail to pull a  
554 certificate of occupancy within a year of pulling the building permit that SUP would expire.  
555

556 Mr. Miller further stated that this text amendment would not only clear up inactive entitlements,  
557 but would also prevent future inactive entitlements from accruing throughout the city. In  
558 addition, it provides a clear understanding of the procedures and requirements for SUPs. Also it  
559 will stipulate how SUP's are treated within the City which includes how they're approved, the  
560 process it takes as well as grounds of revocation. And the final thing that is being done is  
561 making it retroactive. Currently, there are 158 SUPs that are active because there is no expiration  
562 mechanism and 228 CUPs in the City that date back to the 1970's. Notification will be sent to  
563 everyone that has received an SUP within the last five years letting them know that there will be  
564 a public hearing to allow them the opportunity to come before the Commission and also letting



565 them know that if the request is approved they will have one year to take action on their SUP or  
566 CUP before it expires.

567 Mr. Miller stated staff sent out a 15-day notice to the Rockwall Herald Banner for publication and  
568 the item will be back before the Commission for action at the February 28<sup>th</sup> meeting.

569  
570  
571 Commissioner Lyons asked if staff could go back before five years. Mr. Miller stated it may be  
572 difficult to track down those that were issued in the 70's 80's and 90's to establish ownership  
573 today because since some of those CUP's were issued those things have been parceled out into  
574 lots of little parcels and would take some time to track all those. That is why the City attorney  
575 said staff would just need to establish some kind of set criteria, and that criteria is anybody that  
576 was issued an SUP within the last five years.

577  
578 Commissioner Chodun asked if the language of the amendment is similar and consistent to that  
579 of other surrounding Cities. Mr. Miller stated that staff polled several other cities and it was  
580 found that the expiration component is really the norm not the exception in several other cities.

581  
582 Commissioner Fishman stated she liked that this language was being added and feels it has  
583 been needed. She asked if there would be any flexibility with the time basis, if they wanted to do  
584 something shorter than the one year period. Mr. Miller stated they would have the ability within  
585 the ordinance if the hit an expiration to come back before the Commission and request a  
586 onetime up to one year extension.

587  
588 General discussion took place concerning entitlements and the language of the Ordinance and  
589 the Commission expressed liking the request as it will be beneficial in moving forward with the  
590 approval of future SUP's.

591  
592 14. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

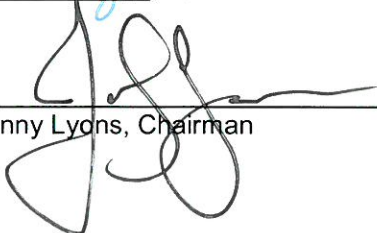
- 593  
594 ✓ P2017-001: Lot 1, Block A, Montessori School Addition [Approved]  
595 ✓ P2017-002: Lot 3, Block A, Briscoe/Hillcrest Addition [Approved]  
596 ✓ P2017-004: Lots 5 & 7, Block A, The Harbor-Rockwall Addition [Approved]  
597 ✓ P2017-005: Lots 1 & 2, Block A, Stone Creek Grocer Addition [Approved]  
598 ✓ SP2016-034: Variances for Grocery Store [Approved]  
599 ✓ SP2017-007: Variance for Academy Sports & Outdoors [Approved]  
600 ✓ Z2016-044: SUP for a Carwash on Ridge Road (2<sup>nd</sup> Reading) [Approved]  
601 ✓ Z2016-045: SUP for a Residential Hotel on Greencrest Boulevard (2<sup>nd</sup> Reading) [Approved]  
602 ✓ Z2016-046: PD Development Plan for Grocery Store (2<sup>nd</sup> Reading) [Approved]  
603

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

606  
607 VI. ADJOURNMENT

608  
609 Chairman Lyons adjourned the meeting at 8:00 p.m.

610  
611  
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614  
615 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
616 ROCKWALL, Texas, this 28 day of February, 2017.

617  
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\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:

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

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**February 28, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Mark Moeller, Tracey Logan and Eric Chodun. Commissioners absent were Annie Fishman and Sandra Whitley. Staff members present were Planning Director, Ryan Miller, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Civil Engineer, Jeremy White and Fire Marshall, Ariana Hargrove.

II. CONSENT AGENDA

1. Approval of Minutes for the February 14, 2017 Planning and Zoning Commission meeting.

2. P2017-007

Discuss and consider a request by Peyton McGee of Kimley-Horn and Associates on behalf of Stone Creek SF LTD & Stone Creek Balance LTD for the approval of a final plat for Lots 1, 2 & 3, Block A, Stone Creek Grocer being a replat of 0.734-acres identified as a portion of Lot 27, Block A, Stone Creek, Phase VII Addition and a final plat of 8.666-acres out of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being a total of 9.399-acres, zoned Planned Development District 70 (PD-70), situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [N. SH-205], and take any action necessary.

3. P2017-009

Discuss and consider a request by David Smith on behalf of Barbara Criswell for the approval of a replat for Lot 1, Block A, Rockwall Grace Clinic Addition being a replat of a 0.34-acre parcel of land identified as Lot 2 of the W. T. Barnes Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor (NGC OV) District, addressed as 602 N. Goliad Street [SH-205], and take any action necessary.

4. P2017-010

Discuss and consider a request by Rick Bates of RLK Engineering, Inc. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a replat for Lot 1, Block A, Dobbs Elementary Addition being a replat of a 17.464-acre parcel of land identified as Rockwall School Addition No. 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 901 Nash Street, and take any action necessary.

5. P2017-011

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Elias Pope of Eighty Twenty Real Estate Holdings, LLC for the approval of a replat for Lot 5, Block A, Harbor District Addition, being a replat of a 0.90-acre parcel of land identified as Lot 3, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2651 Sunset Ridge Drive, and take any action necessary.

Chairman Lyons advised agenda item #2 would be taken out of the consent agenda because the applicant has withdrawn the case. Commissioner Moeller made a motion to pass the consent agenda minus item #2. Commissioner Chodun seconded the motion which passed by a vote of 5-0, with Commissioners Whitley and Fishman absent.

III. APPOINTMENTS

63 6. Appointment with Architectural Review Board representative to receive the Board's  
64 recommendations and comments for items on the agenda requiring architectural review.  
65

66 **Architectural Review Board representative, Jerry Welch, gave a brief explanation of agenda**  
67 **items that were discussed at the ARB meeting.**  
68

69  
70 IV. PUBLIC HEARING ITEMS  
71

72 7. MIS2017-004

73 Hold a public hearing to discuss and consider the approval of an ordinance adopting the City's Water  
74 and Wastewater Master Plans.  
75

76 **Assistant City Engineer, Amy Williams gave a brief explanation of the request stating that State**  
77 **law requires that all Cities update their impact fees every five years and in doing so, the City has**  
78 **them look at the overall master water and sewer for the entire City including the ETJ for buildout.**  
79 **The maps are a rough estimate of the big lines of water and sewer that will need to be put in as**  
80 **development is driven to the North, East and the South. Ms. Williams advised the Commission**  
81 **she was available for questions.**  
82

83 **Chairman Lyons opened the public hearing and asked anyone who wished to speak to come**  
84 **forward and do so. There being no one indicating such, Chairman Lyons closed the public**  
85 **hearing and brought the item back to the Commission for discussion or a motion.**  
86

87 **Commissioner Trowbridge made a motion to approve MIS2017-004. Commissioner Moeller**  
88 **seconded the motion which passed by a vote of 5-0, with Commissioners Whitley and Fishman**  
89 **absent.**  
90

91  
92 8. Z2017-004

93 Hold a public hearing to discuss and consider a city initiated request to amend Section 4, *Specific Use*  
94 *Permits*, of Article IV, *Permissible Uses*, of the Unified Development Code for the purpose of  
95 establishing 1) general regulations for Specific Use Permits (SUP) issued upon the adoption of the  
96 proposed ordinance, 2) regulations relating to the abandonment, expiration and revocation of Specific  
97 Use Permits (SUP) and 3) an expiration period of one (1) year for all Specific Use Permits (SUP) and  
98 Conditional Use Permits (CUP) issued by the City that are inactive, abandon or pending.  
99

100 **Planning Director, Ryan Miller, gave a brief explanation of the item stating that in February of**  
101 **this year the City Council directed staff to prepare an amendment to the Article IV of the**  
102 **Permissible Uses, specifically the Specific Use Permit section of the Unified Development Code.**  
103 **There was a concern of the number of inactive entitlements sitting out around the City and what**  
104 **the text amendment will create the ability for vacated or inactive SUP's to expire if they're not**  
105 **used within a six month period, and that would be on the back end. For example if there is an**  
106 **active SUP today and the ordinance passes, and that SUP is currently operating and then stops**  
107 **operating, they would have six months to pick back up the operation as it was or it will expire.**  
108 **Expirations have also been created on the front end for Specific Use Permits after they are**  
109 **granted, basically once a Specific Use Permit is issued it would have one year from the approval**  
110 **date to be issued a building permit otherwise the SUP would automatically expire, if a building**  
111 **permit is not necessary then it would revert to the Certificate of Occupancy. Also if an SUP is**  
112 **approved and a building permit is issued but a Certificate of Occupancy has not been issued**  
113 **after one year and it would expire if the project is inactive only. Staff also established some**  
114 **procedural requirements for Specific Use Permits as well as the ability for the Planning and**  
115 **Zoning Commission to add operational conditions on to the Specific Use Permit. Staff has also**  
116 **addressed existing Specific Use Permits and Conditional Use Permits if they're inactive at the**  
117 **time the Ordinance is approved those would have one year to either become active or they**  
118 **would expire. Staff has also built in the ability to request an extension from the City Council**  
119 **should a property owner be working towards making their Specific Use Permit active but are**  
120 **unable to. The reason this was done is because currently there are 158 SUP's and 228 CUP's in**  
121 **the City today of which many are inactive and those are entitlements just sitting on the property.**  
122

123 **Mr. Miller added that according to the Unified Development Code, the request is being brought**  
124 **before the Commission to provide a recommendation to the City Council. He stated it is a public**  
125 **hearing and staff was available for questions.**

126 Chairman Lyons asked the Commission for questions for staff.

127  
128 Chairman Lyons asked for clarification of the one year expiration and the six month inactivity or  
129 vacancy would that also cause it to expire. Mr. Miller stated that after an SUP is approved, on the  
130 front end they would have one year to pull a building permit or Certificate of Occupancy. If they  
131 discontinue the use, they would have six months to re-continue the use otherwise it would  
132 expire.

133  
134 Commissioner Chodun asked if there was a threshold that will be used for inactivity or would it  
135 be subjective. Mr. Miller stated that the threshold in terms of building permit would be able to be  
136 established based on obvious measures, if they have submitted for a building permit if that  
137 permit is moving thru the system and they're working. One reason that is one reason the ability  
138 to request an extension was built in. Mr. Miller added that the purpose behind the request is not  
139 to force people into expiration but rather to clear up inactive land use. There are requirements  
140 built into the Ordinance that details what constitutes inactivity.

141  
142 Commissioner Logan asked concerning the potential additional operation conditions, and how  
143 that would be different from what the scope is now. Mr. Miller stated that the current Ordinance  
144 is pretty short, and doesn't detail process, procedure, things of that nature and that is what is  
145 being brought forward to spell those things out in more detail.

146  
147 Commissioner Trowbridge asked when an extension is requested would it go back to the  
148 Planning and Zoning Commission or would it go directly to City Council. Mr. Miller stated it is  
149 written where it has to follow the same process as the issuance of the original SUP therefore it  
150 would have to come back before the Planning and Zoning Commission for recommendation and  
151 then to City Council.

152  
153 Commissioner Trowbridge asked for clarification if anyone who currently has an active SUP  
154 would it be taken away. Mr. Miller stated that if it were to be approved and an SUP is currently  
155 being operated as it was approved for the change would only establish that six month expiration  
156 on the back end where if they discontinued operation. It really is targeting the inactive SUP's  
157 today, if they are not currently operating on their active SUP then in one year from the approval  
158 date of the Ordinance it would then expire.

159  
160 Commissioner Trowbridge asked what the notification process was for all of the inactive SUP's.  
161 Mr. Miller stated that originally the City Attorney directed staff to come up with some criteria and  
162 staff advised the Commission during the work session that notifications would be sent going  
163 five years back, however staff went ahead and sent courtesy notices to all SUP holders in the  
164 City.

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

168  
169 Stuart Myers  
170 1614 S. Lakeshore  
171 Rockwall, TX

172  
173 Mr. Myers came forward and asked what the definition of "inactive" would be considered if the  
174 process of opening takes longer than the one year period for example for someone who is still  
175 under construction or in the process of kick starting the business or trying to rent the property  
176 because sometimes it takes longer than a year or longer than six months. Mr. Miller stated the  
177 inactivity is tied to utility services, whether or not the property is occupied and/or if the use is  
178 abandoned because a new Certificate of Occupancy was issued for the property if it is not in line  
179 with the SUP use. Mr. Miller added that as long as it's working through the system, it wouldn't be  
180 considered inactive. Mr. Meyers expressed concern if there is a business that is closed but  
181 behind the scenes there is work such a remodeling or changing inventory being done, and the  
182 new Certificate of Occupancy hasn't been issued how that would affect the time period. Mr.  
183 Miller added that if there is remodeling work being done there would be an active permit and  
184 therefore it would be considered active. Mr. Meyers also expressed concern of this being overly  
185 burdensome to potential business prospects and as a business owner/landlord and expressed  
186 not being in favor of the request.

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Leonard Dunkin  
1001 N. Goliad  
Rockwall, TX

Mr. Dunkin came forward and asked expressed concern the “inactive” status. If his business stays vacant for a year he doesn’t agree to having to come back and applying for the SUP again. Generally expressed he is not in favor of the request.

Nicholas Grant  
1596 E. Quail Run Road  
Rockwall, TX

Mr. came forward and asked for clarification of what the Specific Use Permits being banked as opposed to Planned Development having to have the same time limitations. Mr. Miller explained that PD’s are tied to Zoning and is different to Planned Developments. Generally expressed he is not in favor of the request.

Toni Rowe  
1500 S. Kramer Lane  
Wylie, TX

Ms. Rowe came forward and stated she owns three Commercial building on North Goliad, she suggested the language could be written to grandfather existing Specific Use Permits because she feels some people have bought properties and the value of that property was because it had a Specific Use Permit at the time it was purchased.

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

Chairman Lyons noted that the point of the request is generally to keep the books clear and not have a lot of SUP’s just sitting out there not being used to allow the Commission to make wise decisions for the City when new requests come before them.

Chairman Lyons asked staff if there could be the one year time frame tied to the front end as well as the back end. Mr. Miller stated the Commission could make that recommendation.

Commissioner Trowbridge asked for clarification that the request only applies to Specific Use Permits, not to Zoning that someone may have on their property. Mr. Miller stated that technically Specific Use Permits, there are by right uses which are allowed by right and then there is Specific Use Permits that allow specific uses that have been designated for specific uses in certain Districts those of which require discretionary approval.

General discussion took place concerning the time frame limitations in regards to the front end to be a one year as well.

Commissioner Trowbridge made a motion to recommend approval of amending Section 4, Specific Use Permits, of Article IV, Permissible Uses, of the Unified Development Code, but change Section 4.4(1) from six (6) months to one (1) year. The motion passed by a vote of 5-0 with Commissioners Fishman and Whitley absent.

V. ACTION ITEMS

9. SP2016-033

Discuss and consider a request by Lizandro Oemeno for the approval of a site plan converting an existing single-family home into an office building on a 1.24-acre tract of land identified as Tract 3 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 69 (PD-69) for Residential Office (RO) District land uses, situated within the North SH-205 Overlay (N-SH205 OV) District, generally located at the northwest corner of the intersection of Los Altos Drive and N. Goliad Street [N. SH-205], addressed as 1201 N. Goliad Street, and take any action necessary.

251 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant  
252 is requesting approval of a site plan. This request came before the Commission several months  
253 back and staff has since been working with the applicant thru the development process.  
254 Essentially what they are requesting is to convert the existing single family home on the subject  
255 property to an office building. The applicant has provided a site plan that generally shows how  
256 the parking will flow and it does meet the majority of the technical requirements of the Planned  
257 Development District but part of the approval will require them to go through the Engineering  
258 process and there will be a flood study for the drive approach as well as TXDOT permit that will  
259 need to be approved.

260  
261 Mr. Miller advised the Commission that the applicant was present and he as well as staff were  
262 available for questions.

263  
264 Chairman Lyons asked the applicant to come forward.

265  
266 Daniel Nigo  
267 2901 Saturn Road  
268 Garland, TX  
269

270 Mr. Nigo came forward and stated they have turned in a new site plan and provided that for the  
271 Commission to see the layout they are proposing for the parking. He stated they are submitting  
272 for a driveway approval from TXDOT.  
273

274 Chairman Lyons asked for questions from the Commission for the applicant.  
275

276 Commissioner Trowbridge asked what the property to the north was zoned, would it connect to  
277 the land use to the property to the north. Mr. Nigo stated that the property to the north is zoned  
278 Residential and the parking would end right at that end of that property line. Mr. Miller added that  
279 as part of the Planned Development District they're required to provide cross access and what  
280 the applicant will be doing is stubbing it out to give the property to the north the ability to  
281 connect should they convert their use to office use.  
282

283 Commissioner Chodun asked if it would be a standard office with standard business hours. Mr.  
284 Nigo stated that it will be a Real Estate office and the hours will most likely be 8am to 6pm.  
285

286 Chairman Lyons brought the item back to the Commission for discussion or action.  
287

288 Commissioner Moeller made a motion to approve with staff recommendations. Commissioner  
289 Trowbridge seconded the motion which passed by a vote of 5-0, with Commissioners Fishman  
290 and Whitley absent.  
291

292 10. Z2017-001

293 Hold a public hearing to discuss and consider a request by Terry Gwin of SWBC Real Estate, LLC on  
294 behalf of the owner Gene Lambreth of Pneuma Ventures, LTD for the approval of a zoning change from  
295 a Light Industrial (LI) District to a Planned Development District for a multi-family apartment complex on  
296 a 42.548-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of  
297 Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-  
298 Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery Boulevard and John  
299 King Boulevard, and take any action necessary.  
300

301 Planning Director, Ryan Miller, gave a brief explanation of the request stating that as was  
302 discussed at the previous meeting, this case came forward and was requesting 650 dwelling  
303 units and were requesting to change the zoning from Light Industrial District to a Planned  
304 Development District to allow a multi-family apartment complex. At that meeting the Planning  
305 and Zoning Commission made a recommendation to deny and sent that forward to City Council,  
306 however between the Planning and Zoning Commission and City Council date, the applicant  
307 submitted a letter addressing some of the concerns that the felt were brought up at the Planning  
308 and Zoning meeting, specifically they reduced the number of requested dwellings from 650  
309 down to 595 which was indicated in the letter this would bring the density down from 15.28 units  
310 per acre to 14 units per acre which brings it in line with the City's highest density zoning district  
311 which is the Multi-Family 14 District. In addition they also propose to plant several large canopy  
312 trees in the northwest quadrant and that was done to address the concerns that they heard from  
313 the citizens who spoke at the Public Hearing and they've also established a four year time frame

314 to complete the project and that was in response to some of the things they heard concerning  
315 the timing of the project. Based on those changes the City Council did remand the request back  
316 to the Planning and Zoning Commission, they felt there was substantial enough change and  
317 wanted to give the Commission the opportunity to reexamine the project and take action on it.  
318

319 Mr. Miller advised the applicant was present and he as well as staff is available for questions.  
320

321 Chairman Lyons asked the applicant to come forward and speak.  
322

323 Robert LaCroix  
324 4517 Scenic Drive  
325 Rowlett, TX  
326

327 Mr. LaCroix came forward and stated they were glad to be given the opportunity to be before the  
328 Commission again to address some of the concerns. They feel they have made significant  
329 changes to the plan. Mr. LaCroix spoke of the changes they made that they feel will satisfy the  
330 concerns of both the Commission and the citizens. Mr. LaCroix also pointed out that the  
331 property is zoned by right, Light Industrial and it could allow uses that the neighbors may not be  
332 aware could go in, such as a trucking company, heavy construction yard, welding/body shop, to  
333 name just a few examples. For this added reason they feel the request is the highest and best  
334 use for the property.  
335

336 Terry Gwin  
337 (No address given)  
338

339 Mr. Gwin came forward and stated some of the concerns they heard from the residents was the  
340 potential for the tenants would cause problems for the neighborhood, they feel that will not be  
341 an issue because they will be required with legal documents to do a background check and  
342 income verification. They also joined a computer base company in which it shows if a person  
343 skips out on an apartment by not paying their rent, that will register in that data base and they  
344 will be checking that on all potential renters. They feel they are doing the best they can to attract  
345 quality residents that make good income that want to be part of the community. Mr. Gwin went  
346 on to state that the canopy trees will also address the concern of residents and will provide  
347 sufficient screening and they have reduced one of the buildings to a two story building as well.  
348

349 Chairman Lyons asked for questions from the Commission.  
350

351 Commissioner Trowbridge asked if the 595 units is added to the existing inventory of single  
352 family and multi-family in the City what percentage of the City's inventory would be if this two  
353 phase project were approved. Mr. Miller stated that under what is currently developed and if  
354 nothing else is approved it would be around 18 percent.  
355

356 Chairman Lyons commented in how the applicants have come a long way from their initial  
357 submittal and he feels because of the topography of the property and the back part of it being  
358 floodplain it is limited what can be developed there. He added that there are already apartments  
359 neighboring and Light Industrial he feels it this could be somewhat of a buffer between the two  
360 zones. Although he is not a big fan of apartments to have this high end product in this area may  
361 be an asset to the community.  
362

363 Commissioner Moeller stated it had to be noted that the applicant has made significant  
364 improvements and after what Mr. LaCroix pointed out could possibly be developed there he feels  
365 the applicant has gone above and beyond to address the Commissions and the Citizens  
366 concerns and he would be in support of the project.  
367

368 Commissioner Logan asked how much more land is slated to be multi-family within the City. Mr.  
369 Miller stated that the majority of the land that is entitled for multi-family exists in the Harbor  
370 District and beyond that there is very little to no Multi-Family14 a few acres here and there but  
371 nothing substantially assembled. Commissioner Logan expressed concern with changing the  
372 zoning.  
373

374 Commissioner Chodun expressed concern with not having the infrastructure within that area to  
375 handle the traffic this development would produce. Commissioner Logan commented that traffic

376 may not be an issue and general discussion took place concerning the road expansions that  
377 have already been made and those of which will be taking place in the near future.  
378

379 Commissioner Moeller made a motion to approve with staff recommendations. Chairman Lyons  
380 seconded the motion which passed by a vote of 3-2 with Commissioner Fishman and Whitley  
381 absent and Commissioners Trowbridge and Chodun dissenting.  
382

383 VI. DISCUSSION ITEMS

384  
385 11. Z2017-005

386 Hold a public hearing to discuss and consider a request by David Falls for the approval of a zoning  
387 amendment to *Ordinance No. 16-15* for the purpose of allowing the *Animal Clinic for Small Animals*  
388 land use to be a permitted use through a Specific Use Permit (SUP) for all properties within Planned  
389 Development District 50 (PD-50), being 21.266-acres of land in the S.S. McCurry Survey, Abstract No.  
390 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned  
391 Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within  
392 the North Goliad Corridor Overlay (NGC OV) District, generally located along N. Goliad Street [*SH-205*]  
393 north of Interurban Street, and take any action necessary.  
394

395 Planning Director, Ryan Miller, gave a brief explanation of the request stating the applicant is  
396 requesting to amend all of Planned Development District 50 for the purpose of allowing a small  
397 animal clinic into the Planned Development District 50 which currently only allows for  
398 Residential Office Use. In order to do that they need to amend the Planned Development District  
399 but they are proposing to allow it thru a Specific Use Permit. This amendment would affect all  
400 properties within the District and allow that use by Specific Use Permit on any property within  
401 that PD.  
402

403 Mr. Miller advised the Commission that the applicants were present and they as well as staff are  
404 available for questions.  
405

406 Phill Craddick  
407 750 IH-30  
408 Rockwall, TX  
409

410 Mr. Craddick came forward and stated he was the architect for the project.  
411

412 Paul Wendel  
413 786 Mira Mar  
414 Rockwall, TX  
415 Josh Cope  
416 513 Merritt Road  
417 Sunnyvale, TX  
418

419 Mr. Cope came forward and stated he is the veterinarian and that there would not  
420 be any boarding or large animals only and only cats and dogs. They will strictly be practicing  
421 medicine. Their goal is to build the building to look like a house to blend in with the community.  
422

423 Chairman Lyons asked for questions for the applicant from the Commission.  
424

425 Commissioner Chodun asked concerning the noise factor such as the barking. Mr. Cope stated  
426 there shouldn't be a problem with that because the animals are not kept outside only when  
427 they're being brought in from the car into the clinic and they will have concrete soundproof  
428 barriers.  
429

430 Commissioner Moeller asked what the business hours would be. Mr. Cope stated it will be 8am-  
431 6pm Monday-Friday and 8-noon on Saturday.  
432

433 Commissioner Trowbridge asked what was being modified, the PD or the Overlay District. Mr.  
434 Miller stated what is being modified is Planned Development District 50 because currently it only  
435 allows Residential Office uses.  
436

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



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12. Z2017-006

Hold a public hearing to discuss and consider a request by Brenda and Stuart Myers for the approval of a Specific Use Permit (SUP) amending *Ordinance No. 11-37 (SUP No. S-034)* to allow a restaurant with an accessory general retail store on a 0.6849-acre parcel of land identified as Lot 1, Abate Injury Rehab Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated in the North Goliad Corridor Overlay (NGC OV) District, addressed as 506 N. Goliad Street, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicants currently have a Specific Use Permit currently for a restaurant but had some fire damage about a year ago and they have been in the process of remodeling. They are requesting to amend their SUP to take care of some small changes to their floor plan and they have an upstairs area that they have finished out and that needs to be included in the SUP.

Chairman Lyons asked if there would be additional parking that they would be required to provide. Mr. Miller stated that should they decide to open the upstairs they would be required to add additional parking but currently as office use they are sufficiently parked.

Chairman Lyons asked the applicant to come forward and speak.

Brenda and Stuart Myers  
1614 S. Lakeshore Drive  
Rockwall, TX

Ms. Myers came forward and stated that since they have done so much work to the building they would like to have the ability to have the upstairs be a meeting/banquet, if that is not possible it can remain as an office. Also they would like to extend the hours because they currently have a client that is interested in putting a restaurant in there using the banquet area upstairs.

Mr. Myers came forward and added that when they originally re-platted the property they agreed to put in the alleyway in the back when the properties on both sides became Commercial. But the alley is nowhere near completion; therefore in light of all that they have spent on the remodel after the fire, they are asking to delay putting the alley until the rest develops in.

Mr. Miller added that such a request has been approved in the past where it's tied to the adjacent property and in this case it would be tied to the property to the south as the property to the north is currently developing.

Mrs. Myers added that the current client that they have would still be using it as a coffee shop during the day, but would like the ability to use the upstairs for dinner in the evenings.

Chairman Lyons asked what the current hours were on the current SUP. Mr. Myers stated currently they are 7am-8pm and would like to extend the new SUP to extend to 10pm. Mr. Myers added that the property just north of them recently was approved for an SUP and their hours were left open. Mr. Miller added that the property that they are referring to that was recently approved is 406 was allowed an SUP for a restaurant and they haven't established one as of yet, but when they came in they were not subject to the same operational hours as the current SUP puts on this property.

Commissioner Chodun asked if there would be an outside area included for the restaurant. Mrs. Myers stated there is none only parking.

Commissioner Logan asked if the Commission would be given more in depth information as to what changes are being approved at the following meeting such as hours, parking updated floor plan. Mr. Miller stated staff would provide the current SUP and also the draft ordinance that will include the changes for the Commission to review.

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

13. Z2017-007

501 Hold a public hearing to discuss and consider a request by Rich Darragh of the Skorburg Company on  
502 behalf of the owner Bradley Joe Gideon for the approval of a zoning change from an Agricultural (AG)  
503 District to a Planned Development District for Single Family 7 (SF-7) District land uses, on a 30.36-acre  
504 tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of  
505 Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass  
506 Corridor Overlay (205 BY-OV) District, located at the southwest corner of the intersection of E. Quail  
507 Run Road and John King Boulevard, and take any action necessary.  
508

509 Planning Director, Ryan Miller, gave a brief background stating that the applicant recently the  
510 applicant rezoned the property to the north of the subject property, PD 77 the Gideon property,  
511 they put that into a Planned Development District and they are looking to put a new PD on the  
512 property to the south and as part of that they will be extending Quail Run to the western most  
513 boundary. They are proposing 83 lots on the subject property and it is currently zoned AG, and  
514 staff will put together a Planned Development District and bring it before the Commission at the  
515 next meeting.  
516

517 Mr. Miller advised the applicant was present and he as well as staff are available for questions.  
518

519 Chairman Lyons asked the applicant to come forward.  
520

521 Rich Darragh  
522 8214 Westchester Drive  
523 Dallas, TX  
524

525 Mr. Darragh came forward and provided a power point presentation which detailed the proposed  
526 concept plan and showed the density and layout. He stated they are requesting to change the  
527 approximate 30.36 acres from AG to a PD SF-7 with 84 lots and the density would be 2.77 units  
528 per acre and they would provide 23.5% open space. They will be divided 53 units will be 60's and  
529 31 units to be 70's. Open space would be on the north side of Quail Run and will also have open  
530 space that will be centralized in the middle of the development.  
531

532 Chairman Lyons asked if they did front entry on all the different size lots. Mr. Darragh stated it  
533 depended on the size of the lot as it is harder to do the j-swing garages on the 60's and 70's cost  
534 wise and also Windsor Homes has seen that the front entry product sells better as opposed to  
535 the j-swing. But as you get to the larger lots it's mostly j-swing.  
536

537 Commissioner Trowbridge asked concerning the open space and the park, would they be  
538 donating the park. Mr. Miller stated that the park is accepted as dedicated open space and  
539 therefor would not be eligible for dedication but the Parks Board will make recommendations on  
540 it. Staff recommended to the applicant that instead of fronting the homes onto Quail Run or  
541 backing the homes onto Quail Run since it will be a major roadway is to instead dividing the  
542 park into two pieces to sufficiently buffer the lots that would front or back onto Quail Run Road.  
543

544 Commissioner Trowbridge asked concerning the front entry garages what percentages are  
545 allowed in a PD such as this. Mr. Miller stated that the Comp Plan pushes for alleys on lots less  
546 than 12,000 square feet, however the current Unified Development Code allows garages to be in  
547 a j-swing or a recessed 20 which is where the front of the garage is pushed back 20 feet behind  
548 the front façade of the house. A true front entry garage is not allowed, however since they are  
549 going through a Planned Development they are able to request that and it would be a  
550 discretionary approval.  
551

552 General discussion took place concerning Quail Run Road.  
553

554 There being no further questions Chairman Lyons indicated the case will return to the  
555 Commission for action at the next scheduled meeting.  
556

557 14. Z2017-008

558 Hold a public hearing to discuss and consider a city initiated request on behalf of Raymond Jowers of  
559 Jowers, Inc. for the approval of a Specific Use Permit (SUP) rescinding *Ordinance No. 08-38 (SUP No.*  
560 *S-056)* and allowing outside storage adjacent to IH-30 on a 4.4317-acre tract of land identified as Tract  
561 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light  
562 Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30,  
563 and take any action necessary.

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Planner, Korey Brooks, gave a brief explanation of the request stating that there is currently an SUP for the subject property that allows for storage of RV vehicles and part of the SUP is for the applicant to come every three years and request an extension on the SUP. The applicant has done so and went before City Council last week and it was approved however they requested the SUP to be modified so it fits in line with the current use as over the years it changed from the storage of RV's to now storage of trailers.

Mr. Brooks stated the applicant was present and he as well as staff are available for questions.

Commissioner Chodun asked if that SUP was specific to only RV's. Mr. Brooks stated that that particular SUP was limited to only RV's.

Chairman Lyons asked the applicant to come forward.

Richard Odlett  
8100 County Road  
Royce City, TX

Came forward and stated they have been at this location since 2009 and it changed from an RV dealership to Big Tex trailers.

Chairman Lyons asked if they only sold trailers. Mr. Odlett stated yes, they sold a variety of trailers.

Commissioner Trowbridge asked when it was changed to Big Tex. Mr. Odlett stated it was in late 2009.

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

15. P2017-008

Discuss and consider a request by Lisa Wilck Palomba on behalf of Paul J. Wilck, Jr. for the approval of a final plat of Lots 1 & 2, Wilck Addition being a 5.192-acres tract of land identified as Tract 8-02 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate (SFE-2.0) District, addressed as 463 H. Wallace Lane, and take any action necessary.

Planner, Korey Brooks, gave a brief explanation of the request stating the plat does meet the technical requirements and will be going before the Parks Board next week to establish park fees and will be on the consent agenda at the next scheduled Planning and Zoning meeting.

No discussion took place concerning this agenda item.

16. SP2017-008

Discuss and consider a request by Jay Soun on behalf of the owner STJ Investments, LLC for the approval of a site plan amendment for a hotel (*i.e. La Quinta Inn*) on a 1.25-acre parcel of land identified as Lot 3, Block 1, Miller Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 689 E. IH-30, and take any action necessary.

Planner, Korey Brooks, gave a brief explanation of the request stating the request is for the La Quinta Inn on IH-30 and the applicant has not increased any variances with the proposed site plan as submitted. Mr. Brooks provided a sample board for the Commission.

Chairman Lyons asked the applicant to come forward to speak.

Jay Soun  
1126 Tripping Springs  
Keller, TX

Scott Webb  
1841 Random Oaks

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Rockwall, TX

Chairman Lyons asked the Commission for questions.

Commissioner Trowbridge asked if the project was part of the PIP (Property Improvement Program) program and would it only be for the exterior or interior as well. Mr. Sound stated it was part of the La Quinta PIP program and it would only be for the exterior because they did interior work last year.

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

17. SP2017-009

Discuss and consider a request by Ray Crumby Design Group on behalf of Francisco Cardoso for the approval of a site plan for an office building on a 0.45-acre tract of land identified as Lot 10, Block A, Municipal Industrial Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 855 Whitmore Drive, and take any action necessary.

Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant has submitted a site plan, building elevations, landscape plan as well as a photometric plan. The landscape plan and photometric plan do meet the technical requirements; however staff is working with the applicant on some revisions to the building elevations as submitted it will require variances for horizontal articulation as well as materials.

Chairman Lyons asked the applicant to come forward to speak.

Ray Crumby  
Ray Crumby Design Group  
(No address given)

Mr. Crumby came forward and staff provided the building elevations for Mr. Crumby to explain that at this time he will still be doing the three stone design at the bottom all the way around and the towers will be stone all the way up on the middle tower they would like to put EIFS. On the sides above the stone will be brick all the way around. Mr. Crumby added that he will work with staff on the revisions that they need to do to the elevations before the next scheduled meeting.

Chairman Lyons asked for questions from the Commission.

Commissioner Trowbridge asked staff what it is the Commission is approving. Mr. Brooks stated what is being approved is a site plan, not a use.

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

18. SP2017-010

Discuss and consider a request by Rick Dirkse on behalf of Rockwall Trinity Real Estate, LLC for the approval of a downtown development plan and site plan for an office building on a 0.63-acre tract of land identified as Lots 1-6, Block B, Rockwall Old Towne Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 301 & 303 N. Goliad Street [SH-205], and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation stating this request stating that this request will be the first new building constructed under the Downtown Ordinance that was approved in 2004 and within that Downtown Ordinance all buildings need to be a minimum of two stories in height. City Council is able to waive that on non-feature buildings however since Mr. Dirkse's property is an all corner lot, it makes it a feature property and therefore it will be going before the City Council where Mr. Dirkse will be requesting for the Ordinance to be amended.

Mr. Miller went on to state that the request was taken to the Architectural Review Board and the Board indicated that they were okay with a one story building pending it met the architectural

standards of either Planned Development 50 which would give it the older single story home look or the Downtown District which would give it a single story commercial look.

Mr. Miller advised the Commission the applicant was present and he as well as staff are available for questions.

Chairman Lyons asked the applicant to come forward and speak.

Rick Dirkse  
3077 North Goliad  
Rockwall, TX

Mr. Dirkse came forward and stated he has been a resident of Rockwall for many years and has been trying to build a building on the north side of Rockwall for seven years. He provided a slide presentation that showed the property and his concept plan. The property is about a half- acre that has a historical house known as the Bailey House on it and that house will be gifted to the Historic Society and they will be moving it to Harry Myers Park. The subject property is a transitional piece between PD50 and the Downtown District and after meeting with the owner of the property and had an option of buying it he felt it was a great piece of property to build an office. Mr. Dirske further stated that the dilemma is that he is the first applicant requesting to build under the Downtown Ordinance. His request is for him to be allowed to build a transitional piece of property there, that they move from PD50, which is more of a craftsman style to more of a masonry style that would more look like an office building that might be downtown, but not go to the full extent that the Downtown Ordinance specifies. He will be asking for a variance to allow him to build a one story building rather than a two story.

Chairman Lyons asked for questions from the Commission.

Mr. Miller added a few points of clarification stating that the applicant will not be requesting a variance to the height but rather to amend the Code which would affect all properties in the Downtown District. It can be done simply by allowing the City Council to remove the non-featured building under the major waiver section and allow Council to grant waivers to featured buildings because currently they can only grant waivers to non-featured buildings. According to the Downtown Plan everything has to be two stories up to four stories and in the applicants case he cannot build a one story building and therefor will be going to Council on that. Also the Design Standards do stipulate an all masonry building, with the idea that is going to be a two story structure more along the lines of a Downtown style building. The ARB felt it was a transitional property to transition one way or another from PD50 or the Downtown area, and that was their recommendation.

Mr. Miller added that if City Council recommends staff to amend the Ordinance that will be brought back to the Commission at the next scheduled meeting.

Commissioner Trowbridge asked if the subject property falls within the actual Historical District or PD50. Mr. Miller stated the property is zoned Downtown District.

Commissioner Trowbridge asked Mr. Dirske if he felt the site is transitional between craftsman homes and the Downtown District. Mr. Dirske stated he see it as an entry way into Downtown and doesn't see himself in PD50 but rather in the Downtown area and his intent is to build a quality building.

General discussion took place concerning the transitional look the building would have a better fit to the area.

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

19. Director's Report of post Council meeting outcomes of Planning & Zoning case.

- ✓ P2019-003: Lots 1-7, Block A, Sky-Ridge Addition [Approved]
- ✓ P2017-006: Lot 3, Block B, 205 Business Park Addition [Approved]
- ✓ Z2016-033: SUP for a Residency Hotel on Vigor Way (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-001: SWBC of Rockwall [AG to PD] (1<sup>st</sup> Reading) [Remanded Back to P&Z]

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- ✓ Z2017-002: Zoning Change AG to SFE-2.0 (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-003: Zoning Amendment to Planned Development District 7 (PD-7) (1<sup>st</sup> Reading) [Approved]

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

VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 8: 19 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 28 day of March, 2017.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest.

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

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**March 28, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

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

II. CONSENT AGENDA

1. Approval of Minutes for the February 28, 2017 Planning and Zoning Commission meeting.

2. P2017-008

Discuss and consider a request by Lisa Wilck Palomba on behalf of Paul J. Wilck, Jr. for the approval of a final plat of Lots 1 & 2, Block A, Wilck Addition being a 5.192-acre tract of land identified as Tract 8-02 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 463 H. Wallace Lane, and take any action necessary.

3. P2017-012

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

4. P2017-013

Discuss and consider a request by Robert Howman of Glenn Engineering on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a final plat of Lot 1, Block A, Rockwall-CCA Addition being a 27.446-acre portion of a larger 173-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located directly east of the intersection of John King Boulevard and Trail View Drive, and take any action necessary.

5. P2017-016

Discuss and consider a request by Glen and Rosie Cox for the approval of a final plat of Lots 1 & 2, Block A, Cox Acres Addition being a 29.97-acre tract of land identified as Tract 7 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located on the south side of Quail Run Road east of the intersection of Quail Run and John King Boulevard, and take any action necessary.

6. SP2017-008

Discuss and consider a request by Jay Soun on behalf of the owner STJ Investments, LLC for the approval of a site plan amendment for a hotel (*i.e. La Quinta Inn*) on a 1.25-acre parcel of land identified as Lot 3, Block 1, Miller Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 689 E. IH-30, and take any action necessary.

Chairman Lyons noted that item #5 would be pulled from the consent agenda. Commissioner Moeller made a motion to approve the consent agenda minus #5. Commissioner Logan seconded the motion which passed by a vote of 6-0, with Commissioner Whitley absent.

64 III. PUBLIC HEARING ITEMS  
65  
66

67 7. Z2017-005

68 Hold a public hearing to discuss and consider a request by David Falls for the approval of a zoning  
69 amendment to *Ordinance No. 16-15* for the purpose of allowing the *Animal Clinic for Small Animals*  
70 land use to be a permitted use through a Specific Use Permit (SUP) for all properties within Planned  
71 Development District 50 (PD-50), being 21.266-acres of land in the S.S. McCurry Survey, Abstract No.  
72 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned  
73 Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within  
74 the North Goliad Corridor Overlay (NGC OV) District, generally located along N. Goliad Street [*SH-205*]  
75 north of Interurban Street, and take any action necessary.

76 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the intent of  
77 request is to allow the subject property to operate a small animal clinic. Currently it is not a  
78 permitted use within the Planned Development District 50 Ordinance. The applicant is requesting  
79 for this use to be added and allowing it through a Specific Use Permit and by doing so it will give  
80 the Planning and Zoning Commission and City Council discretion over approving requests such  
81 as this one on a case by case basis. Since the case is proposing to modify the Planned  
82 Development 50 Ordinance, staff notified all properties within 500 feet of the zoning district itself  
83 as well as HOA's within 1500 feet of the subject property. At the time the case memo was drafted  
84 staff received seven notices in favor and two notices opposed as well as two emails that were  
85 opposed. One more notice was received before the meeting which was in favor of the request.  
86

87 Mr. Miller stated the applicant was present and staff was available for questions.  
88

89 Chairman Lyons opened up the public hearing and asked the applicant to come forward to  
90 speak.  
91

92 Paul Wendell  
93 J.A. Greene Construction  
94 786 Mira Mar  
95 Rockwall, TX  
96

97 Mr. Wendell came forward and stated he was present on behalf of Dr. Josh Cope who would be  
98 arriving at the meeting shortly he stated he was available for any questions the Commission may  
99 have.  
100

101 Chairman Lyons asked for questions from the Commission.  
102

103 Commissioner Chodun asked staff if the request is approved would it then be allowed for the  
104 entire PD. Mr. Miller stated that was correct. Commissioner Chodun asked if there was a  
105 definition for "small animal's clinic". Mr. Miller stated that the draft ordinance defines it as a  
106 place where animals or pets are given medical or surgical treatments and care. It goes on to  
107 stat that the accessory use as a kennel shall be limited to short-term boarding and shall be only  
108 incidental to the Animal Clinic for Small Animals use and no outdoor pens or kennels shall be  
109 permitted. They will be allowed to only have indoor boarding to avoid any noise issues outside  
110 kennels may cause to the adjacent properties.  
111

112 Kristin Cope  
113 513 Merritt Road  
114 Sunnyvale, TX  
115

116 Mrs. Cope stated that it would only be small animals and added that concerning Commissioner  
117 Chodun's question of it opening the use to all of the PD, she stated they are still going to apply  
118 for the Specific Use Permit to allow the clinic.  
119

120 Mr. Miller added that with the SUP it would allow the Commission to set up operational  
121 conditions that would be site specific.  
122

123 Commissioner Fishman asked staff if there was language that defines "small animals". Mr. Miller  
124 stated there is language defining small animals in the Municipal Code of Ordinances that defines  
125 the difference between small animals and grazing and livestock. Senior Planner, David Gonzales,  
126 added that a large animal is considered 500lbs or greater.



127 Commissioner Trowbridge asked what the intent of Residential Office was when the PD was  
128 created and if there is a list of what comprises Residential Office. Mr. Miller stated Residential  
129 Office is currently a straight zoning district which means it is regulated through the use chart  
130 within the Unified Development Code. This was put into a PD because it was felt this was a  
131 unique area and they wanted to limit some of the uses and the Ordinance has special  
132 restrictions on certain uses. With it being a PD it also allows flexibility to look consider various  
133 uses on a case by case basis.

134  
135 Mr. Cope came forward and stated he would be the primary veterinarian and stated he was  
136 available for any questions the Commission may have.

137  
138 Chairman Lyons asked anyone who wished to speak to come forward and do so.

139  
140 Jim Cooper  
141 901 N. Alamo  
142 Rockwall, TX

143  
144 Mr. Cooper came forward and stated he lives directly across from the subject property and  
145 expressed his support for the request and he feels it is a good use for the property. He has  
146 reached out to Mr. Cooper and shared some of the concerns he has once they build he would  
147 like for the building to reflect the style and character of Old Rockwall.

148  
149 Mr. Miller added that before construction begins they would have to go through the Historic  
150 Preservation Advisory Board.

151  
152 Bob Wacker  
153 806 Mira Mar Drive  
154 Rockwall, TX

155  
156 Mr. Wacker came forward and expressed his support for the request.

157  
158 Chairman Lyons closed the public hearing and brought the item back to the Commission for  
159 discussion or action.

160  
161 Commissioner Trowbridge made a motion to approve Z2017-005 with staff recommendations.  
162 Commissioner Fishman seconded the motion, which passed by a vote of 6-0 with Commissioner  
163 Whitley absent.

164  
165  
166 8. Z2017-006

167 Hold a public hearing to discuss and consider a request by Brenda and Stuart Myers for the approval of  
168 a Specific Use Permit (SUP) amending *Ordinance No. 11-37 (SUP No. S-034)* to allow a restaurant with  
169 an accessory general retail store on a 0.6849-acre parcel of land identified as Lot 1, Abate Injury Rehab  
170 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for  
171 Residential-Office (RO) District land uses, situated in the North Goliad Corridor Overlay (NGC OV)  
172 District, addressed as 506 N. Goliad Street, and take any action necessary.

173  
174 Senior Planner, David Gonzales, gave a brief explanation of the request stating the applicants  
175 are requesting to amend their existing Specific Use Permit which they were issued in December  
176 of 2006 that allowed a restaurant use as well as some office use. In September 2011 they  
177 amended the SUP and included additional uses that include hair salon and also a general retail  
178 use. In September 2015 the structure caught fire but has now been restored. The restoration  
179 included converting the upstairs storage area to allow for the addition of approximately 1,000 SF  
180 of office space. The applicants are requesting approval of an amendment to the existing SUP to  
181 allow for a Restaurant with an accessory General Retail and Banquet Facility uses. The purpose  
182 of the amendment is to increase the square footage of the restaurant and maintain the area  
183 designated as general retail, and to establish a banquet facility use. Mr. Gonzales added that a  
184 banquet facility use was approved last year. A banquet facility use requires 1 parking space per  
185 100-SF of floor area with the 2nd floor being approximately 1,000-SF, a minimum of 10 parking  
186 spaces would be required to be constructed prior to issuance of a Certificate of Occupancy  
187 when they open for the banquet use however for now they plan to continue to use the space as  
188 general office space. Additionally PD50 requires access drive and the applicants are requesting

189 to construct the cross access easement within a reasonable period of time once both adjoining  
190 properties have develop as non-residential land uses.

191  
192 Mr. Gonzales went on to state that staff mailed 98 notices to property owners and residents  
193 within 500-feet of the subject property. There is no Homeowner's Association (HOA) located  
194 within 1,500-feet participating in the notification program. Additionally, staff posted a sign on  
195 the subject property. Staff received five responses "in favor of" the applicant's request.  
196

197 Mr. Gonzales advised the Commission the applicants were present and staff was available for  
198 questions.  
199

200 Chairman Lyons asked for any questions from the Commission for staff.  
201

202 Commissioner Trowbridge asked concerning the parking associated with the banquet facility.  
203 Mr. Gonzales stated the parking is in place for the office use but will increase by ten once the  
204 banquet use is in place and they open the banquet facility. Commissioner Trowbridge asked if  
205 the hair salon use would be removed from the SUP or would it remain with the SUP. Mr.  
206 Gonzales stated the hair salon use would not be included in this SUP. Mr. Miller added that this  
207 SUP will supersede the previous SUP.  
208

209 Chairman Lyons opened up the public hearing and asked the applicant to come forward and  
210 speak.  
211

212 Stuart and Brenda Myers  
213 1614 S. Lakeshore  
214 Rockwall, TX  
215

216 Mr. Myers came forward and stated he didn't have anything to add from Mr. Gonzales  
217 explanation of the request, but he asked concerning the time limitations that were not brought  
218 up.  
219

220 Mr. Gonzales added that the hours of operation in the current SUP limit the time from 6:30 a.m.  
221 to 8:00 p.m. The applicants are requesting to do away with the hours of operation in order to  
222 have more flexibility with the banquet facility and restaurant use. Time stipulations have not  
223 been included in this SUP therefore the time element has been removed. Mr. Miller added that it  
224 is similar to what was approved two houses to the south who received an SUP and do not have  
225 the time limitations.  
226

227 Commissioner Logan asked for further clarification on the time limit, is there a citywide time  
228 limit that allows for how long a business can stay open. Mr. Gonzales stated that it is primarily  
229 PD-50 that has hair salons and those have a time limit established however the City does not  
230 have an Ordinance requiring a time limitation on any type of a use. What the applicant is  
231 requesting is to allow the operation to open and close as it pleases.  
232

233 Chairman Lyons asked what the hours were for the SUP that was recently approved. Mr. Miller  
234 stated there were no time regulations established for that SUP.  
235

236 Chairman Lyons asked if there was anyone wishing to speak to come forward and do so, there  
237 not being anyone indicating such Chairman Lyons closed the public hearing and brought the  
238 item back to the Commission for discussion or a motion.  
239

240 Commissioner Logan made a motion to approve Z2017-006 with staff recommendations  
241 Commissioner Chodun seconded the motion. The motion passed with a vote of 6-0 with  
242 Commissioner Whitley absent.  
243

244 Chairman Lyons noted Commissioner Moeller left the meeting at 6:39 p.m.  
245

246 9. Z2017-007

247 Hold a public hearing to discuss and consider a request by Rich Darragh of the Skorburg Company on  
248 behalf of the owner Bradley Joe Gideon for the approval of a zoning change from an Agricultural (AG)  
249 District to a Planned Development District for Single Family 7 (SF-7) District land uses, on a 30.36-acre  
250 tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of  
251 Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass

252 Corridor Overlay (205 BY-OV) District, located at the southwest corner of the intersection of E. Quail  
253 Run Road and John King Boulevard, and take any action necessary.

254  
255 Senior Planner, David Gonzales, gave a brief explanation of the request and stated the  
256 applicants are requesting a Planned Development for the subject property which is  
257 approximately 30 acres and is currently zoned Agricultural. The Planned Development would be  
258 composed of 84 single family lots and what they are requesting will be SF-7 which would be the  
259 underlying zoning within the PD. North of the subject property is PD-77, south is PD-5 which are  
260 residential properties and east and west are agriculturally zoned lots which will be for future  
261 development. Concerning the characteristics of the request, the breakdown of the lot mix will be  
262 53 lots that will be 60x120's, 31 lots will be 70' x 120's for an overall density of 2.8 units per acre  
263 that falls within the line of a medium density residential district according to what the Comp Plan  
264 states it to be between 2 and 3 units per acre therefore they are well within that. The Comp Plan  
265 also calls for minimum 20% open space and the according to their concept plan they are  
266 providing about 24% open space including an area about 2.19 acres that will be used for a  
267 neighborhood park.

268  
269 Mr. Gonzales went on to explain that looking at their concept plan there are no alleys and  
270 therefore they will require a waiver from the City Council in order to provide for front entry  
271 garage orientation for the development. Additionally the applicant will provide a 50 foot  
272 landscape buffer and has agreed to include a 10 foot sidewalk along John King Boulevard that is  
273 required by the John King Ordinance for the Overlay District, that 10-ft wide concrete sidewalk  
274 will be a hike and bike trail and will connect to the existing trail systems along John King Blvd as  
275 future development occurs along this roadway. The applicant is also providing a 25 foot  
276 landscape buffer along E. Quail Run Drive that is an 85 foot right of way. The idea behind that is  
277 to provide some open space for the properties that back up to E. Quail Run Road.

278  
279 Mr. Gonzales provided a map to show the area and explained that there are three points of  
280 access. Looking at the breakdown within the PD Ordinance the masonry requirements will be  
281 90% and concerning the garage orientation although they are front entry the configuration on  
282 those will have to be 20 feet behind the front façade of the building to meet the building  
283 standards.

284  
285 Mr. Gonzales went on to state that ten notices were sent out to the property owners that are  
286 within 500 feet of the subject property and two notices were received today that are in  
287 opposition of the request.

288  
289 Mr. Gonzales advised the Commission the applicants are present and staff is available for  
290 questions.

291  
292 Chairman Lyons asked the Commission for any questions for staff.

293  
294 Commissioner Logan asked concerning the buffer along Quail Run Road, who will be  
295 maintaining that area. Mr. Gonzales stated any green space or open space would be maintained  
296 by the HOA.

297  
298 Chairman Lyons noted that the lots will be about a third of an acre why go with the front entry  
299 garage over the j-swing or a mix; why is the request for all front entry.

300  
301 Chairman Lyons opened the public hearing and asked the applicant to come forward.

302  
303 Noah Flabiano  
304 8214 Westchester Suite 710  
305 Dallas, TX

306  
307 Mr. Flabiano came forward and provided a power presentation of the request which showed  
308 other developments they have built and in detail the concept plan that they are proposing which  
309 will be called Gideon Grove Addition. He spoke of how the plan they are bringing forward agrees  
310 with the Comprehensive Plan and is in line with other developments that they have done on the  
311 north side of Rockwall. Additionally the Future Land Use map calls for this area to be medium  
312 density residential.

313 The presentation Mr. Flabiano provided talked of the concept plan and the landscaping, open  
314 space they will provide along John King as well as the garage orientation they wish to  
315 incorporate which is 50% front entry.  
316

317 Mr. Miller added that the draft Ordinance that the Commission was provided does not have the  
318 garage orientation in it, the actual garage orientation in the PD has a different standard therefore  
319 if the Commission makes a recommendation it would need to be addressed in the motion.  
320

321 Commissioner Trowbridge asked concerning the language of the 50% was taken from which  
322 community. Mr. Flabiano stated it was the 40 lots of 60's that was approved from the Breezy Hill  
323 subdivision late last year.  
324

325 Commissioner Logan asked concerning the continuation of Quail Run Road and asked if Old  
326 Quail Run would remain or would it be abandoned. Mr. Flabiano stated that road would remain  
327 because there are homes there. Commissioner Logan expressed concern with the areas of  
328 landscape that are not accessible to home owners to maintain. Mr. Flabiano stated that the HOA  
329 would maintain those areas and the HOA is perpetual.  
330

331 Chairman Lyons asked if anyone would like to speak to come forward and do so.  
332

333 Nicholas Grant  
334 1569 Quail Run Road  
335 Rockwall, TX  
336

337 Mr. Grant came forward and stated he is in opposition of the request for several reasons one  
338 being that this PD is part of the continued development in the Upper East Fork Lateral  
339 Watershed which is part of the City of Rockwall and the request should be delayed until a full  
340 impact study on the status of the SC-SCW Site 4A and 4B flood control structures and the  
341 requirement for assessing the developer impact fees for the rehabilitation of the structures as  
342 part of the PD are completed and incorporated. He spoke of floodwater retarding structures and  
343 breaches these may cause. Additionally he is opposed to the request because of the traffic  
344 impact it will cause. He believes the PD results in a significant traffic flow and pattern change on  
345 John King Boulevard/SH 205. This PD request should be delayed until a detailed traffic study by  
346 both the City and TXDOT is completed and changes and costs incorporated into this PD. He also  
347 would like there to be additional traffic lights. He strongly urged the Commission to vote against  
348 the request.  
349

350 Chairman Lyons asked Assistant City Engineer Amy Williams if she could address any of Mr.  
351 Grant's concerns. Ms. Williams stated concerning the drainage concerns the lakes Mr. Grant  
352 referred to belong to the County and any repair or breach would need to go through the County.  
353 Anything that is in the City Squabble Creek basin is required to be detained and no additional  
354 flow is allowed to come in to any of the off- site properties into the lakes that haven't been  
355 detained or haven't been accounted for. Ms. Williams also addressed the traffic concerns. Mr.  
356 Miller added that the City's Fire and Police Department are part of the review process for all  
357 cases.  
358

359 Chairman Lyons asked for anyone else who wished to speak to come forward.  
360

361 Steve Curtis  
362 2130 FM 1141  
363 Rockwall, TX  
364

365 Mr. Curtis came forward and stated he owns one of the lakes that back up to John King and  
366 stated his opposition to the request. He stated they get a significant amount of runoff from the  
367 surrounding AG land. His concern is the runoff that developments cause and what that will  
368 cause to the wildlife of the lakes. His other concern is the trespassing on his property with  
369 people going fishing on their property. He asked the Commission to vote against the request.  
370

371 Bob Wacker  
372 806 Mira Mar Drive  
373 Rockwall, TX  
374

375 Mr. Wacker came forward and stated a his concern is with the flight entry garages, he lives on  
376 Mira Mar drive that has flight entry garages and in retrospect he does not favor them because  
377 there is only 20 feet of driveway which cause a lot of parking over the sidewalk when there are  
378 two to three cars per house. He favors the j-swing entry which would allow more space with it  
379 being 40 feet. He believes it is a safety issue that cars park almost on the street and block the  
380 sidewalk for people that walk along the sidewalks. He would like to see Quail Run widened all  
381 the way across because that will be a main thoroughfare. Mr. Wacker also spoke of his concern  
382 with the HOA he does not want the new development added to the existing HOA at Stone Creek.  
383 He added that he feels confident Skorborg will do a good job as they are a good developer that  
384 has already shown they can build a great product.

385  
386 Bruce Foith  
387 1087 Shady Lane  
388 Rockwall, TX  
389

390 Mr. Foith came forward and generally expressed not being in favor of the request he does not  
391 favor the 20 feet front entry drives because of the congestion of cars along the street that it  
392 creates. He also would like to see 10 foot berms to protect the home owners that will be along  
393 John King.  
394

395 Chairman Lyons asked if there was anyone else that wished to speak to come forward, there  
396 being no one indicating such Chairman Lyons asked the applicant to come forward to offer any  
397 rebuttal.  
398

399 Adam Buczek  
400 8214 Westchester  
401 Dallas, TX  
402

403 Mr. Buczek came forward and stated that in regards to the drainage he clarified that at this time  
404 the request that is before the Commission is for the zoning land use not for platting but at the  
405 time of platting they will be addressing all of the issues staff requires of them with the drainage  
406 and any other requirements that must be addressed during the platting process. Concerning the  
407 HOA he stated that they will retain control of the HOA until the last lot is sold and once that  
408 happens there will be a perpetual document that will be on the plat. With respect to the garages  
409 these are bigger lots 60's and 70's and therefore a different streetscape. They are asking for  
410 what they requested and were approved for in the small "panhandle" part of Breezy Hill. The  
411 language they would be adding to the PD would state that no two houses adjacent could be front  
412 entry to have that anti-monotony.  
413

414 Commissioner Trowbridge asked concerning the 50%of front entry, if in the Saddle Star  
415 development allow up to 50%. Mr. Gonzales stated that was correct they were approved 50%  
416 front entry. Commissioner Trowbridge asked if they would be the developer or would it be a third  
417 party developer. Mr. Buczek stated that is there intent.  
418

419 Commissioner Trowbridge asked concerning the Home Owner's Association. Mr. Buczek stated  
420 they would retain the HOA until the development is complete and after that it will be perpetual.  
421

422 Commissioner Logan asked concerning the j-swing that also has a front entry. Mr. Fabiano  
423 stated it would be considered a j-swing because it sits 20 feet back from the front facade.  
424

425 Chairman Lyons asked if anything is done as far as sound barrier for the properties along John  
426 King Blvd. Mr. Buczek stated the builder will take extra measure to ensure that is addressed.  
427

428 Commissioner Fishman asked concerning the question of sharing an amenity center. Mr. Buczek  
429 stated this subdivision would have its own HOA. Commissioner Fishman asked concerning  
430 price points. Mr. Buczek stated for the 60's it would be in the \$400's for the 70's in the high  
431 \$400's.  
432

433 Chairman Lyons spoke of favoring the j-swing product.  
434

435 Commissioner Trowbridge expressed concern in allowing the 50% and feels allowing 35%  
436 instead.  
437

438 Commissioner Chodun expressed concern with the front entry and would be in favor of the 35%  
439 that Commissioner Trowbridge suggested.

440  
441 Mr. Buzcek asked the Commission if it would be well received by the Commission if they  
442 increased the front setback by five foot on the lots that are front entry because there is 125 feet  
443 in those lots if the concern is the cars blocking the sidewalk the extra five feet would alleviate  
444 that.

445  
446 Commissioner Fishman noted that there was a previous case that was approved with 50%  
447 allocated to front entry garages.

448  
449 General discussion took place between the Commission and the applicant concerning the  
450 garage orientation, depth of the driveway and the percentage that should be allotted and  
451 approved.

452  
453 Chairman Lyons closed the public hearing and brought the item back to the Commission for  
454 additional discussion or motions.

455  
456 Commissioner Trowbridge made a motion to approve the zoning change from AG to PD with the  
457 same language referring to type 'E' Lots' garage orientation contained in Phase X of the Breezy  
458 Hill Addition (PD-74) along with staff recommendations. Chairman Lyons seconded the motion  
459 which passed by a vote of 4-1 with Commissioner Logan dissenting, and Commissioners  
460 Whitley and Moeller absent. Additionally, the motion included a change to the Draft PD  
461 Ordinance regarding the garage orientation to allow for a maximum of 35% of the lots to have a  
462 flat front entry and the remainder of the lots being in a "j-swing" configuration.

463  
464 10. Z2017-008

465 Hold a public hearing to discuss and consider a city initiated request on behalf of Raymond Jowers of  
466 Jowers, Inc. for the approval of a Specific Use Permit (SUP) rescinding *Ordinance No. 08-38 (SUP No.*  
467 *S-056)* and allowing outside storage adjacent to IH-30 on a 4.4317-acre tract of land identified as Tract  
468 22-01 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light  
469 Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30,  
470 and take any action necessary.

471 Planner Korey Brooks gave a brief explanation of the request stating the applicant is requesting  
472 approval of a Specific Use Permit

473  
474 Planner, Korey Brooks, gave a brief explanation of the request and some background stating  
475 that the applicant is requesting an SUP to allow for outside storage on the subject property. In  
476 2008 the City Council approved an SUP to allow for RV's sales and storage at that time the SUP  
477 stipulated that the SUP would be valid for a maximum of 3 years and it also stated that if an  
478 extension was needed the applicant would need to come before the City Council at least 90 days  
479 prior to the expiration of the SUP and at that time City Council would look at the development in  
480 the area as well as the status of FM 549 and IH-30 construction and either grant or deny the  
481 request. The City Council has approved extensions to the SUP in 2011, 2014, and 2017; however,  
482 in 2017, the City Council requested that the applicant amend the SUP to reflect outside storage  
483 instead of RV sales and service and the purpose of that was to account for changes in the use of  
484 the property that went from RV sales to now trailer sales.

485  
486 Mr. Brooks went on to state that the applicant has submitted this request in conformance to the  
487 City Council's request; however, granting a Specific Use Permit is discretionary to the Planning  
488 and Zoning Commission and City Council and if approved, this SUP will supersede all  
489 requirements stipulated in the existing SUP ordinance.

490  
491 Mr. Brooks added that staff On March 8, 2017, staff sent four notices to property  
492 owners/residents within 500-feet of the subject property and there are no HOA's/Neighborhood  
493 Associations that are within 1,500-feet participating in the Neighborhood Notification Program.  
494 Additionally, staff posted a sign on the subject property and staff did not receive any notices  
495 returned in favor or against the request.

496  
497 Mr. Brooks advised the Commission the applicant was present and staff is available for  
498 questions.

499  
500 Chairman Lyons asked the applicant to come forward and speak.

501 Raymond Jowers  
502 3290 Anna Cade Circle  
503 Rockwall, TX  
504

505 Mr. Jowers came forward and stated that that Big Tex has been at the location for almost a  
506 decade and he feels they have done a good job at keeping their property well maintained. He  
507 feels there is no better use for the property than what it is being use for now.  
508

509 Chairman Lyons opened up the public hearing and asked anyone who wished to speak to come  
510 forward and do so, there being no one indicating such Chairman Lyons closed the public  
511 hearing.  
512

513 Chairman Lyons brought the item back to the Commission for discussion or action.  
514

515 Chairman Lyons made a motion to approve the item with staff recommendations. Commissioner  
516 Trowbridge seconded the motion which passed by a vote of 5-0 with Commissioners Whitley  
517 and Moeller absent.  
518

519 Chairman Lyons called a recess at 8:04 p.m.  
520

521 Chairman Lyons called the meeting back to order at 8:15 p.m.  
522

523 IV. ACTION ITEMS  
524

525 11. P2017-014  
526

527 Discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC for the  
528 approval of an extension of the preliminary plat for the Saddle Star South Subdivision in accordance  
529 with *Section 38-8(f)* of the *Subdivision Ordinance* contained in the *Municipal Code of Ordinances*, and  
530 being a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract  
531 No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for  
532 Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-  
533 OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone  
534 Drive John King Boulevard, and take any action necessary.  
535

536 Senior Planner, David Gonzales, gave a brief explanation of the request stating the applicant is  
537 requesting to extend the preliminary plat for the Saddle Star South Addition. It will be coming in  
538 in two phases of 138 single family homes that are going to be associated with this development;  
539 however, the applicant has indicated that he does not intend to submit a final plat for the  
540 development prior to the August 15, 2017 deadline, which would effectively expire the  
541 preliminary plat. The subdivision ordinance allows for the applicant to extend for an additional  
542 year per the Planning and Zoning Commissions approval.  
543

544 Mr. Gonzales advised the Commission that the applicant was present and staff is available for  
545 questions.  
546

547 Chairman Lyons asked the applicant to come forward and speak.  
548

549 Pat Atkins  
550 Saddle Star Development  
551 3076 Hays Road  
552 Rockwall, TX  
553

554 Mr. Atkins came forward and stated they are currently in the engineering process and he  
555 anticipates submittal of those documents in the next couple of months and therefore they need  
556 an extension of the preliminary plat.  
557

558 No discussion took place concerning this agenda item.  
559

560 Chairman Lyons made a motion to approve with staff recommendations. Commissioner Chodun  
561 seconded the motion which passed by a vote of 5-0, with Commissioners Whitley and Moeller  
562 absent.  
563

564 12. P2017-015

564 Discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC for the  
565 approval of a extension of the preliminary plat for the Saddle Star North Subdivision in accordance with  
566 *Section 38-8(f)* of the *Subdivision Ordinance* contained in the *Municipal Code of Ordinances*, and being  
567 a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of  
568 Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80) for Single Family  
569 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District,  
570 located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary.  
571

572 Senior Planner, David Gonzales, stated this request is the same as the previous agenda item  
573 with the exception of the expiration date which is April 4, 2017 and the applicant is requesting a  
574 one year extension.  
575

576 Chairman Lyons asked the applicant to come forward and speak.  
577

578 Pat Atkins  
579 Saddle Star Development  
580 3076 Hays Road  
581 Rockwall, TX  
582

583 Mr. Atkins came forward and stated he is requesting the extension because he is currently  
584 working on the engineering process.  
585

586 No discussion took place concerning this agenda item.  
587

588 Commissioner Trowbridge made a motion to approve with staff recommendations.  
589 Commissioner Chodun seconded the motion which passed by a vote of 5-0, with Commissioners  
590 Whitley and Moeller absent.  
591

592  
593 13. SP2017-009

594 Discuss and consider a request by Ray Crumby Design Group on behalf of Francisco Cardoso for the  
595 approval of a site plan for an office building on a 0.45-acre tract of land identified as Lot 10, Block A,  
596 Municipal Industrial Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI)  
597 District, addressed as 855 Whitmore Drive, and take any action necessary.  
598

599 Planner, Korey Brooks, gave a brief explanation of the request stating the applicant is  
600 requesting approval of a site plan for a proposed office building approximately 4,400 square feet  
601 hat will be accessible via an access drive that connects to Lot 11 to the east of the subject  
602 property and Lot 9 to the west of the subject property with the portion of the access drive on  
603 Lots 9 and 11 connecting to Whitmore Drive. According to the Unified Development Code the  
604 proposed use is a use permitted by right and will not require any additional approvals from the  
605 Planning and Zoning Commission. The submitted site plan, landscape plan, photometric plan,  
606 and building elevations conform to the technical requirements contained within the UDC for  
607 properties located in a Light Industrial District.  
608

609 Mr. Brooks advised the Commission the applicant was present and staff is available for  
610 questions.  
611

612 Chairman Lyons asked the Commission for any questions for staff.  
613

614 Commissioner Chodun asked which lot the building would be located at and if the other  
615 applicant owned the other two lots as well. Mr. Brooks stated it would be located on lot 10 and  
616 stated the applicant did not own the other two lots.  
617

618 Chairman Lyons asked the applicant to come forward.  
619

620 Francisco Cardoso  
621 2848 Tangleglenn  
622 Rockwall, TX  
623

624 Mr. Cardoso came forward and stated he has lived in Rockwall for 14 years and owns his own a  
625 flooring installation business and has been working on building this building for the last two



626 years and is respectfully asking the Commission for approval to allow him to move forward with  
627 his plans.

628  
629 Ray Crumby  
630 Ray Crumby Design Group  
631 602 North Park Avenue  
632 Terrell, TX  
633

634 Mr. Crumby came forward and stated they have had discussions with the owner of the other two  
635 lots and he will be helping with putting in the access drive.  
636

637 Chairman Lyons brought the item back to the Commission for questions or action.  
638

639 Commissioner Fishman made a motion to approve SP2017-009. Commissioner Chodun  
640 seconded the motion which passed by a vote of 5-0, with Commissioner Whitley and Moeller  
641 absent.  
642

643  
644 V. DISCUSSION ITEMS  
645

646 14. Z2017-009  
647 Hold a public hearing to discuss and consider a request by Cameron Slown of FC Cuny Corporation on  
648 behalf of Randall Noe of Rockwall Rental Properties, LP for the approval of a Specific Use Permit (SUP)  
649 for a *Motor Vehicle Dealership, New (Cars and Light Trucks)* in a Light Industrial (LI) District for a 4.86-  
650 acre tract of land identified as Tract 5 of the N. M. Ballard Survey, Abstract No. 99, City of Rockwall,  
651 Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV)  
652 District, addressed as 1415 & 1501 E. IH-30, and take any action necessary.  
653

654 Senior Planner, David Gonzales, gave a brief explanation of the request stating the subject  
655 property is located east of the Industrial area and is zoned Light Industrial and with a request for  
656 a new car dealership it requires a Specific Use Permit.  
657

658 Mr. Gonzales advised the Commission the applicants were present and staff is available for  
659 questions.  
660

661 Chairman Lyons asked the applicant to come forward.  
662

663 Chris Cunny  
664 FC Cunny Corporation  
665 #2 Horizon Court, Suite 500  
666 Heath, TX 75032  
667

668 Mr. Cunny came forward and stated he is representing Mr. Randall Noe who has an opportunity  
669 to get a franchise Subaru dealership which would be a new car dealership. The site is somewhat  
670 challenging because there are some floodplain issues, they have done a flood study but in order  
671 to get the parking count that they need they are looking at doing a 2 to 3 story parking garage.  
672 The height of it would be 20 to 30 feet if they do a 3 story the idea being that it would serve for  
673 inventory and the height of the parking garage would not exceed the height of the dealership.  
674 Mr. Cunny provided a rendering of the concept plan of a prototypical Subaru dealership and  
675 added that they plan on adding some natural screening similar to the Trend Tower of which they  
676 were the engineers and architects for that parking garage. Mr. Cunny went on to state that they  
677 have received comments from staff that they will address.  
678

679 Chairman Lyons asked the Commission for questions for the applicant or staff.  
680

681 Commissioner Trowbridge asked if Mr. Noe currently had any other dealerships along IH-30. Mr.  
682 Cunny stated he does not.

683 Commissioner Trowbridge asked staff if car dealerships are regulated and taxed on a State level.  
684 Mr. Gonzales stated that the tax on the sale of a new vehicle does go to the State but the tax on  
685 parts and service goes local.  
686

687 Commissioner Trowbridge asked how many car dealerships are currently in Rockwall. Mr. Miller  
688 stated staff can provide that number to the Commission at the next meeting when the request  
689 comes forward for action.  
690

691 Commissioner Logan asked for clarification with the zoning being Light Industrial would it still  
692 require the SU and also if the SUP would include the repair shop. Mr. Gonzales stated it would  
693 include the service center and although it is zoned Light Industrial an SUP is still required.  
694

695 There being no further questions Chairman Lyons indicated the case will return to the  
696 Commission for action at the next scheduled meeting.  
697

698 15. Z2017-010

699 Hold a public hearing to discuss and consider a City initiated request for the approval of a zoning  
700 amendment to Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] for the purpose of  
701 amending the required streetscape elements stipulated by *Exhibit 'C'* of *Ordinance No. 10-21* affecting a  
702 ~78.89-acre tract of land identified as the *Harbor District*, being zoned Planned Development District 32  
703 (PD-32), situated within the Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, located at the  
704 southwest corner of Horizon Road [*FM-3097*] and IH-30, and take any action necessary.  
705

706 Planning Director, Ryan Miller, gave a brief explanation of the request stating what the  
707 amendment will do is remove the specific references to specific products in the Ordinance. The  
708 reason is because when you call out specific products eventually those products will be  
709 discontinued and that is what is being encountered currently. Several of the light fixtures have  
710 been discontinued and it is difficult to find any spare parts for maintenance and things of that  
711 nature. Therefor what is trying to be done is to take those products out and just put a  
712 requirement that they use similar products and the way that was structured is as part of site  
713 plans in PD-32 the Commission would look at and make recommendations or approve the  
714 product. Mr. Miller went on to state that staff has re-written PD-32 but have only removed  
715 references to specific products and put in a section that requires the streetscape plan along with  
716 the site plan.  
717

718 Chairman Lyons asked the Commission for any questions for staff.  
719

720 Chairman Lyons asked if the company that manufactures those lights go out of business or  
721 what the reason was. Mr. Miller stated the product was simply discontinued.  
722

723 There being no further questions or discussion Chairman Lyons indicated the case will return to  
724 the Commission for action at the next scheduled meeting.  
725

726 16. Z2017-011

727 Hold a public hearing to discuss and consider a City initiated request for the approval of a text  
728 amendment to Section 4.8, *Downtown (DT) District*, of Article V, *District Development Standards*, of the  
729 Unified Development Code for the purpose of amending the permitted major and minor waivers, and  
730 take any action necessary.  
731

732 Planning Director, Ryan Miller, gave a brief explanation of the request stating that this request  
733 relates to a case that the Commission recently heard for a site plan in the downtown area. That  
734 applicant went to City Council with a request to change the Ordinance to allow flexibility for their  
735 project. Council did look over the appeal and at the Ordinance and directed staff to draft an  
736 amendment. What the amendment will do is not necessarily change the major and minor waivers  
737 in the Ordinance but rather gives City Council the ability to grant a major waiver to anything that  
738 is not identified as a minor waiver. Minor waivers would be approved administratively with the  
739 option to appeal an administrative decision to the Planning and Zoning Commission.  
740

741 Mr. Miller advised the Commission staff was available for questions.  
742

743 Commissioner Chodun asked if before this proposed amendment were minor waivers not  
744 appealable. Mr. Miller stated it didn't explicitly give any appeal process for minor waivers and it  
745 didn't address anything beyond the staff level approval.  
746

747 There being no further questions Chairman Lyons indicated the case will return to the  
748 Commission for action at the next scheduled meeting.  
749

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17. Z2017-012

Hold a public hearing to discuss and consider a request by Maria Del Carmen Andrew for the approval of a zoning change from an Agricultural (AG) District to Single-Family Estate 2.0 (SFE-2.0) District on a five (5) acre parcel of land being identified as Lot 2, Block A, Edwards Acres Subdivision, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 3401 FM-549, and take any action necessary.

Planner, Corey Brooks, gave a brief explanation of the request stating that the applicant is requesting to rezone the subject property from AG to SFE-2.0 for the purpose of building a single family home. In order to build a home on an agricultural property it must be 10 acres or greater, with the subject property being less than 10 acres the applicant is required to rezone it to an appropriate residential district. The request does conform to the Future Land Use Map.

Chairman Lyons asked the Commission for any questions for staff.

Commissioner Chodun asked if there are currently any structures on the property. Mr. Brooks stated there is currently a garage on the property and it will remain on the property.

Commissioner Trowbridge asked if it would be the primary residence of the applicant. Mr. Brooks stated the applicant has indicated it will be.

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

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

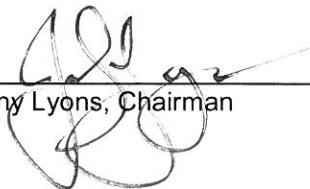
- ✓ P2017-009: Lot 1, Block A, Rockwall Grace Clinic Addition [Approved]
- ✓ P2017-010: Lot 1, Block A, Dobbs Elementary Addition [Approved]
- ✓ P2017-011: Lot 5, Block A, Harbor District Addition [Approved]
- ✓ MIS2017-004: Water/Wastewater Master Plans [Approved]
- ✓ Z2016-033: SUP for a Residency Hotel on Vigor Way (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-001: SWBC of Rockwall [AG to PD] (1<sup>st</sup> & 2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-002: Zoning Change AG to SFE-2.0 (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-003: Zoning Amendment to Planned Development District 7 (PD-7) (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-004: Text Amendment to Article IV of the UDC (1<sup>st</sup> & 2<sup>nd</sup> Reading) [Approved]

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

VI. ADJOURNMENT

Chairman Lyons adjourned at 8:54 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 11 day of April, 2017.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**April 11, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:01 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Tracey Logan, Eric Chodun, and Annie Fishman. Absent were Commissioner Mark Moeller and one vacant seat. Staff members present were Planning Director, Ryan Miller, Senior Planner David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, and Assistant Engineer Amy Williams.

II. CONSENT AGENDA

1. Approval of Minutes for the March 28, 2017 Planning and Zoning Commission meeting.

Commissioner Fishman made a motion to approve the consent agenda. Commissioner Chodun seconded the motion which passed by a vote of 5-0 with Commissioner Moeller absent and one vacant seat.

III. PUBLIC HEARING ITEMS

2. Z2017-009

Hold a public hearing to discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Randall Noe of Rockwall Rental Properties, LP for the approval of a Specific Use Permit (SUP) for a *Motor Vehicle Dealership, New (Cars and Light Trucks)* in a Light Industrial (LI) District for a 4.86-acre tract of land identified as Tract 5 of the N. M. Ballard Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1415 & 1501 E. IH-30, and take any action necessary.

Chairman Lyons noted that this agenda item was postponed to the next scheduled Planning and Zoning meeting.

3. Z2017-010

Hold a public hearing to discuss and consider a City initiated request for the approval of a zoning amendment to Planned Development District 32 (PD-32) [*Ordinance No. 10-21*] for the purpose of amending the required streetscape elements stipulated by *Exhibit 'C' of Ordinance No. 10-21* affecting a ~78.89-acre tract of land identified as the *Harbor District*, being zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, located at the southwest corner of Horizon Road [*FM-3097*] and IH-30, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation of the request stating that the request is City initiated and the subject property is all of Planned Development 32 and when Planned Development 32 was originally approved very specific model numbers for very specific streetscape elements were incorporated which include pedestrian scale lighting, park benches, and pavers. The issue that has come up now however is that some of the products have been discontinued and as more development has come into that area those products have become unavailable. In order to alleviate that problem, staff is going through and changing zoning to allow some flexibility and that is being done in two ways. First, it will be required for a streetscape plan to be submitted which will come before the Planning and Zoning Commission as part of the site plan submittal and as part of that the applicant would have to provide cut sheets that could be compared to the cut sheets elements that were originally approved. In addition the Commission would be able to look at the pictures and decide if they are visually similar. Also, the streetscape section in the Ordinance has been changed to say "visually similar to" and staff would still list the product number in certain cases.

65 Mr. Miller added that staff mailed 137 notices to property owners and residents that are within  
66 500 feet of the PD District itself and in addition staff notified the Lago Vista, Lakeside Village,  
67 Waters Edge, Signal Ridge, Chandlers Landing and Fox Chase HOA's which are within 1500 feet  
68 of the subject property and also posted notice in the Herald Banner. No notices were received  
69 back however staff did receive several phone calls.  
70

71 Chairman Lyons asked for any questions from the Commission for staff.  
72

73 Commissioner Trowbridge asked if the cut sheets were the side by side comparison of the  
74 specifics of lights. Mr. Miller stated a cut sheet is a specification sheet that details the products  
75 specifications.  
76

77 Commissioner Fishman asked what the phone calls that staff received were in regards to. Mr.  
78 Miller stated they were calls asking for further detail to the notice's wording.  
79

80 Chairman Lyons opened up the public hearing and asked anyone who wished to speak to come  
81 forward and do so.  
82

83 Marvin McKinney  
84 2738 Mira Vista  
85 Rockwall, TX  
86

87 Mr. McKinney came forward and asked if what is being changed would affect his property. Mr.  
88 Miller explained that it does not necessarily affect any properties, it only affects future  
89 development in Planned Development 32 which is the Harbor, but because it will be changing  
90 the zoning, State law requires notifications be sent to property owners and residents within 200  
91 feet of the subject property and there is also a local amendment that expands that out to 500  
92 feet. Therefore staff was required to notify everyone within 500 feet of the Planned Development  
93 District of the change that is being proposed. Mr. Miller explained to Mr. McKinney that it would  
94 not affect his particular property and the only thing that is changing is the one aspect that deals  
95 with the streetscape elements.  
96

97 Chairman Lyons asked if there was anyone else who wished to speak to come forward and do  
98 so, there being no one indicating such Chairman Lyons closed the public hearing and brought  
99 the item back to the Commission for discussion or a motion.  
100

101 Commissioner Logan made a motion to approve Z2017-010. Commissioner Fishman seconded  
102 the vote which passed by a vote of 5-0 with Commissioner Moeller absent and one vacant seat.  
103

104 4. Z2017-011

105 Hold a public hearing to discuss and consider a City initiated request for the approval of a text  
106 amendment to Section 4.8, *Downtown (DT) District*, of Article V, *District Development Standards*, of the  
107 Unified Development Code for the purpose of amending the permitted major and minor waivers, and  
108 take any action necessary.  
109

110 Planning Director, Ryan Miller, gave a brief explanation of the request stating that recently a  
111 case came forward to develop in the Downtown District and some issues were identified by the  
112 applicant and he went before the City Council and asked that they amend certain sections of the  
113 Downtown District and Council then did direct staff to do so. The amendment will specifically  
114 make two changes to the Downtown District Ordinance. The first will allow Council the ability to  
115 approve major waivers to all standards not specified as minor waivers. Previously it listed out  
116 specific major waivers that could be approved, however it excluded several things. For example  
117 Council could not grant a variance to the height of a building, which meant a four story building  
118 could be built but not a one story and other elements along those lines. Now Council will have  
119 the ability to review those on a case by case basis. The second thing is, currently the Ordinance  
120 grants City staff the ability to grant minor waivers but does not detail any kind of appeal  
121 process. The amendment will allow Planning and Zoning to review and staff could also pass  
122 minor waivers to the Planning and Zoning Commission if staff was not comfortable making that  
123 decision. Minor waivers are listed in the Ordinance already and staff did not change any of those  
124 but only added the ability for the applicant to appeal staffs decision.  
125

126 Mr. Miller went on to state that those were the only two changes that were made in the  
127 Ordinance, however with it being a text amendment staff was required to bring it before the  
128 Commission for recommendation to the City Council.  
129

130 Chairman Lyons asked for any questions for staff from the Commission.  
131

132 Commissioner Chodun asked if for major waivers, since they're appealable to the City Council  
133 but are subject to the Commissions prior review and recommendation, under what authority  
134 would the Commission have to review because in a sense it would already be in an appeal. Mr.  
135 Miller stated it is the same sort of process as a variances, the Commission provides a  
136 recommendation to the City Council based on the variances because it deals typically with  
137 technical requirements in the same way the Commission would review even if it is in the appeal  
138 process and forward their recommendation to Council and Council has the ability to agree or  
139 override the recommendation.  
140

141 Chairman Lyons asked for clarification if that was only for the major waivers, not the minor  
142 waivers. Mr. Miller stated that for the minor waivers the Commission would be the appeal Board  
143 essentially for staff's decisions or in cases where staff sent those waivers forward the  
144 Commission would be the approving body.  
145

146 Commissioner Logan asked if not all of the minor waivers would be sent forward to the  
147 Commission. Mr. Miller stated it would depend, in certain circumstances where it makes logical  
148 sense to approve it at a staff level, staff may do so if it is something small where staff feels they  
149 are meeting the intent of the Ordinance, however if there is any question it would be sent  
150 forward to the Planning and Zoning Commission.  
151

152 Chairman Lyons opened up the public hearing and asked anyone who wished to speak to come  
153 forward and do so, there being no one indicating such Chairman Lyons brought the item back to  
154 the Commission for discussion or a motion.  
155

156 Commissioner Fishman made a motion to approve Z2017-011. Commissioner Chodun seconded  
157 the motion which passed with a vote of 5-0 with Commissioner Moeller absent and one vacant  
158 seat.  
159

160 5. Z2017-012

161 Hold a public hearing to discuss and consider a request by Maria Del Carmen Andrew for the approval  
162 of a zoning change from an Agricultural (AG) District to Single-Family Estate 2.0 (SFE-2.0) District on a  
163 five (5) acre parcel of land being identified as Lot 2, Block A, Edwards Acres Subdivision, City of  
164 Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 3401 FM-549, and  
165 take any action necessary.  
166

167 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
168 requesting to rezone the subject property from AG to SFE-2.0 for the purpose of constructing a  
169 single family home and there is currently a garage on the property. The Unified Development  
170 Code states that a single family home is allowed on a Agriculturally zoned property if it is ten  
171 acres or more however because the subject property is five acres the applicant is required to  
172 rezone to a residential zoning designation.  
173

174 Mr. Brooks went on to state that the adjacent use were; to the North is PD-63 which is Somerset  
175 Park who are in the beginning process of construction currently and also to the West is  
176 Somerset Park. To the east there is another tract of land that is zoned Agricultural as well as  
177 more Single Family Home Estates 2.0 properties. To the South is FM-549 which is identified as a  
178 Minor Collector and beyond that there is a Commercial tract. In addition the Master  
179 Thoroughfare Plan shows a re-alignment of FM-549 beginning just east of the subject property  
180 and connecting to FM-549 on the west at the intersection of FM-549 and SH 205.  
181

182 Mr. Brooks went on to state that while the request is discretionary to City Council and the  
183 Planning and Zoning Commission, it does conform to the Future Land Use Map which  
184 designates the subject property for Low Density Residential land uses, which is defined as less  
185 than two single-family units per acre.  
186

187 Mr. Brooks further stated that on March 29, 2017, staff mailed eleven notices to property owners  
188 within 500-feet of the subject property and also notified the Oaks of Buffalo Way HOA, which is

189 the only HOA within 1,500-feet of the subject property and staff has not received any notices  
190 returned. Mr. Brooks advised that both the applicant and staff are available for questions.

191  
192 Chairman Lyons asked for questions from the Commission for staff.

193  
194 Commissioner Trowbridge asked if the property to the south would be Commercial. Mr. Brooks  
195 stated that was correct. Commissioner Trowbridge asked what the land to the East of the SFE-  
196 2.0 was. Mr. Miller stated that was Phase II of the Somerset Park subdivision.

197  
198 Commissioner Trowbridge asked concerning a manmade dam that is holding water north of the  
199 site and general discussion took place with reference to that question.

200  
201 Commissioner Logan asked if they are re-aligning FM549 to line up with 549 on the southwest  
202 side of SH-205. Mr. Brooks stated that was correct. Commissioner Logan asked if the old  
203 intersection would be abandoned, Mr. Brooks stated it would not be abandoned because there  
204 are currently homes along the road.

205  
206 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come  
207 forward and do so, there being no one indicating such Chairman Lyons closed the public  
208 hearing and brought the item back before the Commission for discussion or a motion.

209  
210 Chairman Lyons made a motion to approve Z2017-012 with staff recommendations.  
211 Commissioner Chodun seconded the motion which passed by a vote of 5-0, with Commissioner  
212 Moeller absent and one vacant seat.

213  
214 IV. DISCUSSION ITEMS

215  
216 6. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- 217  
218 ✓ P2017-008: Lots 1 & 2, Block A, Wilck Addition [Approved]  
219 ✓ P2017-012: Lots 1-4, Block A, Lakeshore Commons Addition [Approved]  
220 ✓ P2017-013: Lot 1, Block A, Rockwall-CCA Addition [Approved]  
221 ✓ Z2017-005: Amendment to PD-50 (1<sup>st</sup> Reading) [Approved]  
222 ✓ Z2017-006: SUP for 506 N. Goliad Street (1<sup>st</sup> Reading) [Approved]  
223 ✓ Z2017-007: Zoning Change for the Gideon Property (AG to PD) (1<sup>st</sup> Reading) [Approved]  
224 ✓ Z2017-008: SUP for 2260 E. IH-30 (1<sup>st</sup> Reading) [Approved]  
225

226 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
227 referenced case at the City Council meeting. Mr. Miller noted there was a typo on the agenda  
228 pertaining to the Gideon Property (Z2017-007) that agenda item was tabled by the City Council in  
229 order to give the applicant time to address Council's comments and that item is scheduled to  
230 come back to Council at the April 17<sup>th</sup> meeting. Mr. Miller also advised the Commission that there  
231 would be an Open House meeting for the work that has been done with the IH-30 Corridor study  
232 and welcomed the Commission to attend.

233  
234  
235 V. ADJOURNMENT

236  
237 Chairman Lyons adjourned the meeting at 6:33 p.m.

238  
239  
240 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
241 ROCKWALL, Texas, this 20 day of April, 2017.

242  
243  
244   
245 \_\_\_\_\_  
246 Johnny Lyons, Chairman

247 Attest.

248   
249 \_\_\_\_\_  
250 Laura Morales, Planning Coordinator  
251

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**April 25, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Eric Chodun, and Annie Fishman. Absent were Commissioner Mark Moeller, Tracey Logan and one vacant seat. Staff members present were Planning Director, Ryan Miller, Senior Planner David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, and Assistant Engineer Amy Williams.

II. CONSENT AGENDA

1. Approval of Minutes for the April 11, 2017 Planning and Zoning Commission meeting.

2. P2017-019

Discuss and consider a request by Drew Cunningham of Mountainprize, Inc. for the approval of a replat for Lots 3 & 4, Block A, Woods at Rockwall Addition being a 4.47-acre tract of land currently identified as Lots 1R & 2R, Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and take any action necessary.

3. P2017-024

Discuss and consider a request by Greg T. Helsel of Spiars Engineering on behalf of Will Shaddock of Master Developers – SNB, LLC for the approval of a replat for Lots 26 & 27, Block E, The Preserve, Phase 1 Addition, being a 0.736-acre tract of land currently identified as Lots 20 & 21, Block E, The Preserve, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41), located northwest of the terminus of Wildwood Lane and Cooper Court, and take any action necessary.

4. SP2017-015

Discuss and consider a request by Susan Gamez for the approval of a site plan for a *Massage Therapist [Everybody Massage]* on a 0.478-acre tract of land identified as Tract 7 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District, situated within the Scenic Overlay (SOV) District, addressed as 2001 Ridge Road, and take any action necessary.

**Commissioner Fishman made a motion to approve the consent agenda. Commissioner Chodun seconded the motion, which passed by a vote of 4-0, with Commissioners Moeller and Logan absent and one vacant seat.**

III. APPOINTMENTS

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

**Architectural Review Board representative, Phillip Cradock, gave a brief explanation of agenda items that were discussed at the ARB meeting.**

IV. PUBLIC HEARING

6. Z2017-009

Hold a public hearing to discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Randall Noe of Rockwall Rental Properties, LP for the approval of a Specific Use Permit (SUP) for a *Motor Vehicle Dealership, New (Cars and Light Trucks)* in a Light Industrial (LI) District for a 4.86-acre tract of land identified as Tract 5 of the N. M. Ballard Survey, Abstract No. 99, City of Rockwall,



64 Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV)  
65 District, addressed as 1415 & 1501 E. IH-30, and take any action necessary.

66  
67 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
68 is requesting a Specific Use Permit to allow for a new car dealership. The original public hearing  
69 for this case was postponed to allow the applicant to work thru some additional details with the  
70 site. At the March 20<sup>th</sup> Work Session the applicant had submitted conceptually the use of a  
71 parking garage that would be located west of the building and would have been over the general  
72 vicinity of the floodplain area. The applicant has since submitted not only the conceptual plan of  
73 where the building footprint will be, but also the parking layout which will include a parking deck  
74 that will go over the floodplain area. Mr. Gonzales provided aerial pictures of where the flood  
75 area is and what the applicant is trying to alleviate and use with the property in a manner that  
76 will be consistent with the concept plan they provided. It is a proposed Subaru dealership and  
77 Mr. Gonzales also provided elevations that are just conceptual but added that if it is approved it  
78 would go before the Architectural Review Board for their recommendations. Mr. Gonzales further  
79 stated that staff mailed out 28 notices concerning the Public Hearing and did receive 3 notices  
80 back that were in favor of the request.

81  
82 Mr. Gonzales went on to state that the applicants were present and were available for questions  
83 as well as staff.

84  
85 Chairman Lyons asked the Commission for any questions for staff.

86  
87 Commissioner Trowbridge asked how many car dealerships are currently in Rockwall. Mr. Miller  
88 stated that currently there are eight car dealerships with an SUP that is currently unutilized that  
89 would allow a ninth. Mr. Trowbridge asked if a Special Use Permit is required with any car  
90 dealership. Mr. Gonzales stated that it is and the SUP is specific to a new car dealership,  
91 however there could be an ancillary use for used car sales.

92  
93 Chairman Lyons opened up the public hearing and asked the applicant to come forward and  
94 speak.

95  
96 Chris Cunny  
97 2 Horizon Court  
98 Heath, TX  
99

100 Mr. Cunny came forward and stated that at the work session it was discussed how the parking  
101 garage that they were proposing had lot of challenges due to it being in the flood plain. After  
102 hearing the Commission's concerns at the work session they are currently proposing a parking  
103 deck that will be over the floodplain which will basically be a one level parking structure that will  
104 be elevated to where the lowest component of the parking structure would be two feet above the  
105 100 year floodplain which is required by City ordinance. There will be no building structure but  
106 will be a large parking structure that carries an enormous cost to do it but based on the land  
107 value the property owner who is willing to invest that money. Mr. Cunny went on to state that  
108 that is significant when looking at the proposed project versus other projects along IH-30 and  
109 they feel this is probably the only way to use all the acreage and they don't feel any other retail  
110 project would be willing to invest the kind of money it takes to make use of the land. Mr. Cunny  
111 went on to state that what they are proposing is going to be a first class facility and will employ  
112 between 120-150 employees bringing new jobs to Rockwall and the sales tax revenue on a  
113 facility of the size they're proposing, will generate nearly one million dollars a year in taxable  
114 services that is based on parts and services that take place within the dealership.

115  
116 Mr. Cunny thanked the Commission for their consideration of the request and stated he was  
117 available for questions.

118  
119 Chairman Lyons asked the Commission for questions for the applicant.

120  
121 Commissioner Chodun asked where the showroom would with the new proposal as opposed to  
122 the previous concept plan they submitted. Mr. Cunny provided a picture and stated the  
123 showroom will be on firm ground will not be elevated.

124  
125 Commissioner Fishman asked if a flood study has been performed. Mr. Cunny stated that they  
126 have done a preliminary flood study and will turn that in during the engineering process.

127 Commissioner Trowbridge asked concerning the taxable revenue that would be generated. Mr.  
128 Cunny stated the amount would be around \$1 million and that would be for parts and service  
129 and that would be generated per year.  
130

131 Chairman Lyons asked engineering staff if there would be any consequence by building within  
132 the floodplain. Assistant City Engineer, Amy Williams, stated that they will be two feet above the  
133 floodplain elevation therefore the only thing that they will have to study and mitigate for will be  
134 for the columns that will hold it up. They will have to prove that no flood increase or runoff at the  
135 properties to the north, south and west. Mr. Cunny added that before they came forward with  
136 this new proposal they made an appointment to meet with the Engineering department and met  
137 with Ms. Williams to get feedback and essentially what it comes down to is something can be  
138 built over the floodplain, but not on it.  
139

140 Chairman Lyons asked anyone who wished to speak to come forward and do so, there not being  
141 anyone indicating such; Chairman Lyons closed the public hearing and brought the item back to  
142 the Commission for discussion or for action.  
143

144 Commissioner Trowbridge noted that in 2016 the Planning and Zoning Commission voted  
145 against a Used Car Dealership and there was a lot of discussion at that time of whether or not as  
146 a City want to be the destination of all car dealerships with there currently already having eight  
147 car dealerships. He added that the IH-30 corridor is the economic coastline of Rockwall and it is  
148 quickly filling up and expressed concern with filling up what is left with something that only has  
149 a million dollars of taxable income for such a large property. Commissioner Trowbridge went on  
150 to add that although it is a creative idea, the concern continues to be if it is the best use for what  
151 little land is left within the IH-30 Corridor.  
152

153 After the public hearing was closed Mr. Randall Noe asked to speak and was allowed by  
154 Chairman Lyons to come forward. Mr. Noe shared general comments concerning his property  
155 and his desire for the approval of the request.  
156

157 Commissioner Chodun asked staff what percentage of the property is in the floodplain. Mr.  
158 Gonzales stated that the applicant indicated that it was 54 percent roughly which leaves 46  
159 percent that is not within the floodplain. Commissioner Chodun asked if the boundary of the  
160 floodplain changed at all in past years. Mr. Gonzales stated the last flood study that was done  
161 was done in 2007 and that has not changed.  
162

163 General discussion took place between the Commissioners as to what the best use would be for  
164 the property considering the amount of land within the floodplain and the capacity of other  
165 developers being able to work with the topography issues it presents as well as the tax revenue  
166 the proposed project would bring as opposed to a retail project.  
167

168 Chairman Lyons made a motion to approve Z2017-009 with staff recommendations.  
169 Commissioner Chodun seconded the motion which passed by a vote of 3-1, with Commissioner  
170 Trowbridge dissenting, Commissioners Moeller and Logan absent and one vacant seat.  
171

## 172 173 V. DISCUSSION ITEMS 174

### 175 7. Z2017-013

176 Hold a public hearing to discuss and consider a request by Andrew Spearman for the approval of a  
177 Specific Use Permit (SUP) to allow for an accessory building that does not meet the minimum  
178 requirements as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code for a  
179 3.128-acre tract of land identified as Tract 25 of the E. M. Elliott Survey, Abstract No. 77, City of  
180 Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, situated within  
181 the FM-549 Overlay (FM-549 OV) District, addressed as 2180 Airport Road, and take any action  
182 necessary.  
183

184 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
185 requesting an SUP for the construction of a metal building. FM-549 is expanding and TXDOT will  
186 be taking some land and the existing pole barn is located on the site and he will have to  
187 demolish that existing pole barn and in order to rebuild he is required to have a Specific Use  
188 Permit.  
189

190 Mr. Brooks advised the Commission that the applicant was present and was he as well as staff  
191 were available for questions.  
192  
193 Chairman Lyons asked the Commission for questions for staff.  
194  
195 Commissioner Chodun asked what the pole barn currently looks like and what material it is  
196 made of. Mr. Brooks stated that the applicant may better answer that question.  
197  
198 Chairman Lyons asked the applicant to come forward.  
199  
200 Andrew Spearman  
201 2180 Airport Road  
202 Rockwall, TX  
203  
204 Mr. Spearman came forward and stated the pole barn is metal with wood poles and was built  
205 sometime in the late 1940's. Mr. Spearman added it will simply be a barn for his kids to work  
206 their show animals.  
207  
208 There being no further questions Chairman Lyons indicated the case will return to the  
209 Commission for action at the next scheduled meeting.  
210  
211  
212 8. Z2017-014  
213 Hold a public hearing to discuss and consider a request by Dr. Josh Cope of Premiere Vet Care Animal  
214 Clinic on behalf of David Falls for the approval of a Specific Use Permit (SUP) for an *Animal Clinic for*  
215 *Small Animals* in Planned Development District 50 (PD-50) for a one (1) acre parcel of land identified as  
216 Block 26 of the Gardner Addition, City of Rockwall, Rockwall County, Texas, zoned Planned  
217 Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North  
218 Goliad Corridor Overlay (NGC OV) District, addressed as 901 N. Goliad Street [SH-205], and take any  
219 action necessary.  
220  
221 Planning Director, Ryan Miller, stated that the applicants were present and would be presenting  
222 and added that that the Amendment to Planned Development 50 was recently approved by the  
223 City Council which allows for this use by Specific Use Permit.  
224  
225  
226 Chairman Lyons asked the applicant to come forward and speak.  
227  
228 Josh Cope  
229 513 Merritt Road  
230 Sunnyvale, TX  
231  
232 Mr. Cope came forward and stated that in order for them to get the loan for the Veterinary Clinic  
233 they are required to do demographic studies, and within that study it was found that Rockwall  
234 can use twenty six more veterinary clinics with its current population. They feel they will not be  
235 saturating the market and will be a good fit in this area and they plan on following all the  
236 requirements the City asks for.  
237  
238 Mr. Miller further added that at this point with the Specific Use process, and will at this point be  
239 setting up regulations for the Specific Use and staff included a draft ordinance in the  
240 Commissions packet that outlines the specific operational restraints of the request and in  
241 addition if the request is approved it will have to go through site plan. As part of the site plan  
242 process the Historic Preservation Advisory Board will make recommendations as well as the  
243 Architectural Review Board.  
244  
245 Commissioner Fishman asked if this SUP would be approved would it be subject to the new  
246 guidelines that were recently approved for Specific Use Permits that dictates that construction  
247 begin within the first year of approval. Mr. Miller stated that was correct.  
248  
249 There being no further questions Chairman Lyons indicated the case will return to the  
250 Commission for action at the next scheduled meeting.  
251  
252

253 9. Z2017-015  
254 Hold a public hearing to discuss and consider a request by Matt King on behalf of Archie Underwood for  
255 the approval of a Specific Use Permit (SUP) for a *Hotel* in a Commercial (C) District for a 1.345-acre  
256 parcel of land identified as Lakeside Batting Park Addition, City of Rockwall, Rockwall County, Texas,  
257 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 801B  
258 E. IH-30, and take any action necessary.

259  
260 **Senior Planner, David Gonzales, stated the applicant was present and would be providing a**  
261 **power point detailing the request.**

262  
263 **Chairman Lyons asked the applicant to come forward and speak.**

264  
265 **Matt King**  
266 **Matt King Architecture**  
267 **(No address given)**

268  
269 **Mr. King came forward and stated he is the architect working with Motel 6 and he gave a brief**  
270 **explanation of the request with a power point presentation which explained the hotel will be 75**  
271 **rooms and three stories high and also showed pictures of what the prototype will look like. He**  
272 **spoke of the request not being the traditional Motel 6 that has been seen in past years, but it is a**  
273 **more contemporary look and brand.**

274  
275 **Commissioner Fishman asked if this contemporary prototype is consistent with what is being**  
276 **built with the new Motel 6. Mr. King stated it is, but they would be meeting with the Architectural**  
277 **Review Board if approved to ensure they follow all the requirements the City requires.**

278  
279 **Chairman Lyons asked what surrounded uses surround the subject property. Mr. Gonzales**  
280 **stated that to the east of the property is Koll's, to the west is Home Depot shopping center.**

281  
282 **There being no further questions Chairman Lyons indicated the case will return to the**  
283 **Commission for action at the next scheduled meeting.**

284  
285  
286 10. Z2017-016  
287 Hold a public hearing to discuss and consider a request by Dan Claassen of Business Parks of America  
288 II, LLC on behalf of the owner Randall Noe of Rockwall Rental Properties, LP for the approval of a  
289 zoning change from a Commercial (C) District to a Light Industrial (LI) District for 3.287-acre tract of land  
290 identified as Tract 3-01 [2.182-acres] & Tract 3-2 [1.087-acres] of the J. Lockhart Survey, Abstract No.  
291 134, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30  
292 Overlay (IH-30 OV) District, located at the northwest corner of the intersection of Enterprise Drive and  
293 the IH-30 Frontage Road, and take any action necessary.

294  
295 **Senior Planner, David Gonzales, stated the applicant was present to give explanation of the**  
296 **request and added that it is a Commercial zoned property and the request is to change it to a**  
297 **Light Industrial District.**

298  
299 **Mr. Gonzales advised the Commission the applicant was present and available for questions.**

300  
301 **Chairman Lyons asked the applicant to come forward.**

302  
303 **Dan Claassen**  
304 **Business Parks of America**  
305 **(No address given)**

306  
307 **Mr. Claassen came forward and stated that he is proposing to build an approximately 55,000**  
308 **square foot high end, mixed use, flex space type of facility that complies with the Overlay**  
309 **District requirements. The purpose for the request is they are looking to attract businesses as**  
310 **tenants that care about what the facility looks like and where it is located. Mr. Claassen went on**  
311 **to explain that the reason for the zoning change request is because the potential tenants they**  
312 **are looking to attract to the facility would not be allowed within the Commercial District because**  
313 **such uses as repair/assembly, print shop, gun smith, distribution type uses are not allowed. Mr.**  
314 **Claassen further noted that the subject property is adjacent to Light Industrial and they will be**  
315 **improving Enterprise Drive as part of the property and he feels that will create a natural barrier.**

316 Chairman Lyons asked the Commission for questions for staff or the applicant.  
317

318 Commissioner Chodun asked staff what is located to the west of the subject property. Mr.  
319 Gonzales stated that there are existing metal buildings that have been existing for some time  
320 and are zoned Light Industrial.  
321

322 General discussion took place concerning the zoning and designation of the subject property  
323 and the properties adjacent and what the Future Land Use Map and the Comprehensive Plan  
324 calls for and how the request would tie in.  
325

326 There being no further questions Chairman Lyons indicated the case will return to the  
327 Commission for action at the next scheduled meeting.  
328

329  
330 11. Z2017-017

331 Hold a public hearing to discuss and consider the *Revocation of Ordinance No. 15-05 (i.e. SUP No. S-*  
332 *131)* under Section 4.4 of Article IV, *Permissible Uses*, of the Unified Development Code for failing to  
333 meet the terms of *S-131*, which would have allowed outside storage and a new motor vehicle dealership  
334 on a ten (10) acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract  
335 No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned  
336 Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as  
337 1530 E. IH-30, and take any action necessary.  
338

339 Planning Director, Ryan Miller, gave a brief explanation of the request stating that on March 2,  
340 2015 the City Council approved an SUP ordinance that allowed outside storage and/or a New  
341 Motor Vehicle Dealership on the property. Previously the property was being used for outside  
342 storage in conjunction with the adjacent Hyundai dealership and it was simply an outside  
343 storage lot and no sales were allowed on the site. When the applicant came back, they requested  
344 that they be permitted to continue the outside storage use with the possibility of eventually  
345 converting the property into a new motor vehicle dealership. As part of that plan, they proposed  
346 a phasing plan for improvements that outlined a three year period which was the duration of the  
347 approved SUP; however there was a requirement that they generally conform to the established  
348 time lines in the SUP. Mr. Miller went on to explain that currently the property is considered to be  
349 out of conformance with that timeline in that the paving improvements have not been provided.  
350 Staff briefed the City Council of the current state of the SUP on April 17' 2017 and was directed to  
351 bring a revocation case forward, which does not mean that the SUP is necessarily being revoked  
352 however that is what is being decided by the case itself. There will be two public hearings held  
353 both at Planning and Zoning and City Council levels and the applicant will be able to speak at  
354 those public hearings.  
355

356 Chairman Lyons asked if there were any questions from the Commission for staff.  
357

358 Commissioner Trowbridge asked if this revocation was a result of the recent change that was  
359 done to the Specific Use Permits language. Mr. Miller stated it was not tied to the one year  
360 revocation language.  
361

362 Commissioner Chodun asked for clarification of the reason behind the revocation. Mr. Miller  
363 explained that they have not been in compliance to the requirement that they generally follow  
364 the timelines established in the applicant's letter. Commissioner Chodun asked what would the  
365 next step be should it be revoked. Mr. Miller stated if it were to be revoked the applicant would  
366 have the ability to come back and request a Specific Use Permit for the outside storage, the new  
367 motor vehicle dealership or both.  
368

369 There being no further questions Chairman Lyons indicated the case will return to the  
370 Commission for action at the next scheduled meeting.  
371

372  
373 12. Z2017-018

374 Hold a public hearing to discuss and consider a request by Cesar Sagovia of Rogue Architects on  
375 behalf of Starbucks Coffee Company for the approval of a Specific Use Permit (SUP) amending  
376 *Ordinance No. 12-29 (S-099)* to allow for an expansion to the existing restaurant on a 0.182-acre  
377 portion of a larger 25.927-acre parcel of land identified as Lot 6, Block A, Wal-Mart Supercenter

378 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District and within the IH-30  
379 (IH-30 OV) Overlay District, addressed as 778 E. IH-30, and take any action necessary.  
380

381 **Planner, Corey Brooks, gave a brief explanation of the request stating that the request is for an**  
382 **already existing Starbucks that currently has an SUP because in a Commercial District any**  
383 **restaurant that is 2,000 square feet or less with a drive thru it requires a Specific Use Permit. At**  
384 **the time the SUP was approved it limited the size of the restaurant to be no greater than 550**  
385 **square feet and the Starbucks is approximately 532 square feet. The applicant is proposing to**  
386 **amend the current SUP because they are looking to expand the restaurant to add a freezer**  
387 **increasing the size to 720 square feet.**  
388

389 **Chairman Lyons asked the applicant to come forward.**  
390

391 **Leslie Ford**  
392 **513 Main Street**  
393 **Fort Worth, TX**  
394

395 **The applicant came forward and stated the original restaurant was a Seattle's Best Coffee which**  
396 **is smaller than the Starbucks; they are requesting the SUP to allow the addition of the freezer.**  
397

398 **Commissioner Chodun asked if it is a ground lease and did Walmart approve the expansion. Mr.**  
399 **Miller stated that they have received approval by Walmart for the ground lease.**  
400

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

404  
405 13. P2017-017

406 **Discuss and consider a request by Jason Lentz of Atticus Harbor Village for the approval of a replat for**  
407 **Lot 1, Block A and Lot 1, Block B, Harbor Village Addition being a 6.904-acre tract of land identified as**  
408 **Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned**  
409 **Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located adjacent to**  
410 **Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive,**  
411 **and take any action necessary.**  
412

413 **Senior Planner, David Gonzales, gave a brief explanation of the request stating that this property**  
414 **is one that was brought forward late last year that was site planned for townhomes and condos**  
415 **and are now moving to the next phase after having had their engineering done which is the final**  
416 **plat. Staff has sent them comments on technical requirements that have to be met. Also, the tree**  
417 **mitigation balance will need to be satisfied at the time of building permit release as well as Park**  
418 **Board fees that will be due once the plat has been approved.**  
419

420 **Mr. Gonzales stated a representative was present and was available for questions and staff was**  
421 **also available for any questions.**  
422

423 **Chairman Lyons asked the Commission for questions for staff.**  
424

425 **Chairman Lyons asked how many trees they were looking to remove. Mr. Gonzales stated they**  
426 **had 2,529 caliper inches total for the site that will need to be satisfied.**  
427

428 **Chairman Lyons asked the applicant to come forward.**  
429

430 **Bryan Abbott**  
431 **HP Civil Engineering**  
432 **(No address given)**  
433

434 **Mr. Abbott came forward and stated there are approximately 500 trees and what they are**  
435 **currently working on is the Condos on the northwest corner and those trees will be removed**  
436 **with the roadway and the future development to the southeast corner will be done at a later date.**  
437

438 **There being no further questions Chairman Lyons indicated the case will return to the**  
439 **Commission for action at the next scheduled meeting.**  
440

441 14. P2017-020  
442 Discuss and consider a request by William and Sandie Wood for the approval of a final plat of Lot 1,  
443 Block A, Wood Estates Addition being a 3.58-acre tract of land identified as Tract 60-01 of the R.  
444 Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-  
445 7) District, generally located east of the intersection of S. Clark Street and Washington Street, and take  
446 any action necessary.

447  
448 **Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is**  
449 **looking to final plat the subject property for the purposes of constructing a single family home.**  
450 **The plat is coming before the Commission because it will need to go to the Park Board on May**  
451 **10<sup>th</sup> to have park fees established and will come back on the consent agenda at the next**  
452 **scheduled meeting. The plat meets all the technical requirements according to the Unified**  
453 **Development Code.**

454  
455 **Mr. Brooks added that the applicant was present and was available for questions as well as staff.**

456  
457 **Chairman Lyons asked the Commission for any questions for staff.**

458  
459 **Commissioner Trowbridge asked what would be getting approved at the Park Board. Mr. Brooks**  
460 **stated it would be park fees which would be cash in lieu of land and pro-rata equipment fees.**

461  
462 **Commissioner Trowbridge asked if what was being built was a single-family home. Mr. Brooks**  
463 **stated the applicant was present and could answer further on that.**

464  
465 **Chairman Lyons asked the applicant to come forward.**

466  
467 **Sandy Wood**  
468 **(No address given)**

469  
470  
471 **Ms. Woods came forward and stated they have been working on cleaning up the property and**  
472 **plan on building a one story home. Ms. Woods went on to add that she has a special needs son**  
473 **and they are working to have a program that would allow other special needs kids to have a safe**  
474 **area to gather.**

475  
476 **Commissioner Trowbridge asked if they will feed off of Nash or off of Washington. Ms. Woods**  
477 **stated it will be through Nash Street.**

478  
479 **There being no further questions Chairman Lyons indicated the case will return to the**  
480 **Commission for action at the next scheduled meeting.**

481  
482  
483 15. P2017-021  
484 Discuss and consider a request by Cameron Slown of F. C. Cuny Corporation on behalf of Robert S.  
485 Whittle for the approval of a preliminary plat for the Highlands Subdivision containing 53 single-family  
486 residential lots on a 13.376-acre tract of land identified as Tract 2 of the M. B. Jones Survey, Abstract  
487 No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for  
488 Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV)  
489 District, located at the northwest corner of the intersection of SH-66 and FM-1141, and take any action  
490 necessary.

491  
492 **Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant**  
493 **is requesting to preliminary plat the tract of land which was a PD that was established back in**  
494 **1973 and calls out for a zero lot line development and the applicant plans on building 53 single-**  
495 **family homes. The property has some topography issues with a floodplain that runs through it.**  
496 **They are in Park District 9 and will have to go before the Park Board May 10<sup>th</sup> to establish Park**  
497 **fees, pro-rata equipment fees and cash in lieu of land and the item will be on the consent agenda**  
498 **at the next scheduled meeting.**

499  
500 **Chairman Lyons asked the Commission for questions for staff.**

501  
502 **There being no questions Chairman Lyons indicated the case will return to the Commission for**  
503 **action at the next scheduled meeting.**

504 16. P2017-022  
505 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of  
506 BH Phase VI SF, LTD. for the approval of a final plat for Breezy Hill, Phase VI containing 79 single-  
507 family residential lots on a 32.022-acre portion of a larger 61.528-acre tract of land identified as Tract 7  
508 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned  
509 Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, generally located  
510 northeast of the intersection of N. John King Boulevard and Life Springs Drive, and take any action  
511 necessary.  
512

513 **Planner, Korey Brooks, gave a brief explanation of the request stating that the request for final**  
514 **plat is for the Phase VI of the Breezy Hill subdivision. The plat meets the technical requirements**  
515 **of the UDC and is coming before the Commission because it will go before the Park Board to**  
516 **establish pro-rata equipment fees, cash in lieu of land fees, and will come back on the Consent**  
517 **Agenda at the next scheduled meeting.**  
518

519 **Chairman Lyons asked the Commission for any questions for staff.**  
520

521 **Commissioner Fishman asked how many phases the Breezy Hill development will be. Mr. Brooks**  
522 **stated he believes it is ten phases. Mr. Miller added that it should be taken into account that they**  
523 **have broken up several phases up for example Phase 9 has two phases, which makes it**  
524 **currently up to about 12 phases currently.**  
525

526 **Commissioner Trowbridge asked concerning the continued development of single-family homes**  
527 **along John King has there been any discussion with Council on a moratorium or any sort of**  
528 **thing that will be happening would this be affected with any potential moratorium for single-**  
529 **family approvals going forward. Mr. Miller stated that if the City Council chooses to evoke a**  
530 **moratorium it would only affect new development. Developments with existing zoning in place**  
531 **that are in the Phases such as Breezy Hill and Stone Creek would not be affected by a**  
532 **moratorium.**  
533

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

538 17. P2017-023  
539 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of  
540 Stone Creek Phase 8, LTD. for the approval of a final plat for Stone Creek, Phase VIII containing 102  
541 single-family residential lots on a 28.655-acre tract of land identified as Tract 3 of the S. King Survey,  
542 Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70  
543 (PD-70) for Single Family-10 (SF-10) District land uses, generally located at the northwest corner of the  
544 intersection of Hay Road and E. Quail Run Road, and take any action necessary.  
545

546 **Senior Planner, David Gonzales, gave a brief explanation of the request stating that the request**  
547 **is for Phase 8 and what the applicant is proposing 102 single-family residential homes. The**  
548 **applicant will go before the Park Board on May 10<sup>th</sup> to have park fees and establish pro-rata**  
549 **equipment fees, cash in lieu of land fees. Mr. Gonzales added that staff provided technical**  
550 **requirements to the applicant and those comments were received back and therefore the item**  
551 **will be on the Consent Agenda at the next scheduled meeting.**  
552

553 **Chairman Lyons asked the Commission for questions for staff.**  
554

555 **There being no questions Chairman Lyons indicated the case will return to the Commission for**  
556 **action at the next scheduled meeting.**  
557  
558

559 18. SP2017-012  
560 Discuss and consider a request by Curtis Behrens of Greenberg Farrow on behalf of Doug Druen of  
561 Texas Roadhouse Holdings, LLC for the approval of a site plan for a restaurant [*Texas Roadhouse*] on  
562 a 2.07-acre portion of a larger 8.613-acre tract of land identified as Tract 4 of the J. D. McFarland  
563 Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, IH-  
564 30 Overlay (IH-30 OV) District, generally located east of the intersection of Greencrest Boulevard and  
565 the IH-30 Frontage Road, and take any action necessary.  
566



567 Senior Planner, David Gonzales, gave a brief explanation of the request stating that applicant  
568 has submitted a site plan and are currently working on some technical comments staff provided  
569 and are also working with the Architectural Review Board with requirements they have to meet  
570 with the cultured stone requirements that are outlined within the IH-30 Overlay District. The  
571 applicant is also seeking a variance for the corporate identity.  
572

573 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
574 well as staff.  
575

576 Chairman Lyons asked the applicant to come forward.  
577

578 Paula Hubert  
579

580  
581 Ms. Hubert came forward and stated she is the Senior Development Coordinator with Greenberg  
582 Farrow and is present on behalf of her client Texas Roadhouse. Ms. Hubert provided a power  
583 point presentation that gave a brief summary of the scope of work and perimeters of the project  
584 and also provided a material sample. Ms. Hubert went on to discuss the building elevations and  
585 noted they had a great discussion with ARB and they will take their comments and address  
586 those. They are proposing to use a synthetic stone material that is fabricated utilizing a true  
587 stone material therefore it will mimic true stone. Ms. Hubert added she was available for any  
588 questions from the Commission.  
589

590 Chairman Lyons asked concerning the question the ARB had concerning the stone, he feels  
591 there needs to be better quality on the stone. Ms. Hubert stated the concern ARB had was how  
592 long the material would last, longevity of the material and questions along that nature.  
593

594 Mr. Gonzales added that because the subject property falls within the IH-30 Overlay District it  
595 requires a natural stone product and in this case the applicant would like to apply a cultured  
596 stone and thru changes made to the ordinances in the Overlay Districts to allow for cultured  
597 stone where the Planning and Zoning Commission could approve a request as long as it meets  
598 certain criteria.  
599

600 Commissioner Trowbridge asked staff if the item would come back as a consent agenda or a  
601 public hearing. Mr. Gonzales stated it would be coming back as a site plan because it is a  
602 permitted use by right and therefore does not need a Specific Use Permit.  
603

604 Commissioner Trowbridge asked concerning the retention pond and concerning the retention of  
605 water with the current and undeveloped surrounding development. Assistant City Engineer,  
606 Amy Williams, stated that that pond is not to be used for detention they have to do onsite  
607 detention. General discussion followed concerning the detention and how that will be handled  
608 and how the applicant plans to go about that issue.  
609

610 There being no further questions Chairman Lyons indicated the case will return to the  
611 Commission for action at the next scheduled meeting.  
612  
613

614 19. SP2017-014

615 Discuss and consider a request by Kevin Patel, P. E. on behalf of William Shaddock of Master  
616 Developers-SNB, LLC for the approval of an amended site plan for a daycare facility on a 2.960-acre  
617 tract of land identified as Lot 1, Block S, Preserve, Phase 3 Addition and Tract 12 [1.4376-acres], A.  
618 Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Planned  
619 Development District 41 (PD-41) and Single Family 10 (SF-10) District, addressed as 1450 East Fork  
620 Drive, and take any action necessary.  
621

622 Planner Korey Brooks, gave a brief explanation of the request stating that this request for the  
623 daycare came before the Planning and Zoning Commission a few months back and was  
624 approved with certain elevations. Since then the applicant has made some revisions to the  
625 elevations and therefore are required to amend the site plan. Mr. Brooks provided the  
626 Commission the new elevations for their review and stated that the item went before the ARB  
627 earlier in the evening and they made a recommendation of the elevations as submitted.  
628 He added that the applicant was present and could give further detail as to the reason for the  
629 change.

630 Chairman Lyons asked the applicant to come forward.

631  
632 Doug Galloway  
633 3508 Edgewater  
634 Dallas, TX  
635

636 Mr. Galloway came forward and stated that when they originally had the site plan they were  
637 going to have underground and above ground detention but once they started the engineering  
638 process and realized they would not be able to get into one of the inlets that they thought they  
639 would be able to get into, at that point it became a financial issue to move forward as originally  
640 submitted. They have since gone back and pushed it in deeper into the property and were able  
641 to figure out the water line making an easier detention pond and numerous retaining walls.  
642 He further stated that they basically just tweaked the elevations to fit the corner of the property  
643 but in essence it is the same structure, material, same everything that was originally approved.  
644

645 Mr. Brooks added that in regards to the parking lot the applicant is required to screen headlights  
646 from any residential properties and the applicant will address that in the landscape plan.  
647

648 Chairman Lyons asked for questions from the Commission.  
649

650 There being no questions Chairman Lyons indicated the case will return to the Commission for  
651 action at the next scheduled meeting.  
652

653 20. Director's Report of post Council meeting outcomes of Planning & Zoning cases.  
654

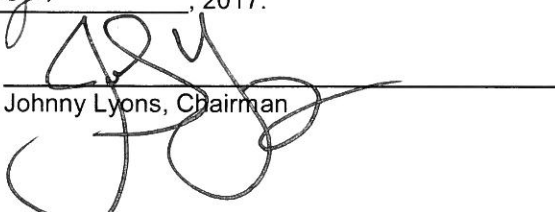
- 655 ✓ Z2017-005: Amendment to Planned Development District 50 (PD-50) (2<sup>nd</sup> Reading) [Approved]
- 656 ✓ Z2017-006: SUP for 506 N. Goliad Street (2<sup>nd</sup> Reading) [Approved]
- 657 ✓ Z2017-007: Zoning Change for Gideon Tract II (AG to PD) (1<sup>st</sup> Reading) [Approved]
- 658 ✓ Z2017-008: SUP for 2260 E. IH-30 (2<sup>nd</sup> Reading) [Approved]
- 659 ✓ Z2017-009: SUP for 1501 E. IH-30 [Postponed]
- 660 ✓ Z2017-010: Amendment to Planned Development District 32 (PD-32) (1<sup>st</sup> Reading) [Approved]
- 661 ✓ Z2017-011: Amendment to Section 4.8, Downtown District Art. V; UDC (1<sup>st</sup> Reading) [Approved]
- 662 ✓ Z2017-012: Zoning Change for 3401 S. FM-549 (AG to SFE-2.0) (1<sup>st</sup> Reading) [Approved]
- 663
- 664
- 665

666 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
667 referenced case at the City Council meeting. No discussion took place concerning this agenda  
668 item.  
669

670  
671  
672 VI. ADJOURNMENT  
673

674 Chairman Lyons adjourned the meeting at 7:45 p.m.  
675

676  
677  
678 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
679 ROCKWALL, Texas, this 9 day of May, 2017.

680  
681  
682   
683 \_\_\_\_\_  
684 Johnny Lyons, Chairman

684 Attest:

685   
686 \_\_\_\_\_  
687 Laura Morales, Planning Coordinator  
688  
689

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**May 9, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Tracey Logan, Eric Chodun, Annie Fishman, Mark Moeller and one vacant seat. Staff members present were Planning Director, Ryan Miller, Senior Planner David Gonzales, Planner, Korey Brooks, and Assistant Engineer Amy Williams.

II. CONSENT AGENDA

1. Approval of Minutes for the *April 25, 2017* Planning and Zoning Commission meeting.

2. P2017-017

Consider a request by Jason Lentz of Atticus Harbor Village for the approval of a replat for Lot 1, Block A and Lot 1, Block B, Harbor Village Addition being a 6.904-acre tract of land identified as Lots 3A, 4A & 5A, Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located adjacent to Summer Lee Drive southwest of the intersection of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.

3. P2017-020

Consider a request by William and Sandie Wood for the approval of a final plat of Lot 1, Block A, Wood Estates Addition being a 3.58-acre tract of land identified as Tract 60-01 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, generally located east of the intersection of S. Clark Street and Washington Street, and take any action necessary.

4. P2017-021

Consider a request by Cameron Slown of F. C. Cuny Corporation on behalf of Robert S. Whittle for the approval of a preliminary plat for the Highlands Subdivision containing 53 single-family residential lots on a 13.376-acre tract of land identified as Tract 2 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the northwest corner of the intersection of SH-66 and FM-1141, and take any action necessary.

5. P2017-022

Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase VI SF, LTD. for the approval of a final plat for Breezy Hill, Phase VI containing 79 single-family residential lots on a 32.022-acre portion of a larger 61.528-acre tract of land identified as Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, generally located northeast of the intersection of N. John King Boulevard and Life Springs Drive, and take any action necessary.

6. P2017-023

Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of Stone Creek Phase 8, LTD. for the approval of a final plat for Stone Creek, Phase VIII containing 102 single-family residential lots on a 28.655-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single Family-10 (SF-10) District land uses, generally located at the northwest corner of the intersection of Hay Road and E. Quail Run Road, and take any action necessary.

7. MIS2017-005

Consider a request by Maria Bonilla of Winkleman & Associates on behalf of Jim Ziegler of PegasusAblon for the approval of an amended *Treescape Plan* for a 12.6747-acre tract of land identified as Lot 5, Block A, The Harbor-Rockwall Addition, City of Rockwall, Rockwall County, Texas,

64 zoned Planned Development District 7 (PD-7), located at the southwest corner of the intersection of  
65 Summer Lee Drive and Lakefront Trail, and take any action necessary.  
66

67 Commissioner Trowbridge made a motion to approve the consent agenda. Commissioner  
68 Fishman seconded the motion which passed by a vote of 6-0, with one vacant seat.  
69

70 III. PUBLIC HEARING ITEMS  
71

72 8. Z2017-013

73 Hold a public hearing to discuss and consider a request by Andrew Spearman for the approval of a  
74 Specific Use Permit (SUP) to allow for an accessory building that does not meet the minimum  
75 requirements as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code for a  
76 3.128-acre tract of land identified as Tract 25 of the E. M. Elliott Survey, Abstract No. 77, City of  
77 Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, situated within  
78 the FM-549 Overlay (FM-549 OV) District, addressed as 2180 Airport Road, and take any action  
79 necessary.  
80

81 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant Andrew  
82 Spearman is requesting the approval of a Specific Use Permit to allow for an accessory building  
83 that does not meet the minimum requirements stipulated Article VI, *Permissible Uses*, of the  
84 Unified Development Code. The subject property is a 3.128-acre tract of land located at the  
85 northwest corner of Airport Road and FM-3549, and is zoned Single-Family Estate 1.5 District.  
86 Currently there is an existing 460 square foot metal pole barn on the subject property. This  
87 structure will be demolished as a result of TXDOT's acquisition of additional right-of-way for the  
88 widening of FM-3549. Additionally, there is a 2,400 SF barn located to the rear of the existing  
89 pole barn that will remain on the subject property. The applicant is proposing to construct a  
90 metal building that will be approximately 30' x 60', or 1,800 SF. The proposed accessory building  
91 will be located behind the main structure. According to the UDC, properties within a Single-  
92 Family Estate District are permitted one accessory building that is a maximum of 1,250 SF. In  
93 addition, the UDC states that an accessory building shall be clad with the same materials that  
94 are found on the primary structure. In this case, the proposed accessory building will be 550  
95 SF larger than what is permitted by the ordinance, constructed out of metal, and will be the  
96 second accessory building on the property. As a result, the applicant is required to apply for a  
97 SUP; however, the subject property currently has two metal accessory buildings currently  
98 situated on it. The approval of this SUP is discretionary to the Planning and Zoning Commission  
99 and City Council.  
100

101 Mr. Brooks further noted that north of the subject property is Airport Road which is identified as  
102 a major collector on the City's Master Thoroughfare Plan and beyond that are several single-  
103 family homes and this area is zoned as Agriculture District and that area is designated as Low  
104 Density Residential on the City's Future Land Use Map. Directly south of the subject property are  
105 the train tracks and beyond that is vacant land and is zoned Agriculture District. That area is  
106 designated as Technology/Light Industrial on the City's Future Land Use Map and beyond that is  
107 the extension of Justin Road as indicated on the City's Master Thoroughfare Plan. Directly east  
108 of the subject property is FM-3549 which is identified as a TXDOT Highway and beyond that is  
109 Fate city limits. Directly west of the subject property are several single-family homes and that  
110 area is zoned as Agriculture District and the Future Land Use Map designates that area as Low  
111 Density Residential.  
112

113 Mr. Brooks went on to state that on April 26, 2017, staff mailed 19 notices to property owners  
114 and occupants within 500-feet of the subject property and also notified the Rolling Meadows  
115 Homeowner's Association which is the only HOA and/or Neighborhood Organizations within  
116 1,500-feet of the subject property and participating in the notification program. Staff has  
117 received two notices in favor of the request.  
118

119 Mr. Brooks advised the Commission staff as well as the applicant were available for questions.  
120

121 Chairman Lyons opened up the public hearing and asked the applicant to come forward and add  
122 any additional comments.  
123

124 Andrew Spearman  
125 2180 Airport Road  
126 Rockwall, TX

127 Mr. Spearman came forward and did not have any additional information

128  
129 Commissioner Fishman asked if the shed would match the existing barn and what it would be  
130 used for. Mr. Spearman stated it would match the color and it would be for cows.

131  
132 Commissioner Trowbridge asked if there would be a business being operated out of it. Mr.  
133 Spearman stated there would not.

134  
135 Chairman Lyons asked if anyone in the audience wished to come forward to speak to do so,  
136 there being no one indicating such, Chairman Lyons closed the public hearing and asked  
137 brought the item back to the Commission for discussion or action.

138  
139 Commissioner Fishman made a motion to approve Z2017-013 with staff recommendations.  
140 Commissioner Trowbridge seconded the motion, which passed by a vote of 6-0 with one vacant  
141 seat.

142  
143  
144 9. Z2017-014

145 Hold a public hearing to discuss and consider a request by Dr. Josh Cope of Premiere Vet Care Animal  
146 Clinic on behalf of David Falls for the approval of a Specific Use Permit (SUP) for an *Animal Clinic for*  
147 *Small Animals* in Planned Development District 50 (PD-50) for a one (1) acre parcel of land identified as  
148 Block 26 of the Gardner Addition, City of Rockwall, Rockwall County, Texas, zoned Planned  
149 Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North  
150 Goliad Corridor Overlay (NGC OV) District, addressed as 901 N. Goliad Street [*SH-205*], and take any  
151 action necessary.

152  
153 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the subject  
154 property is located at the northwest corner of Goliad Street and Heath Street and is zoned  
155 Planned Development 50 for residential office uses and is situated within the North Goliad  
156 Corridor Overlay District. The property is currently vacant and the applicant is requesting the  
157 approval of an SUP for an animal clinic for small animals. Planned Development 50 was recently  
158 amended to incorporate the animal clinic for small animals land use into the District thru the  
159 SUP process. The applicant was the one who requested that change which was approved by City  
160 Council on April 17, 2017 and now the applicant is returning to request the SUP. Mr. Miller went  
161 on to explain that Ordinance No. 17-19 defines these facilities as, “a place where animals or pets  
162 are given medical or surgical treatments and care.” In accordance with this amendment, the  
163 applicant has submitted a request for a Specific Use Permit for an Animal Clinic for Small  
164 Animals on the subject property at 901 N. Goliad Street. With the request, the applicant has  
165 submitted a letter stating that the facility would only serve small animals, will not have any  
166 outside kennels, and will not provide boarding facilities except in cases where extended medical  
167 care is required. Also, Ordinance No. 17-19 does allow for short-term boarding as an incidental  
168 land use to the Animal Clinic for Small Animals land use, and that the applicant would be  
169 permitted to add this as an accessory land use in the future.

170  
171 Mr. Miller went on to state that the applicant has submitted a concept plan that shows the  
172 establishment to be a 4,000 SF building that will face onto N. Goliad Street. In addition, the  
173 exhibit lays out the general parking and circulation for the subject property, which will have  
174 access drives off N. Alamo Street and Heath Street. If the SUP request is approved, the  
175 proposed building elevations and site plan will be subject to review by the City’s Historic  
176 Preservation Advisory Board and Architectural Review Board to ensure that the exterior will be  
177 aesthetically similar to existing structures within the PD-50 and the North Goliad Corridor  
178 Overlay District, and that the development will not have a negative impact on adjacent  
179 residential properties. The submitted concept plan does appear to conform to all requirements  
180 stipulated by Ordinance No. 17-19; however, the approval of a SUP request is a discretionary  
181 decision for the Planning and Zoning Commission and City Council.

182  
183 Mr. Miller added that On April 26, 2017, staff mailed 102 notices to property owners and residents  
184 within 500-feet of the subject property and also emailed the Caruth Lakes and Lakeview Summit  
185 Homeowner’s Associations which are the only HOA and/or Neighborhood Organizations within  
186 1,500 feet of the subject property. Staff received two notices opposed from the same address  
187 and one notice in favor of the request.

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Mr. Miller advised the Commission staff as well as the applicant were available for questions.

Chairman Lyons asked for questions from the Commission for staff.

Commissioner Chodun asked if the hours of operation were regulated by the PD or would they be at the discretion of the owner. Mr. Miller stated it would be at the discretion of the owner, in certain cases such as restaurants and when there are issues with the adjacent properties the hours of operation have been limited, however in this case a Veterinary Clinic rarely stays open later than normal business hours, staff did not feel it was necessary to regulate the hours of operation.

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

Josh Cope  
513 Fenwick Drive  
Sunnyvale, TX

Mr. Cope came forward and asked the Commission for any further questions he may be able to answer.

Commissioner Trowbridge asked where they were anticipating the traffic flow to come in from, which entry would be the primary entrance Heath or Alamo Street. Mr. Cope stated they anticipate the flow to come thru Alamo Street.

Commissioner Fishman asked if there were any plans to do boarding in the future. Mr. Cope stated they will not do any long time boarding and have no intention of doing so in the future.

Commissioner Moeller asked if there would be screening along the Alamo side with either a fence or shrubbery. Mr. Miller stated that is one of the operational conditions that they either provide a 6 foot fence wood fence to match the adjacent residential properties or that they provide landscape screening with rod iron fencing and that will be addressed at site plan.

Kristen Cope  
513 Fenwick Drive  
Sunnyvale, TX

Ms. Cope added that after having discussed some concern over the fence with an adjacent neighbor concerning the screening, they would like to screen with landscape only and no fence. Ms. Cope spoke of the language of the operational conditions that state the six foot fence is required however within the requirements is headlight screening adjacent to all parking spaces and they would like to discuss using landscape only. Mr. Miller clarified that the screening along the north is for the existing residential structure and typically what is required for properties in that District is a six foot wood fence, but in this case staff has given the applicant the option of potentially using landscaping by asking the Planning and Zoning Commission to change that operational condition or recommend a change to that operational condition. Concerning the headlight screening there are parking spaces that will face Alamo Street and therefor what is being asked of the applicant is to put a shrub row that would block any headlights shining onto the residential properties.

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

Bob Wacker  
806 Mira Mar Drive  
Rockwall,

TX

Mr. Wacker came forward and stated he is in favor of the request. He also expressed his desire for Mr. Cope to consider at some point to do emergency on call service in the future and therefor would not like for there to be hours of operation limited should Mr. Cope at some point in the future wish to add emergency care to the practice.

Chairman Lyons asked if as the request sits currently they are not allowed to have 24 hour emergency service.

253 Mr. Miller stated that that is somewhat out of the scope of a small animal clinic although  
254 technically there is nothing restricting it, but once a 24 hour service would start to be provided it  
255 would become more of an emergency type care facility.  
256

257 Jim Cooper  
258 901 N. Alamo  
259 Rockwall, TX  
260

261 Mr. Cooper came forward and stated he lives across the track on Alamo Road in a house they  
262 built approximately four years ago and is generally in favor of the request. However he has  
263 spoken to Mr. Cope about a few things he is concerned about mainly having to do with the  
264 fencing. He would prefer not to have stocky fencing or a wall, but rather see the project be open  
265 and friendly to the neighborhood by providing landscaping and shrubbery instead.  
266

267 Chairman Lyons asked if there was anyone else wishing to speak to come forward and do so,  
268 there being no one indicating such Chairman Lyons asked the applicant to come forward for any  
269 additional comments.  
270

271 Chairman Lyons asked staff for clarification of how the motion would read should the  
272 Commission choose to go with a landscaping buffer instead of a fence.  
273

274 Mr. Miller stated that the way it is written currently there are two options one being the stock  
275 aid fence and the other is the rod iron fence with landscaping. Chairman Lyons asked if it could  
276 instead also be an option for only landscaping. Mr. Miller stated only landscaping was another  
277 option as well but the current language on the Ordinance would have to be amended.  
278

279 Chairman Lyons asked if there was anyone else who wished to speak to come forward there  
280 being no one indicating such Chairman Lyons closed the public hearing and brought the item  
281 back to the Commission for discussion and/or motion.  
282

283 Commissioner Trowbridge expressed liking the landscape as a better transitional buffer to the  
284 use.  
285

286 Commissioner Chodun expressed liking the rod iron fence with a combination of landscaping.  
287

288 Commissioner Logan asked for clarification of minimum standards should a motion is made to  
289 approve only landscaping as the buffer. Mr. Miller provided the language that should be read  
290 should that change be one the Commission choses to approve and that would come back at  
291 time of site plan.  
292

293 Commissioner Trowbridge to approve the applicant's request per staff's recommendations and  
294 changing the wording of Operational Condition #3 to read: "all parking shall be screened from  
295 the residential properties along Alamo Street utilizing landscaping to satisfy the screening  
296 requirements. Commissioner Fishman seconded the motion which passed by a vote of 6-0 with  
297 one vacant seat.  
298  
299

300 10. Z2017-015

301 Hold a public hearing to discuss and consider a request by Matt King on behalf of Archie Underwood for  
302 the approval of a Specific Use Permit (SUP) for a *Hotel* in a Commercial (C) District for a 1.345-acre  
303 parcel of land identified as Lakeside Batting Park Addition, City of Rockwall, Rockwall County, Texas,  
304 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 801B  
305 E. IH-30, and take any action necessary.  
306

307 Senior Planner, David Gonzales, gave a brief explanation of the request stating the applicant is  
308 requesting a Specific Use Permit for a three story Hotel which will be a Motel 6 and will have 75  
309 rooms available for overnight stay. The applicant has indicated to staff that the subject property  
310 will not be used as a residence hotel which is one that includes long-term stays and has kitchen  
311 facilities available in the room. Additionally, the hotel rooms will be accessed via an interior  
312 hallway and not from the exterior of the building, which is indicative of a 'motel' which has direct  
313 access to the outside. Mr. Gonzales indicated that although the subject property has an IH-30  
314 address, it does not have direct frontage along IH-30. A concrete paved roadway connecting the  
315 subject property to the northern property (Lakeside Veterinary Clinic) exists; however, there is

316 not an instrument dedicating the use of the drive as a public access easement. In order to use  
317 the IH-30 access drive from the adjacent property, an instrument dedicating the drive as a public  
318 access easement will need to be filed such as a plat, separate instrument. The entrance to the  
319 site will be accessed from Ralph Hall Court. Since this is new development, the address for the  
320 subject property will be re-assigned based on the adjacency to Ralph Hall Court; therefore, the  
321 current address of 801B IH-30 will no longer be used. Also, since the property does not have  
322 directed access on IH-30, it will not be permitted to have a pole sign.  
323

324 Mr. Gonzales further noted that on April 26, 2017, staff mailed 24 notices to property owners and  
325 residents within 500-feet of the subject property and also emailed a notice to the Lynden Park  
326 Homeowner's Association. Staff received one email against the request.  
327

328 Mr. Gonzales advised the Commission the applicant was present and would be providing a  
329 power point giving further explanation of their request and staff would be available for questions  
330 as well.  
331

332 Chairman Lyons asked the Commission for any questions for staff.  
333

334 Commissioner Trowbridge asked how many hotels including residence hotels both existing and  
335 possibly entitled are in Rockwall. Mr. Gonzales stated there are currently nine hotels in the City  
336 2-3 which recently received an SUP therefor if the request is approved it would make the 10<sup>th</sup>  
337 hotel within the City of Rockwall. Commissioner Trowbridge asked if staff had available the total  
338 amount of rooms total from the existing hotels. Mr. Gonzales stated the applicant would be able  
339 to answer that question.  
340

341 Chairman Lyons opened up the public hearing and asked the applicant to come forward.  
342

343 Matt King  
344 King Architects  
345

346 Mr. King came forward and stated he is the applicant for the franchisee that will be operating the  
347 proposed Motel 6 as well as the project architect. He indicated he has worked on five ground up  
348 projects with numerous tenant finish outs in the City and therefore is familiar with staff as well  
349 as the process of the City of Rockwall. Mr. King further noted that that in reference that staff  
350 showed of the building renderings they will be meeting the 80% masonry requirements that the  
351 City has in place. Also, in regards to the question Commissioner Trowbridge had concerning  
352 the total amount of rooms within the existing hotels in the City, Mr. King stated there are 1,055  
353 rooms and they are proposing 75 rooms for their hotel which would only be a small percentage.  
354

355 Mr. King advised the Commission that representatives from Motel 6 were present that would be  
356 providing a presentation of the proposal and would be available for any additional questions.  
357

358 Commissioner Trowbridge asked the representatives for Motel 6 to come forward.  
359

360 Bhavik Mohanlal  
361 (No address given)  
362

363 Mr. Mohanlal came forward and provided a power point and read a letter from G6 Hospitality LLC  
364 that supported the request and spoke of the work on other hotel investments that the future  
365 franchisees of the proposed request have been involved in. The letter also spoke of surrounding  
366 and upcoming hotels and what the request entails.  
367

368 Chairman Lyons asked the applicant the reason for choosing this location and expressed  
369 concern of it not being the ideal location for a hotel. Mr. Mohanlal stated one of the other  
370 representatives could better answer that question.  
371

372 Steve Johnson  
373 504 Audubon Park  
374 McKinney, TX  
375

376 Mr. Johnson came forward and stated he is a developer with the franchise group with G6  
377 Hospitality. Mr. Johnson stated the location is situated in such a way that it is affordable  
378 supporting the construction for the particular project and still has the visibility that it needs.



379 Chairman Lyons asked if there was concern of visibility since there will not be a pole sign  
380 allowed. Mr. Johnson stated the main portion of the visibility will come from the building itself  
381 since the logo is on top of the building and with that the building is about 41 feet in height. Mr.  
382 Johnson added that they feel hotel occupancy on a property such as this is built from  
383 community interaction more so than anything else and therefore they are not solely relying on  
384 walk business or traffic from the highway. The franchisee will be establishing relationships  
385 within the community and will be building a business based on working with contractors and a  
386 variety of people that need lodging at an affordable rate.

387  
388 Commissioner Trowbridge asked if the franchisee had other hotels that they currently operate.  
389 Mr. Mohanlal stated that they recently operated a hotel in Denton, TX but were acquired by the  
390 State for the I-35 expansion and were displaced by that and are now currently looking to build a  
391 future in Rockwall by establishing the proposed Motel 6.  
392

393 Commissioner Trowbridge asked concerning the applicant's mention of the City's need of an  
394 economy hotel asked if that is driven by price point, or what drives the community need for an  
395 economy hotel. Mr. Mohanlal stated they feel it is important for the community to fit the needs of  
396 everyone looking to come to Rockwall and people look for brand awareness and therefore when  
397 they see Motel 6 which is a nationally recognized brand and as they showed in the power point  
398 presentation the only hotels that are branded in Rockwall are mid and upper scale properties  
399 that have rates that are much higher than what Motel 6 will be offering. This would allow people  
400 to come to Rockwall stimulate the economy but stay within affordable lodging.  
401

402 Commissioner Logan asked concerning the applicants' mention of hotels becoming obsolete  
403 over time; however she feels she has observed that the more economy the hotel is the faster it  
404 becomes obsolete and that is cause for concern. She asked the applicant how they plan on  
405 preventing that from happening. Mr. Mohanlal stated that they feel the economy segment deals  
406 with amenities offered and although the Motel 6 may not offer the amenities that mid to upper  
407 scale properties provide, in looking at the economy they are built to be efficient and durable and  
408 the proposed is a new prototype for Motel 6.  
409

410 Mr. Johnson added that in reference to Commissioner Logan's question and concern, he went  
411 back to the power point and showed the room and spoke of how it will be designed to last  
412 without a huge cost to maintain and therefore allowing the franchisee will maintain the upkeep.  
413 He spoke of the Motel 6 home office being in Carrollton and they have a very stringent property  
414 improvement process that requires the franchisee's commitment to follow those plans. Mr.  
415 Mohanlal added that in reference to the type of clientele that Motel 6 attracts is mostly college  
416 educated individuals 50% having incomes over \$50k and 20% over \$75k yearly. They feel they  
417 will attract a clientele that will stimulate the Rockwall economy. Mr. Johnson went on to show  
418 the power point that spoke of price points of existing hotels as well as occupancy levels which  
419 they feel shows the demand of economy lodging.  
420

421 Chairman Lyons asked if there will be a pool. Mr. Mohanlal stated there will not be a pool.  
422

423 Chairman Lyons asked what would happen if the franchisee is not successful, would Motel 6  
424 then come in and revive that location would there be something like that in place. Mr. Johnson  
425 stated they would not directly assume control of the location but there would be a transfer  
426 process that would transfer it to another qualified individual. Mr. King added to Commissioner  
427 Logan's concern of the hotel deteriorating, they feel there are a couple of things that will be  
428 helping alleviate that concern, one being that they do not have a pitched shingled roof as well as  
429 them putting 80% masonry brick and stone and that will add longevity to the building. Mr. King  
430 added that he felt this type of hotel is needed to invite more people to come into Rockwall to  
431 enjoy the City.  
432

433 General discussion took place between the Commission concerning the need for an economy  
434 hotel.  
435

436 Chairman Lyons asked if anyone wished to speak to come forward and do so.  
437

438 Teresa Ferraro  
439 115 Southampton Drive  
440 Rockwall, TX  
441

442 Ms. Ferraro came forward and expressed her opposition to the request. She believes it is too  
443 close to an elementary school and also expressed her concern in the notification process  
444 because she feels the parents that have kids attending that elementary school should be aware  
445 of the request for a hotel so near to the school. Ms. Ferraro also expressed concern of traffic  
446 congestion it will create.

447  
448 Mr. Miller clarified on the notification process and explained that according to state law it is  
449 required to notify all properties within 200 feet of the subject property however staff actually  
450 notifies properties within 500 feet of the subject property because City Council wanted to make  
451 sure that that area was increased. In addition there is a Home Owner's Association in which  
452 HOA's can participate in and that would notify HOA's within 1,500 square feet of the subject  
453 property, as well as posting notice of the request in the Harold Banner and staff also placed a  
454 4x4 yellow sign on the property.

455  
456 Archie Underwood  
457 1804 Kentwood Circle  
458 Rockwall, TX

459  
460 Mr. Underwood came forward and stated he has owned the subject property since 1980 and  
461 stated there is a clause in his contract with the applicants that allows for an easement as well as  
462 signage. Mr. Underwood expressed his desire for economical lodging in Rockwall and feels it  
463 will be a good fit would like to see it approved.

464  
465 Chairman Lyons asked if there was anyone else wishing to speak to come forward and do so,  
466 there being no one indicating such Chairman Lyons closed the public hearing and asked the  
467 applicants to come forward for any rebuttal or additional comments.

468  
469 Mike Saarty  
470 (No address given)

471  
472 Mr. Saarty came forward and stated he is the architect for G6 Hospitality and welcomed  
473 questions from the Commission in reference to the building since he is who designed it. He  
474 stated that the proposed hotel will be fairly modern in appearance and they spent a lot of time to  
475 articulate the building to provide a modern product for people who seek to experience economy  
476 lodging. He feels the addition of the masonry will also add to the look of the building. He feels  
477 this type of hotel prototype will fit well within the Rockwall community.

478  
479 Chairman Lyons asked for questions from the Commission for the applicant. Chairman Lyons  
480 expressed concern with the location of the proposal.

481  
482 Commissioner Chodun expressed concern with the "economy" product and feels the residents  
483 of Rockwall don't want a budget hotel and feels it's within the Commissions position to act on  
484 what is believed to be what the residents in the community of Rockwall would want.

485  
486 Commissioner Trowbridge expressed concern with the amount of hotel rooms currently  
487 available and feels it is not the time for adding an additional hotel generally expressed not being  
488 in support of the proposal for it not being the right timing for such.

489  
490 Commissioner Fishman expressed concern with the proposal being the right use for the land  
491 and generally expressed not being in support.

492  
493 Commissioner Chodun made a motion to deny Z2016-015. Commissioner Fishman seconded the  
494 motion, which passed by a vote of 6-0, with one vacant seat.

495  
496  
497 11. Z2017-016  
498 Hold a public hearing to discuss and consider a request by Dan Claassen of Business Parks of America  
499 II, LLC on behalf of the owner Randall Noe of Rockwall Rental Properties, LP for the approval of a  
500 zoning change from a Commercial (C) District to a Light Industrial (LI) District for 3.287-acre tract of land  
501 identified as Tract 3-01 [2.182-acres] & Tract 3-2 [1.087-acres] of the J. Lockhart Survey, Abstract No.  
502 134, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30  
503 Overlay (IH-30 OV) District, located at the northwest corner of the intersection of Enterprise Drive and  
504 the IH-30 Frontage Road, and take any action necessary.

505 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
506 is requesting approval of a zoning change from a Commercial District to a Light Industrial  
507 District for 3.287-acre tract of land that is located on the north side of IH-30 just west of John  
508 King Blvd. The property to the north is zoned Light Industrial and has a metal building that sits  
509 on it as well as to the west there is a development of assortment of metal buildings, the property  
510 to the east is vacant and the property to the south is Rockwall Honda. The subject property was  
511 annexed into the City on September 16, 1974 and is within the IH-30 Overlay District therefore if  
512 approved and moves into site plan it is subject to the development standards of the IH-30  
513 Overlay District.

514  
515 Mr. Gonzales further noted that the Future Land Use Map, adopted with the Comprehensive Plan  
516 designates the subject property as a Special Commercial Corridor, which is intended to provide  
517 for regional commercial activity centers that include shopping, services, recreation,  
518 employment, and institutional facilities supported by and serving an entire region. The  
519 applicants request would change the Future Land Use designation to Technology/Light  
520 Industrial land uses, which is intended to include research and development, office, light  
521 industrial uses such as light manufacturing and/or light assembly. It should be noted that all  
522 properties surrounding the subject property are scheduled to be designated as Special  
523 Commercial Corridor. If the City Council approves the applicant's request, staff would include a  
524 condition of approval that would amend the Future Land Use Map to reflect the proposed change  
525 in land use from a Special Commercial Corridor designation to a Technology/Light Industrial  
526 designation.

527  
528 Mr. Gonzales went on to state that on April 26, 2017, staff mailed 13 notices to property owners  
529 and residents within 500-feet of the subject property and not notice wen to the HOA as there is  
530 no HOA/Neighborhood Organization within 1500 feet participating in the notification program.  
531 Staff did not receive any notices regarding the zoning change request.

532  
533 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
534 well as staff.

535  
536 Chairman Lyons asked for any questions from the Commission for staff.

537  
538 Commissioner Chodun asked concerning SUP's for the five parcels with improvements to the  
539 west and south of the subject property. Mr. Miller added that the majority of those surrounding  
540 properties were annexed into the City with improvements on them and therefore not subject to  
541 the SUP requirement.

542  
543 Commissioner Moeller asked if the request for zoning change was only for the one parcel. Mr.  
544 Gonzales stated there are two parcels that are associated with the subject property and  
545 combines to a total of 3.287 acres.

546  
547 Chairman Lyons opened up the public hearing and asked the applicant to come forward.

548  
549 Dan Claassen  
550 Business Parks of America  
551 (No address given)

552  
553 Mr. Claassen came forward and stated he is proposing to develop a high end multi-use flex  
554 space office development where the typical tenant is the kind of person that cares about what  
555 their facility looks like and where it is located. The reason for the request to change to Light  
556 Industrial is because in the type of space they're looking at it is very typical for a tenant to want  
557 to do light assembly of their product, whether it be sheet rocking, plumbing along that line of  
558 work where they would need that ability. However because of the makeup of the facility there will  
559 not be any outside storage.

560  
561 Chairman Lyons asked the Commission for questions for the applicant.

562  
563 Commissioner Trowbridge asked what the clear heights were. Mr. Claassen stated they are 25  
564 feet in height.

565  
566 Commissioner Chodun asked if the IH-30 frontage was critical to the operation he's proposing.  
567 Mr. Claassen stated it was absolutely critical because he feels the high end tenant he is looking  
for will be looking for that IH-30 address for visibility.

568 Chairman Lyons opened up the public hearing and asked if anyone who wished to speak to  
569 come forward and do so, there being no one indicating such, Chairman Lyons closed the public  
570 hearing and brought the item back to the Commission for discussion or a motion.  
571

572 Chairman Lyons expressed concern with the location, although he feels there is a need for that  
573 type of product the location is not ideal.  
574

575 General discussion took place between the Commission and staff concerning the Future Land  
576 Use designation and the Special Commercial Corridor as it pertains to the subject property and  
577 the request.  
578

579 Chairman Lyons made a motion to deny Z2017-016. Commissioner Chodun seconded the motion  
580 which passed by a vote of 4-2, with Commissioners Logan and Trowbridge dissenting and one  
581 vacant seat.  
582

583  
584 12. Z2017-017

585 Hold a public hearing to discuss and consider the *Revocation of Ordinance No. 15-05 (i.e. SUP No. S-*  
586 *131)* under Section 4.4 of Article IV, *Permissible Uses*, of the Unified Development Code for failing to  
587 meet the terms of *S-131*, which would have allowed outside storage and a new motor vehicle dealership  
588 on a ten (10) acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract  
589 No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned  
590 Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as  
591 1530 E. IH-30, and take any action necessary.  
592

593 Planning Director, Ryan Miller, gave a brief explanation of the agenda item stating that the  
594 subject property is located at the southwest corner of Commerce Street and the IH-30 Frontage  
595 Road and is zoned Light Industrial District and is within the IH-30 Overlay District and also has a  
596 Specific Use Permit which allows for a new motor vehicle dealership and/or outside storage. The  
597 SUP was approved on March 2, 2015 and was designed to allow the then owner, Young Hyundai,  
598 the flexibility to pursue other brands for the purpose of establishing a new car dealership while  
599 at the same time allowing them to continue to use the property as an inventory lot, it didn't allow  
600 for sales but they were allowed to outside storage on the property. The SUP was structured  
601 around a letter provided by the applicant that laid out planned improvements over a three year  
602 period and the improvements were broken down into three phases with each phase given a time  
603 period documented within the applicant's letter. The first phase was that all civil drawings would  
604 be submitted and that they would complete all storm water, drainage and detention pond  
605 improvements. The second phase was that all concrete paving improvements would be  
606 completed and the third phase was to remodel the existing building's façade. Mr. Miller went on  
607 to state that as part of the SUP process staff set a review period of three years; however staff  
608 also included in operational conditions stating that the redevelopment of the subject property  
609 should generally be in conformance with the letter as well as with the timelines contained in the  
610 letter. In looking at the timeline they were out of compliance after the first twelve months of the  
611 SUP when the civil drawings and the storm water drainage and detention pond improvements  
612 were not installed. However, taking into consideration looking at the timeline, they have  
613 continued to perform improvements on the property bringing them closer to completion of those  
614 phases.  
615

616 Mr. Miller went on to explain that what brought this to staff's attention was that a Certificate of  
617 Occupancy was received for the property on March 20<sup>th</sup> and then on March 27<sup>th</sup> RCAD posted  
618 that the property had changed ownership. Staff mailed notice as would be done for a regular  
619 SUP on April 26, 2017 to all property owners and residents within 500-feet of the subject  
620 property and notified all Homeowner Associations and neighborhood groups within 1,500-feet of  
621 the subject property in accordance with the requirements of the UDC and also posted a notice of  
622 the public hearings in the Rockwall Herald Banner and also sent a certified letter to the  
623 dealership at 1540 E. IH-30, which is the current ownership of the subject property according to  
624 RCAD. Staff received one notice back in favor of the revocation.  
625

626 Mr. Miller further explained that that if the City Council chooses to revoke the ordinance it will  
627 not prevent the applicant from resubmitting a SUP request for the subject property for a car  
628 dealership in the future. Mr. Miller went on to explain to the Commission the three options they  
629 have when making a recommendation. The first would be for the Commission to recommend to  
630 the City Council that the applicant's SUP be revoked; second the Commission could recommend

631 changes to the SUP Ordinance based on the Commissions conversations with the applicant  
632 during the meeting, and third the Commission could recommend that the SUP be allowed to  
633 continue as is; however the SUP has a three year expiration where all improvements as laid out  
634 in the SUP have to be completed by March 2, 2018 or it would automatically expire.  
635

636 Mr. Miller advised the Commission the applicant was present and available for questions and  
637 staff as well was available for questions.  
638

639 Chairman Lyons asked the Commission for questions for staff.  
640

641 Commissioner Chodun asked if it is decided to revoke, that would put them immediately out of  
642 compliance what would happen after that. Mr. Miller stated that currently they have not paved  
643 the site, although they do have an approved permit, if it is revoked it would become a Light  
644 Industrial property without an SUP for a car dealership, or outside storage which means they  
645 would not be able to store or sell vehicles on the property.  
646

647 Chairman Lyons opened up the public hearing and asked the applicant to come forward.  
648

649 Zack Amick  
650 (No address given)  
651

652 Mr. Amick came forward and stated he was the original applicant who represented Keith Young  
653 Jr. who bought the property from Mr. Randall Noe. Mr. Amick spoke of how the SUP they applied  
654 for originally came to play and the reasons behind why they requested it. He spoke of being  
655 somewhat naive when writing the letter with the timeline of the phases as he wasn't aware how  
656 long the process would in fact take to get completion done within the phases with the many  
657 departments including engineering and TXDOT that are involved in the process.  
658

659 General discussion took place between the Commission and the applicant concerning the  
660 timeline where the applicant spoke of what is currently completed and his plan on when the rest  
661 will be done.  
662

663 Chairman Lyons asked for questions from the Commission for the applicant.  
664

665 Commissioner Trowbridge asked if they believed they could get the remaining work complete  
666 within the 36 month. Mr. Amick stated he believes they can. Commissioner Logan suggested  
667 they make a plan and provide a schedule to ensure it can be done.  
668

669 Commissioner Trowbridge made a motion to approve Z2017-017 to allow the SUP to continue as  
670 written, with the allowance for the Phase 2 improvements to be completed by September 2, 2017.  
671 Commissioner Chodun seconded the motion which passed by a vote of 6-0, with one vacant  
672 seat.  
673

674 Chairman Lyons called a five minute recess at 8:49 p.m.  
675

676 Chairman Lyons called the meeting back to order at 9:00 p.m.  
677

678 13. Z2017-018

679 Hold a public hearing to discuss and consider a request by Cesar Sagovia of Rogue Architects on  
680 behalf of Starbucks Coffee Company for the approval of a Specific Use Permit (SUP) amending  
681 *Ordinance No. 12-29 (S-099)* to allow for an expansion to the existing restaurant on a 0.182-acre  
682 portion of a larger 25.927-acre parcel of land identified as Lot 6, Block A, Wal-Mart Supercenter  
683 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District and within the IH-30  
684 (IH-30 OV) Overlay District, addressed as 778 E. IH-30, and take any action necessary.  
685

686 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
687 requesting the approval of an amendment to Ordinance No. 12-29 S-099 to allow for the  
688 expansion of an existing Starbucks restaurant. The subject property is zoned Commercial  
689 District and is situated adjacent to IH-30 on 0.185-acre portion of the Wal-Mart Supercenter  
690 property, the property is also situated within the IH-30 Overlay District. On November 11, 2012,  
691 the City Council approved a Specific Use Permit to allow a restaurant less than 2,000 sq. ft. with  
692 a drive-through in a Commercial District. At that time, the restaurant was Seattle's Best Coffee,  
693 and the SUP stipulated that the restaurant not exceed 550 sq. ft. On December 11, 2012, the

694 Planning and Zoning Commission approved a site plan for the subject property. Since the  
695 approval of the site plan, the restaurant has changed to a Starbucks. According to the approved  
696 site plan, the existing restaurant is 519 sq. ft. The applicant is proposing to expand the existing  
697 restaurant by 201 sq. ft. for a total sq. footage of 720 sq. ft. The site plan submitted by the  
698 applicant for the proposed expansion will be on the north elevation, which will cause the  
699 restaurant to lose one parking space; however, the restaurant and adjacent Wal-Mart  
700 Supercenter will continue to have adequate parking. Additionally, the expansion will utilize  
701 materials that match the current restaurant. The applicant's request is in conformance with the  
702 UDC; however, granting a Specific Use Permit SUP is a discretionary decision for the Planning  
703 and Zoning Commission and City Council. If approved, this SUP shall supersede all  
704 requirements stipulated in the existing SUP ordinance.  
705

706 Mr. Brooks went on to state that on April 26, 2017, staff sent 17 notices to property owners and  
707 residents within 500-feet of the subject property and notified the Lynden Park Homeowners  
708 Association, which is the only HOA and/or Neighborhood Organization within 1,500-foot  
709 participating in the Neighborhood Notification Program. Staff did not receive any notices  
710 returned in favor or in opposition.  
711

712 Mr. Brooks advised the Commission staff was available for questions and the applicant was  
713 present and available for questions as well.  
714

715 Chairman Lyons opened the public hearing and asked the applicant to come forward.  
716

717 Leslie Ford  
718 513 Main Street  
719 Fort Worth, TX  
720

721 Ms. Ford came forward and stated that Starbucks originally did this store as a Seattle's Best but  
722 it was a concept that did not work out therefore they did not originally plan for the cooler freezer  
723 because it was not in the scope of work that Seattle's Best usually serves.  
724

725 Chairman Lyons asked if anyone wished to speak to come forward and do so, there being no  
726 one indicating such, Chairman Lyons closed the public hearing and brought the item back to the  
727 Commission for discussion or a motion.  
728

729 Chairman Lyons made a motion to approve Z2017-018 with staff recommendations.  
730 Commissioner Trowbridge seconded the motion, which passed by a vote of 6-0, with one vacant  
731 seat.  
732

#### 733 IV. ACTION ITEMS 734

##### 735 14. SP2017-010 736

737 Discuss and consider a request by Rick Dirkse on behalf of Rockwall Trinity Real Estate, LLC for the  
738 approval of a downtown development plan and site plan for an office building on a 0.63-acre tract of  
739 land identified as Lots 1-6, Block B, Rockwall Old Towne Addition, City of Rockwall, Rockwall County,  
740 Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed  
741 as 301 & 303 N. Goliad Street [SH-205], and take any action necessary.  
742

743 Senior Planner, David Gonzales, gave a brief explanation of the request stating that On February  
744 17, 2017, the applicant, Rick Dirkse, submitted a site plan/downtown development plan  
745 requesting to construct a 4,999 SF single-story office building on a 0.63-acre tract of land, which  
746 is situated in between N. Goliad Street and N. Alamo Street, just south of the SH-205  
747 split/couplet. The subject property is zoned Downtown (DT) District and has two (2) existing  
748 single-family homes situated on it. The original plan submitted by the applicant did not conform  
749 to the standards of the Downtown (DT) District, and as a result the applicant approached the City  
750 Council on March 6, 2017 requesting they consider changing the ordinance to accommodate his  
751 project. At this meeting staff was directed to change the process for what could be requested as  
752 a major waiver/minor waiver under the ordinance. This text amendment was brought back to the  
753 City Council, after recommendation from the Planning and Zoning Commission, on April 17,  
754 2017 and ultimately approved by the City Council on May 1, 2017. With the ordinance having  
755 been changed to allow the applicant the ability to request relief to the standards of the  
756 Downtown District, staff is able to bring the site plan/downtown development plan forward for

757 consideration of the Planning and Zoning Commission. The submitted plan shows how the  
758 applicant proposes to layout the office building, which due to the shape and position of the lot  
759 will be visible from public right-of-way on all four sides. The proposed building will be  
760 constructed to a residential scale in the style of a bungalow and will utilize a majority  
761 HardiBoard or HardiPlank with a brick wainscot, and be oriented so that it faces onto N. Goliad  
762 Street. Staff is still waiting on the applicant to address many of the comments for this case;  
763 however, the majority of the documents submitted are complete enough to move forward with  
764 conditional approval of the site plan and overall approval of all major and minor waivers. Staff  
765 has made conformance to the City's landscaping, photometric, and site plan requirements a  
766 condition of approval of this case. Mr. Gonzales went on to explain the major and minor  
767 waivers including the tree mitigation that will be required for the approval of this project.  
768

769 Mr. Gonzales went on to explain that the applicant did meet with the Architectural Review Board  
770 on March 28, 2017, to discuss changes to the proposed building elevations with regard to the  
771 ARB's recommendations from the February 28, 2017 meeting. The ARB recommended Mr. Dirkse  
772 revise the building elevations to reflect the historical characteristics associated with PD-50 or  
773 the building form that is consistent with the downtown core. The modified elevations submitted  
774 to the ARB were more in line with the historical characteristic of the properties located within  
775 PD-50. The ARB made a motion to recommend the applicant switch or mirror the elevations  
776 from the south to the north, providing for a variation to roofline that is indicative of the south's  
777 articulated roof line elements. The motion was approved by a vote of 5-1 with Board Member  
778 Chizzonite dissenting and Board Member Strohmeier absent. Following the vote the ARB held a  
779 general discussion with Mr. Dirkse concerning the north elevations insufficiency to provide  
780 articulation, and the property's proximity to the SH 205 couplet. From these discussions the  
781 ARB requested the applicant consider reversing the north and south elevations. On April 25,  
782 2017, Architectural Review Board reviewed the applicants' revisions to the building elevations.  
783 The applicant had added dormers to both the north and south facing elevations, providing relief  
784 to the building's roofline. Additionally, the dormers provide additional articulation to the  
785 structure when being viewed from the east or west elevations and after discussion with staff, the  
786 Architectural Review Board's motion to recommend approval of the building elevations.  
787

788 Mr. Gonzales advised the Commission that there would need to be three motions that would  
789 need to be taken, one for the site plan, one the minor waivers and one for the recommendation  
790 for the major waivers. He added that both the applicant and staff were available for questions.  
791

792 Chairman Lyons asked the applicant to come forward.  
793

794 Rick Dirkse  
795 301 N. Goliad  
796 Rockwall, TX  
797

798 Mr. Dirkse came forward and generally stated that he has worked hard to work with all the  
799 recommendations given to him to provide the best quality product he can and is looking for the  
800 Commission's approval.  
801

802 Chairman Lyons asked for any question from the Commission.  
803

804 Commissioner Logan asked concerning some of the major waivers, would they not waiving that  
805 regardless of the style that is chosen. Mr. Gonzales stated that the waivers that the Commission  
806 is looking at that are not common to any other area other than the Downtown District.  
807

808 Commissioner Chodun asked if the intent is to be for a single tenant. Mr. Dirkse stated it would  
809 be single tenant.  
810

811 Commissioner Trowbridge made a motion to approve the site plan, minor waivers, and major  
812 waivers with staff recommendations. Chairman Lyons seconded the motion which passed by a  
813 vote of 6-0, with one vacant seat.  
814

815 15. SP2017-012

816 Discuss and consider a request by Curtis Behrens of Greenberg Farrow on behalf of Doug Druen of  
817 Texas Roadhouse Holdings, LLC for the approval of a site plan for a restaurant [*Texas Roadhouse*] on  
818 a 2.07-acre portion of a larger 8.613-acre tract of land identified as Tract 4 of the J. D. McFarland  
819

820 Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, IH-  
821 30 Overlay (IH-30 OV) District, generally located east of the intersection of Greencrest Boulevard and  
822 the IH-30 Frontage Road, and take any action necessary.  
823

824 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
825 is requesting to construct a 7,420 square foot Texas Roadhouse. The subject property is zoned  
826 Commercial and is located along the IH-30 Frontage Road next to the Rooms to Go and retail will  
827 probably come to the west side and an SUP for a Hotel was approved for the back side of the  
828 subject property. The proposed restaurant is a use permitted by right and will seat  
829 approximately 281 patrons and will incorporate a total of 162 parking spaces. The site will have  
830 a total of three points of entry via 24-ft Fire lane, Public Access and Utility Easements with the  
831 adjacent developments. Two access points will be available from the property to the east and  
832 one from the property to the west.  
833

834 Mr. Gonzales went on to state that during the work session there were a few comments that were  
835 listed out and the applicant essentially covered all of the comments as far as the photometric  
836 plan, landscape plan, building elevations and the site plan however, after meeting with the  
837 Architectural Review Board two weeks ago at the Work Session, they asked the applicant to  
838 come back for additional information concerning the cultured stone that they are proposing to  
839 have on the building. After discussion with the applicant, the ARB's motion to recommend  
840 approval for the use of natural stone and the variances to the corporate identity and parking  
841 passed.  
842

843 Mr. Gonzales advised the Commission both the applicant and staff were available for questions.  
844

845 Chairman Lyons asked the applicant to come forward.  
846

847 Paula Hubert  
848 (No address given)  
849

850 Ms. Hubert came forward and stated she is with Greenberg Farrow on behalf of her client Texas  
851 Roadhouse. Ms. Hubert stated that since the Work Session they have addressed the comments  
852 concerning the cultured stone and provided the Commission a sample board. They have also  
853 submitted to staff revisions on minor comments that needed to be addressed.  
854

855 Chairman Lyons asked the Commission for any questions.  
856

857 Commissioner Fishman asked if the color on the sample board would be the actual color of the  
858 stone that they will be using. Ms. Hubert stated it would be the color that is on the sample board  
859 although the actual stone will be a better depiction of the color.  
860

861 Chairman Lyons made a motion to approve SP2017-012 with staff conditions, and the ARB's  
862 recommendation for use of natural stone rather than cultured stone. Commissioner Moeller  
863 seconded the motion, which passed by a vote of 6-0, with one vacant seat.  
864

865 16. SP2017-014

866 Discuss and consider a request by Kevin Patel, P. E. on behalf of William Shaddock of Master  
867 Developers-SNB, LLC for the approval of an amended site plan for a daycare facility on a 2.960-acre  
868 tract of land identified as Lot 1, Block S, Preserve, Phase 3 Addition and Tract 12 [1.4376-acres], A.  
869 Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Planned  
870 Development District 41 (PD-41) and Single Family 10 (SF-10) District, addressed as 1450 East Fork  
871 Drive, and take any action necessary.  
872

873 Planner, Korey Brooks, gave a brief explanation of the request stating the case came before the  
874 Commission last year for the approval of a site plan. In 2008, the City Council approved a  
875 Specific Use Permit to allow for a Daycare on the subject property. On October 11, 2016, the  
876 Planning and Zoning Commission approved the site plan for a daycare facility on the subject  
877 property. Since that time the applicant has made revisions to the site that necessitate amending  
878 the site plan. Specifically, the applicant originally proposed underground detention; however,  
879 due to issues encountered through the civil process, the applicant had to provide above ground  
880 detention. The changes in the detention system required revisions to the layout of the site, as  
881 well as, a reduction in size of the daycare facility. The proposed daycare facility has been  
882 reduced to 13,142 SF or 300 square feet smaller than the original building. Additionally, to



883 accommodate the smaller building footprint, the applicant made minor revisions to the building  
884 elevations, but has kept the same architectural elements. The submitted site plan, photometric  
885 plan, landscape plan, and building elevations all conform to the technical requirements as  
886 stipulated within the approved site plan, the UDC and Planned Development District 41. Mr.  
887 Brooks added that on April 25, 2017, the Architectural Review Board reviewed the revised  
888 building elevations and agreed that the revised elevations maintained the spirit of the original  
889 building elevations approved on October 11, 2016 and made a motion to recommend approval of  
890 the revised building elevations.

891  
892 Mr. Brooks advised the Commission that both staff and the applicant were available for  
893 questions.

894  
895 Chairman Lyons asked the applicant to come forward.

896  
897 Doug Galloway  
898 3508 Edgewater  
899 Dallas, TX

900  
901 Mr. Galloway came forward and stated that originally they proposed underground detention;  
902 however, due to issues that they encountered through the civil process, they will have to provide  
903 above ground detention and with doing that they had to re-orient the building and the parking.  
904 Basically with the articulation of the building they moved a few of the elevations; however it will  
905 remain all the same materials.

906  
907 Commissioner Logan asked if the SUP was since 2008 why it has not expired. Mr. Miller  
908 explained that the way the Ordinance is written it would expire after a year of inactivity and they  
909 currently have an active project therefore they would not be subject to the current Ordinance to  
910 expire. Commissioner Logan asked if there was a change in the land use in the area. Mr. Brooks  
911 stated it would only be for the subject property that has the SUP for the daycare.

912  
913 Chairman Lyons noted that by having the detention out by the street and pushing the building  
914 back it would allow for more landscaping and expressed liking that better. Mr. Galloway stated  
915 they feel that it will look better and be a good fit with the surrounding neighborhood.

916  
917 Commissioner Chodun made a motion to approve SP2017-014 with staff recommendations.  
918 Commissioner Fishman seconded the motion, which passed by a vote of 6-0, with one vacant  
919 seat.

920  
921  
922 V. DISCUSSION ITEMS

923  
924 17. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- 925  
926 ✓ P2017-019: Lots 3 & 4, Block A, Woods at Rockwall Addition [Approved]  
927 ✓ P2017-024: Lots 26 & 27, Block E, The Preserve, Phase I Addition [Approved]  
928 ✓ Z2017-007: Zoning Change for the Gideon Property (AG to PD) (2<sup>nd</sup> Reading) [Approved]  
929 ✓ Z2017-009: SUP for 1415 & 1501 E. IH-30 (1<sup>st</sup> Reading) [Approved]  
930 ✓ Z2017-010: Amendment to PD-32 (2<sup>nd</sup> Reading) [Approved]  
931 ✓ Z2017-011: Text Amendment for Section 4.8, Downtown (DT) District (2<sup>nd</sup> Reading) [Approved]  
932 ✓ Z2017-012: Zoning Change (AG to SFE-2.0) for 3401 FM-549 (2<sup>nd</sup> Reading) [Approved]

933  
934  
935 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
936 referenced case at the City Council meeting.

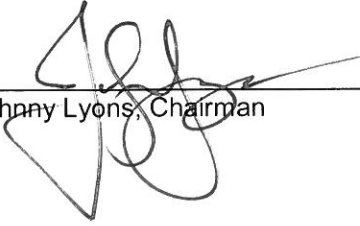
937  
938  
939 VI. ADJOURNMENT

940  
941 Chairman Lyons adjourned the meeting at 9:48 p.m.

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

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINTUES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**May 30, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

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

II. CONSENT AGENDA

1. P2017-016

Discuss and consider a request by Glen and Rosie Cox for the approval of a final plat of Lots 1 & 2, Block A, Cox Acres Addition being a 29.97-acre tract of land identified as Tract 7 of the J. M. Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located on the south side of Quail Run Road east of the intersection of Quail Run and John King Boulevard, and take any action necessary.

2. P2017-025

Discuss and consider a request by Stephen Coslik of Rockwall Crossing, LTD for the approval of a replat for Lots 12 & 13, Block A, Rockwall Crossing Addition being a 22.246-acre parcel of land currently identified as Lot 9, Block A, Rockwall Crossing Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at the south side of the IH-30 Frontage Road east Mims Road, and take any action necessary.

3. P2017-026

Discuss and consider a request by Jerry Monk of Monk Consulting on behalf of Dr. Steve Arze of Zaph & Ath Properties, LLC for the approval of a final plat for Lots 1-3, Block A, Landing Point Addition being a 4.88-acre tract of land identified as Tract 4-01 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located north of the intersection of Industrial Boulevard and Airport Road, and take any action necessary.

4. P2017-027

Discuss and consider a request by Randal Currington of Fontanna Ranch Phase II, LP for the approval of an amending plat for Phase II of the Fontanna Ranch Subdivision containing 49 single-family residential lots on a 19.167-acre tract of land identified as Tract 5 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 64 (PD-64) for Single Family 16 (SF-16) land uses, generally located east of FM-549 and south of SH-276, and take any action necessary.

5. P2017-028

Discuss and consider a request by Mushtak Khatri of T. Rockwall Phase 2, LLC for the approval of a replat for Lot 5, Block A, Rockwall Commons Addition being a 3.802-acre parcel of land currently identified as Lot 6, Block A, Rockwall Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 1 (PD-1) for mixed use development, generally located on Ridge Road [FM-740] south of Summit Ridge Drive, and take any action necessary.

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

III. APPOINTMENTS

64 6. Appointment with Architectural Review Board representative to receive the Board's  
65 recommendations and comments for items on the agenda requiring architectural review.  
66

67 **Architectural Review Board representative, Ashlei Neill, gave a brief explanation of agenda items  
68 that were discussed at the ARB meeting.**  
69

70  
71 **IV. ACTION ITEMS**

72  
73 **7. MIS2017-006**

74 Discuss and consider a request by Lance Tyler for the approval of an exception to the minimum  
75 masonry requirements stipulated in Section 3.1, *General Residential District Standards*, of Article V,  
76 *District Development Standards*, of the Unified Development Code, for a 12.0-acre portion of a larger  
77 29.97-acre tract of land identified as Tract 7 of the J. M. Glass Addition, City of Rockwall, Rockwall  
78 County, Texas, zoned Agricultural (AG) District, generally located east of the intersection of John King  
79 Boulevard and E. Quail Run Road, and take any action necessary.  
80

81 **Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
82 requesting a masonry exception for the purpose of constructing a single-family home on a  
83 vacant 12-acre tract of land currently identified as Tract 7 of the J. M. Glass Addition. Currently,  
84 a final plat for this property was approved. The subject property is located east of the  
85 intersection of John King Boulevard and E. Quail Run Road and is zoned Agriculture District.  
86 The applicant is proposing to construct the single-family home of approximately 69% Hardy  
87 Board, 4% stone and 4% IPE/Stained Wood. According to the Unified Development Code, the  
88 minimum masonry, brick, stone natural, cast or cultured glass block, tile and/or CMU  
89 requirement for exterior walls on structures that are 120 square feet or greater is 80%; with a  
90 maximum of 50% of this masonry requirement being permitted to be Hardy Plank, stucco or a  
91 similar cementaceous material. Additionally, the code states that exceptions to these  
92 requirements may be permitted on a case-by-case basis by the City Council upon submission  
93 and approval of elevation drawings of the subject structure, and materials samples. Since the  
94 proposed exterior building materials do not meet the minimum masonry requirements as  
95 stipulated in the UDC, the applicant is requesting a masonry exception. The applicant has  
96 submitted a letter along with a rendering. Also, the property to the west of the subject property  
97 is constructed of 100% vinyl/ Hardy Plank. Additionally the home will have no visibility from  
98 John King Boulevard or E. Quail Run Road due to the location existing trees.  
99**

100 **Mr. Brooks advised the Commission that both the applicant and staff were available for  
101 questions.**  
102

103 **Chairman Lyons asked the Commission for questions for staff.**  
104

105 **Commissioner Logan asked for clarification concerning the 100% vinyl/ hardy plank that was  
106 mentioned. Mr. Brooks stated that if it is 100% of either it would require some type of exception.**  
107

108 **Chairman Lyons asked the applicant to come forward.**  
109

110 **Lance Tyler  
111 (No address given)**  
112

113 **Mr. Tyler came forward and advised the Commission he was available for any questions they  
114 may have.**  
115

116 **Commissioner Chodun asked if it would be only the one single family home. Mr. Tyler stated it  
117 will be not be near any other residential area and he is proposing to build a modern farm house.**  
118

119 **Chairman Lyons brought the item back to the Commission for discussion or motion.**  
120

121 **Chairman Lyons made a motion to approve MIS 2017-006 with staff recommendations.  
122 Commissioner Welch seconded the motion which passed by a vote of 5-0, with Commissioners  
123 Moeller and Trowbridge absent.**  
124  
125  
126

127 V. DISCUSSION ITEMS

128  
129 8. Z2017-019

130 Hold a public hearing to discuss and consider a request by Clarence L. Jorif of *The Compound at*  
131 *Rockwall* on behalf of Tom Szoboszlay for the approval of a zoning change from an Agricultural (AG)  
132 District to a Light Industrial (LI) District for 20.0-acre tract of land identified as Tract 5 of the J. H. Bailey  
133 Survey, Abstract No. 34, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,  
134 situated within the SH-276 Overlay (SH-276 OV) District, addressed as 4821, 4827 & 4849 SH-276, and  
135 take any action necessary.

136  
137 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the subject  
138 property is along Hwy 276 towards the end of the City limits and is currently zoned Agricultural  
139 District as well as the surrounding properties; also the properties north of Hwy 276 are not  
140 within the City limits. Mr. Gonzales added that the applicant was present and would be providing  
141 a presentation of the request.

142  
143 Chairman Lyons asked the applicant to come forward.

144  
145 Clarence Jorif  
146 738 Justin Road  
147 Rockwall, TX

148  
149 Mr. Jorif came forward and stated he has served as military, law enforcement and as a secret  
150 service agent with 34 years of experience and his plan for the tract of land is to provide a  
151 training facility for civilian and law enforcement personnel. From the civilian point of view it will  
152 give the ability to safe guard yourself, family and those around you by utilizing the training  
153 facility, however it is not a gun range. On the other side of it would provide the needed skills by  
154 law enforcement to augment their skills. Mr. Jorif provided a presentation which described the  
155 facility to be approximately 58,000 square feet that will be split into two areas. One of which he  
156 referred to as the "civilian" area which will have a restaurant, a retail area, conference rooms,  
157 VIP areas, management area and one set of classrooms and four tactical simulation rooms. The  
158 other part of the building will be locked off and accessed thru a separate entrance to be used by  
159 law enforcement.

160  
161 Mr. Jorif further stated that the purpose of the facility is to bring much needed skills to avid  
162 firearm enthusiasts. He expressed his desire to be in the Rockwall community and making a  
163 positive impact on the community.

164  
165 Chairman Lyons asked for questions from the Commission.

166  
167 Commissioner Fishman asked if it would be specifically for Rockwall local law enforcement or  
168 would it be expanded to surrounding agencies. Mr. Jorif stated he has already reached out to the  
169 local law enforcement as well as surrounding agencies.

170  
171 Chairman Lyons asked if there would be any firearms and would there be target practice or  
172 shooting ranges within the facility. Mr. Jorif stated there would be three one of which will be a  
173 101 yard line ideally for rifleman or hunters; it will be climate controlled and noise abated. There  
174 will also be two 25 yard lanes.

175  
176 Commissioner Logan asked if it would be a gun range. Mr. Jorif stated it will be a tactical  
177 training facility that needs a gun range contingent to it.

178  
179 Commissioner Logan asked staff for clarification about the standards for a gun range within the  
180 City limits. Mr. Gonzales stated that from the zoning change what the applicant is requesting for  
181 the Light Industrial District would allow, because it is a permitted use by right to have an indoor  
182 target range. There are several uses within the facility and that being the most intense use; it  
183 would be classed as an indoor target range although it may not be that but just for zoning  
184 purposes because it is an allowed use by right.

185  
186 Commissioner Fishman asked if classes would be offered to civilians or would it be just a drop  
187 in type facility. Mr. Jorif stated it would be a combination of both.

188

189 Commissioner Fishman asked in regards to the retail what would that consist of. Mr. Jorif stated  
190 it would be firearms sales, ammunition sales, clothing basically anything that is needed to  
191 support a shooting sport.  
192

193 Mr. Miller added that the public hearing for the case will be June 13<sup>th</sup>.  
194

195 There being no further questions Chairman Lyons indicated the case will return to the  
196 Commission for action at the next scheduled meeting.  
197

198  
199 9. Z2017-020

200 Hold a public hearing to discuss and consider a request by Rockwall SIL, LLC on behalf of the owner  
201 Cameron & Cameron for the approval of a zoning change from an Agricultural (AG) and Commercial (C)  
202 District to a Planned Development District for an age-restricted multi-family apartment complex on a  
203 12.40-acre tract of land identified as Tract 8 of the B. J. T. Lewis Survey, Abstract No. 255, City of  
204 Rockwall, Rockwall County, Texas, zoned Agricultural (AG) and Commercial (C) District, situated within  
205 the SH-205 Overlay (SH-205 OV) District, located on the west side of T. L. Townsend Drive south of  
206 Justin Road, and take any action necessary.  
207

208 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the property  
209 is located on the southwest corner of Justin Road and TL Townsend and currently has two  
210 zonings which are Commercial and Agricultural. Mr. Gonzales advised the Commission the  
211 applicant was present and would be presenting further detail on the request and would be  
212 available for questions.  
213

214 Chairman Lyons asked the applicant to come forward.  
215

216 Tim Ohanlen  
217 (No address given)  
218

219 Mr. Ohanlen came forward and stated he is one of the developers on the project and they are  
220 requesting to build a senior resort community to serve a segment of the senior community that  
221 they feel is underserved. There are a lot of the high end full amenity type product, as well as low  
222 income subsidized product but there is a lack of senior communities for the common man or  
223 woman. Also, in looking at the type of product that is currently in Rockwall the majority is filled  
224 up therefore they believe there is a significant need for the type of product they are proposing.  
225 The site that they are looking at is ideal due to the proximity to hospitals, entertainment and  
226 downtown as well as the greenbelt that sits behind the property that will provide a park but in  
227 order to do that and they will request a variance to the multi-family density. They will be  
228 mirroring the project to an existing development they have in Allen and he welcomed the  
229 Commission to feel free to visit that facility to get a better idea of what they are proposing. He  
230 feels it will be a great fit to the Rockwall community.  
231

232 Commissioner Logan asked what designates it a senior citizen center. Mr. Ohanlen stated it  
233 would be age restricted to age 55 and older and would be deed restricted. Commissioner Logan  
234 asked if it would be designated by the City as a senior citizen community. Mr. Ohanlen stated it  
235 would be. Commissioner Logan asked concerning the lot mix. Mr. Ohanlen stated it would be  
236 60% two bedroom and 40% one bedroom.  
237

238 Chairman Lyons asked if it is strictly age 55 and older would anyone with kids be allowed to  
239 move in.  
240

241 Bart Tinsley  
242 1625 Heart Springs Drive  
243 Allen, TX  
244

245 Mr. Tinsley came forward and stated no senior facility can keep anyone underage out due to the  
246 federal law however; they would restrict the deed to only allow a certain amount of tenants and  
247 also would structure the facility in such a way to accommodate and cater to seniors.  
248

249 Commissioner Chodun asked what the Future Land use for the subject property is. Mr. Gonzales  
250 stated the Future Land Use Map indicated the property to be Commercial use and what the  
251 applicant is requesting is for a Residential use.

252 Commissioner Chodun asked how many other senior communities are in the City currently. Mr.  
253 Gonzales stated that how the land use chart lays out it looks at these as multi-family apartment  
254 complexes and there are nine and one that was just approved. However there is one on Hwy 205  
255 that is age restricted but is still considered multi-family.  
256

257 Commissioner Chodun asked what the price per square foot would be and would it be gated. Mr.  
258 Tinsley stated it will not be gated and they will be roughly at about \$1.85 per square foot and the  
259 rent will start around \$1,300 to \$1,400 their goal is to make it affordable with high end finishes.  
260

261 Commissioner Welch asked for clarification if they would be leased and not sold. Mr. stated they  
262 would be leased. Commissioner Welch also asked concerning a note in staff's memo of not  
263 having "adequate utilities" for the area. City Engineer, Tim Tumulty, stated that the applicant  
264 would need and need to work with the Engineering staff to look at the existing model to  
265 determine what the capacity is. Mr. Miller added that when those areas are calculated they are  
266 based on the future land use map and since this area was considered to be Commercial and  
267 High Density is considered to be a more intense use that causes issues with the Cities utilities  
268 and that was the reason that comment was included in staff's memo.  
269

270 Joseph Reue  
271 10701 Corporate Drive  
272 Dallas, TX  
273

274 Mr. Reue came forward and stated they submitted to the Engineering staff a sewer and water  
275 study that would also include what the anticipated flows will be.  
276

277 Commissioner Logan asked if there would need to be a variance for the height as it is proposed  
278 to be a four story structure. Mr. Gonzales stated no variance would be required.  
279

280 Chairman Lyons asked if there was any concern from the applicant with the proximity of the  
281 middle school being across the street. Mr. Reue stated they do not believe that would pose a  
282 problem. Chairman Lyons asked concerning the middle school activities that may interfere with  
283 the proximity of the development. Mr. stated with the materials used on windows and material  
284 there should not be a problem.  
285

286 There being no further questions Chairman Lyons indicated the case will return to the  
287 Commission for action at the next scheduled meeting.  
288  
289

290 10. Z2017-021

291 Hold a public hearing to discuss and consider a request by Alex Freeman of Pinnacle Montessori  
292 Franchise Co. on behalf of George R. Weatherford for the approval of a zoning change from  
293 Residential-Office (RO) District to General Retail (GR) District for a 2.35-acre parcel of land identified as  
294 Tract 6 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned  
295 Residential-Office (RO) District, addressed as 4031 N. Goliad Street, and take any action necessary.  
296

297 Planner, Korey Brooks, gave a brief explanation of the request stating that in 2011 City Council  
298 approved the a zoning change from Agricultural to Residential Office. Residential Office is meant  
299 to be a low intensity district that allows aging homes that can be repurposed into offices. The  
300 applicant is requesting to rezone the subject property from a Residential Office District to a  
301 General Retail District. Currently there is a single-family home on the subject property and the  
302 applicant is requesting to construct an 10,970 SF Montessori school and a 7,500 retail building.  
303 The Future Land Use Map designates the subject property for Medium Density Residential land  
304 uses. Mr. Brooks added that with the current zoning as Residential Office the applicant has the  
305 ability to request an SUP for the Montessori School and the general retail store, however the  
306 applicant decided against that due to the limited uses with the General Retail.  
307

308 Mr. Brooks advised the Commission staff was available for questions and that the applicant was  
309 present and was available for questions as well.  
310

311 Chairman Lyons asked the Commission for any questions for staff.  
312  
313

314 Commissioner Chodun asked for further clarification of the SUP that could be requested instead  
315 of what the applicant is currently requesting. Mr. Brooks stated that in Residential Office a  
316 Montessori School and a General Retail store can be requested with an SUP without changing  
317 the Zoning.

318  
319 Brad Williams  
320 2728 NW Harvard Street  
321 Dallas, TX  
322

323 Mr. Williams came forward and stated they are requesting the zoning change from RO to GR they  
324 feel the retail aspect that would be in place would be designed to be compatible with uses that  
325 would fit children's needs. He spoke of the concern that may be with traffic. They believe with  
326 the concept of the Montessori. They will be conducting a traffic analysis to the site. Mr. Williams  
327 added that concerning the adjacency to neighboring homes they will be building a retaining wall  
328 underneath the masonry wall that would allow enough screening from the neighborhoods. They  
329 feel their proposal would be a good fit to the area.

330 Mr. Brooks added that currently the concept plan the applicant has submitted is only conceptual  
331 and they would be required to submit a site plan should this request be approved.  
332

333 Commissioner Chodun asked concerning the retail use. Mr. Williams stated the concept they are  
334 looking for is to have the afterschool activity element within reach to facilitate parents wishing to  
335 have kids do after school activities.  
336

337 General discussion took place concerning the uses that would be allowed and what restrictions  
338 could be put in place and how a Specific Use Permit could also be an option.  
339

340  
341 Alex Freeman  
342 18740 Amesbury Lane  
343 Dallas, TX  
344

345 Mr. Freeman came forward and spoke of what their reasoning behind having retail uses next to  
346 the Montessori School, they don't have teachers to teach the afterschool programs such as  
347 dance or karate and by adding the retail aspect those uses could be brought in.  
348

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

352 11. Z2017-022

353 Hold a public hearing to discuss and consider a City initiated request for the approval of a text  
354 amendment to Section 6.8, *205 By-Pass Corridor Overlay (205 BY-OV) District*, of Article V, *District*  
355 *Development Standards*, and Section F.3, *District Landscaping Requirements*, of Appendix 'F',  
356 *Landscaping Requirements and Guidelines*, of the Unified Development Code for the purpose of  
357 amending the residential frontage requirements and clarifying certain sections of the code, and take any  
358 action necessary.  
359

360 Planning Director, Ryan Miller, gave a brief explanation of the request stating that on May 15<sup>th</sup>  
361 City Council directed staff to bring forward changes to Article V specifically what they are  
362 looking to achieve with the changes is to provide increased buffering of single family lots along  
363 John King specifically the lots that back to John King. This would only affect unentitled  
364 residential properties currently along that thoroughfare, which there are three or four vacant  
365 tracts of land left along that city roadway. The draft ordinance lays out four options for  
366 residential subdivisions along John King that have properties that will be fronting on or backing  
367 up to John King. These options are: 1) increased landscape buffer of 100-feet, 2) increased rear  
368 yard building setback of 50-feet for properties backing to John King Boulevard, 3) the  
369 incorporation of a slip street with minimum of 50-feet of right-of-way, and 4) the incorporation of  
370 an eyebrow street with a 30-foot landscape buffer and 25-foot front yard building setback. In  
371 addition, staff has added language that lays out the purpose of the required berm, and creates a  
372 stipulation that requires additional screening in the landscape buffer if the berm is deemed  
373 insufficient to screen traffic along John King Boulevard. The Planning and Zoning Commission  
374 will be required to make a determination if the screening is sufficient at the time of site plan.  
375 Finally, staff has made miscellaneous changes to the document for the purpose of clarifying  
376



377 certain sections, and carried the changes over to Appendix 'F', Landscaping Requirements and  
378 Guidelines, of the UDC for continuity purposes. Also, staff will send out a 15-day notice to the  
379 Rockwall Harold Banner in accordance with all applicable state laws it will be brought back to  
380 the Commission for public hearing at the June 13<sup>th</sup> meeting.

381  
382 There being no further questions Chairman Lyons indicated the case will return to the  
383 Commission for action at the next scheduled meeting.

384  
385  
386 12. SP2017-016

387 Discuss and consider a request by Bassam Ziada of Murphy Oil USA, Inc. for the approval of a site plan  
388 for a convenience store with gasoline sales on a 1.013-acre parcel of land identified as Lot 5, Block A,  
389 Walmart Super Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)  
390 District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 776 E. IH-30, and take any  
391 action necessary.

392  
393 Planner, David Gonzales, gave a brief explanation of the case stating it is for the Murphy Oil that  
394 is located in front of the Walmart along the IH-30 and advised the applicant was present and  
395 would be presenting the case.

396  
397 **Bassam Ziada**  
398 **3100 Drana Lane**  
399 **Fayetteville, AR**

400  
401 Mr. Ziada came forward and stated they are proposing to come in and replace the existing  
402 building which was built in 2004 as well as the tanks and canopy. The existing building is  
403 approximately 270 square feet with four pumps. The proposed new development will be a 1,200  
404 square foot building which would allow customers to access from either side of where the  
405 pumps are located and they are also looking to add four additional pumps for a total of eight  
406 dispensers. When they come in to do the project they will barricade the entire site and remove  
407 the existing tanks and will have an environmental firm on site to make sure there is no soil  
408 contamination and will follow all of TCQ guidelines and will follow their guidelines for tank  
409 closure and they will work closely with staff and with the fire marshal.

410  
411 Mr. Ziada went on to state that they met with the Architectural Review Board and they will  
412 address the comments they received from them and send revisions to staff for their review.

413  
414 Chairman Lyons asked the Commission for any questions.

415  
416 Commissioner Chodun asked if it would be a complete rebuild. Mr. Ziada stated it would be the  
417 concrete will be removed demolished and rebuilt.

418  
419 There being no further questions Chairman Lyons indicated the case will return to the  
420 Commission for action at the next scheduled meeting.

421  
422  
423 13. SP2017-017

424 Discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of Rockwall  
425 Regional Hospital, LLP for the approval of an amended site plan for a hospital [*Presbyterian Hospital*]  
426 on a 18.871-acre portion of a larger 8.867-acre parcel of land identified as Lot 22, Block A, Presbyterian  
427 Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development  
428 District 9 (PD-9) for General Retail (GR) District land uses, addressed as 3150 Horizon Road, and take  
429 any action necessary.

430  
431 Planner, Corey Brooks, stated that as was mentioned by the Architectural Review Board member  
432 earlier in the evening, the site plan was reviewed and the Board did recommend approval based  
433 upon the matching of the existing buildings and materials. Mr. Brooks advised the Commission  
434 the applicant was present and available for questions.

435  
436 **Drew Donosky**  
437 **1903 Central Drive**  
438 **Bedford, TX**

440 Mr. Donosky came forward and stated they are proposing a 5,600 foot addition on the  
441 Presbyterian Hospital site and he is available for questions.  
442

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

446 14. H2017-007

447 Hold a public hearing to discuss and consider a City initiated request for the purpose of *rescinding* the  
448 *Local Landmark Designation (i.e. Ordinance No. 08-15)* for the *Spafford House* being a 0.24-acre parcel  
449 of land identified as a portion of Lot 1, Austin Addition, City of Rockwall, Rockwall County, Texas, zoned  
450 Planned Development District 50 (PD-50) District, addressed as 902 N. Goliad Street, and take any  
451 action necessary.  
452

453 Senior Planner, David Gonzales, gave a brief explanation of the request stating this property is  
454 commonly known as the Historic Spafford Home. The home was built in 1894 with a Folk  
455 Victorian influence. At the time of designation, staff felt the home provided positive  
456 characteristics for the North Goliad streetscape and that designating the property would allow  
457 for proper restoration/redevelopment of the home. Since its designation as a Landmark  
458 Property, the property has had modifications to the exterior that do not meet the intent of the  
459 Historic Preservation Guidelines. These modifications involve the homes windows, siding, and  
460 trim, all of which were modified without obtaining a COA from the HPAB. The recent historic  
461 resource survey conducted by the City's consultant Hardy, Heck, Moore, Inc. adopted by the  
462 HPAB in April of this year they identified changes to the exterior that include replacement of the  
463 doors, windows, exterior wall materials, and alterations to the porch. Due to these changes,  
464 HHM recommended revising the historic designation of the property from a High Contributing to  
465 a Medium Contributing property. Based on these findings, the HPAB directed staff to move  
466 forward with rescinding the Landmark Designation of the property. Mr. Gonzales added that  
467 rescinding the ordinance will not affect the current designation status as a Medium Contributing  
468 Property nor would it affect the property owner from restoring the home to a condition that is  
469 worthy of re-adopting it as a Landmark Property in the future.  
470

471 Mr. Gonzales advised the Commission he was available for questions.  
472

473 Commissioner Logan expressed concern for those changes having made since they were not  
474 supposed to be made. Mr. Gonzales explained that the changes that were made were done  
475 without a Certificate of Appropriateness and without anyone being aware the changes were  
476 done. Currently they do have a site plan for changes that are being done to the parking and for a  
477 remodel to the inside of the home. Mr. Miller added that before it changed over to a commercial  
478 property it was being uses a residential property and as best as staff can figure those changes  
479 happened at some point during the residential tenure and then sold to the current owner.  
480

481 Commissioner Fishman asked what resending the property would essentially be doing if it will  
482 still be a contributing property that would require approval for any changes. Mr. Gonzales stated  
483 because the characteristics to the exterior of the home were changed, it makes it not as  
484 significant as it was when it was first looked at as a historic property.  
485

486 Mr. Miller added that staff will provide the designations that the Board used in making their  
487 determination of high, medium, low and landmark and that may help with clarification.  
488

489 There being no further questions Chairman Lyons indicated the case will return to the  
490 Commission for action at the next scheduled meeting.  
491

492 15. Director's Report of post Council meeting outcomes of Planning & Zoning cases.  
493

- 494 ✓ P2017-017: Lot 1, Block B, Harbor Village Addition [Approved]
- 495 ✓ P2017-020: Lot 1, Block A, Wood Estates Addition [Approved]
- 496 ✓ P2017-021: Preliminary Plat for the Highlands Subdivision [Approved]
- 497 ✓ P2017-022: Final Plat for Breezy Hill, Phase VI [Approved]
- 498 ✓ P2017-023: Final Plat for Stone Creek, Phase VIII [Approved]
- 499 ✓ Z2017-009: SUP for a Motor Vehicle Dealership at 1415 & 1501 E. IH-30 (2<sup>nd</sup> Reading) [Approved]
- 500 ✓ Z2017-013: SUP for an Accessory Building at 2180 Airport Road (1<sup>st</sup> Reading) [Approved]
- 501 ✓ Z2017-014: SUP for a Small Animal Clinic in PD-50 (1<sup>st</sup> Reading) [Approved]
- 502

- 503 ✓ Z2017-015: SUP for a Hotel at 801 B. E. IH-30 (1<sup>st</sup> Reading) [Denied]
- 504 ✓ Z2017-016: Zoning Change (C to LI) (1<sup>st</sup> Reading) [Denied]
- 505 ✓ Z2017-017: Revocation of Ordinance No. 15-05 (S-131) (1<sup>st</sup> Reading) [Approved]
- 506 ✓ Z2017-018: Amendment to S-99 (Ordinance No. 12-29) (1<sup>st</sup> Reading) [Approved]
- 507 ✓ SP2017-010: Major Waivers for 301 & 303 N. Goliad Street [Approved]
- 508 ✓ SP2017-010: Variances for Texas Road House [Approved]
- 509

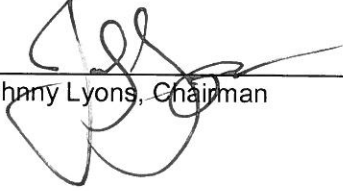
510 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
511 referenced case at the City Council meeting.  
512

513  
514 VI. ADJOURNMENT

515  
516 Chairman Lyons adjourned the meeting at 7:45 p.m.  
517

518  
519 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
520 ROCKWALL, Texas, this 13 day of June, 2017.  
521

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\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**June 13, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

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

II. CONSENT AGENDA

1. Approval of Minutes for the May 9, 2017 Planning and Zoning Commission meeting.
2. Approval of Minutes for the May 30, 2017 Planning and Zoning Commission meeting.

3. SP2017-017

Discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of Rockwall Regional Hospital, LLP for the approval of an amended site plan for a hospital [*Presbyterian Hospital*] on a 18.871-acre parcel of land identified as Lot 22, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 3150 Horizon Road, and take any action necessary.

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

III. APPOINTMENTS

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

Architectural Review Board representative, Phillip Cradock, gave a brief explanation of the agenda item that was discussed at the ARB meeting.

IV. PUBLIC HEARING ITEMS

5. Z2017-019

Hold a public hearing to discuss and consider a request by Clarence L. Jorif of *The Compound at Rockwall* on behalf of Tom Szoboszlay for the approval of a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District for 20.0-acre tract of land identified as Tract 5 of the J. H. Bailey Survey, Abstract No. 34, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 4821, 4827 & 4849 SH-276, and take any action necessary.

Senior Planner, David Gonzales, gave a brief explanation of the case stating that the subject property is a 20.0-acre tract of land generally located along the southern portion of SH-276, situated between Gumbo Drive and FM 551, and is situated within the SH-276 Overlay and was annexed into the City on December 22, 2008 and is zoned Agricultural District. The applicant is requesting to change the zoning of the subject property from an Agricultural District to a Light Industrial District. Directly north of the subject property is an unincorporated area of the City that is north of SH-276 and contains a mix of uses, both residential and non-residential. The area is within the City's extraterritorial jurisdiction. Directly south of the subject property is Planned Development District 76, which is designated for Single Family 1 District land uses. PD-76 is an approximately 138-acre vacant tract of land that will accommodate 107 single family homes situated on a minimum of one acre lots. According to the Master Thorough Plan, a minor collector street will separate the proposed zoning request with this SF-1 development. Directly

64 east of the subject property are a 1.0-acre, 5.0-acre, 9.041-acre, and 34.39-acre tract of land that  
65 contains a mix of uses that are both residential and non-residential and were annexed at the  
66 same time as the subject property. These tracts of land are zoned Agricultural District. And  
67 lastly, directly west of the subject property is the 10.0-acre tract of land containing a single  
68 family home that was annexed at the same time as the subject property and is zoned Agricultural  
69 District.  
70

71 Mr. Gonzales further stated that the Future Land Use Map designates portions of the subject  
72 property as Technology/Light Industrial and Low Density Residential Districts. The northern  
73 portion of the subject property is designated as Technology/Light Industrial which is intended to  
74 provide for research and development, office, light industrial uses. Also, that the northern  
75 portion of the subject property conforms to the Future Land Use Maps' designation. The z  
76 conceptual site plan contained in the draft ordinance does not vest the development and is only  
77 representative of the boundary of the subject property which is described in the legal  
78 description. The southern portion of the subject property is designated as Low Density  
79 Residential. The applicants request would change the Future Land Use Map designation for the  
80 southern portion of the subject property to a Technology/Light Industrial designation. This  
81 designation may be considered an appropriate use for the subject property given that several of  
82 the properties located east and west of the subject property adjacent to Hwy 276 have dual  
83 Future Land Use designations. The Master Thoroughfare Plan indicates that a minor collector a  
84 60-ft right-of-way, 2-lane undivided with 2-on street parking lane will be placed along the  
85 southern of the subject property and extend from Dowell Road to FM-551. This may warrant the  
86 change to the Future Land Use Map; however, this remains a discretionary decision for the  
87 Planning and Zoning Commission and City Council and should the City Council approve the  
88 applicant's request, a condition of approval would be to amend the Future Land Use Map to  
89 reflect the proposed change in land use for the southern portion of the subject property from a  
90 Low Density Residential designation to a Technology/Light Industrial designation.  
91

92 Mr. Gonzales went on to state that on May 17, 2017, staff mailed 11 notices to property owners  
93 and residents within 500-feet of the subject property and posted a sign along SH-276, adjacent to  
94 the subject property. One notice opposed to the zoning change request was received.  
95

96 Mr. Gonzales advised the Commission that the applicant was present and both staff and the  
97 applicant were available for questions.  
98

99 Chairman Lyons opened up the public hearing and asked the applicant to come forward.  
100

101 Clarence Jorif  
102 738 Justin Road  
103 Rockwall, TX  
104

105 Mr. Jorif came forward and stated that the the purpose for the facility is to enable the citizens of  
106 Rockwall and surrounding areas to take care of themselves and those around them as well as to  
107 allow law enforcement the opportunity to enhance their training. Mr. Jorif spoke of his  
108 background in the area of law enforcement and the military and his desire to give back to the  
109 community by providing this type of facility that will help augment to the existing training  
110 facilities that are provided to the local and neighboring law enforcement communities. He  
111 respectfully asked the Commission to consider and approve the request.  
112

113 Chairman Lyons asked the Commission for questions for the applicant.  
114

115 Commissioner Trowbridge asked if the zoning change request is for the lot but won't be utilizing  
116 the entire depth of the lot, can what the applicant have be proposed be within the boundaries  
117 that change from Light Industrial to Low Density Residential as depicted in map that staff  
118 provided which showed current zoning and what the Future Land Use designates. Mr. Gonzales  
119 explained that the zoning request is for the entire 20 acre property and therefore would be  
120 appropriate to move forward with the zoning that was requested. Commissioner Trowbridge  
121 asked if the use was only for the front or the back. Mr. Jorif explained that it will be done in  
122 phases, phase 1 is currently being operated out of 738 Justin Road it's an office and classroom  
123 environment where training license to carry takes place, since there is no range available there  
124 the clients are taken to the gun range in Garland. Phase 2 is the 58,000 square foot facility which  
125 he provided a picture of where within that he plans on building. Phase 3 will consist of a modular  
126 armored tactical combat house, which basically is a shoot house which will be self- contained,

127 covered and currently local and surrounding law enforcement agencies do not have anything  
128 similar to which they could use in the area. Phase 4 will be another building on the property that  
129 will be used for archery. The back area of the property will be turned into a land navigation area.  
130 The only place where any live fire will take place will in the actual facility itself. That is the reason  
131 for the request to zone the entire site to Light Industrial. Commissioner Trowbridge asked what  
132 the back area will be used for. Mr. Jorif continued to explain that the back part of the area is  
133 currently overgrown with trees and that is where he plans on using it as a land navigation  
134 course.

135  
136 Commissioner Logan asked what the need for this type of facility is when training facilities are  
137 already available to law enforcement. Mr. Jorif explained that the current training facility on John  
138 King and Airport Road is one dimensional, what he is proposing will be 101 yard range indoors  
139 for long gun training, tactical training from a 25 yard line where a person can start at the 3foot  
140 yard line and work their way to the 25 yard line. There will also be a mat room which will allow  
141 for hands on tactical training and also a tactical simulations room. It is not meant to take the  
142 place of training facilities that are available to law enforcement but rather augments to those.

143  
144 Commissioner Logan asked if the back portion is changed to Light Industrial would it then leave  
145 it open to allow for an outdoor range. Mr. Gonzales stated that an outdoor range would require a  
146 Specific Use Permit which would be another zoning change, however an indoor range is allowed  
147 in the Light Industrial and a Commercial use and no outdoor gun ranges are allowed within the  
148 City.

149  
150 Commissioner Chodun asked if there were any additional requirements for an indoor range as  
151 well as the retail aspect. Mr. Gonzales stated it is a use permitted by right.

152  
153 Chairman Lyons generally expressed being in favor of the request which would allow to  
154 augment the already existing facilities available to the law enforcement community.

155  
156 Commissioner Trowbridge expressed concern over the back part of the lot penetrating into the  
157 Low Density Residential area to the south.

158  
159 General discussion took place detailing what the five phases of the project will encompass.

160  
161 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come  
162 forward, there being no one indicating such Chairman Lyons closed the public hearing and  
163 brought the item back to Commission for discussion or a motion.

164  
165 Commissioner Fishman generally expressed being in favor of the request feels there is a need  
166 for this type of facility and it could bring a lot of value to Rockwall, however she expressed  
167 concern with the property to the south and how it will combine with the Low Density Residential  
168 that is designated in the Future Land Use Map.

169  
170 Commissioner Moeller generally expressed being in favor of the request and stated that there is  
171 a need for this type of facility and feels that the proposal is well thought out and will augment  
172 the already existing police training facilities.

173  
174 Commissioner Chodun generally agreed with Commissioner Fishman's concerns. He feels the  
175 need does exist for a facility such as this however he feels the facility itself is too big.

176  
177 Commissioner Logan expressed concern of the south end of the property and also generally not  
178 in favor of bringing in a gun range to the City.

179  
180 Commissioner Trowbridge expressed concern over what the Future Land Use Map designates  
181 the area to be.

182  
183 Commissioner Lyons expressed being in favor of the request and expressed the need for such  
184 facilities.

185  
186 Commissioner Logan asked for clarification of what the Future Land Use map is designating and  
187 general discussion took place between the Commission concerning the designation of the  
188 subject property within the Future Land Use Map.

189 Commissioner Trowbridge made a motion to recommend approval of the zoning change request  
190 for the portion of the subject property that lies within the Future Land Use Map designated as  
191 Technology/Light Industrial District from an Agricultural District to a Light Industrial District.  
192 Commissioner Chodun seconded the motion which passed by a vote of 5-1 with Commissioner  
193 Logan dissenting and Commissioner Welch absent.

194  
195 6. Z2017-020

196 Hold a public hearing to discuss and consider a request by Rockwall SIL, LLC on behalf of the owner  
197 Cameron & Cameron for the approval of a zoning change from an Agricultural (AG) and Commercial (C)  
198 District to a Planned Development District for an age-restricted multi-family apartment complex on a  
199 12.40-acre tract of land identified as Tract 8 of the B. J. T. Lewis Survey, Abstract No. 255, City of  
200 Rockwall, Rockwall County, Texas, zoned Agricultural (AG) and Commercial (C) District, situated within  
201 the SH-205 Overlay (SH-205 OV) District, located on the west side of T. L. Townsend Drive south of  
202 Justin Road, and take any action necessary.

203  
204 Senior Planner, David Gonzales, gave a brief explanation of the case stating that the applicant  
205 requesting to rezone a 12.40-acre tract of land from an Agricultural and Commercial District to a  
206 Planned Development District for an age restricted multi-family apartment complex that will  
207 consist of 174 units. The subject property, which was annexed into the City on June 20, 1959  
208 and February 6, 1961 by Ordinance No.'s 59-02 & 60-01, is located north of the intersection of E.  
209 Yellow Jacket Lane and T. L. Townsend Drive, and is currently a vacant tract of land. In addition,  
210 the subject property is currently unplatted. Directly north of the subject property is eight parcels  
211 of land zoned Commercial District and situated on these parcels are several multi-tenant office  
212 buildings and the Rockwall Central Appraisal District's office building. Beyond that is Justin  
213 Road, which is identified as a major arterial, four lane divided roadway on the City's Master  
214 Thoroughfare Plan. Beyond this is a mini-warehouse facility which is zoned Commercial  
215 District. Directly south of the subject property are two parcels of land which are occupied with a  
216 church and community garden. Both of these parcels are zoned Commercial District. Beyond  
217 this quasi-public use is E. Yellow Jacket Lane, which is identified as a major arterial, four lane,  
218 divided roadway on the City's Master Thoroughfare Plan. Directly east of the subject property is  
219 T. L. Townsend Road, which is identified as. major arterial, four lane, divided roadway on the  
220 City's Master Thoroughfare Plan. Beyond this are a vacant 12.484-acre parcel of land that is  
221 zoned Light Industrial District and, a 41.649-acre parcel of land that is zoned Agricultural District.  
222 Situated on the 41.649-acre parcel of land is Herman E. Utley Middle School. And directly west  
223 of the subject property are three parcels of land and all of those properties are zoned  
224 Commercial District and are situated within the SH-205 Overlay District.

225  
226 Mr. Gonzales went on to explain that based on the size of the subject property and the number  
227 of units proposed, the requested density will be 14 units per acre, meeting the standards  
228 established for a Multi-Family 14 District. However, the Future Land Use Map indicates the  
229 subject property to be zoned for commercial land uses. Based on the request for a high density  
230 development the Engineering Department has contacted the City's engineering consultant,  
231 Birkhoff, Hendricks & Carter, LLP to review the City's 2014 Wastewater Collection System Master  
232 Plan and determine the capacity necessary for the existing sanitary sewer system regarding the  
233 proposed planned development. Any zoning change proposing a more intense land use than  
234 what is depicted on the City's Future Land Use Plan could have implications for the City's  
235 existing infrastructure capacities. This development conforms to all other requirements of the  
236 Multi-Family 14 District. Also, Article VI, Parking and Loading, of the Unified Development Code  
237 stipulates that multi-family apartment complexes be parked as follows: one bedroom or  
238 efficiency units require 1½ parking spaces per unit, two) bedroom units require two parking  
239 spaces per unit, and three bedroom units require 2½ parking spaces per unit. The applicant has  
240 indicated that the age restricted multi-family apartment complex will have one and two bedroom  
241 units only. This equates to 291 required parking spaces for the proposed development;  
242 however, the applicant is proposing a 1.25 spaces/unit for a total of 218 parking spaces. This  
243 will require approval of the Planning and Zoning Commission and City Council for the reduced  
244 number of parking spaces. The PD Concept Plan indicates that a mixture of 22 attached garages,  
245 32 detached garages, and 34 covered surface spaces, and 130 surface parking spaces will be  
246 utilized. The ratio of garages to parking units equals 54:218 or 24.77% of all parking spaces.

247  
248 Mr. Gonzales further explained that the applicant has submitted a concept plan, building  
249 elevations, and development standards for the proposed age restricted multi-family apartment  
250 complex. The concept plan shows that the proposed 174-unit age restricted apartment complex  
251 will consist of a four story building composed of a total 196,957 gross square footage and the

252 proposed building design will incorporate a wrap-around architectural style with a courtyard and  
253 pool amenity in the center. The development will also include a five foot meandering walking  
254 trail, pavilion, putting green, and an indoor recreation area. Additionally a barber and beauty  
255 shop, chapel, drug store, and a health studio will be available to the residents and not by the  
256 general public. The proposed multi-family complex will be highly articulated and will meet the  
257 City's standards for building design and materials.  
258

259 Mr. Gonzales went on to state that the building elevations submitted by the applicant show that  
260 the building will utilize a mixture of natural stone, brick, and HardiePlank lap siding on the  
261 exterior façades, and a composition shingled roof. In addition, the elevations conform to the  
262 four sided architecture requirements stipulated by the SH-205 Overlay District as required by the  
263 UDC. Staff has incorporated these elevations into the Planned Development District Ordinance,  
264 and general conformance to these elevations pending a recommendation by the Architectural  
265 Review Board at the time of site plan is a requirement of the proposed zoning district. The  
266 Future Land Use Map, contained within the Comprehensive Plan, designates the subject  
267 property for Commercial land uses. Staff has verified that this designation has existed since at  
268 least 1995 and the subject property was designated as Commercial/Office on the 1986 Future  
269 Land Use Map. The proposed development would require this designation to be changed to a  
270 High Density Residential designation, which the Comprehensive Plan defines as any use that  
271 exceeds three units per acre. In addition, the Comprehensive Plan states that high density  
272 residential should be used as a transitional use from commercial or existing retail use, or where  
273 it will serve as a logical extension of an existing high density development. The proposed  
274 subject property and zoning change does appear to conform to the majority of the  
275 Comprehensive Plan's policies and guidelines with regard to the High Density Residential  
276 designation. With this being said, the density being proposed and any change to the Future  
277 Land Use Map is a discretionary decision for the City Council. Should the City Council approve  
278 the applicant's request, staff has included a condition of approval that would amend the Future  
279 Land Use Map to reflect the proposed change in land use from a Commercial designation to a  
280 High Density Residential designation.  
281

282 Mr. Gonzales further stated that on May 17, 2016, staff mailed 34 notices to property owners and  
283 residents within 500-feet of the subject property and posted a zoning sign along T. L. Townsend  
284 Drive. Four notices were received in favor and one notice in opposition, and one email opposed  
285 to the request.  
286

287 Mr. Gonzales advised the Commission the applicants were present and they, as well as staff,  
288 were available for questions.  
289

290 Chairman Lyons opened up the public hearing and asked the Commission for any questions.  
291

292 Commissioner Chodun asked for the reason the Future Land Use Map designated the area as  
293 Commercial, what was envisioned for the reason behind it. Mr. Gonzales stated that the Future  
294 Land Use Map has had that designation since 1986 and the thought process back then was  
295 probably for what the surrounding land uses.  
296

297 Commissioner Logan asked concerning the 73 parking spaces that they will be missing and will  
298 those be made up with the garages. Mr. Gonzales stated that the garage count is included in that  
299 number and the total number of spaces will be 218. She expressed concern with being roughly  
300 25% short on the required parking.  
301

302 Commissioner Moeller asked concerning the increase in the sewer flow and the runoff. Assistant  
303 City Engineer, Amy Williams, stated that the City received information from their consultants  
304 that looked at the sewer lines and there is capacity for the development to come into the sewer  
305 system. However, on the detention system they will have to follow the City criteria.  
306

307 Chairman Lyons asked the applicant to come forward.  
308

309 Tim O'hanlon  
310 825 Market Street  
311 Suite 250  
312 Allen, TX  
313



314 Mr. O’hanlon came forward and stated he is one of the developers on the project and provided a  
315 power point presentation of the request that provided an overview of the project. He stated  
316 their focus is in senior living housing for active adults and their objective is to develop high end  
317 distinctive, amenity filled developments that will add to the community. They currently are  
318 working on a development in Allen which is the same product type that they are proposing.  
319

320 Rob Cameron  
321 6808 Denali Drive  
322 McKinney, TX  
323

324 Mr. Cameron came forward and spoke of the history they the “Cameron’s” have with the City of  
325 Rockwall and how invested the family has been for over six generations to the City of Rockwall  
326 and they feel this is a project that will fit well in the community and respectfully asked for the  
327 Commission’s approval.  
328

329 Mr. O’hanlon again came forward and went on to state that they will adhere to all the  
330 architectural standards. They are proposing a four story building that will be 174 units to adhere  
331 to the MF-14 standards which leaves a lot of footprint in the back which the plan on putting a  
332 park there where they will keep the existing tree line. They want to incorporate within the park a  
333 historic trail with placards with information about the City and they will offer tours to the  
334 community to enjoy and have partnered with Lady Bird Johnson Wildlife Center. Mr. O’Hanlon  
335 went on to speak of the different amenities that will be provided that will allow the residents to  
336 enjoy. After having looked at several properties in Rockwall, they feel the subject property is  
337 ideal for this type of development because of the surrounding community amenities. Mr.  
338 O’Hanlon went on to talk of the City of Rockwall’s need for this type of development as most of  
339 the apartments in the City that provide similar housing needs for seniors are at full capacity.  
340 They have met with owners of surrounding properties in the goal of being good neighbors. He  
341 thanked the Commission for their consideration and stated he was available for any questions  
342 they may have.  
343

344 Chairman Lyons asked the Commission for any questions.  
345

346 Commissioner Logan expressed concern over the amount of parking the applicant is proposing  
347 and asked for clarification for not meeting the parking requirements. Mr. O’hanlon stated they  
348 feel that senior housing typically don’t have as large of a parking need and therefore feel what  
349 they are proposing would be an adequate fit, but if the Commission feels more need to be added  
350 they have the room. He stated his a member of the project management company could speak  
351 more concerning Commissioner Logan’s question.  
352

353 Clint Thomas  
354 144 Randall Wood  
355 Coppell, TX  
356

357 Mr. Thomas came forward and stated he has been in property management for 32 years, an in  
358 his experience he has seen that about 80% of the residents that live in Senior housing are  
359 women, single or widowed, and they feel parking is usually standard 1.25 for senior  
360 communities.  
361

362 Commissioner Trowbridge asked concerning the height of the building and would it be seen  
363 from Goliad Street or would it be blocked by the tree line. Mr. Gonzales stated the overall height  
364 is 57 feet and therefore would probably be seen from Goliad and added if the Commission  
365 needed a sightline analysis the applicant could provide one.  
366

367 Commissioner Chodun asked the applicant if a traffic study had been conducted for the area.  
368

369 Joseph Reue  
370 10701 Corporate Drive  
371 Stafford, TX  
372

373 Mr. Reue came forward and stated he is one of the civil engineers on the project and has worked  
374 with many other projects such as this one. He stated a traffic study has not been done but feels  
375 senior housing is typically a very low traffic generator.  
376

377 Commissioner Chodun asked if there was a way of regulating the age restriction. Mr. Reue  
378 stated they will deed restrict the property to the senior age group. Mr. Thomas added that it will  
379 be in the rental criteria and application process and lease agreement.  
380

381 Chairman Lyons asked if anyone wished to come forward to speak to come forward and do so.  
382

383 Ronnie Weigant  
384 3714 Huntcliff Drive  
385 Rockwall, TX  
386

387 Mr. Weigant came forward and stated he was in favor of the request feels it is an excellent idea  
388 and will be good for the community.  
389

390 Dr. David McKeen  
391 4104 Village Drive  
392 Rockwall, TX  
393

394 Mr. McKeen came forward and stated his office is adjacent to the subject property and he, as  
395 well as his partner Dr. Brean are both in favor of the request. He doesn't feel the development  
396 would cause any traffic issues and are happy to see that they are keeping the tree line because  
397 that is the view they have outside of their office.  
398

399 Chairman Lyons asked if anyone else wished to speak to come forward, there being no one  
400 indicating such, Chairman Lyons closed the public hearing and brought the item back to the  
401 Commission for discussion or action.  
402

403 Chairman Lyons stated that although at first had some concerns with adding high density, after  
404 reviewing what the applicant has brought forward since the work session he generally  
405 expressed being in favor of the request.  
406

407 Commissioner Fishman expressed generally being in favor of the request and feels it is a good  
408 fit for the community.  
409

410 General discussion took place concerning the overall benefits or negative impacts the proposal  
411 would have.  
412

413 Commissioner Trowbridge expressed concern of the amount of apartments the City currently  
414 has and those that have been approved to go online, although there is a demand for such it  
415 needs to be thought over if the timing is right for this request to be approved.  
416

417 General discussion took place concerning flooding the market by bringing in more apartments  
418 and what impact it would have on the City.  
419

420 Commissioner Fishman made a motion to approve to approve Z2017-020 with staff  
421 recommendations. Commissioner Logan seconded the motion, which passed by a vote of 4-2,  
422 with Commissioners Trowbridge and Chodun dissenting and Commissioner Welch absent.  
423

424 Chairman Lyons called a 10 minute recess at 7:48 p.m.  
425

426 Chairman Lyons called the meeting back to order at 8:00 p.m.  
427

428 7. Z2017-021

429 Hold a public hearing to discuss and consider a request by Alex Freeman of Pinnacle Montessori  
430 Franchise Co. on behalf of George R. Weatherford for the approval of a zoning change from  
431 Residential-Office (RO) District to General Retail (GR) District for a 2.35-acre parcel of land identified as  
432 Tract 6 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned  
433 Residential-Office (RO) District, addressed as 4031 N. Goliad Street, and take any action necessary.  
434

435 Planner, Korey Brooks, advised the Commission that the applicant has requested to withdraw  
436 the case and according to the UDC anytime a case has been advertised and notifications sent  
437 out, the Planning and Zoning Commission or the applicable body must take action to accept or  
438 deny the withdrawal.  
439

440 Commissioner Trowbridge made a motion to accept the withdrawal. Commissioner Fishman  
441 seconded the motion which passed by a vote of 6-0, with Commissioner Welch absent.  
442

443 8. Z2017-022

444 Hold a public hearing to discuss and consider a City initiated request for the approval of a text  
445 amendment to Section 6.8, *205 By-Pass Corridor Overlay (205 BY-OV) District*, of Article V, *District*  
446 *Development Standards*, and Section F.3, *District Landscaping Requirements*, of Appendix 'F',  
447 *Landscaping Requirements and Guidelines*, of the Unified Development Code for the purpose of  
448 amending the residential frontage requirements and clarifying certain sections of the code, and take any  
449 action necessary.  
450

451 Planning Director, Ryan Miller, gave a brief explanation of the case stating that the City Council  
452 directed staff to look at amending the requirements for the Overlay District along John King  
453 Blvd. which is the SH205 Bypass Overlay District. Staff put together an amendment which  
454 creates an increase separation between residential properties and John King Blvd. The purpose  
455 of it is to further push properties that back to John King Blvd. away from that roadway with the  
456 hopes of creating more separation, more of a sound mitigation and there are also several other  
457 options in the Ordinance that a developer can use as opposed to backing up property to John  
458 King. It is somewhat tied to the Texas Department of Transportation coming out and stating that  
459 John King is their preferred technical route for SH205. The options that the Ordinance would  
460 create would be to increase the landscape buffer which currently requires 50 feet to 100 feet or  
461 increase the rear yard building setback to 50 feet which creates that same 100 foot separation, or  
462 the option of creating a slip street with a 50 foot right of way in between the buffer and the  
463 property. The fourth option would be to incorporate an eyebrow street with a 30-foot landscape  
464 buffer and 25-foot front yard building setback. In all cases it would be creating a separation of  
465 100 feet off the roadway, where previously it was 50 feet off the roadway.  
466

467 Mr. Miller went on to state that the Ordinance is to create a berm that properly screens the house  
468 from the roadway. Also, when the berm doesn't screen the visibility from the house to the  
469 roadway, it will be required to have additional trees planted in the back yards of those properties  
470 to allow for the same screening without having to put a metal masonry wall.  
471

472 Mr. Miller added that June 19<sup>th</sup> a fifteen day notice was sent in accordance to State law.  
473

474 Chairman Lyons asked for any questions for staff from the Commission.  
475

476 Commissioner Chodun asked if it would affect any existing developments. Mr. Miller stated it  
477 would strictly be for new entitlements along the corridor.  
478

479 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come  
480 forward, there being no one indicating such, Chairman Lyons closed the public hearing and  
481 brought the item back to the Commission.  
482

483 Chairman Lyons made a motion to approve Commissioner Moeller seconded the motion which  
484 passed by a vote of 6-0 with Commissioner Welch absent.  
485  
486

487 9. H2017-007

488 Hold a public hearing to discuss and consider a City initiated request for the purpose of *rescinding* the  
489 *Local Landmark Designation (i.e. Ordinance No. 08-15)* for the *Spafford House* being a 0.24-acre parcel  
490 of land identified as a portion of Lot 1, Austin Addition, City of Rockwall, Rockwall County, Texas, zoned  
491 Planned Development District 50 (PD-50) District, addressed as 902 N. Goliad Street, and take any  
492 action necessary.  
493

494 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the home  
495 which is located at 902 N. Goliad in 2008 received recommendations from the Historic  
496 Preservation Advisory Board and the Planning and Zoning Commission, designated it as a  
497 Landmark Property. This property is known as the Historic Spafford Home. The home was built  
498 in 1894 with a Folk Victorian influence. At the time of designation, staff felt the home provided  
499 positive characteristics for the North Goliad streetscape and that designating the property would  
500 allow for proper restoration/redevelopment of the home.  
501

502 Mr. Gonzales went on to state that Since its designation as a Landmark Property, the property  
503 has had modifications to the exterior that do not meet the intent of the Historic Preservation  
504 Guidelines. These modifications involve the homes windows, siding, and trim, all of which were  
505 modified without obtaining a COA from the HPAB. The recent historic resource survey  
506 conducted by the City's consultant Hardy, Heck, Moore, adopted by the HPAB in April of this  
507 year identified changes to the exterior that include replacement of the doors, windows, exterior  
508 wall materials, and alterations to the porch. Due to these changes, HHM recommended revising  
509 the historic designation of the property from a High Contributing to a Medium Contributing  
510 property. Based on these findings, the HPAB directed staff on May 18, 2017, after the Board's  
511 motion to recommend approval of the City initiated request to Rescind Ord. No. 08-15 for the  
512 Landmark Property at 902 N. Goliad Street passed by a vote of 5 to 1 with Board Member Odom  
513 dissenting and Board Member Thompson absent, to move forward with rescinding the Landmark  
514 Designation of the property. Rescinding the ordinance will not affect the current designation  
515 status as a Medium Contributing Property nor would it affect the property owner from restoring  
516 the home to a condition that is worthy of re-adopting it as a Landmark Property in the future.  
517 Rescinding Ordinance No. 08-15 is a discretionary for the Planning and Zoning Commission and  
518 City Council. It should be noted that staff did contact the property owner to notify her of the  
519 change, and the property owner did not raise any objections to the change in designation.  
520

521 Mr. Gonzales further noted that since the designation of a property as a Landmark Property  
522 requires the same notification process as a zoning case, staff mailed 96 notices to property  
523 owners and residents within 500-feet of the subject property on May 12, 2017. Staff also emailed  
524 notices to the Lakeview Summit and Caruth Lakes Homeowner's Associations, which are the  
525 only HOA's located within 1,500-feet of the subject property participating in the notification  
526 program. Additionally, staff posted a sign on the subject property, and advertised the public  
527 hearings in the Rockwall Harold Banner as required by the UDC. At the time this case memo  
528 was drafted staff has received one notice in favor of rescinding Ordinance No. 08-15 regarding  
529 this case.

530 Mr. Gonzales advised the Commission staff was available for questions.  
531

532 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come  
533 forward, there being no one indicating such, Chairman Lyons closed the public hearing and  
534 brought the item back to the Commission.  
535

536 Commissioner Moeller made a motion to rescind the Landmark Property status. Commissioner  
537 Logan seconded the motion which passed by a vote of 6-0, with Commissioner Welch absent.  
538

#### 539 V. ACTION ITEMS 540

##### 541 10. SP2017-016

542 Discuss and consider a request by Bassam Ziada of Murphy Oil USA, Inc. for the approval of a site plan  
543 for a convenience store with gasoline sales on a 1.013-acre parcel of land identified as Lot 5, Block A,  
544 Walmart Super Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)  
545 District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 776 E. IH-30, and take any  
546 action necessary.  
547

548 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
549 is requesting the approval of a site plan for the purpose of demolishing the existing Murphy Oil  
550 site and constructing an approximately 1,200 SF building for a proposed convenience store with  
551 gasoline sales. The new building be larger than the existing, incorporating four additional  
552 gasoline pumps for a total of eight pumps with sixteen dispensers. The site plan, landscape  
553 plan, photometric plan are generally in compliance with the UDC. Mr. Gonzales provided  
554 pictures of three different elevations the applicant proposed and the Architectural Review Board  
555 recommended approval for the first option. The applicant's photometric plan indicates spillover  
556 lighting adjacent to all property lines within the Walmart Addition; however, the spillover lighting  
557 adjacent to IH-30 will not exceed 0.2-FC with the exception of commercial developments that  
558 contain more than one lot, where spillover lighting may occur. The Murphy Oil site is within the  
559 Walmart Addition and does have spillover lighting onto the adjacent Walmart property. While  
560 the UDC does allow for spillover lighting onto commercial developments containing more than  
561 one lot, it also requires the Planning and Zoning Commission to approve the lights intensity at  
562 the affected property lines. The applicant is also proposing to use a cultured stone and provided  
563 a sample board for the Commissions review. The Architectural Review Board recommended they  
564 use a natural stone for the building however the Planning and Zoning Commission can consider

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the cultured stone if it meets the criteria within the Overlay District then the applicant can move forward with that.

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

Chairman Lyons asked the applicant to come forward and speak.

Bassim Ziada  
3100 N. Varana  
Fayetteville, AR

Mr. Ziada came forward and stated they addressed the concerns the ARB had at the work session and he was available for any questions the Commission had.

Chairman Lyons asked the Commission for questions for the applicant.

Commissioner Chodun asked concerning the outside sales. Mr. Ziada stated they have removed the propane canisters based on comments they received from the Architectural Review Board and moved the ice machine to the west side of the building.

Chairman Lyons made a motion Commissioner Trowbridge seconded the motion which passed by a vote of 6-0, with Commissioner Welch absent.

VI. DISCUSSION ITEMS

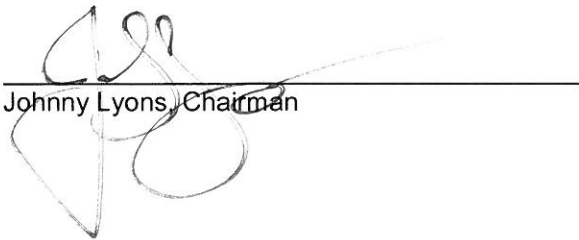
- 11. Director's Report of post Council meeting outcomes of Planning & Zoning cases.
- ✓ MIS2017-006: Masonry Exception for Lot 2, Block A, Cox Addition [Approved]

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

VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 8:31 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 27 day of June, 2017.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**June 27, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:03p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Jerry Welch, Eric Chodun, Annie Fishman, and Mark Moeller. Absent was Commissioner Tracey Logan. Staff members present were Planning Director, Ryan Miller, Senior Planner David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant Engineer, Amy Williams and Civil Engineer Jeremy White.

II. CONSENT AGENDA

1. Approval of Minutes for the June 13, 2017 Planning and Zoning Commission meeting.

2. P2017-029

Discuss and consider a request by Joe Wimpee for the approval of a final plat of Lot 1, Block A, Wimpee Acres Addition being an 8.1232-acre tract of land identified as Tract 2 of the C. W. Jones Survey, Abstract No. 127, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located north of the intersection of Dalton Road and Promenade Place, and take any action necessary.

3. P2017-031

Discuss and consider a request by Rick Dirkse for the approval of a replat for Lot 1, Block A, Dirkse Addition being 2.29-acres of land currently identified as Lots 1-6, Block B, Rockwall OT Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 301 N. Goliad Street, and take any action necessary.

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

III. APPOINTMENTS

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

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

IV. DISCUSSION ITEMS

5. Z2017-023

Hold a public hearing to discuss and consider a request by Joe Wimpee for the approval of a zoning change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District for an 8.1232-acre tract of land identified as Tract 2 of the C. W. Jones Survey, Abstract No. 127, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located north of the intersection of Dalton Road and Promenade Place, and take any action necessary.

**Planner, Korey Brooks, advised the Commission the applicant was present and would explain the request and answer questions.**

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

**Joe Wimpee**  
**105 W. Kauffman**  
**Rockwall, TX**

63 Mr. Wimpee came forward and gave a brief explanation of the request stating they bought the  
64 property which is undeveloped land at the very west end of Dalton Road that is zoned AG and  
65 they want to build a one story house on the property. Mr. Wimpee explained he was not aware  
66 that there had to be a zoning change in order to build his house, until he was told at the time he  
67 went to pull the building permit to build the home.  
68

69 Chairman Lyons asked the Commission for any questions for the applicant. There being no  
70 questions, Chairman Lyons indicated the case will return to the Commission for action at the  
71 next scheduled meeting.  
72

73  
74 Chairman Lyons stated that agenda items #6 and #7 would be combined and discussed together.  
75

76 6. Z2017-024

77 Hold a public hearing to discuss and consider a request by Alex Freeman of Pinnacle Montessori  
78 Franchise Co. on behalf of George R. Weatherford for the approval of a Specific Use Permit (SUP) for a  
79 daycare facility for a 2.38-acre parcel of land identified as Tract 6 of the J. Strickland Survey, Abstract  
80 No. 187, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District, situated  
81 within the North SH 205 Overlay (N-SH 205 OV) District, addressed as 4031 N. Goliad Street, and take  
82 any action necessary.  
83

84 Planner, Korey Brooks, stated the applicant was present and available for questions.  
85

86 Chairman Lyons asked the applicant to come forward and speak.  
87

88 Brad Williams  
89 2728 NW Harvard Street  
90 Dallas, TX  
91

92 Mr. Williams came forward and stated that they came before the Commission a few weeks ago  
93 with a different request, which was to change the zoning on the subject property. They are now  
94 requesting two SUP's but the project is essentially remaining the same. They have made a few  
95 minor changes to the concept plan, but explained that the real critical difference between the  
96 last request and the current request is that they withdrew the original request to change the  
97 zoning entirely on the property from Residential Office to General Retail. The current request will  
98 be simply for two SUP's, one being for the daycare facility and the other for the general retail  
99 store building. Mr. Williams went on to explain that they feel that one of the biggest concerns  
100 that they feel the Commission and the surrounding neighbors had was that if the zoning were to  
101 be changed to General Retail it would bring in a whole host of uses that would not fit on the  
102 subject property. After working with staff they realized they can accomplish what they are  
103 proposing under the existing zoning and the benefit of having the SUP's would be that the  
104 elevations, the concept plan, would be tied down to the Ordinance and they would then have to  
105 develop to those standards of which they would not deviate from.  
106

107 Mr. Williams showed a picture of the concept plan and went on to explain some of the changes  
108 that were made to the project from the last time it came before the Commission. They moved the  
109 dumpster and the trash facility to the north of the property, where before it was in between the  
110 daycare facility and the general retail building and by doing that it allows the children to have a  
111 continuous sidewalk from the daycare to the other building. He added that on the concept plan  
112 there is plan to build a 6 foot masonry screening wall. There is a 30 foot easement which a  
113 portion of lies within a neighboring property and the rest encumbers their property. Mr. Williams  
114 stated that they met with the neighbors that would be immediately impacted and some of the  
115 concerns that were shared by those neighbors was the issue with noise, and in that regard the  
116 masonry wall would be the best option to go with. Another option he spoke of going with is a  
117 living screen with rod iron; however that option would not alleviate the concern of noise. They  
118 are open in taking any guidance that the Commission may have concerning the screening wall  
119 because they want to do what is best for the neighborhood.  
120

121 Mr. Williams went on to discuss the elevations that they will be providing for both the daycare  
122 facility and the general retail building which will be a pitched roof and less of a Commercial  
123 looking building but rather embrace the Residential Office zoning that is in place. He spoke of  
124 how they feel that by having both building built complimentary to each other will give the site a  
125 nice cohesive feel to the neighborhood. They will address all masonry requirements during the

126 site plan phase and they will not be looking for any variance to the design standard that the City  
127 has, they are prepared to meet all of the requirements needed. Mr. Williams added that they have  
128 worked with staff to put in place some operational requirements within the Ordinance, and are  
129 open to adding any other operational requirements to abate any concerns that may come up  
130 such as lighting or hours of operation but they plan on abiding by all operational standards the  
131 City will require.

132  
133 Mr. Williams advised the Commission present in the meeting were other members involved with  
134 the project and they were open to any questions.

135  
136 Chairman Lyons asked for any questions for the applicant or staff.

137  
138 Chairman Lyons asked the applicant to go over the general concept of what the General Retail  
139 will entail. Mr. Williams gave a brief overview and explained they will be complimentary child  
140 oriented uses that will be available to the kids that attend the Montessori School such as karate  
141 and dance classes. Typical after school activity oriented programs for younger kids.

142  
143 Commissioner Trowbridge asked if the same entity that runs the school would run the General  
144 Retail. Mr. Williams stated they will own the entire property and they will be the landlord and  
145 would lease the retail out.

146  
147 Commissioner Trowbridge asked staff if the request of operations that they are looking to do  
148 better fit an SUP versus the broad retail zoning. Mr. Brooks stated that was correct, the SUP  
149 allows for general retail store versus all the uses that are allowed in a General Retail District.

150  
151 Commissioner Fishman asked if by allowing an SUP specifically for the retail only specific  
152 businesses can be brought in. Planning Director, Ryan Miller, explained that the General Retail  
153 zoning District allows a whole set of uses such as restaurants where as within Residential Office  
154 Zoning there is a use called General Retail Store which is what the SUP is for. It is a very  
155 narrowly defined use as opposed to the General Retail Zoning District which is a broad set of  
156 uses.

157  
158 Commissioner Fishman asked concerning Rockwall screening standards, would there be a  
159 landscaping buffer required with a masonry wall as well. Mr. Brooks went over the operational  
160 conditions for the General Retail store in which it states that there will be a landscape buffer  
161 required. Mr. Williams added that he wanted to make clear the applicant's desire to do whatever  
162 needs to get done from a screening perspective, whether it be masonry plus landscape, they will  
163 work with the City with all that will be required of them.

164  
165 There being no further questions Chairman Lyons indicated the case will return to the  
166 Commission for action at the next scheduled meeting.

167  
168  
169 7. Z2017-025

170 Hold a public hearing to discuss and consider a request by Alex Freeman of Pinnacle Montessori  
171 Franchise Co. on behalf of George R. Weatherford for the approval of a Specific Use Permit (SUP) for a  
172 general retail store for a 2.38-acre parcel of land identified as Tract 6 of the J. Strickland Survey,  
173 Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District,  
174 situated within the North SH 205 Overlay (N-SH 205 OV) District, addressed as 4031 N. Goliad Street,  
175 and take any action necessary.

176  
177 Above agenda item was discussed with agenda item #6 and will return for action at the next  
178 scheduled meeting.

179  
180  
181 8. Z2017-026

182 Hold a public hearing to discuss and consider a city initiated request for the approval of a text  
183 amendment amending Section 4.1, Lots Less Than Five (5) Acres, of Article VI, Parking and Loading, of  
184 the Unified Development Code and Chapter 26, Motor Vehicles and Traffic, of the Municipal Code of  
185 Ordinances for the purpose of consolidating language relating to the storage of recreation vehicles and  
186 adding provisions to allow extended parking, and take any action necessary.



189 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the City  
190 Council directed staff to bring forward changes to the parking and loading requirements that are  
191 established within the Unified Development Code and merging those with the Code of Ordinance  
192 which has similar language which refers to the parking of oversized vehicles and recreational  
193 vehicles. Essentially what is being done is removing the language that is within the Unified  
194 Development Code for Section 4.1, C, D, and E, and putting it in with the Code of Ordinances. By  
195 doing so the amendment would help to not only define some of the terms that are used for  
196 enforcement on boats and oversized vehicles, but will also allow for recreational vehicles to  
197 have the ability to be able to register their vehicle and be able to park on the street for an  
198 extended time. One of the purposes in bringing it forward to the Planning and Zoning  
199 Commission is because it involves the Unified Development Code, typically for a text  
200 amendment for a code of Ordinances it would be taken to City Council but in this case since  
201 there is language being removed from the UDC it requires action from the Planning and Zoning  
202 Commission.

203  
204 Mr. Gonzales advised the Commission staff was available for any questions.

205  
206 Chairman Lyons asked if it would include boats to be considered recreational vehicles. Mr.  
207 Gonzales stated that that was separated out, one of the issues was that boats wasn't defined  
208 and therefore now is being included in the Ordinance in order to better enforce as far as boats  
209 being on the street, the 48 hour waiting period, that will be added as a definition to what a boat,  
210 recreational vehicle and an oversized vehicle are.

211  
212 Commissioner Chodun asked how the amendment got initiated. Mr. Miller stated that the  
213 amendment was brought forward by Councilman Townsend, and the reason it is being brought  
214 to the Planning and Zoning Commission is because there is duplicated language in the Unified  
215 Development Code and the Municipal Code of Ordinances and some of that language is being  
216 removed and consolidating it.

217  
218 There being no further questions Chairman Lyons indicated the case will return to the  
219 Commission for action at the next scheduled meeting.

220  
221 Chairman Lyons stated that agenda items #9 and #10 would be combined and discussed  
222 together.

223  
224  
225 9. Z2017-027

226 Hold a public hearing to discuss and consider a request by Mahbub Dewan of D1 Architect on behalf of  
227 Deepak Gandhi for the approval of a Specific Use Permit (SUP) for the purpose of allowing a residence  
228 hotel in a Commercial (C) District that exceeds 36-feet in height within the Scenic Overlay (SOV) District  
229 on a 5.217-acre parcel of land identified as a portion of Lot 8 and all of Lots 9 & 11, Block A, La Jolla  
230 Pointe, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,  
231 situated within the Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, generally located  
232 along La Jolla Pointe Drive, east of the intersection of La Jolla Pointe Drive and Laguna Drive, and take  
233 any action necessary.

234  
235 Senior Planner, David Gonzales, advised the Commission that the applicants were present and  
236 would be presenting their case and answer any questions.

237  
238 Deepak Gandhi  
239 (No address given)

240  
241 Mr. Gandhi came forward and stated they are requesting to put two hotels in the 5.217 acre  
242 parcel which will be a Hyatt Place and a Hyatt House both of which will be high scale properties.  
243 He advised the Commission they were available for any question.

244  
245 Chairman Lyons asked what the difference was between the Hyatt Place and the Hyatt House.  
246 Mr. Gandhi stated that the Hyatt Place is considered for daily traveler's use where the Hyatt  
247 House is more of an extended stay for corporate travelers, it includes a kitchen.

248  
249 Commissioner Trowbridge asked if the "residence hotel" is the same as the concept of  
250 "extended stay" hotel within the industry. Mr. Gonzales stated that it would essentially be the  
251 same thing. It would include cooking facilities to facilitate a longer stay.

252 Commissioner Trowbridge asked if the intent of the Residence Hotel is for people to cook in the  
253 room rather than use local retail. Mr. Gandhi stated that typically not all people cook, and the  
254 hotel will also sell a complimentary dinner the cooking facility is to provide guests that option.  
255

256 Commissioner Trowbridge asked if they would be subject to a franchise agreement with Hyatt.  
257 Mr. Gandhi stated it would be a minimum of twenty years with a PIP program every ten years.  
258 Commissioner Trowbridge asked if they chose the location and Rockwall due to perceived  
259 demand. Mr. Gandhi stated that it was because of perceived demand and also Rockwall numbers  
260 are very appealing and consistently since 2013. They were offered three different areas by Hyatt,  
261 in Rockwall, Grand Prairie or Southlake, but they prefer Rockwall.  
262

263 Commissioner Chodun asked how many units are the proposing to have in each facility. Mr.  
264 Gandhi stated that as of now they are proposing to have 90 units in each, plus or minus five,  
265 depending on the design. Commissioner Chodun asked if there is another model within the state  
266 that could be used as a comparison to what is being requested where there is a Hyatt House and  
267 a Hyatt Place side by side. Mr. Gandhi stated he would look into that and provide slides for the  
268 Commission to view at the next meeting.  
269

270 Commissioner Welch asked if it would strictly be the hotel rooms or would there be any meeting  
271 or convention space. Mr. Gandhi stated with the hotel not being very big it will just have an  
272 approximately 800 square foot meeting room to satisfy the traveler need.  
273

274 Commissioner Welch asked concerning a previous request that was brought forward for multi-  
275 family on the same property, where there was concern of water and sewer facilities. Assistant  
276 City Engineer, Amy Williams stated that there is no concern for that because it's built for that.  
277 Commissioner Welch expressed liking the Hyatt brand coming to Rockwall.  
278

279 Planning Director, Ryan Miller asked the applicant to clarify what the Hyatt House onsite dinner  
280 would consist of. Mr. Gandhi stated it would not be a full fledged kitchen, it would be light dinners  
281 such as spaghetti, pasta, two or three small items. It would be a semi full service hotel kitchen.  
282

283 Commissioner Trowbridge asked how many hotel units are currently in Rockwall. Mr. Gonzales  
284 stated that currently there are seven hotels on the ground, but there are three that are entitled.  
285 Commissioner Trowbridge asked the number of rooms that are currently in Rockwall. Mr.  
286 Gonzales stated there are currently 592 rooms. Commissioner Trowbridge asked the applicant if  
287 they felt there was enough demand to add approximately 45% increase to the City's room  
288 inventory. Mr. Gandhi stated they feel there is demand.  
289

290 Commissioner Fishman asked concerning the active SUP for the extended stay that was  
291 approved by the Walmart, was that nearing its expiration date. Mr. Miller stated that it was his  
292 understanding that they are not proceeding with that project and is in a dormant status currently  
293 where no one is pursuing plans therefore per the changes that were recently made to the  
294 Specific Use Permit Ordinance in the Unified Development Code that SUP is subject to the one  
295 year expiration.  
296

297 Commissioner Fishman asked the applicant what the typical clientele that uses their hotel is. Mr.  
298 Gandhi stated typically it is corporate travelers and during the weekends it tends to be leisure  
299 travelers such as sport teams, weddings those type events.  
300

301 There being no further questions Chairman Lyons indicated the case will return to the  
302 Commission for action at the next scheduled meeting.  
303

304  
305 10. Z2017-028  
306 Hold a public hearing to discuss and consider a request by Mahbub Dewan of D1 Architect on behalf of  
307 Deepak Gandhi for the approval of a Specific Use Permit (SUP) for the purpose of allowing a hotel in a  
308 Commercial (C) District that exceeds 36-feet in height within the Scenic Overlay (SOV) District on a  
309 5.217-acre parcel of land identified as a portion of Lot 8 and all of Lots 9 & 11, Block A, La Jolla Pointe,  
310 Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated  
311 within the Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, generally located along La  
312 Jolla Pointe Drive, east of the intersection of La Jolla Pointe Drive and Laguna Drive, and take any  
313 action necessary.  
314

315 Above agenda item was discussed with agenda item #9 and will return for action at the next  
316 scheduled meeting.

317  
318  
319 11. Z2017-029

320 Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering,  
321 LLC on behalf of the owner Don Silverman of Rockwall 205-552, LLC for the approval of a Specific Use  
322 Permit (SUP) for an ~3,000 SF restaurant with drive-through on a 0.857-acre parcel of land identified as  
323 Lot 4, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail  
324 (GR) District, situated within the North SH-205 Overlay (N-SH-205 OV) District, addressed as 3611 N.  
325 Goliad Street, and take any action necessary.

326  
327 Senior Planner, David Gonzales, stated that the applicant was present and available for  
328 questions.

329  
330 Chairman Lyons asked the applicant to come forward.

331  
332 Juan Vasquez  
333 Vasquez Engineering  
334 1919 S. Shiloh Rd.  
335 Garland, TX

336  
337 Mr. Vasquez came forward and stated the property is located on the northwest corner of Goliad  
338 and Dalton Road. There is an existing retail building that is currently under construction and the  
339 infrastructure is almost complete for the development. The proposal is for a 3,000 square foot  
340 Freddy's Frozen Custard restaurant it will have a drive thru and therefor the SUP is being  
341 requested to allow for that within the General Retail zoning. Mr. Vasquez provided slides of what  
342 the prototypical elevations look like.

343  
344 Mr. Vasquez went on to state that a representative from Freddy's was present and available for  
345 questions.

346  
347 Chairman Lyons asked if they would be requesting any variances. Mr. Vasquez stated that they  
348 would not have the pitch roof due to the style of the restaurant and that variance would come  
349 thru at the time of the site plan. But as far as materials and everything else it will be all masonry.

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

353  
354  
355 12. Z2017-030

356 Hold a public hearing to discuss and consider a request by Calise Barraque of The Mint Julep on behalf  
357 of the owner Caprice Michelle of Rockwall Rustic Ranch, LLC for the approval of a Specific Use Permit  
358 (SUP) for a general retail store on a 0.183-acre tract of land identified as Lot 1, Block A, Rockwall Rustic  
359 Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50  
360 (PD-50), addressed as 406 N. Goliad Street, and take any action necessary.

361  
362 Planner, Korey Brooks, gave a brief explanation of the request stating that there is currently an  
363 SUP for this property allowing for a restaurant less than 2,000 square feet without a drive thru  
364 and it will be subject to the one year expiration. The purpose of the requested SUP is because  
365 within the PD-50 District the sale of new clothing is not allowed however it has typically been  
366 allowed in a confined are less than 200 square feet. Across the street from the subject property  
367 is Hallie B. which also sells new clothing therefore that would be one of the purposes of the  
368 SUP.

369  
370 Mr. Brooks advised the Commission the applicant was present and available for questions.

371  
372 Chairman Lyons asked the applicant to come forward.

373  
374 Calise Barraque  
375 587 W. Fate Pl  
376 Rockwall, TX

377

378 Ms. Barraque came forward and stated that they are requesting the SUP for the General Retail  
379 Store. For the past two years she and her partner have been refinishing antique and vintage  
380 furniture out of a warehouse in Fate. They have thousands of customers who have been asking  
381 when they would be opening a store she feels the subject property is a perfect fit to what they  
382 want to do. They will be showcasing local artisans such as mosaic painters, a silversmith that  
383 makes handmade sterling silver jewelry, someone that does pottery; they will also be offering a  
384 variety of classes which include mosaic classes, pottery classes. The property has been vacant  
385 for three years, and they have been putting a lot of work into it in the hope of making it a great  
386 place for the community.

387  
388 Chairman Lyons asked the Commission for any questions for the applicant or staff.

389  
390 Commissioner Trowbridge asked staff for clarification of not allowing the new merchandise sale.  
391 Mr. Brooks explained that the way the Ordinance for PD-50 is written it does not allow the sale of  
392 new clothing, however it has been allowed in a confined area of a particular business, in the  
393 applicant's case it will be 200 square feet and as long as it is an accessory to the sale of  
394 something that is allowed to be sold within PD-50.

395  
396 Commissioner Chodun asked concerning the clothing angle. Ms. Barraque explained that there  
397 will be only one vendor that has a boutique clothing line that is currently at Southern Roots on  
398 the Square but she is looking to expand.

399  
400 There being no further questions Chairman Lyons indicated the case will return to the  
401 Commission for action at the next scheduled meeting.

402  
403  
404

13. P2017-032

405 Discuss and consider a request by Cody Brooks, PE of Bannister Engineering on behalf of John Arnold  
406 of the Skorburg Co. for the approval of a preliminary plat for the Gideon Grove Subdivision consisting of  
407 72 single-family residential lots on a 29.185-acre tract of land identified as a portion of Tract 1-01 of the  
408 S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned  
409 Development District 77 (PD-77), situated within the 205 By-Pass Corridor Overlay (205 BY-OV)  
410 District, located at the northeast corner of the intersection of E. Quail Run Road and John King  
411 Boulevard, and take any action necessary.

412  
413 Senior Planner, David Gonzales, advised the Commission that agenda item #16 will be discussed  
414 with this agenda item it is part of PD-77 and is a continuation of the PD which was approved in  
415 2015 for 72 single family lots that are going to be planned for this community. The treescape  
416 plan will be listed as a condition of approval. Mr. Gonzales advised the Commission that the  
417 applicant was present to answer questions.

418  
419 Chairman Lyons asked the applicant to come forward.

420  
421 Noah Flabiano  
422 8214 Westchester Suite 710  
423 Dallas, TX

424  
425 Mr. Flabiano came forward and stated they will be doing what the zoning calls for however, at  
426 Councils direction they will be doing a playground instead of an amenity center and pool. They  
427 will be going before the Parks Board on July 10<sup>th</sup> where that will be discussed.

428  
429 Commissioner Trowbridge asked if the new John King setback barrier that was recently  
430 approved would apply to this development. Mr. Gonzales stated the entitlement for this  
431 development had already been approved prior to that becoming effective.

432  
433 There being no further questions Chairman Lyons indicated the case will return to the  
434 Commission for action at the next scheduled meeting.

435  
436  
437

14. SP2017-018

438 Discuss and consider a request by Annalyse Olson on behalf of Ron Valk for the approval of a site plan  
439 for a multi-tenant office/warehouse facility on a 2.21-acre parcel of land identified as Lot 6, Block A,  
440 Bodin Industrial Tract Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI)

441 District, located east of the intersection of T. L. Townsend Drive and Trowbridge Drive, and take any  
442 action necessary.

443  
444 **Planner, Korey Brooks, advised the Commission that the applicant has requested to withdraw**  
445 **the case. The applicant is planning on making revisions to their site plan so that the site plan**  
446 **building elevations meet all technical requirements for properties located within the Light**  
447 **Industrial District and are not expecting any variances. Any time there is a site plan that is not**  
448 **within an Overlay District it can be approved administratively, and that is the goal of the site plan**  
449 **they are working on, however it will still come before the Architectural Review Board for review.**

450  
451  
452 15. SP2017-019

453 Discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Himmat  
454 Chauhan of JAGH Hospitality for the approval of a site plan for a hotel a 1.74-acre parcel of land  
455 identified as Lot 1, Block A, Comfort Inn & Suites, Rockwall Towne Centre Addition, City of Rockwall,  
456 Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and  
457 Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.

458  
459 **Planner, Korey Brooks, stated that an SUP was approved for the hotel located on Vigor Way a**  
460 **few months back and is now in the site plan process. Mr. Brooks advised the Commission the**  
461 **applicant was present to answer questions.**

462  
463 **Chairman Lyons asked the applicant to come forward.**

464  
465 **Juan Vasquez**  
466 **Vasquez Engineering**  
467 **1919 S. Shiloh Rd.**  
468 **Garland, TX**

469  
470 **Mr. Vasquez came forward and stated the owner was unable to attend the meeting but will be in**  
471 **attendance for the public hearing. He stated the SUP that was approved and is now at the site**  
472 **plan phase and is for a four story 72 room hotel located on a 1.74 acre off of Vigor Way. They**  
473 **met with the Architectural Review Board earlier in the evening and they will take the input they**  
474 **received and do some modifications to meet their requests, as well as work with staff on any**  
475 **comments they get back from them. He went on to state that the owner also owns the Best**  
476 **Western along IH-30 in Rockwall, and therefore does have vested interest in the Rockwall**  
477 **community.**

478  
479 **Chairman Lyons asked the Commission for questions for the applicant or staff.**

480  
481 **Commissioner Trowbridge asked how many residence units there will be. Mr. Vasquez stated**  
482 **there is a total of 72 rooms. Mr. Brooks added that the number of rooms has decreased since the**  
483 **SUP was approved which was 80 rooms with no more than 33 of those rooms being residence**  
484 **rooms.**

485  
486 **There being no further questions Chairman Lyons indicated the case will return to the**  
487 **Commission for action at the next scheduled meeting.**

488  
489  
490 16. SP2017-020

491 Discuss and consider a request by Cody Brooks, PE of Bannister Engineering on behalf of John Arnold  
492 of the Skorburg Co. for the approval of a site plan/master open space plan for the Gideon Grove  
493 Subdivision consisting of 72 single-family residential lots on a 29.185-acre tract of land identified as a  
494 portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County,  
495 Texas, zoned Planned Development District 77 (PD-77), situated within the 205 By-Pass Corridor  
496 Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road  
497 and John King Boulevard, and take any action necessary.

498  
499 **Agenda item was discussed with agenda item #13**

500  
501  
502 17. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).  
503

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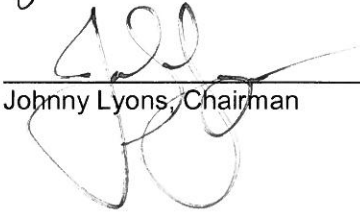
- ✓ SP2017-016: Variance for Murphy Oil USA, Inc. [Approved]
- ✓ Z2017-019: Zoning Change (AG to LI) (1<sup>st</sup> Reading) [Withdrawn]
- ✓ Z2017-020: Rockwall SIL (AG & C to PD) (1<sup>st</sup> Reading) [Tabled]
- ✓ Z2017-022: 205 By-Pass Corridor Overlay (205 BY-OV) District Amendments (1<sup>st</sup> Reading) [Approved]
- ✓ H2017-007: Rescind Landmark Designation for 902 N. Goliad Street (1<sup>st</sup> Reading) [Approved]

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

V. ADJOURNMENT

Chairman Lyons adjourned the meeting at 7:09 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 11 day of July, 2017.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**July 11, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

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

II. CONSENT AGENDA

1. Approval of Minutes for the June 27, 2017 Planning and Zoning Commission meeting.

2. P2017-032

Discuss and consider a request by Cody Brooks, PE of Bannister Engineering on behalf of John Arnold of the Skorburg Co. for the approval of a preliminary plat for the Gideon Grove Subdivision consisting of 72 single-family residential lots on a 29.185-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 77 (PD-77), situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

3. SP2017-019

Discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Himmat Chauhan of JAGH Hospitality for the approval of a site plan for a hotel a 1.74-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites, Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.

4. SP2017-020

Discuss and consider a request by Cody Brooks, PE of Bannister Engineering on behalf of John Arnold of the Skorburg Co. for the approval of a site plan/master open space plan for the Gideon Grove Subdivision consisting of 72 single-family residential lots on a 29.185-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 77 (PD-77), situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

**Vice-Chairman Trowbridge pulled consent agenda item #3. Commissioner Chodun made a motion to approve the consent agenda. Commissioner Logan seconded the motion which passed by a vote of 6-0, with Chairman Lyons absent.**

III. APPOINTMENTS

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

**Architectural Review Board representative, John Womble, advised the Commission that SP2017-019 will be tabled due to the applicant not being present to address some concerns the Board had.**

**Commissioner Welch made a motion to approve to table SP2017-019. Commissioner Fishman seconded the motion which passed by a vote of 6-0, with Chairman Lyons absent.**

64 IV. PUBLIC HEARING ITEMS

65 6. Z2017-023

66 Hold a public hearing to discuss and consider a request by Joe Wimpee for the approval of a zoning  
67 change from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District for an 8.1232-  
68 acre tract of land identified as Tract 2 of the C. W. Jones Survey, Abstract No. 127, City of Rockwall,  
69 Rockwall County, Texas, zoned Agricultural (AG) District, generally located north of the intersection of  
70 Dalton Road and Promenade Place, and take any action necessary.  
71

72  
73 **Planner, Korey Brooks, advised the applicant was unable to attend the meeting and he then gave**  
74 **a brief explanation of the request stating that the applicant is requesting to rezone the property**  
75 **from Agriculture to a Single-Family Estate 4.0 for the purpose of building a single family home.**  
76 **The property will be located next to a potential park on the take line. According to the UDC, any**  
77 **properties that are agriculturally zoned that are less than ten acres have to be rezoned in order**  
78 **to build a single family home. The Future Land Use Map designates the subject property for**  
79 **Medium Density Residential land uses, which are defined as single-family developments with 2-3**  
80 **units per acre. The applicant's request is in conformance with the Future Land Use map.**

81  
82 **Mr. Brooks went on to state that staff sent 49 notices to property owners and residents within**  
83 **500-feet of the subject property and notified the Promenade Harbor and The Shores/Ray**  
84 **Hubbard Homeowners Associations. Staff received one notice in favor and one in opposition of**  
85 **the request.**

86  
87 **Vice-Chairman Trowbridge opened up the public hearing and asked for any questions from the**  
88 **Commission.**

89  
90 **Commissioner Welch made a motion to approve Z2017-023, there being no second the motion**  
91 **failed, and Vice-Chairman Trowbridge brought the item back to the Commission for discussion**  
92 **or questions.**

93  
94 **Commissioner Chodun asked concerning a notice that was received from a resident that was**  
95 **concerned with increased traffic should the request be approved. Mr. Brooks stated he believes**  
96 **that resident believed that it would be a residential subdivision being developed instead of just**  
97 **one single family home.**

98  
99 **Commissioner Fishman asked concerning the property bordering a park. Mr. Brooks explained**  
100 **that it may be a potentially future park.**

101  
102 **Vice-Chairman Trowbridge asked if there was anyone who wished to speak to come forward and**  
103 **do so.**

104  
105 **Frances Wagner**  
106 **512 Windsor Way**  
107 **Rockwall, TX**

108  
109 **Mrs. Wagner came forward and expressed concern over new development increasing the**  
110 **displacement of rabbits that is causing havoc in surrounding neighborhoods would like to see**  
111 **the City bring in Wild Life as new developments come in to assist in capturing the rabbits.**

112  
113 **Vice-Chairman Trowbridge asked if anyone else wished to speak concerning the case to come**  
114 **forward and do so, there being no one indicating such Vice-Chairman Trowbridge closed the**  
115 **public hearing and brought the item back to the Commission.**

116  
117 **Commissioner Moeller made a motion to approve Z2017-023 with staff recommendations.**  
118 **Commissioner Welch seconded the motion which passed by a vote of 6-0, with Chairman Lyons**  
119 **absent.**

120  
121 7. Z2017-024

122 Hold a public hearing to discuss and consider a request by Alex Freeman of Pinnacle Montessori  
123 Franchise Co. on behalf of George R. Weatherford for the approval of a Specific Use Permit (SUP) for a  
124 daycare facility for a 2.38-acre parcel of land identified as Tract 6 of the J. Strickland Survey, Abstract  
125 No. 187, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District, situated



126 within the North SH 205 Overlay (N-SH 205 OV) District, addressed as 4031 N. Goliad Street, and take  
127 any action necessary.  
128

129 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
130 requesting the approval of a Specific Use Permit to allow a 10,970 SF daycare facility in a  
131 Residential Office District. The applicant had previously submitted a request in May of this year  
132 to rezone the subject property from Residential Office District to General Retail District to allow  
133 for a Montessori School and a general retail store. However on June 13, 2017, the applicant  
134 requested to withdraw the case with the intention on changing the request from a rezoning  
135 request to a SUP request for a Montessori School/daycare and a second SUP request for a  
136 general retail store.  
137

138 Mr. Brooks further stated that according to the UDC, a daycare facility requires an SUP in a  
139 Residential Office District. Should the SUP be approved, the applicant will be required to submit  
140 a site for approval by the Architectural Review Board and the Planning and Zoning Commission.  
141 The site will also be subject to the North Goliad Corridor Overlay District standards. The  
142 applicant is proposing to utilize wrought iron and landscape screening the development from  
143 the adjacent residential properties to the north, south, and west property lines. Additionally, the  
144 Montessori School/daycare will be built to a residential scale of 25-feet in height. According to  
145 the applicant, the proposed daycare facility will have a maximum enrollment of 180 children  
146 ranging from infant to third grade. According to the concept plan, the daycare facility will have a  
147 drop-off location that will accommodate six vehicles. Additional vehicles will cue in the drive  
148 aisle of the development to minimize the effect on traffic along SH 205. The proposed general  
149 retail store will be constructed of a similar design to the Montessori School/daycare facility and  
150 will be of residential scale as well. Directly north of the subject property is a single-family home.  
151 Beyond that is a commercial business and both of these properties are zoned Residential Office.  
152 Further north, is vacant land and is zoned Agriculture. Directly south of the subject property is a  
153 single-family residential subdivision that is zoned Single-Family 10 and beyond this is a future  
154 shopping center that is zoned General Retail. The Future Land Use Map designates this area as  
155 Medium Density Single-Family Residential. Beyond this is Dalton Road, which is identified as a  
156 major collector, 4 lane undivided roadway. Directly east of the subject property is SH-205, which  
157 is identified as a TXDOT highway and beyond that is a mini warehouse facility that is not in the  
158 city limits. Directly west of the subject property is a single-family residential subdivision which  
159 is zoned Single-Family 10 and beyond that is the Rockwall City Limits and City of Dallas take  
160 line.  
161

162 Mr. Brooks went on to state that staff sent 69 notices to property owners and residents within  
163 500-feet of the subject property and notified the Castle Ridge Phase 2 Homeowners Association.  
164 At the time the report was written staff received one notice in opposition of the request however  
165 today staff received further notices that were in opposition. Mr. Brooks that the applicant shall  
166 be responsible for maintaining compliance with the operational conditions contains in the SUP  
167 ordinance which are as follows: a)The building shall generally conform to the concept plan and  
168 building elevations depicted in Exhibit 'A' and Exhibit 'B' of the attached ordinance. b) The  
169 site shall have a ten foot landscape buffer and shall include accent trees a minimum of four feet  
170 in height at 20-feet on center adjacent to all residential properties (i.e. north, south, and west  
171 property lines). c) A shrub row shall be provided as headlight screening for any parking adjacent  
172 to SH-205. d) All parking areas shall be screened from all residential properties. e) The  
173 dumpster shall not face any residential property and should be located away from the residential  
174 properties to the west. f) Cross-access shall be provided as depicted in Exhibit 'B' of the draft  
175 ordinance. g) Incidental display and outside storage shall be strictly prohibited. h) Should the  
176 property be subdivided, a parking agreement between the two properties may be required to be  
177 approved by City Council to ensure both uses are sufficiently parked. i) At the time of  
178 engineering, a Traffic Impact Analysis will be required. And additionally any construction or  
179 building necessary to complete this request must conform to the requirements set forth by the  
180 UDC, the International Building Code, the Rockwall Municipal Code of Ordinances, city adopted  
181 engineering and fire codes and with all other applicable regulatory requirements administered  
182 and/or enforced by the state and federal government.  
183

184 Mr. Brooks advised the Commission the applicant was present and available for questions as  
185 well as staff.  
186

187 Vice-Chairman Trowbridge asked the Commission if there were any questions for staff.  
188

189 Commissioner Logan asked concerning the parking, would they have to follow the standard  
190 parking requirements and expressed concern that it appeared to have insufficient parking. Mr.  
191 Brooks stated the parking will be taken care of at the time of site plan.  
192 Vice-Chairman Trowbridge opened up the public hearing and asked the applicant to come  
193 forward and speak.

194  
195 Brad Williams  
196 2728 N. Harvard  
197 Dallas, TX  
198

199 Mr. Williams came forward and gave a brief power point presentation that detailed the request.  
200 He stated that to clarify the request; they are requesting a Specific Use Permit and are not  
201 looking to change the underlying zone, the request is simply for an SUP for a daycare and a SUP  
202 for a general retail store. He spoke of the concept plan which will have the daycare center and  
203 the General Retail Store. There is a 30 feet easement which will provide a buffer between their  
204 building and the adjoining neighborhood. They are proposing a residential inspired design to fit  
205 well with the neighborhood. They will not be asking any variances but rather meet all of the City  
206 requirements as written. Mr. Williams went on to talk of the Montessori Schooling that will be  
207 a secular education that would consist of 180 students maximum which they don't anticipate to be  
208 at full enrollment early on. The state law dictates staffing levels which will be based on  
209 enrollment. The hours of operation for the daycare will be open will be 6:30 am-6:30 pm. It will  
210 operate during the summer; however they anticipate a lower level of enrollment.  
211

212 Mr. Williams went on to talk of what the general retail use would entail which would be after  
213 school oriented programming/tenants for elementary ages and below. They will be open to  
214 children that are not enrolled as well. The hours will be workdays 2pm-8pm and closed on the  
215 weekends. It will be approximately 7,000 square feet. They are open to whatever option  
216 concerning the screening options whether it be masonry, wrought iron, living screen or a  
217 combination of both. With the concern some neighbors had with increased traffic, he spoke of  
218 what they believe the estimated traffic to be. Mr. Williams also spoke of the question that was  
219 brought up concerning surrounding competition near the proposed subject property, they feel  
220 the demand is there and having similar uses nearby would not create a problem.  
221

222 Mr. Williams respectfully asked the Commission for approval and stated he was available for any  
223 questions.  
224

225 Vice-Chairman Trowbridge asked concerning the screening. Mr. Williams stated they are open to  
226 any suggestion the Commission or City has that would be a better fit.  
227

228 Commissioner Fishman asked if they would still move forward with the Montessori SUP if the  
229 General Retail Use SUP be denied. Mr. Williams explained that he would have to consult his  
230 client on that question, but ideally the business model is to have both. They have the same  
231 concept in other locations and it has worked out well.  
232

233 Vice-Chairman Trowbridge opened up the public hearing and asked if anyone wished to speak to  
234 come forward and do so.  
235

236 Frances Wagner  
237 512 Windsor Way  
238 Rockwall, TX  
239

240 Ms. Wagner came forward and stated she is going to speak for herself but also representing her  
241 neighbors and she stated her strong opposition to the request. She feels that with a Montessori  
242 school already being built very near to the subject property and with the elementary school  
243 nearby there is no need for another one. She strongly urged the Commission to decline the  
244 request.  
245

246 Suelaine Callaway  
247 517 Sellers Court  
248 Rockwall, TX  
249

250 Ms. Callaway came forward and stated her and her husband live directly behind the proposal  
251 and is in opposition of the request. She feels it will affect her property value there will be  
252 increased traffic that will pose an issue.

253  
254 Jennifer Dayman  
255 519 Sellers Court  
256 Rockwall, TX  
257

258 Ms. Dayman came forward and stated her strong opposition to the request. She spoke of coming  
259 before the City Council in 2011 when the subject property was changed from Agricultural zoning  
260 to Residential Office and was made to believe it would be more of a "home turned office" type  
261 businesses that would be allowed. She is concerned with the issue of noise with the close  
262 proximity. She is also concerned with the traffic issues it will cause.

263  
264 Dennis Dayman  
265 519 Sellers Court  
266 Rockwall, TX  
267

268 Mr. Dayman came forward and stated he is in opposition of the request. His main concerns is  
269 with the increased traffic the daycare and general retail will produce as well as possibly affecting  
270 the property value of their home.

271  
272 Yvonne Sullivan  
273 521 Sellers Court  
274 Rockwall, TX  
275

276 Ms. Sullivan came forward and stated her opposition to the request. She is concerned with the  
277 increased traffic it will cause, the lighting issues, the increased noise and the addition to the  
278 daycare to the two that are already within a two mile radius.

279  
280 Vice-Chairman Trowbridge asked the applicant to come forward for any rebuttal.

281  
282 Mr. Williams came forward and stated that with respect to the lighting and timing is an issue that  
283 could be addressed in the conditions of approval which they would strictly adhere to.  
284 Concerning the screening they are open to doing a living screen that once the shrubbery grew  
285 would provide ample screening. Concerning the traffic they will work as closely with TXDOT  
286 because the expansion and turn lane that is causing concern is handled by TXDOT. Concerning  
287 the competition, they feel that although there are other Montessori's in the surrounding areas  
288 they feel the demand is there. He added that the concerns that if they were to end up vacating  
289 the property what would the next owner bring in, but with the conditions that will be in place  
290 would require the next property owner to adhere to the same conditions.

291  
292 Commissioner Fishman asked if there any timing requirements for the lighting. Mr. Brooks  
293 stated it has to be shielded down however there is no time limit as to how long they would need  
294 to stay off.

295  
296 Commissioner Fishman expressed concern with the noise that some residents felt would cause  
297 a problem to surrounding homes. Commissioner Logan expressed concern with the additional  
298 traffic it would cause.

299  
300 Mr. Williams addressed Commissioner Fishman's concern with the noise issue that the  
301 neighbors are concerned with. He feels the masonry wall that they will provide will be ample  
302 screening to shield noise to those surrounding homes.

303  
304 Vice-Chairman Trowbridge closed the public hearing and brought the item back to the  
305 Commission for discussion or a motion.

306  
307 Commissioner Chodun generally stated that with the property being zoned Residential Office  
308 there will be something developed there eventually and the Montessori school is a viable option  
309 as there is no certainty that something else that is developed would not have more traffic or a  
310 different purpose.

311

312 Commissioner Moeller generally echoed Commissioner Chodun's thoughts and expressed  
313 favoring a masonry wall with the living screen that the applicant is proposing would alleviate  
314 some of the residents' concerns.  
315

316 Commissioner Logan generally expressed the same thoughts of fellow Commissioners  
317 comments and short of no development coming in, she generally feels the Montessori school is  
318 a good fit specifically because of the willingness of the applicant to work with surrounding  
319 neighbors' concerns as best they can.  
320

321 Commissioner Chodun made a motion to approve Z2017-024 with staff recommendations.  
322 Commissioner Moeller seconded the motion, which passed by a vote of 6-0, with Chairman  
323 Lyons absent.  
324

325  
326 8. Z2017-025

327 Hold a public hearing to discuss and consider a request by Alex Freeman of Pinnacle Montessori  
328 Franchise Co. on behalf of George R. Weatherford for the approval of a Specific Use Permit (SUP) for a  
329 general retail store for a 2.38-acre parcel of land identified as Tract 6 of the J. Strickland Survey,  
330 Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District,  
331 situated within the North SH 205 Overlay (N-SH 205 OV) District, addressed as 4031 N. Goliad Street,  
332 and take any action necessary.  
333

334 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
335 requesting the approval of a Specific Use Permit to allow a general retail store in a Residential  
336 Office District. On May 12, 2017, the applicant submitted a request to rezone the subject  
337 property from Residential Office District to General Retail) District to allow for a Montessori  
338 School/daycare and a general retail store however, on June 13, 2017, the applicant requested to  
339 withdraw the case with the intention on changing the request from a rezoning request to a SUP  
340 request for a Montessori School and a second SUP request for a general retail store.  
341

342 Mr. Brooks went on to state that according to the UDC a general retail store requires an SUP in a  
343 Residential Office and should the SUP be approved, the applicant will be required to submit a  
344 site for approval by the Architectural Review Board and the Planning and Zoning Commission  
345 and will be subject to the North Goliad Corridor Overlay District standards. The applicant is  
346 proposing to utilize wrought iron and landscape screening the development from the adjacent  
347 residential properties located adjacent to the north, south, and west property lines. Additionally,  
348 the general retail store will be built to a residential scale of 22-feet in height. According to the  
349 applicant, the proposed general retail store will house child-oriented uses complementary to the  
350 Montessori School/day care use such as a karate academy, dance academy, music school,  
351 math/educational classes, and STEM classes. Although it is not the applicant's intent to target  
352 the typical uses of a strip center such as a donut shop, dry cleaners, and nail salon, these uses  
353 would be allowed should the SUP be approved. According to the applicant, the playground area  
354 will be located behind the general retail store. Additionally, a row of trees will be provided  
355 behind the general retail store to screen from the adjacent residential properties located to the  
356 west. All proposed parking areas will be screened from the adjacent residential properties and  
357 incidental display/outside storage will be prohibited. The proposed Montessori School/daycare  
358 facility will be constructed of a similar design to the general retail store and will be of residential  
359 scale of 25-feet in height.  
360

361 Mr. Brooks further stated that on July 3, 2017, staff sent 69 notices to property owners and  
362 residents within 500-feet of the subject property and notified the Castle Ridge Phase 2  
363 Homeowners Association and at the time the report was drafted, staff received one notice in  
364 favor and two notices and one email in opposition of the request however today staff  
365 additionally received one more notice in opposition.  
366

367 Mr. Brooks went over the conditions of approval which are that 1)the applicant shall be  
368 responsible for maintaining compliance with the operational conditions contained in the SUP  
369 ordinance which are as follows: a) The building shall generally conform to the concept plan  
370 and building elevations depicted in Exhibit 'A' and Exhibit 'B' of the draft ordinance. b)The site  
371 shall have a ten foot landscape buffer and shall include accent trees a minimum of four feet in  
372 height at 20-feet on center adjacent to all residential properties c) a shrub row shall be  
373 provided as headlight screening for any parking adjacent to SH-205. d) All parking areas  
374 shall be screened from all residential properties. e) The dumpster shall not face any residential

375 property and should be located away from the residential properties to the west. f) Cross-  
376 access shall be provided as depicted in Exhibit 'B of the draft ordinance'. g) Canopy trees shall  
377 be provided behind the general retail store. h) Incidental display and outside storage shall be  
378 strictly prohibited. i) Should the property be subdivided, a parking agreement between the two  
379 properties may be required to be approved by the City Council to ensure both uses are  
380 sufficiently parked. j) The general retail store shall be limited to 7,000 SF k) at the time of  
381 engineering; a Traffic Impact Analysis will be required. And lastly 2) Any construction or building  
382 necessary to complete this request must conform to the requirements set forth by the UDC, the  
383 International Building Code, the Rockwall Municipal Code of Ordinances, city adopted  
384 engineering and fire codes and with all other applicable regulatory requirements administered  
385 and/or enforced by the state and federal government.

386  
387 Mr. Brooks advised the Commission that the applicant was present and staff was available for  
388 questions.

389  
390 Commissioner Chodun asked if there was a more restrictive use than a General Retail Store use  
391 possibly ancillary to educational or training. Mr. Brooks stated the Land Use chart doesn't  
392 identify every use that's possible therefore those uses fall under General Retail.

393  
394 Vice-Chairman Trowbridge asked staff to clarify that although the request is intended for  
395 ancillary retail to the Montessori school, it would not necessarily be limited to those uses. Mr.  
396 Brooks stated that anything that is allowed and fall into General Retail would be allowed such as  
397 a donut shop.

398  
399 Vice-Chairman Trowbridge opened up the public hearing and asked the applicant to come  
400 forward and speak.

401  
402 Brad Williams  
403 2727 N. Harvard Street  
404 Dallas, TX

405  
406 Mr. Williams came forward and stated that he is surprised to learn that a donut shop would be an  
407 allowed use it is however not there intent or goal. He added that in recognizing that there are  
408 limitations to the use classifications he wishes there were a more narrow classification that they  
409 could have selected for their application because by having that it would have helped clarify of  
410 what their intent is. They would be willing to add as a condition of the SUP limited uses if that is  
411 something the Commission wanted to do and if it was something that they as applicants would  
412 be allowed to do, to limit the uses. Mr. Miller added that typically uses cannot be limited as part  
413 of the SUP, it's only meant to limit operational and compliance constraints, therefore in this case  
414 the uses could not be limited.

415  
416 Mr. Williams went on to state that he would not go over his power point presentation, having  
417 already done so in the previous agenda item, but was open to any questions the Commission  
418 had.

419  
420 Vice-Chairman Trowbridge asked if the parking would be both in the front and on the back. Mr.  
421 Williams provided the concept plan which showed where they are proposing to have the parking  
422 area.

423  
424 Commissioner Logan asked how the applicant will attract the tenants for the uses they are  
425 proposing. Mr. Williams stated they will be the landlords and therefore can target such tenants  
426 and can be sure they lease to such tenants. He asked his colleague that has more knowledge of  
427 that to add additional feedback.

428  
429 Lin Wang  
430 100 N. Central Expressway  
431 Dallas, TX

432  
433 Ms. Wang came forward and stated they have been in operation for over 12 years and they have  
434 a source that finds the tenants they are searching for and have been successful in the past.

435

436 Commissioner Fishman asked what other types of tenants aside from karate/dance classes they  
437 would be looking to lease to. Mr. Williams answered that those are basically the uses they are  
438 currently looking to have.

439  
440 Vice-Chairman Trowbridge asked if anyone wished to speak to come forward and do so.

441  
442 Sulaine Calloway  
443 517 Sellars Court  
444 Rockwall, TX

445  
446 Mrs. Calloway came forward and stated her strong opposition to the request. Her concern is with  
447 the General Retail because if they are unable to obtain the tenants that they have the intent to  
448 bring, the fear is what would happen to that retail spot and how that would affect the property  
449 values.

450  
451 Jennifer Dayman  
452 519 Sellers Court  
453 Rockwall, TX

454  
455 Mrs. Dayman came forward and stated her strong opposition to the request.

456  
457 Yvonne Sullivan  
458 521 Sellars Court  
459 Rockwall, TX

460  
461 Ms. Sullivan came forward and stated her opposition to the request. She feels there are plenty of  
462 child accessible facilities and one more is not needed as well as the traffic issues that it will  
463 create. She urged the Commission to deny the request.

464  
465 Vice-Chairman Trowbridge asked the applicant to come forward for any rebuttal.

466  
467 Mr. Williams came forward and addressed concerns of what uses that could come in that the  
468 neighbors are worried would come in such as nail salons. He clarified with staff that such use  
469 would require another SUP. With concern as to the tenants they will lease to, they currently do  
470 not have an entitled property and therefore do not have any tenants but they look forward to  
471 actively looking for the tenants that will fit the uses they are proposing as soon as they get  
472 approval. With concern of the screening, he feels he is hearing conflicting requests from the  
473 surrounding neighborhood, if they want sound barrier it would require the masonry wall, but that  
474 would prevent the free flow and connectivity. Concerning the competition they would face they  
475 feel economically they are in a good spot with the demand. Mr. Williams added that they feel this  
476 would be a great fit to the community.

477  
478 Vice-Chairman Trowbridge asked if the developments in Allen and Murphy that were given as  
479 examples have an adjacent retail use next to them. Mr. Williams stated that the Allen location  
480 does but the Murphy location does not.

481  
482 Commissioner Welch asked concerning the 7,000 square foot building would have five bays and  
483 would they be then looking to house five tenants or would that fluctuate dependent on tenant  
484 size. Mr. Williams stated he believed with clarification from staff that should the request be  
485 approved, the elevation then becomes a part of the ordinance, six units would not be allowed.  
486 Mr. Miller added that the Commission could request that the retail be no larger than 7,000 square  
487 feet as indicated by the tenant and that it generally conform to the building elevations that are  
488 currently being proposed. It would be taken to the Architectural Review Board for their review  
489 and recommendation at the site plan process.

490  
491 Vice-Chairman Trowbridge closed the public hearing and brought the item back to the  
492 Commission for discussion or a motion.

493  
494 Vice-Chairman Trowbridge generally expressed being in favor of the request with a highly  
495 restrictive approval.

496  
497 Commissioner Chodun expressed concern over the concerns the residents expressed he feels if  
498 the uses that they're suggesting for the retail portion are an important to the school, why not

499 teach them in the school itself, he generally expressed leaning against the retail portion of the  
500 request.

501  
502 Commissioner Logan spoke of the concept seems to be a good one for those parents wishing to  
503 have their children participate in an after school program and having it offered on the same  
504 property would facilitate it for parents to not have to drive them and generally expressed being  
505 in favor of the request.

506  
507 Commissioner Fishman generally expressed being in favor of the request.

508  
509 Commissioner Moeller generally expressed being in favor of the request.

510  
511 General discussion took place between the Commission concerning the concerns discussed.

512  
513 Commissioner Moeller made a motion to approve the SUP for a general retail store with the  
514 condition that the number of suites be limited to no more than five (5) suites and with staff  
515 recommendations. Commissioner Welch seconded the motion, which passed by a vote of 5-1  
516 with Commissioner Chodun dissenting and Chairman Lyons absent.

517  
518 Vice-Chairman Trowbridge called for a recess at 8:04 p.m.

519  
520 Vice-Chairman Trowbridge brought the meeting back to order at 8:13 p.m.

521  
522  
523 9. Z2017-026

524 Hold a public hearing to discuss and consider a city initiated request for the approval of a text  
525 amendment amending Section 4.1, Lots Less Than Five (5) Acres, of Article VI, Parking and Loading, of  
526 the Unified Development Code and Chapter 26, Motor Vehicles and Traffic, of the Municipal Code of  
527 Ordinances for the purpose of consolidating language relating to the storage of recreation vehicles and  
528 adding provisions to allow extended parking, and take any action necessary.

529  
530 Senior Planner, David Gonzales, gave a brief explanation of the case stating that on June 5,  
531 2017, the City Council directed staff to bring forward changes to Section 4.1, Lots Less Than  
532 Five Acres of Article VI, Parking and Loading, of the Unified Development Code and Chapter 26,  
533 Section 26-507, Parking Oversized and Recreational Vehicles in Residential Areas of Article VII,  
534 Stopping, Standing or Parking of the Municipal Code of Ordinances for the purpose of  
535 consolidating common language within these sections, deleting Subsections 'C', 'D' & 'E' of  
536 Section 4.1 of the UDC, and incorporating these sections into Section 26-507 of Chapter 26 of the  
537 Municipal Code of Ordinances. The amendment would allow for extended parking of recreational  
538 vehicles for a maximum of five days by registration. In addition, the amendment would clarify  
539 and define the terms for "boats" and "recreational vehicles." By removing that portion of  
540 Section 4.1 from the UDC this will prevent duplication of the code. As a result of this direction,  
541 staff prepared a draft Text Amendment. In accordance, with Section 4.2 of Article XI, Zoning  
542 Related Applications, of the UDC staff is bringing the proposed amendments forward to the  
543 Planning and Zoning Commission for a recommendation to the City Council. Staff should note  
544 that it is only within the purview of the Planning and Zoning Commission to make  
545 recommendations on the material being removed from the UDC and not on the content being  
546 incorporated into the Municipal Code of Ordinance. In accordance with the policies of the UDC  
547 and state law staff posted notice of the text amendment in the he Rockwall Harold Banner on  
548 June 30, 2017.

549  
550 Mr. Gonzales advised the Commission staff was available for questions.

551  
552 Vice-Chairman Trowbridge asked if there has been any change in the language since the work  
553 session where it was last discussed. Mr. Gonzales stated there were not any changes since the  
554 Work Session and it will be taken forward to City Council next.

555  
556 Commissioner Chodun asked if the parking would include public streets. Mr. Gonzales stated it  
557 would include the street as well.

558  
559 Vice-Chairman Trowbridge opened up the public hearing and asked if anyone wished to speak to  
560 come forward and do so, there being no one indicating such, Vice-Chairman Trowbridge closed  
561 the public hearing and brought the item back to the Commission for discussion or approval.

562 Commissioner Moeller made a motion to approve Z2017-026 with staff recommendations. Vice-  
563 Chairman Trowbridge seconded the motion which passed by a vote of 6-0, with Chairman Lyons  
564 absent.  
565

566  
567 10. Z2017-027

568 Hold a public hearing to discuss and consider a request by Mahbub Dewan of D1 Architect on behalf of  
569 Deepak Gandhi for the approval of a Specific Use Permit (SUP) for the purpose of allowing a residence  
570 hotel in a Commercial (C) District that exceeds 36-feet in height within the Scenic Overlay (SOV) District  
571 on a 5.217-acre parcel of land identified as a portion of Lot 8 and all of Lots 9 & 11, Block A, La Jolla  
572 Pointe, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,  
573 situated within the Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, generally located  
574 along La Jolla Pointe Drive, east of the intersection of La Jolla Pointe Drive and Laguna Drive, and take  
575 any action necessary.  
576

577 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the  
578 applicant, Mahbub Dewan, is requesting the approval of a Specific Use Permit to allow a  
579 residence hotel on a 5.217-acre parcel of land located south of IH-30, adjacent to Ralph Hall  
580 Court zoned Commercial. According to the UDC a residence hotel requires a SUP within a  
581 Commercial District. The proposed four story Residence Hotel will be the Hyatt House brand  
582 and will have approximately 90 rooms available for extended stay. Extended or long term stay is  
583 not only nightly, weekly, and/or monthly rental of the suites, but includes kitchen facilities that  
584 are available within the room. Although the subject property is within the IH-30 Overlay and the  
585 Scenic Overlay Districts, it does not have direct frontage along IH-30 or Ridge Road. The  
586 property does have frontage along La Jolla Pointe Drive. The site can be accessed from Ridge  
587 Road and Village Drive, which connects to La Jolla Pointe and Laguna Drive. In addition, the site  
588 can be accessed from Catalina Drive via IH-30 Frontage Road. It should be noted that since the  
589 property does not have directed access on IH-30, it is not permitted a pole sign. As a note, the  
590 subject property is within the Scenic Overlay District, which incorporates special use standards  
591 for structures exceeding 36-ft in height, and requires an SUP. If the applicants request for the  
592 Residence Hotel be approved, staff included a condition of approval allowing the structure to  
593 have an overall height of four stories not to exceed 60-feet. Additionally the applicant's request  
594 conforms to all applicable requirements regarding a Specific Use Permit; however, granting an  
595 SUP remains a discretionary act of the City Council and if approved the applicant will be  
596 required to submit a site plan and replat the lot.  
597

598 Mr. Gonzales further stated that on June 29, 2017, staff mailed 45 notices to property owners and  
599 residents within 500-feet of the subject property and emailed a notice to the Turtle Cove and  
600 Lakeside Village Homeowner's Associations and staff received one email notice in favor of the  
601 request.  
602

603 Mr. Gonzales advised the Commission that a representative of the applicant was present and  
604 staff was available for questions.  
605

606 Vice-Chairman Trowbridge asked if the reason it requires an SUP is for the fact that it's a  
607 residence hotel and because of its height and because it falls within the Overlay District. Mr.  
608 Gonzales stated that was correct.  
609

610 Vice-Chairman Trowbridge opened up the public hearing and asked the applicant to come  
611 forward and speak.  
612

613 Kevin Hilchey  
614 6128 FM 911  
615 Longview, TX  
616

617 Mr. Hilchey gave a brief power point presentation of the request that showed the concept plan  
618 for the proposed Hyatt House and generally spoke that the subject property would be adjacent  
619 to a Hampton Inn as well as to numerous restaurants that surround the area. He spoke of the  
620 history of the Hyatt brand and of similar properties they have been involved in. The Hyatt Place  
621 project will have 100 rooms and the Hyatt House project will be 80 rooms and is referred to as an  
622 extended stay where a guest typically stays between 3-14 days. The hotel does provide full  
623 cooking for the guest however typically guests don't take advantage of that because the facility  
624 provides food service and a free breakfast.



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Mr. Hilchey advised the Commission for any questions concerning the extended stay project he may answer.

Commissioner Chodun asked where the closest Hyatt House project was located in Texas. Mr. Hilchey stated the closest ones are located in Dallas. Commissioner Chodun asked if those locations incorporate the Hyatt Hotel within the same vicinity. Mr. Hilchey stated that there are Hyatt Places in proximity but not on the same land.

Commissioner Welch asked concerning the connectivity of the parking lot down into the pad site of the restaurants. Mr. Hilchey stated that the franchise has asked for accessibility to the surrounding restaurants and that will be discussed at the time of site plan.

Commissioner Logan expressed that although Hyatt is a good brand, there is usually some reservations when discussing allowing an extended stay hotel and asked Mr. Hilchey if Hyatt has maintained ownership of all that they've built. Mr. Hilchey explained that Hyatt typically would own and operates in major feeder cities. In the last ten years Hyatt has taken these two products and moved out onto secondary markets and they're doing that thru a franchise model. They (the applicant) will be the owner and operators of the business under license of Hyatt and they in turn make them live up to certain standards. Mr. Hilchey added that he is not aware of a Hyatt project that has been built in the state of Texas that is no longer a Hyatt project, meaning there has not been an exchange of brand within a franchisee as sometime is seen with other hotel names.

Vice-Chairman Trowbridge asked concerning the franchise PIP agreement, the premium average rate, and the overall demand. Mr. Hilchey explained that they have a six year agreement which is called a soft good PIP, a ten year full PIP, another soft PIP at 16 years and then at 20 years if the license is renewed Hyatt gives another improvement plan. Vice-Chairman Trowbridge asked what happens if the Hyatt standards are not maintained. Mr. Hilchey explained that if that were to happen Hyatt has the ability to drop the use of the Hyatt name. Concerning the rate, Mr. Hilchey stated they are expecting to average around \$139 a night which is just slightly lower than the Texas rate. Concerning the overall demand, the preliminary reports from Smith travel research shows that demand is growing on a pretty regular basis in the City of Rockwall.

Commissioner Chodun asked if they would consider splitting the cases, if the Hyatt House doesn't get approved and the Hyatt Place does, would they still pursue forward or is it specifically a joint project. Mr. Hilchey stated that the Hyatt House is the secondary project and the Hyatt Place is the primary project. They plan on developing and starting on the Hyatt Place first and continue to analyze the market to make sure they have not made improper assumptions about the market, continue their research and at some later point develop the Hyatt House.

Commissioner Chodun asked if the Hyatt Place would have any suites. Mr. Hilchey stated it would not have any cooking facilities, only small refrigerators.

Vice-Chairman Trowbridge asked if anyone wished to speak to come forward and do so.

Glen Sparks  
3322 Lakeside Drive  
Rockwall, TX

Mr. Sparks came forward and stated he was in generally in favor of the request although he has concerns with the height and the adverse effects that would have on their properties. He also is concerned with the additional traffic it will cause. He feels the Hyatt is a good brand name and hopes it always remain that because his concern for the extended stay is if there could be a time limitation on how long someone can stay. Mr. Gonzales stated that time limitations are not regulated.

Kristen Minth  
3406 Lakeside Drive  
Rockwall, TX

Ms. Minth came forward came forward and generally expressed being in favor of the request. Her general reservation and concern was with the "extended stay" component but she feels the

688 Hyatt is a good name and high standards would like to make sure that it stays a  
689 "Hyatt" brand.  
690

691 Mr. Miller added that the SUP cannot tie down the brand itself however what can be done is tie  
692 down the elevations that they've submitted in the ordinance which is somewhat of a protection  
693 because most hotel brands have their own elevations.  
694

695 Mr. Hilchey added that the reason they are requesting approval for the Hyatt House now is  
696 because they are looking to buy both franchises with the purchase of the property.  
697

698 Vice-Chairman Trowbridge asked if there was anyone else who wished to speak to come forward  
699 and do so there being no one indicating such Vice-Chairman Trowbridge closed the public  
700 hearing and brought the item back to the Commission for discussion or motion.  
701

702 Commissioner Welch made a motion to approve Z2017-027 with staff recommendations.  
703 Commissioner Moeller seconded the motion which passed by a vote of 5-1, with Vice-Chairman  
704 Trowbridge dissenting and Chairman Lyons absent.  
705

706  
707 11. Z2017-028

708 Hold a public hearing to discuss and consider a request by Mahbub Dewan of D1 Architect on behalf of  
709 Deepak Gandhi for the approval of a Specific Use Permit (SUP) for the purpose of allowing a hotel in a  
710 Commercial (C) District that exceeds 36-feet in height within the Scenic Overlay (SOV) District on a  
711 5.217-acre parcel of land identified as a portion of Lot 8 and all of Lots 9 & 11, Block A, La Jolla Pointe,  
712 Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated  
713 within the Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, generally located along La  
714 Jolla Pointe Drive, east of the intersection of La Jolla Pointe Drive and Laguna Drive, and take any  
715 action necessary.  
716

717 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the  
718 applicant, Mahbub Dewan, is requesting the approval of a Specific Use Permit to allow a hotel on  
719 a 5.217-acre parcel of land located south of IH-30, adjacent to Ralph Hall Court that is zoned  
720 Commercial. According to the UDC a hotel requires a SUP within a Commercial District. The  
721 proposed four story Hotel will be under the Hyatt Place banner, and will have approximately 100  
722 rooms available for general stay not extended/residency stay. This SUP request is being  
723 proposed in conjunction with an SUP request for a residence hotel which is for the Hyatt House,  
724 which will be located directly adjacent to this hotel. Although the subject property is within the  
725 IH-30 Overlay and the Scenic Overlay Districts, it does not have direct frontage along IH-30 or  
726 Ridge Road but does have frontage along La Jolla Pointe Drive. The site can be accessed from  
727 Ridge Road and Village Drive which connects to La Jolla Pointe and Laguna Drive. In addition,  
728 the site can be accessed from Catalina Drive via IH-30 Frontage Road. Additionally since the  
729 property does not have directed access on IH-30, it is not permitted a pole sign. The subject  
730 property is within the Scenic Overlay District, which incorporates special use standards for  
731 structures exceeding 36-ft in height, and requires an SUP. The applicant's request conforms to  
732 all applicable requirements regarding a Specific Use Permit however, granting an SUP remains a  
733 discretionary act of the City Council and if approved the applicant will be required to submit a  
734 site plan and replat the lot.  
735

736 Mr. Gonzales further stated that on June 29, 2017, staff mailed 45 notices to property owners and  
737 residents within 500-feet of the subject property and also emailed a notice to the Turtle Cove and  
738 Lakeside Village HOA's), which are the only HOA's Staff has received one email notice in favor  
739 of the request.  
740

741 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
742 well as staff.  
743

744 Vice-Chairman Trowbridge asked the applicant to come forward.  
745

746 Kevin Hilchey  
747 6128 FM 911  
748 Longview, TX  
749

750 Mr. Hilchey came forward and advised the Commission he would allow his architect to further  
751 elaborate on the request.

752  
753 Mahbub Dewan  
754 (No address given)  
755

756 Mr. Dewan came forward and stated he is the architect for the project. He provided slide show  
757 presentation that showed elevation renderings and he gave a brief explanation of what the  
758 heights and elevations will entail. He advised the Commission they are looking to build a good  
759 product for the community.

760  
761 Commissioner Logan asked concerning the elevation looking at the top floor of the building,  
762 what appears to be a logo. Mr. Dewan stated that is just a prototype identity for the new Hyatt  
763 Place.

764  
765 Vice-Chairman Trowbridge asked if there would be any convention space. Mr. Hilchey stated  
766 there would be meeting space in the Hyatt Place of approximately 1,600 square feet that could be  
767 divided into three different spaces as well as a board room.

768  
769 Vice-Chairman Trowbridge opened up the public hearing and asked anyone who wished to  
770 speak to come forward and do so.

771  
772 Kristen Minth  
773 3406 Lakeside Drive  
774 Rockwall, TX  
775

776 Ms. Minth came forward and generally expressed being in favor of the request.  
777

778 Vice-Chairman Trowbridge asked if anyone else wished to speak to come forward and do so,  
779 there being no one indicating such, Vice-Chairman Trowbridge closed the public hearing and  
780 brought the item back to the Commission for discussion or a motion.

781  
782 Commissioner Chodun made a motion to approve with staff recommendations. Commissioner  
783 Logan seconded the motion, which passed by a vote of 6-0, with Chairman Lyons absent.  
784

785  
786 12. Z2017-029

787 Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering,  
788 LLC on behalf of the owner Don Silverman of Rockwall 205-552, LLC for the approval of a Specific Use  
789 Permit (SUP) for an ~3,000 SF restaurant with drive-through on a 0.857-acre parcel of land identified as  
790 Lot 4, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail  
791 (GR) District, situated within the North SH-205 Overlay (N-SH-205 OV) District, addressed as 3611 N.  
792 Goliad Street, and take any action necessary.

793  
794 Senior Planner, David Gonzales, gave a brief explanation of the case stating that the applicant,  
795 Juan J. Vasquez, is requesting the approval of a Specific Use Permit to allow a restaurant  
796 greater than 2,000 SF with a Drive-Through use on a 0.857-acre parcel of land located at the  
797 northwest corner of Dalton Road and N. Goliad Street. According to the UDC a restaurant  
798 greater than 2,000 SF with a drive-through requires an SUP within a General Retail District. The  
799 proposed single-story building will be a 3,010 SF Freddy's Frozen Custard restaurant. The  
800 applicant has indicated that the drive-through window and order kiosk will be oriented away  
801 from the single-family neighborhood to the north of the subject property. In addition, the  
802 applicant's request and concept plan conforms to all applicable requirements regarding a  
803 Specific Use Permit; however, granting an SUP remains a discretionary act of the City Council.  
804 If approved the applicant will be required to submit a site plan and replat the lot.

805  
806 Mr. Gonzales further stated that on June 29, 2017, staff mailed 28 notices to property owners and  
807 residents within 500-feet of the subject property and emailed a notice to the Castle Ridge Phase  
808 2 and the Shores/Ray Hubbard Homeowner's Associations. Staff did receive one notice in favor  
809 of the request.

810  
811 Mr. Gonzales advised the Commission that the applicant was present and available for questions  
812 as well as staff.

813 Vice-Chairman Trowbridge asked for clarification if the SUP was due to the drive-thru  
814 component. Mr. Gonzales stated that was correct.  
815

816  
817 Vice-Chairman Trowbridge opened up the public hearing and asked the applicant to come  
818 forward and speak.  
819

820 Juan Vasquez  
821 Vasquez Engineering  
822 1919 S. Shiloh Road  
823 Garland, TX  
824

825 Mr. Vasquez came forward and stated he is representing the land owner as well as the developer  
826 which is Freddy's Frozen Custard and will be his, the franchisees, sixth location within the North  
827 Dallas area. The franchisee owns the property and will develop, build and maintain the property.  
828 Mr. Vasquez went on to state that they have been working with staff on the location of the menu  
829 board, which will be facing away from the home owners. Also, there is another lot between the  
830 subject property and the home owners that will serve as a buffer when that lot develops as they  
831 will be required to build a screen wall. In addition they will add additional landscaping around  
832 the menu board to further mitigate any potential noise. Mr. Vasquez advised the Commission he  
833 is available for any questions the Commission may have.  
834

835 Vice-Chairman Trowbridge asked the Commission for questions for staff or the applicant.  
836

837 Commissioner Chodun asked how many franchise locations are within the country. Mr. Vasquez  
838 stated he would refer that question to his colleague.  
839

840 John McClure  
841 4099 Mcqueen Suite 300  
842 Dallas, TX  
843

844 Mr. McClure came forward and stated they are the franchisee for the Dallas area, they have  
845 seven counties, and this will be their sixth store which they are excited about coming into  
846 Rockwall. There are 250 Freddy's nationwide with about 8 that are corporate owned, the rest are  
847 franchises.  
848

849 Vice-Chairman Trowbridge asked if anyone wished to speak to come forward and do so, there  
850 being no one indicating such, Vice-Chairman Trowbridge closed the public hearing and brought  
851 the item back to the Commission for discussion or a motion.  
852

853 Vice-Chairman Trowbridge made a motion to approve with staff recommendations.  
854 Commissioner Welch seconded the motion which passed by a vote of 6-0, with Chairman Lyons  
855 absent.  
856

857  
858 13. Z2017-030

859 Hold a public hearing to discuss and consider a request by Calise Barraque of The Mint Julep on behalf  
860 of the owner Caprice Michelle of Rockwall Rustic Ranch, LLC for the approval of a Specific Use Permit  
861 (SUP) for a general retail store on a 0.183-acre parcel of land identified as Lot 1, Block A, Rockwall  
862 Rustic Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District  
863 50 (PD-50), situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N.  
864 Goliad Street, and take any action necessary.  
865

866 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
867 requesting the approval of a Specific Use Permit to allow for a general retail store and the  
868 subject property is zoned Planned Development District 50. On October 6, 2014, the City Council  
869 approved a Specific Use Permit to allow a restaurant, less than 2,000 SF without a drive in.  
870 Currently, the applicant is requesting to establish a business, The Mint Julep that sells home  
871 furnishings, refinished and painted antique and vintage furniture, candles, skincare, new  
872 clothing, which is merchandise that would be considered general retail. In addition, the  
873 applicant would like to sell new clothing in a limited section of the building, an area  
874 approximately 200 square feet. According to S the Unified Development Code and the Planned  
875 Development District 50 standards, a general retail store is permitted with an SUP. According to

876 the PD-50 standards, the sale of new clothing is prohibited, however, similar requests have been  
877 approved previously, Hazel and Olive, Hallie B, as an accessory use to the main business;  
878 however, this request is discretionary to the Planning and Zoning Commission and City Council.  
879 The floor plan that the applicant submitted shows that the sale of new clothing will be limited to  
880 200 SF of the building. Additionally, incidental display outside storage and the sale of new  
881 clothing will be prohibited. The development is in conformance with the parking requirements  
882 for a general retail store and the applicant is providing 28 parking spaces. Staff should note  
883 that the existing SUP for a restaurant, less than 2,000 SF without a drive-in is subject to Section  
884 4.4, Abandonment, Expiration, and Revocation of a Specific Use Permit of Article IV, Permissible  
885 Uses, of the Unified Development Code will expire if not utilized by March 20, 2018. The  
886 applicant's request is generally in conformance with the Unified Development Code; however,  
887 granting a Specific Use Permit is a discretionary decision for the Planning and Zoning  
888 Commission and City Council.  
889

890 Mr. Brooks further noted that on July 3, 2017, staff sent 109 notices to property owners and  
891 residents within 500-feet of the subject property. Staff received two notices in favor of the  
892 request at the time the memo was drafted and also two additional notices also in favor since  
893 then.  
894

895 Mr. Brooks advised the Commission the applicant was present and available for questions as  
896 well as staff.  
897

898 Vice-Chairman Trowbridge opened the public hearing and asked the applicant to come forward.  
899

900 Calise Barraque  
901 406 N. Goliad Rd.  
902 Rockwall, TX  
903

904 Ms. Barraque came forward and stated she is looking to open a general retail store that will  
905 feature local artists and vendors. She respectfully asked the Commission for their approval.  
906

907 Vice-Chairman Trowbridge asked if anyone wished to speak to come forward and do so, there  
908 being no one indicating such, Vice-Chairman Trowbridge closed the public hearing and brought  
909 the item back to the Commission for discussion or a motion.  
910

911 General discussion took place between the Commission concerning PD-50 and the use the  
912 applicant is proposing.  
913

914 Commissioner Logan made a motion to approve with staff recommendations. Commissioner  
915 Fishman seconded the motion which passed by a vote of 6-0, with Chairman Lyons absent.  
916

## 917 V. DISCUSSION ITEMS

918 14. Director's Report of post Council meeting outcomes of Planning & Zoning cases.  
919

- 920 ✓ P2017-029: Lots 1, Block A, Dirkse Addition [Approved]
- 921 ✓ P2017-031: Lots 1, Block A, Wimpee Acres Addition [Approved]
- 922 ✓ Z2017-020: Rockwall SIL (AG & C to PD) (1<sup>st</sup> Reading) [Denied]
- 923 ✓ Z2017-022: 205 By-Pass Corridor Overlay (205 BY-OV) District Amendments (2<sup>nd</sup> Reading)  
924 [Approved]
- 925 ✓ H2017-007: Rescind Landmark Designation for 902 N. Goliad Street (2<sup>nd</sup> Reading) [Approved]  
926


927  
928  
929  
930 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
931 referenced case at the City Council meeting.  
932

## 933 VI. ADJOURNMENT

934 Vice-Chairman Trowbridge adjourned the meeting at 9:28 p.m.  
935  
936  
937  
938

939  
940  
941  
942  
943  
944  
945  
946  
947  
948  
949  
950  
951  
952

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
ROCKWALL, Texas, this 10 day of October, 2017.

  
\_\_\_\_\_  
Patrick Trowbridge, Vice-Chairman

Attest:

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

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**July 25, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:03p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Jerry Welch Annie Fishman, and Eric Chodun. Absent were Commissioner Tracey Logan, and Mark Moeller. Staff members present were Planning Director, Ryan Miller, Senior Planner David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant Engineer, Amy Williams and Civil Engineer Jeremy White.

II. CONSENT AGENDA

1. P2017-034

Discuss and consider a request by Worth Williams of Moore Worth Investments, LLC for the approval of a replat for Lot 5, Block A, Lakeshore Commons Addition being a 1.472-acre parcel of land currently identified as Lot 1, Block A, Lakeshore Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the southwest corner of Quail Run Road and N. Goliad Street (*SH-205*), and take any action necessary.

2. P2017-036

Discuss and consider a request by Matt Moore, PE of Claymoore Engineering, Inc. on behalf of the owner Rockwall Regional Hospital, LLP for the approval of a replat for Lot 23, Block A, Presbyterian Hospital Addition being a 18.867-acre parcel of land identified as Lot 22, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located east of the intersection of Summer Lee Drive and Rockwall Parkway, and take any action necessary.

3. P2017-037

Discuss and consider a request by Mike Swiercinsky of 7.1 Ridge, LLC for the approval of a final plat for Lot 1, Block A, Sky Ridge Addition being a 8.583-acre tract of land currently identified as Tracts 4 & 19 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located west of the intersection of W. Yellow Jacket Lane and Ridge Road (*FM-740*), and take any action necessary.

**Commissioner Trowbridge made a motion to approve the consent agenda. Commissioner Welch seconded the motion which passed by a vote of 5-0 with Commissioners Moeller and Logan absent.**

III. APPOINTMENTS

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

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

IV. ACTION ITEMS

5. Z2017-027

Discuss and consider a request by Mahbub Dewan of D1 Architect on behalf of Deepak Gandhi for the approval of a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial (C) District that exceeds 36-feet in height within the Scenic Overlay (SOV) District on a 5.217-acre

65 parcel of land identified as a portion of Lot 8 and all of Lots 9 & 11, Block A, La Jolla Pointe, Phase 2  
66 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the  
67 Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, generally located along La Jolla Pointe  
68 Drive, east of the intersection of La Jolla Pointe Drive and Laguna Drive, and take any action necessary.  
69

70 Planning Director, Ryan Miller, advised the Commission that the request had previously come  
71 before the Commission and to City Council at their last meeting. The applicant is proposing to  
72 bring two hotels forward at the same time and due to some confusion, they wanted to remand it  
73 back and make sure that it was understood that the rooms would have kitchen facilities in them,  
74 that it would be a standard residence hotel. It is being done just as a clarification, however the  
75 applicant was not able to make tonight's meeting therefore they requested the item to be tabled  
76 to allow the applicant to come forward at the August 15<sup>th</sup> Planning and Zoning Commission  
77 meeting.  
78  
79

80 6. SP2017-019

81 Discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Himmat  
82 Chauhan of JAGH Hospitality for the approval of a site plan for a hotel a 1.74-acre parcel of land  
83 identified as Lot 1, Block A, Comfort Inn & Suites, Rockwall Towne Centre Addition, City of Rockwall,  
84 Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and  
85 Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.  
86

87 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
88 requesting approval for a site plan for a hotel containing 72 rooms. Back in March an amended  
89 SUP was approved for this Hotel to allow some variation in the building elevations also to allow  
90 it to be 60 feet in height. Additionally since it is a Residence Hotel the SUP limits the residence  
91 suites to 33 rooms and the remaining will be the typical hotel rooms. The building will be 59 feet  
92 in height and after the applicant met with the Architectural Review Board they did recommend  
93 approval of the building elevations. The site plan, photometric plan, landscape plan, and  
94 building elevations all meet the technical requirements of the UDC. Mr. Brooks went on to add  
95 that any lots that front IH-30, as this one does, require 200 feet lot frontage. This lot was  
96 originally platted in 1986 and then replated again in 1995 and then in 2005 and each time it was  
97 replated it was before the new standards were adopted therefore the lot is considered to be a lot  
98 of record and therefore the frontage on IH-30 is 58 feet wide rather than the 200 feet but since it  
99 is lot of record it will not require a variance from the Board of Adjustments.

100 Mr. Brooks advised the Commission the applicant as well as staff were available for questions.  
101  
102

103 Juan Vasquez  
104 1919 S. Shiloh Road  
105 Garland, TX  
106

107 Mr. Vasquez came forward and stated they were before the Board at the previous meeting with  
108 the biggest issue at that time being the building elevations which they've gone through that with  
109 the Architectural Review Board and have received a recommendation from the Board with the  
110 elevations they have brought forward. He advised the Commission he was available for any  
111 questions.  
112

113 Chairman Lyons asked the Commission for any questions.  
114

115 Commissioner Trowbridge asked for clarification of what was being approved. Mr. Brooks stated  
116 what is being approved is the site plan.  
117

118 No further discussion took place concerning this agenda item.  
119

120 Commissioner Welch made a motion to approve SP2017-019 with staff recommendations.  
121 Commissioner Fishman seconded, which passed by a vote of 5-1 with Commissioners Moeller  
122 and Logan absent.  
123  
124

125 V. DISCUSSION ITEMS  
126  
127



128 7. Z2017-032

129 Hold a public hearing to discuss and consider a request by Brian and Darla Kelly for the approval of a  
130 zoning change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a  
131 3.217-acre tract of land identified as a portion of Tract 13-06 of the W. W. Ford Survey, Abstract No. 80,  
132 City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located along the  
133 north side of Hanby Lane south of the intersection of Jeff Boyd Road and Hanby Lane, and take any  
134 action necessary.  
135

136 **Planner, Korey Brooks, gave a brief explanation of the request and provided the Commission a**  
137 **location map to show where the subject property is located, which is a lot that is separated from**  
138 **the City but is connected via the 212 Agreement.**  
139

140 **Mr. Brooks advised the Commission the applicant was present and he as well as staff were**  
141 **available for questions.**  
142

143 **Brian Kelly**  
144 **2846 Bent Ridge Road**  
145 **Rockwall, TX**  
146

147 **Mr. Kelly came forward and stated they purchased the home about a year ago with the purpose**  
148 **of building a 3,000 foot square home for his family.**  
149

150 **Commissioner Trowbridge asked if the applicant's purchased the whole parcel shown on the**  
151 **location map provided or just the portion shown to be the subject property. Mr. Kelly stated they**  
152 **only purchased what shows to be the subject property.**  
153

154 **Commissioner Trowbridge asked if it would only serve as a residence or would there be any**  
155 **business run out of it. Mr. Kelly stated it would only serve as a residence for his family.**  
156

157 **Commissioner Chodun asked what was on the east portion of the subject property. Mr. Kelly**  
158 **stated there is livestock (cows) and there is a power station with some tension lines that run**  
159 **northeast from there.**  
160

161 **Chairman Lyons asked if there would be a shared drive with the property behind them. Mr. Kelly**  
162 **stated that Hanby Lane which runs off of Jeff Boyd is a private drive which is shared. They**  
163 **planned the driveway of the home to be on the narrowest side of the property coming off the dirt**  
164 **road as shown on the location map provided.**  
165

166 **Commissioner Trowbridge asked how a property such as the subject property came to be within**  
167 **the City limits. Mr. Miller explained that some time back the City offered a 212 Development**  
168 **Agreements which are required by law to be offered for properties that are Agricultural in nature**  
169 **prior to annexing them and the majority of the properties out in that area are in 212 Development**  
170 **Agreements and that would make it contiguous to the Cities current boundaries however these**  
171 **properties opted to be in the City limits and because the City has the contiguity with the 212**  
172 **Development Agreements they are allowed to be brought in.**  
173

174 **There being no further questions Chairman Lyons indicated the case will return to the**  
175 **Commission for action at the next scheduled meeting.**  
176  
177

178 8. Z2017-033

179 Hold a public hearing to discuss and consider a request by Deric Salser of Salser Development Group  
180 on behalf of Russ Porter of Rockwall School of Music for the approval of a Specific Use Permit (SUP)  
181 for a music studio on a 0.747-acre portion of a larger 2.49-acre parcel of land identified as Lot 9, Block  
182 A, Flagstone Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development  
183 District 60 (PD-60) for Residential-Office (RO) District land uses, addressed as 1830 & 1842 Mims  
184 Road, and take any action necessary.  
185

186 **Planner, Korey Brooks, advised the Commission that staff has provided a Draft Ordinance and**  
187 **the applicant has reviewed that Draft Ordinance and since it has a residential adjacency the**  
188 **applicant is proposing to provide screening along the adjacent residential properties.**  
189

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

192  
193 Chairman Lyons asked the applicant to come forward and speak.

194  
195 Deric Salser  
196 345 New Hope Road  
197 Sunnyvale, TX

198  
199 Mr. Salser came forward and stated he is representing Russ Porter who owns the Rockwall  
200 School of Music that teach a variety of musical instruments and have been in business for 20  
201 years at their location on Justin Road which they lease and are now looking to build their own  
202 building. Mr. Salser added that although it is a school of music there will not be an issue with  
203 hearing any noise from outside of the building. They have about 390 students but not all at once  
204 as the parking there is limited but it is a low impact use for that area and they feel it is very  
205 appropriate to go up against a residential neighborhood. He stated the architects working on the  
206 project are also present should the Commission have questions for them.

207  
208 Chairman Lyons asked how many students are expected at one time and what amount of rooms  
209 will it hold. Mr. Salser stated he would have to defer to the architect on the plan.

210  
211 Adam Panter  
212 1410 K Avenue  
213 Plano, TX

214  
215 Mr. Panter came forward and stated currently they have 18 rooms planned it may go to 20 once  
216 the final plans are completed and those will be for private lessons and three of those are will be  
217 larger to allow for two to three people at a time.

218  
219 Chairman Lyons asked how many parking spaces would be provided. Mr. Panter stated that they  
220 exceeded the building occupancy need, they will have approximately 37-38 currently and that is  
221 by design.

222  
223 Commissioner Trowbridge asked staff if it is an existing PD and is it three quarters of an acre.  
224 Mr. Brooks stated that PD-60 is an existing PD that is zoned Residential Office and does allow  
225 for a Music Studio with an SUP and that their tract is three quarters of an acre, they are not  
226 taking the entire PD for their use. Planning Director, Ryan Miller added that this is one of the rare  
227 cases where we have a small PD that was used instead of incorporating the land into PD-54, they  
228 created a separate PD for Residential Office to specifically prohibit certain uses that they felt  
229 would be incompatible with the adjacent residential. In this case a Music Studio is a permitted  
230 use it just requires the SUP and the SUP is due to the residential adjacency.

231  
232 Commissioner Trowbridge asked if PD-54 has a broader or more impactful use. Mr. Brooks  
233 explained that this portion of PD-54 that's adjacent is zoned Commercial therefore it will be a  
234 buffer from Commercial to the residential adjacency.

235  
236 Commissioner Chodun expressed liking the proposal feels the subject property is a good fit for  
237 the use being proposed.

238  
239 There being no further questions Chairman Lyons indicated the case will return to the  
240 Commission for action at the next scheduled meeting.

241  
242  
243 9. P2017-035

244 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of  
245 BH 60's POD, LTD for the approval of a final plat for Breezy Hill, Phase X containing 79 single-family  
246 residential lots on 19.784-acre portion of a larger 29.181-acre tract of land identified as Tract 7-05 of the  
247 J. Strickland Survey, Abstract No. 187; the J. Simmons Survey, Abstract No. 190; and the T. R. Bailey  
248 Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development  
249 District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated with the SH-205 By-Pass  
250 Overlay (SH-205 BY-OV) District, generally located northeast of the intersection of N. John King  
251 Boulevard and FM-552, and take any action necessary.  
252

253 Planner, Korey Brooks, gave a brief explanation of the request stating that the request is for  
254 Phase X of Breezy Hill and the reason it is coming before the Commission is because the final  
255 plat has to go to the Park Board on August 1<sup>st</sup> to have cash in lieu of land and have pro-rata  
256 equipment fees accessed. It will be on the consent agenda at the next scheduled Planning and  
257 Zoning Commission meeting.

258  
259 There being no questions, Chairman Lyons indicated the case will return to the Commission for  
260 action at the next scheduled meeting.

261  
262  
263 10. SP2017-022

264 Discuss and consider a request by Gerald Monk of Monk Consulting Engineers on behalf of Kevin  
265 Smart for the approval of a site plan for a medical office building on a one (1) acre parcel of land  
266 identified as Lot 2, Block A, Wal-Mart Rockwall Addition, City of Rockwall, Rockwall County, Texas,  
267 zoned Planned Development District 49 (PD-49) for General Retail (GR) District land uses, situated  
268 within the SH-66 Corridor Overlay (SH-66 OV) District, addressed as 862 W. Rusk Street (SH-66), and  
269 take any action necessary.

270  
271 Planner, Korey Brooks, gave a brief explanation of the request stating that the PD for this  
272 particular property requires that the tree line remain located on the east side of the subject  
273 property remain intact and therefore the applicant will not be removing those, they will be  
274 preserved.

275  
276 Mr. Brooks advised the Commission that the applicant is present and available for questions as  
277 well as staff.

278  
279 Chairman Lyons asked the applicant to come forward and speak.

280  
281 Charles Sherer  
282 1200 State Street  
283 Garland, TX

284  
285 Mr. Sherer came forward and stated he is representing the engineer for the project, Gerald Monk  
286 of Monk Engineering. He explained that Dr. Smart office Pediatric Care had been destroyed by  
287 the tornado that hit Rowlett a couple years ago and due to that she has chosen the subject  
288 property as the location for her new clinic. They met with the Architectural Review Board earlier  
289 in the evening prior to the meeting and they came up with some solutions to dress up the side  
290 and rear of the building, it appears it will be difficult due to the constraints on the site itself to do  
291 the articulation on those particular elevations but they will be working with the ARB with the  
292 recommendations they provided. He advised the Commission he was available for questions.

293  
294 Chairman Lyons asked the Commission for any questions for the applicant or staff.

295  
296 Commissioner Fishman asked if the applicant would be relocating from their current site in  
297 Heath or will Dr. Smart be maintaining both locations. Mr. Sherer stated they would be relocating  
298 from the site in Heath to the proposed location.

299  
300 Commissioner Chodun commented that it seemed an unusual place for a medical center as it is  
301 surrounded by retail and asked the applicant what the reason why they chose this particular  
302 location to relocate. Mr. Sherer stated that he felt that part of the reasoning was that they draw  
303 a lot of patients from the Rowlett side and the Dallas County side as well as the Rockwall area and  
304 when they moved to the Heath location according to Dr. Smart has cost her some patients  
305 because they're not willing to drive from Rowlett all the way to Heath to see the pediatrician. Dr.  
306 Smart's objective was to find a site that was as close to the Rowlett border and stay in Rockwall  
307 and the subject property was a site that is on target with that.

308  
309 Commissioner Trowbridge asked the applicant to expand on his comment that the site prevents  
310 articulation. Mr. Sherer stated that the northeast corner of the property to the southwest corner  
311 of the property there is a ten foot fall and therefore are dealing with a severe grade for elevations  
312 with a site that small. He went on to say that when speaking of a variance case, the criteria that  
313 is looked at is size, shape and slope and in looking at this particular piece of property there is all  
314 three of that criteria. There are also a lot of retaining walls, and bearing in mind that it is a  
315 Pediatric Clinic where there will be moms with small children in strollers and they are trying to

316 make it as convenient as possible for them. They may put columns and broaden the overhangs  
317 so as to protect the walkway as much as possible. However challenging meeting the articulation  
318 may be they are willing to make material adjustments that they feel will create some variance on  
319 the side and rear elevations that will make a difference.  
320

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

324  
325 11. SP2017-023

326 Discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of the owner  
327 Michael Fisher of 1306 Summer Lee, LLC for the approval of a site plan for a medical office building on  
328 a 1.082-acre parcel of land identified as Lot 6, Block A, Temunovic Addition, City of Rockwall, Rockwall  
329 County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses,  
330 situated within the Scenic Overlay (SOV) District, addressed as 1310 Summer Lee Drive, and take any  
331 action necessary.  
332

333 Planning Director, Ryan Miller, gave a brief explanation of the request stating that staff has  
334 reviewed the site plan and have not identified any variances at this time, there are a couple of  
335 corrections, so barring any major oversight the request should be coming back to the  
336 Commission meeting all the technical requirements and the ARB did recommend approval.  
337

338 Mr. Miller advised the Commission the applicant was present and was available for questions as  
339 well as staff.  
340

341 Chairman Lyons asked the applicant to come forward and speak.  
342

343 Robert Stensland  
344 Stensland Group Architects  
345 5151 Bent Tree Forest Drive Suite 560  
346 Dallas, TX  
347

348 Mr. Stensland came forward and stated the owners were present however Mr. Kevin Patel was  
349 unable to attend the meeting and he was here representing him. He went on to say that they are  
350 looking to build one of the nicest dental offices in the City and are doing everything possible to  
351 make do a real first class project.  
352

353 Chairman Lyons asked if they had met with the Architectural Review Board. Mr. Stensland stated  
354 the ARB did not ask to meet with them.  
355

356 There being no further questions Chairman Lyons indicated the case will return to the  
357 Commission for action at the next scheduled meeting.  
358

359 12. SP2017-024

360 Discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of the  
361 owner Don Silverman of Rockwall 205-552, LLC for the approval of a site plan for a restaurant with a  
362 drive-through on a 0.857-acre parcel of land identified as Lot 4, Block A, Dalton-Goliad Addition, City of  
363 Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205  
364 Overlay (N-SH-205 OV) District, addressed as 3611 N. Goliad Street, and take any action necessary.  
365  
366

367 Planning Director, Ryan Miller, gave a brief explanation of the request stating that this case  
368 came before the Commission at the previous Planning and Zoning Commission meeting and that  
369 was for the SUP and the applicant now has entered the site plan phase and they are working  
370 through some recommendations by the Architectural Review Board.  
371

372 Mr. Miller advised the applicant was present and was available for questions as well as staff.  
373

374 Chairman Lyons asked the applicant to come forward.  
375

376 Juan Vasquez  
377 1919 S. Shiloh Road  
378 Garland, TX

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Mr. Vasquez came forward and stated that they met with the Architectural Review Board earlier in the evening prior to the meeting and were given some recommendations on the elevations which the owner will be taking back to his architect to come to an agreeable elevation. He advised the Commission he was available for any questions.

Chairman Lyons asked if this was for the Freddy's. Mr. Vasquez stated that was correct it is for the Freddy's Frozen Custard.

Chairman Lyons asked the Commission for any questions for the applicant.

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

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

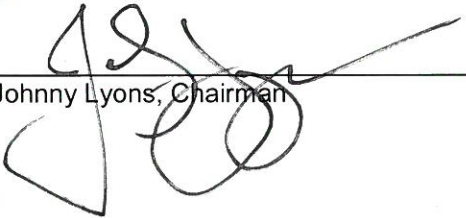
- ✓ SP2017-020: Site Plan for Gideon Grove Subdivision [Approved]
- ✓ P2017-032: Preliminary Plat for Gideon Grove Subdivision [Approved]
- ✓ Z2017-023: Zoning Change (AG to SFE-4.0) (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-024: SUP for a Daycare Facility at 4031 N. Goliad Street (1<sup>st</sup> Reading) [Denied]
- ✓ Z2017-025: SUP for a General Retail Store at 4031 N. Goliad Street (1<sup>st</sup> Reading) [Denied w/out Prejudice]
- ✓ Z2017-026: Text Amendment to Article VI (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-027: SUP for a Residence Hotel at La Jolla Pointe (1<sup>st</sup> Reading) [Remanded Back to P&Z]
- ✓ Z2017-028: SUP for a Hotel at La Jolla Pointe (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-029: SUP for a Drive Through Restaurant at 3611 N. Goliad Street (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-030: SUP for a General Retail Store at 406 N. Goliad Street (1<sup>st</sup> Reading) [Approved]

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

VI. ADJOURNMENT

Chairman Lyons adjourned the meeting at 6:39 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 15 day of August, 2017.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:   
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**August 15, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

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

II. CONSENT AGENDA

1. Approval of Minutes for the July 25, 2017 Planning and Zoning Commission meeting.

2. P2017-035

Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH 60's POD, LTD for the approval of a final plat for Breezy Hill, Phase X containing 79 single-family residential lots on 19.784-acre portion of a larger 29.181-acre tract of land identified as Tract 7-05 of the J. Strickland Survey, Abstract No. 187; the J. Simmons Survey, Abstract No. 190; and the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated with the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located northeast of the intersection of N. John King Boulevard and FM-552, and take any action necessary.

3. P2017-039

Consider a request by Patricia E. Linder for the approval of a replat for Lot 66, Block D, Northshore, Phase 2-A being a 0.23-acre parcel of land identified as Lot 17, Block D, Northshore, Phase 2-A, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 611 Sunset Hill Drive, and take any action necessary.

4. MIS2017-007

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

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

III. APPOINTMENTS

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

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

IV. PUBLIC HEARING ITEMS

6. Z2017-032

Hold a public hearing to discuss and consider a request by Brian and Darla Kelly for the approval of a zoning change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 3.217-acre tract of land identified as a portion of Tract 13-06 of the W. W. Ford Survey, Abstract No. 80,

64 City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located along the  
65 north side of Hanby Lane south of the intersection of Jeff Boyd Road and Hanby Lane, and take any  
66 action necessary.  
67

68 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
69 requesting to rezone the property from an Agricultural District to a Single-Family Estate 2.0 for  
70 the purpose of building a single-family home. According to the UDC, a single-family dwelling is  
71 allowed on any Agriculture District zoned property that is more than 10 acres and since the  
72 subject property is less than ten 10 acres, the tract will need to be rezoned. Mr. Brooks provided  
73 a location map which showed what the land uses adjacent to the subject property show to be.  
74 Directly north of the subject property is vacant land that is connected to the City of Rockwall via  
75 a 212 Development Agreement and beyond that is vacant land in the city limits that is zoned  
76 Agriculture District. Directly south of the subject property are single-family homes and vacant  
77 land that is connected to the City of Rockwall via a 212 Development Agreement and beyond that  
78 are the city limits of Heath. Directly east of the subject property is a large tract of land, which is  
79 zoned AG and currently there is a single-family home on the property, beyond that are the city  
80 limits of McClendon-Chisholm. Directly west of the subject property is the city limits of Heath  
81 and that area is mostly vacant. Mr. Brooks further stated that the Future Land Use Map  
82 designates the subject property for Low Density Residential and therefore the applicant's  
83 request is in conformance with the Future Land Use Map.  
84

85 Mr. Brooks went on to state that on August 4, 2017, staff sent 2 notices to property owners and  
86 residents within 500-feet of the subject property and situated in the City Limits. There are no  
87 HOA's within 1,500-feet of the subject property therefor no HOA notification was sent out. Staff  
88 had not received any notices concerning this case.  
89

90 Mr. Brooks advised the Commission the applicant was present and available for questions as  
91 well as staff.  
92

93 Chairman Lyons opened up the public hearing and asked the applicant to come forward and  
94 speak.  
95

96 Brian Kelly  
97 2846 Bent Ridge Drive  
98 Rockwall, TX  
99

100 Mr. Kelly came forward and stated he feels the home they intend to build will fit nicely within the  
101 City.  
102

103 Chairman Lyons asked if there was anyone who wished to speak to come forward and do so.  
104 There being no one indicating such, Chairman Lyons closed the public hearing and brought the  
105 item back to the Commission for discussion or motion.  
106

107 No discussion took place concerning this agenda item.  
108

109 Commissioner Trowbridge made a motion to approve Z2017-032 with staff recommendations.  
110 Commissioner Fishman seconded the vote which passed by a vote of 6-01, with Commissioner  
111 Welch absent.  
112

#### 113 7. Z2017-033

114 Hold a public hearing to discuss and consider a request by Deric Salser of Salser Development Group  
115 on behalf of Russ Porter of Rockwall School of Music for the approval of a Specific Use Permit (SUP)  
116 for a music studio on a 0.747-acre portion of a larger 2.49-acre parcel of land identified as Lot 9, Block  
117 A, Flagstone Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development  
118 District 60 (PD-60) for Residential-Office (RO) District land uses, addressed as 1830 & 1842 Mims  
119 Road, and take any action necessary.  
120  
121

122 Planner, Korey Brooks, gave a brief explanation of the request stating that back in 2005 the City  
123 Council approved the Ordinance that established PD-60 that has an underlying of Residential  
124 Office. According to the UDC a music studio is allowed by right in a Residential Office District;  
125 however, according to the Planned Development District 60 use standards, a music studio is

126 allowed only through a Specific Use Permit, which is a discretionary decision for the Planning  
127 and Zoning Commission and City Council.  
128

129 Mr. Brooks went on to state that the proposed school will be a 4,000 SF music studio and the  
130 applicant is proposing to provide a 6foot masonry screening wall adjacent to the residential  
131 properties located to the east and south property lines. Staff has included a requirement that a  
132 row of 4 inch caliper canopy trees be provided adjacent to the wall, which will further screen the  
133 building. According to the applicant, the building will be designed so that no sound will affect  
134 the adjacent residential properties. Additionally, the applicant has stated that there will be no  
135 music outside of the studio and staff included this prohibition in the operational conditions in  
136 the SUP ordinance. Mr. Brooks went on to provide a location map which showed what the land  
137 uses adjacent to the subject property show to be. Northeast of the subject property is an  
138 assisted living facility, Rock Ridge Assisted Living and beyond that is E. Ralph Hall Parkway,  
139 which is identified as a major, four 4-lane, divided roadway on the Master Thoroughfare Plan.  
140 This area is zoned PD-54 for Single-Family 10 District and Commercial land uses. Southeast of  
141 the subject property is a single-family residential subdivision, Flagstone Estates and beyond  
142 that is vacant land. Both areas are zoned PD-54 for Single-Family 10 land uses. Southwest of  
143 the subject property is a residential subdivision, Highland Meadows, zoned SF-7 District and  
144 beyond this is a single-family residential subdivision, Lynden Park Estates, that is zoned  
145 Planned Development District 17 for single-family detached residential. Northwest of the subject  
146 property is a vacant tract of land and beyond that is E. Ralph Hall Parkway which is identified as  
147 a major, 4-lane, divided roadway on the Master Thoroughfare Plan, this area is zoned PD-54 for  
148 Commercial land uses.  
149

150 Mr. Brooks further stated that on August 4, 2017, staff sent 92 notices to property owners and  
151 residents within 500-feet of the subject property and notified the Lynden Park and Flagstone  
152 Estates HOA's. Staff received 2 notices in opposition to the request.  
153

154 Mr. Brooks advised the Commission that the applicant was present and available for questions  
155 as well as staff.  
156

157 Chairman Lyons asked the Commission for any questions for staff before the applicant comes  
158 forward.  
159

160 Commissioner Trowbridge asked how this particular Planned Development, PD-60, come into  
161 play. Mr. Brooks deferred the question to Planning Director, Ryan Miller. Mr. Miller explained that  
162 Planned Development 60 was established for the purpose of transitioning the Rock Ridge  
163 Planned Development District, which is PD-54, it creates a transition directly adjacent to the  
164 residential structures and provides for a more appropriate uses than PD-54 allows.  
165

166 Chairman Lyons opened up the public hearing and asked the applicant to come forward and  
167 speak.  
168

169 Deric Salser  
170 345 New Hope Drive  
171 Sunnyvale, TX  
172

173 Mr. Salser came forward and stated Mr. Porter, the owner, could further elaborate on the vision  
174 they have for the school, where they've been and where they are looking to go and discuss why  
175 they have chosen this neighborhood.  
176

177 Russ Porter  
178 The Rockwall School of Music  
179 1447 Red Wolfe Drive  
180 Rockwall, TX  
181

182 Mr. Porter came forward and stated they have been in the community for 20 years where they  
183 started in downtown Rockwall, then went to the Goliad Place and currently at FM749 on Justin  
184 Road. They currently have about 3,000 square feet in the location they currently are housed in,  
185 which allows for them to have 13 teaching studios where they provide private lessons of piano,  
186 guitar, along with other instruments. They currently lease the building they currently occupy  
187 however they are now looking to purchase land to build and own, therefore when the subject



188 property became available and would allow subdividing the lot to allow them to take the portion  
189 they need, that will allow them to grow into a larger facility.

190  
191 Mr. Salsler came forward and added that it will be a residential style structure that will be  
192 approximately 4,500 square feet. He added that they felt that this particular PD, as Mr. Miller  
193 stated earlier, is a buffer of a use so as to not allow a gas station or such right up against the  
194 back of the residential houses which they feel will be a good transition.

195  
196 Chairman Lyons asked if there was anyone wishing to speak to come forward and do so, there  
197 being no one indicating such, Chairman Lyons closed the public hearing and brought the item  
198 back to the Commission for discussion or action.

199  
200 Commissioner Trowbridge made a motion to approve Z2017-033 with staff recommendations.  
201 Commissioner Lyons seconded the motion which passed by a vote of 6-0, with Commissioner  
202 Welch absent.

203  
204  
205 V. ACTION ITEMS

206  
207 8. Z2017-027

208 Discuss and consider a request by Mahbub Dewan of D1 Architect on behalf of Deepak Gandhi for the  
209 approval of a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial  
210 (C) District that exceeds 36-feet in height within the Scenic Overlay (SOV) District on a 5.217-acre  
211 parcel of land identified as a portion of Lot 8 and all of Lots 9 & 11, Block A, La Jolla Pointe, Phase 2  
212 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the  
213 Scenic Overlay (SOV) and IH-30 Overlay (IH-30 OV) Districts, generally located along La Jolla Pointe  
214 Drive, east of the intersection of La Jolla Pointe Drive and Laguna Drive, and take any action necessary.

215  
216 Senior Planner, David Gonzales, gave a brief explanation of the agenda item stating that the  
217 request came before the Commission at a previous meeting on July 11<sup>th</sup> for an SUP for a  
218 Residence Hotel and after discussion the Commission forwarded a recommendation to the City  
219 Council with a 5-1 vote recommending approval. However when it went before City Council at  
220 the July 17<sup>th</sup> meeting, the City Council made a motion to postpone the public hearing at City  
221 Council level in order to bring the item back to the Planning and Zoning Commission. The  
222 reason behind that is because during the public hearing process at the July 11<sup>th</sup> Planning and  
223 Zoning meeting both hotels being proposed were mentioned during the process of the  
224 Residential Hotel, due to that and because there are kitchen facilities associated with the  
225 request, City Council wants to ensure that the vote that was taken at that July 11<sup>th</sup> meeting was  
226 with the understanding that there would be kitchen facilities within the Hyatt House request. Mr.  
227 Gonzales further explained that the vote just needs to be verified and should the Commission  
228 have any further questions staff as well as the applicant were available for questions.

229  
230 Chairman Lyons asked the Commission for any questions for staff.

231  
232 Commissioner Trowbridge asked if the other hotel that did not include the kitchen factor that  
233 was presented alongside the current one has already been approved by City Council. Mr.  
234 Gonzales stated that Council did approve the Hyatt Place in both first and second readings for a  
235 Specific Use Permit with some conditions.

236  
237 Chairman Lyons asked the applicant to come forward to speak.

238  
239 Kevin Hilchey  
240 6128 FM 2011  
241 Longview, TX

242  
243 Mr. Hilchey came forward and stated him and Mr. Deepak Gandhi who is also present are  
244 partners in both projects.

245  
246 Deepak Gandhi  
247 380 Brighton Lane  
248 Richardson, TX

251 Mr. Hilchey stated that there did seem to be some confusion at the Council meeting as to  
252 whether the Commission understood that there would be cooking facilities in the guest rooms  
253 and he understands that is the reason the City Council remanded it back to the Commission. He  
254 explained that there will be cooking facilities in the guest rooms that consist of a microwave, a  
255 two burner flat glass stove top no oven, and a refrigeration unit. Mr. Hilchey provided a picture  
256 of what a typical room will look like.

257  
258 Chairman Lyons asked the applicant for the breakdown of the number of rooms and how many  
259 of those would have the cooktops. Mr. Hilchey explained that it will be 80 rooms and the  
260 cooktops will be in approximately two thirds of the rooms. He stated that the Hotel serves  
261 breakfast seven days a week and has a restaurant/bar facility that has a menu that they serve.  
262 Their belief is that at least 95% of the guests of the Hotel will not use the cooking facility, they  
263 are provided for people that may want to heat something up, but at the price point that the hotel  
264 will be at most of the guests are on expense accounts and would be eating out in the local  
265 market.

266  
267 Commissioner Trowbridge asked if they achieve a rental rate premium for the residence hotel  
268 room over the neighboring Hyatt Place room. Mr. Hilchey stated that no, because they feel it  
269 appeals to a different type of guest who is going to stay longer, and that particular guest thinks  
270 they might want to cook but most of the time they don't.

271  
272 Commissioner Trowbridge asked if the project would only work with the two hotels side by side  
273 or could one standalone economically. Mr. Hilchey stated they can work independently.  
274 Commissioner Trowbridge asked if there is not a premium for an in room kitchen, how are the  
275 costs covered as far as not getting any more rent but are putting more money into those type  
276 rooms. Mr. Hilchey explained that the difference between the two is the housekeeping model,  
277 where the regular hotel has to be cleaned thoroughly daily, the extended stay is also cleaned  
278 daily but as a "light touch" and only thoroughly when the guest leaves. This allows the return on  
279 the investment is better on the extended stay because of the operational efficiencies involved.

280  
281 The Commission had no further questions for the applicant.

282  
283 Chairman Lyons asked the Commission brought the item back to the Commission for  
284 discussion or action.

285  
286 Commissioner Trowbridge expressed he is against extended stay hotels because, although the  
287 in house kitchen is an option, he feels extended stay is promoting people to not spend as much.  
288 He expressed he will be staying consistent with other requests for similar projects that have  
289 come before the Commission which he has not been in favor of because of the kitchen  
290 component those offer. He generally is in favor of the standard hotel despite the number of  
291 rooms currently in place within the City.

292  
293 Commissioner Logan stated she did realize what they were voting on at the previous meeting  
294 however she thought they had relented on the kitchen component previously on another  
295 extended stay that was passed recently, and feels the kitchen component on the proposed hotel  
296 should be further discussed.

297  
298 Commissioner Chodun stated he doesn't feel another extended stay is really needed with others  
299 having been approved already. He likes the Hyatt concept, but the Hyatt House sounds like an  
300 extended stay with a Hyatt name, and although the kitchen looks nice it appears to be a full  
301 kitchen, he understood it to be a smaller concept kitchen when the request was heard initially.  
302 He generally expressed not being in favor of the request.

303  
304 Commissioner Moeller stated that although he has not generally been a fan of extended stay  
305 residence hotels, the Hyatt House appears to be an upscale product. He too feels there is more  
306 to the kitchen than when initially brought forward but feels that maybe with such a concept it will  
307 get some stay from people that are want that size kitchen as opposed to smaller ones other  
308 extended stays offer. He generally expressed being in favor of the request.

309  
310 Commissioner Fishman asked staff how many extended stays currently along IH-30 have been  
311 approved. Mr. Miller stated there is the Best Western that is currently in the engineering process  
312 and is moving forward in pulling a building permit and there is also the H2 Suites next to the  
313 Walmart that was approved last year, but staff has not seen any further progress since their

314 approval. Commissioner Fishman noted that would make it just one that has been approved that  
315 is in progress. She generally expressed being in favor with the request stating she feels it is a  
316 good model it is upscale and having both projects together will complement each other well.  
317 She feels having Hyatt which is a good name in Rockwall is a good reflection of the City.  
318

319 Chairman Lyons stated that although he understands Commissioner Trowbridge's concerns, he  
320 generally expressed being in favor of the request as the Hyatt is a premium name and this will be  
321 a premium location he feels it will be an asset to the community in this specific case.  
322

323 Chairman Lyons made a motion to approve Z2017-017 with staff recommendations.  
324 Commissioner Fishman seconded the motion which passed by a vote of 4-2 with  
325 Commissioners Trowbridge and Commissioner Chodun dissenting and Commissioner Welch  
326 absent.  
327

328  
329 9. SP2017-022

330 Discuss and consider a request by Gerald Monk of Monk Consulting Engineers on behalf of Kevin  
331 Smart for the approval of a site plan for a medical office building on a one (1) acre parcel of land  
332 identified as Lot 2, Block A, Wal-Mart Rockwall Addition, City of Rockwall, Rockwall County, Texas,  
333 zoned Planned Development District 49 (PD-49) for General Retail (GR) District land uses, situated  
334 within the SH-66 Corridor Overlay (SH-66 OV) District, addressed as 862 W. Rusk Street (SH-66), and  
335 take any action necessary.  
336

337 Planner, Korey Brooks, gave a brief explanation and background of the request stating that the  
338 subject property is located in front of the Walmart Neighborhood Market on Hwy 66. He  
339 explained that in 2001, the City Council approved a zoning change that established Planned  
340 Development District 49 for General Retail District land uses for the purpose of allowing a  
341 grocery store. At that time, the concept plan showed a retail center adjacent to the grocery store,  
342 and a retail establishment on Lot 2 then 2001, the Planning and Zoning Commission approved a  
343 site plan for a grocery store which is the Walmart Neighborhood Market, subsequently then the  
344 City Council approved a final plat establishing the current lot layout.  
345

346 Mr. Brooks further stated that the applicant is proposing a medical office building that will be  
347 approximately 7,000 square feet and will be accessible via a mutual access easement that  
348 connects to the Walmart Neighborhood Market's parking lot north of the subject property.  
349 According to the UDC, the proposed use is allowed by right in a General Retail District and will  
350 not require any additional approvals from the Planning and Zoning Commission. The submitted  
351 site plan, landscape plan, photometric plan, and building elevations do generally conform to the  
352 technical requirements contained within the UDC. Mr. Brooks noted that the applicant is  
353 preserving all of the trees along the eastern property line in accordance with the requirements of  
354 the Planned Development District.  
355

356 Mr. Brooks further stated that on July 25, 2017, the ARB reviewed the submitted building  
357 elevations and made recommendations to the applicant to provide additional articulation to the  
358 north, east, and south building facades. The applicant has since provided revisions and the ARB  
359 did recommend approval unanimously when this evening.  
360

361 Mr. Brooks advised the Commission the applicant was present and available for questions as  
362 well as staff.  
363

364 Chairman Lyons asked the Commission for any questions.  
365

366 Commissioner Logan asked concerning a walnut tree that is on the property, will that be  
367 removed. Mr. Brooks stated there will not be any walnut trees removed.  
368

369 Commissioner Trowbridge made a motion to approve SP2017-022 with staff recommendations.  
370 Commissioner Chodun seconded the motion, which passed by a vote of 6-0, with Commissioner  
371 Welch absent.  
372

373  
374 VI. DISCUSSION ITEMS  
375

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

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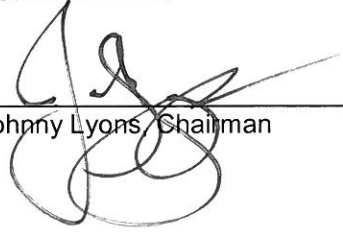
- ✓ P2017-034: Lot 5, Block A, Lakeshore Commons Addition [Approved]
- ✓ P2017-036: Lot 23, Block A, Presbyterian Hospital Addition [Approved]
- ✓ P2017-037: Lot 1, Block A, Sky Ridge Addition [Approved]
- ✓ Z2017-023: Zoning Change (AG to SFE-4.0) (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-026: Text Amendment to Article VI (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-028: SUP for a Hotel at La Jolla Pointe (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-029: SUP for a Drive Through Restaurant at 3611 N. Goliad Street (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-030: SUP for a General Retail Store at 406 N. Goliad Street (2<sup>nd</sup> Reading) [Approved]

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

VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 6:43 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 30 day of August, 2017.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**August 29, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:06p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Eric Chodun, Annie Fishman, Mark Moeller, Tracey Logan and Jerry Welch. Staff members present were Planning Director, Ryan Miller, Senior Planner David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy William, Civil Engineer Jeremy White and Fire Marshal, Ariana Hargrove.

II. CONSENT AGENDA

1. Approval of Minutes for the August 15, 2017 Planning and Zoning Commission meeting.

2. P2017-040

Consider a request by Paula Hubert of GreenbergFarrow on behalf of Doug Druen of Texas Roadhouse Holdings, LLC for the approval of a final plat for Lot 1, Block A, Texas Roadhouse Addition being a 2.0767-acre portion of larger 8.613-acre tract of land identified as Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 912 E. IH-30, and take any action necessary.

3. P2017-042

Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Himmat Chauhan of JAGH Hospitality for the approval of a replat for Lot 2, Block A, Comfort Inn & Suites, Rockwall Towne Centre Addition being a 1.742-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites, Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.

4. P2017-043

Consider a request by Kevin Patel, P. E. on behalf of John Dunkin for the approval of a final plat for Lot 1, Block A, North Lakeshore Daycare Addition being a 2.960-acre tract of land identified as Lot 1, Block S, Preserve, Phase 3 Addition and Tract 12 [1.4376-acres], A. Hanna Survey, Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) and Single Family 10 (SF-10) District, addressed as 1450 East Fork Drive, and take any action necessary.

5. P2017-044

Consider a request by Susan Gamez for the approval of a final plat for Lot 1, Block A, Everybody Massage Addition being a 0.478-acre tract of land identified as Tract 7 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District, situated within the Scenic Overlay (SOV) District, addressed as 2001 Ridge Road, and take any action necessary.

6. P2017-045

Consider a request by Spencer Byington of SWBC Real Estate, LLC on behalf of the owner Robert Lamberth of Pneuma Ventures, LTD for the approval of a conveyance plat for Lots 1 & 2, Block A, SWBC Rockwall Addition being a 42.555-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 83 (PD-83), situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery Boulevard and John King Boulevard, and take any action necessary.

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

64 III. APPOINTMENTS

65  
66 7. Appointment with Architectural Review Board representative to receive the Board's  
67 recommendations and comments for items on the agenda requiring architectural review.

68  
69 Architectural Review representative, John Womble, gave a brief explanation concerning agenda  
70 items that were discussed at the Architectural Review Board meeting.

71  
72  
73 IV. ACTION ITEMS

74  
75 8. MIS2017-008

76 Discuss and consider a request by William C. Salee of the Rockwall Independent School District (RISD)  
77 for the approval of an exception to the minimum masonry requirements for a property in a Commercial  
78 (C) District for the purpose of constructing an accessory building on a 35.295-acre parcel of land  
79 identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas,  
80 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901  
81 W. Yellow Jacket Lane, and take any action necessary.

82  
83 Planning Director, Ryan Miller, gave a brief explanation of the request stating the applicant is  
84 requesting approval of an extension for the subject property which houses Rockwall High  
85 School. What the applicant is requesting is to replace an existing storage shed which was  
86 adjacent to a retaining wall in the back which runs along the back access drive. The existing  
87 storage sheds were located within a 24 foot access and utility easement and when the retaining  
88 wall fell and were required to move those to rebuild the retaining wall, they wanted to come back  
89 in and put two new accessory building but would need to move them outside of that area. Mr.  
90 Miller provided a location map which showed where the proposed placement will be. The metal  
91 buildings will be 12x24 pre-fabricated metal sheds, and all together they will be about 40%  
92 smaller than what was existing prior to. In addition they will not be visible as they will back up to  
93 the Rooms To Go site, but since the school is in a Commercial District they are required to meet  
94 the same masonry requirements as that District, which is 90% masonry with 20% natural stone,  
95 however in this case the Code does give the Planning and Zoning Commission as well as City  
96 Council the ability to review this type of case on a case by case basis and make a determination  
97 whether or not a request receives a special exception. In this case the applicant has provided all  
98 the needed material, including an elevation of the buildings.

99  
100 Mr. Miller advised the Commission the applicant was present to answer questions, as well as  
101 staff.

102  
103 Chairman Lyons asked the applicant to come forward.

104  
105 William Salee  
106 Wylie, TX

107  
108 Mr. Salee came forward and stated he is the construction manager for Rockwall ISD. He  
109 explained that one of the reasons for the request is to remove the existing old storage sheds  
110 that used to house gymnastics mats and such because the Fire Department has asked those to  
111 be moved from the corridor of the athletic area and replace that storage with a similar storage.  
112 The existing storage was chain link with vinyl slats and the replacements will be fully enclosed  
113 manufactured storage buildings.

114  
115 Chairman Lyons asked for questions from the Commission.

116  
117 Commissioner Trowbridge asked if the prior buildings compliant with the zoning. Mr. Miller  
118 stated they were not.

119  
120 Chairman Lyons brought the item back to the Commission for discussion or a motion.

121  
122 Commissioner Moeller made a motion to approve MIS2017-008 with staff recommendations.  
123 Commissioner Logan seconded the motion which passed by a vote of 7-0.

127 9. MIS2017-009

128 Discuss and consider a request by Kay Uhlig of Sabrina's Flowers and Gifts for the approval of a  
129 variance to the district development standards of the SH-205 Overlay (SH-205 OV) District for the  
130 approval of an electronic message sign (EMS) being incorporated into an existing pole sign on a 0.407-  
131 acre parcel of land identified as the J. J. Jones Addition, City of Rockwall, Rockwall County, Texas,  
132 zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as  
133 1903 S. Goliad Street [SH-205], and take any action necessary.  
134

135 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant  
136 is requesting is to replace a 4x8 reader board which is currently attached to an existing pole sign  
137 that is considered to be non-conforming. What they would like to do is put in a LED message  
138 board in the same spot as the existing reader board. The existing sign is considered to be legally  
139 non-conforming and according to the sign code a legally non-conforming sign cannot be altered  
140 in any way without bringing it into conformance, which in this case would mean removing the  
141 sign and putting in a monument sign. In addition, the SH-205 Overlay District makes the same  
142 requirement of it being a monument sign and that no pole signs are permitted within the Overlay  
143 District; however the code states the ability for Council to grant a variance and approval of any  
144 variance to the sign ordinance for property included the SH 205 Corridor Overlay District but  
145 shall require City Council approval by a three-quarter majority vote. It further states that granting  
146 a variance where unique or extraordinary conditions exist or where strict adherence to the  
147 provisions of this section would create a hardship. In this case, staff has looked at the request,  
148 and although there doesn't appear to be any hardship or anything that would prevent the  
149 applicant from creating a conforming sign, but it is a discretionary decision for the City Council.  
150 Mr. Miller added that a similar request was made and approved for Taco Casa that is directly  
151 across the street and they currently have an LED reader.  
152

153 Mr. Miller advised the Commission staff was available for questions.  
154

155 Chairman Lyons asked the Commission for questions for staff.  
156

157 Commissioner Trowbridge asked if there are light restrictions, or metrics in which the City  
158 regulates the amount of light emissions that these kinds of signs put out. Mr. Miller stated that in  
159 the Sign Code there are requirements called CEVM, Changeable Electronic Variable Message  
160 Signs, and have included a condition should the request be approved that it adhere to all  
161 applicable requirements. Those requirements regulate luminosity, message duration and things  
162 of that nature. Chairman Trowbridge asked if the how long the sign had been there and if there  
163 was any historical significance to it. Mr. Miller stated he was not aware of it having any historical  
164 significance that he knows of.  
165

166 Chairman Lyons brought the item back to the Commission for discussion or a motion as the  
167 applicant was not present to offer additional comments.  
168

169 Commissioner Trowbridge generally expressed not being in favor of the request as it does not  
170 have any historical significance, and lighted signs that have come before the Commission in the  
171 past usually have been small and he feels something as large as what the applicant is  
172 proposing.  
173

174 Commissioner Chodun asked if the sign as is now is non-conforming. Mr. Miller stated that it is  
175 non-conforming because pole signs are not allowed anywhere in the City except along the IH-30  
176 frontage. The sign existed prior to the requirement which makes it legally non-conforming,  
177 meaning it can exist as is without being altered in any way but at which time it is altered it is  
178 supposed to be brought into conformance. Commissioner Chodun noted that what is before the  
179 Commission then is either they keep it as is, or they be allowed to put an LED sign up, unless  
180 they chose to take it down. Mr. Miller explained that there are three scenarios: they can leave the  
181 pole sign as is, the Commission could approve for them to alter the sign as is being proposed,  
182 or they can bring the sign into conformance to allow for a CEVM sign. Commissioner Chodun  
183 asked if it would be at the applicant's discretion if they wanted to bring it into conformance.  
184 Mr. Miller stated it would be at the applicant's discretion. Commissioner Chodun generally  
185 expressed generally preferred having an LED sign as opposed to what is there currently.  
186

187 Chairman Lyons asked in looking at the picture Mr. Miller provided of the sign, would the  
188 applicant be keeping the portion of the sign that says "Sabrina's Flowers" and below it the LED  
189 sign. Mr. Miller explained that they are not changing the dimensions to the reader board they are

190 removing the panels and putting the CEVM sign. Chairman Lyons generally expressed being in  
191 favor of the request as it is an upgrade to what is there currently.  
192

193 Commissioner Logan generally expressed not being in favor of the request; it doesn't conform  
194 with the City's plan for signing and reasoning that it would look better than what is there now  
195 that is non-conforming, she feels they should build a sign that meets the standards and come in  
196 conformance.  
197

198 Commissioner Fishman stated that although she generally agrees with Commissioner Logan's  
199 thoughts where it should be in conformance, however she feels it offers a nice modern update  
200 and with a similar sign that was approved across the street she feels she would be in favor as  
201 long as it follows the CEVM standards.  
202

203 Commissioner Moeller expressed concern with the height of the sign and would rather see them  
204 conform by building a monument sign.  
205

206 Commissioner Trowbridge made a motion to approve the LED component as long as it is  
207 compliant with the monument sign restrictions, but asked staff for clarification as to how to draft  
208 such motion. Mr. Miller explained that the applicant is asking not to comply at this point,  
209 therefore a motion to recommend denial of the request would either allow them to keep the pole  
210 sign or convert it to a monument sign in which case the applicant could convert it to a  
211 monument sign and a CEVM sign per the City's current requirements. Commissioner Trowbridge  
212 asked if the Commission denies would the applicant then have the opportunity to one, keep it as  
213 is, or two, comply with the monument CEVM standards. Mr. Miller stated that was correct.  
214

215 Commissioner Trowbridge made a motion to deny MIS2017-009. Commissioner Welch stated he  
216 wanted to have further discussion and would do so after the motion on the floor had a second.  
217 Commissioner Logan seconded the motion on the floor to deny MIS2017-009.  
218

219 Chairman Lyons opened for further discussion. Commissioner Welch asked if it was possible to  
220 compromise by allowing the applicant to have the existing sign to stay but drop the LED as a  
221 monument. Mr. Miller explained that they are only permitted one sign per frontage and in this  
222 case that would allow them to have two signs and that would be a variance to the sign code.  
223 Commissioner Welch asked if it was considered one sign because of the proximity to each  
224 other. Mr. Miller explained that currently it is one sign, a pole sign.  
225

226 General discussion took place concerning the options of monument signs over the now non-  
227 conforming sign.  
228

229 Chairman Lyons stated there is a motion on the floor to deny the request and asked if there was  
230 any further discussion needed, no further discussion took place and Chairman Lyons then  
231 called for the Commission to vote. The motion to deny was approved with a vote of 4-3 with  
232 Commissioners Choudun, Lyons and Fishman dissenting.  
233

234 Planning Director, Ryan Miller, advised the Commission action would be taken on item #22 on  
235 the agenda. Chairman Lyons moved agenda item #22 up and brought it up as an Action Item.  
236  
237

## 238 V. DISCUSSION ITEMS

### 239 10. Z2017-031

240 Hold a public hearing to discuss and consider a request by David Turnham for the approval of a zoning  
241 change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a 1.410-acre tract of  
242 land identified as Tract 9-01 of the J. E. Sherwood Survey, Abstract No. 193, City of Rockwall, Rockwall  
243 County, Texas, zoned Agricultural (AG) District, addressed as 950 Clem Road, and take any action  
244 necessary.  
245  
246

247 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the  
248 applicants are requesting to rezone the property in order to build a home on the subject  
249 property. There are some issues with the lot that the applicants are aware of and they are  
250 working through those such as the septic system. Due to it being less than an acre and a half,  
251 they did obtain a letter of approval from Ron Merritt that allows them to move forward with  
252 providing septic to the property. The zoning within that area is Single-Family, with their lot being



253 less than one and a half acres they would go to an SF-1 for a one acre or more. Should the  
254 zoning be approved the applicant would then move forward with platting.  
255

256 Mr. Gonzales advised the Commission the applicants were present and available for questions  
257 as well as staff.  
258

259 Chairman Lyons asked if there were any questions from the Commission for staff.  
260

261 Commissioner Trowbridge asked if the Future Land Use Map matched the current zoning that is  
262 currently in place. Mr. Gonzales explained that the Future Land Use Map shows as Low Density  
263 Residential and SF-1 would fall within that.  
264

265 Chairman Lyons asked the applicant to come forward.  
266

267 Laurie Turnham  
268 1485 Madison Drive  
269 Rockwall, TX  
270

271 David Turnham  
272 1485 Madison Drive  
273 Rockwall, TX  
274

275 Mr. Turnham stated they are looking forward to move forward with their request to build their  
276 custom home in Rockwall that they have been planning for quite some time. Mrs. Turnham  
277 added they are very excited to be building this home.  
278

279 Chairman Lyons asked the Commission for questions or discussion from the Commission.  
280

281 Commissioner Trowbridge asked if they would be working out of the home. Mr. Turnham stated  
282 they would not.  
283

284 Commissioner Fishman asked where on the property the house would be built. Mr. Turnham  
285 explained where by the location map staff provided.  
286

287 There being no further questions Chairman Lyons indicated the case will return to the  
288 Commission for action at the next scheduled meeting.  
289

290 11. Z2017-034

291 Hold a public hearing to discuss and consider a request by Mike Richter of Mingling Mouth on behalf of  
292 Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a *Portable Beverage and/or Food*  
293 *Service Facility* on a 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business  
294 Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,  
295 situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2625 S. Goliad Street [SH-205],  
296 and take any action necessary.  
297

298 Planner, Korey Brooks, gave a brief explanation of the request stating that this particular request  
299 is fairly new to staff there is currently two SUP's for snow cone stands as portable beverage and  
300 food facilities are allowed, but currently those two snow cone stands do not serve food, which is  
301 what makes this request something new. The applicant is requesting to locate their portable  
302 food trailer in the parking lot of the Valvoline on SH-205.  
303

304 Mr. Brooks advised the Commission the applicants were present and could elaborate further on  
305 their request.  
306

307 Chairman Lyons asked the applicants to come forward.  
308

309 Mike Richter  
310 2551 Daybreak Drive  
311 Rockwall, TX  
312

313 Sunny Richter  
314 2551 Daybreak Drive  
315 Rockwall, TX

316 Commissioner Chodun asked the applicant to explain further on the request. Mr. Richter stated it  
317 is a food trailer which they would park in the parking lot of the Valvoline and they would be  
318 serving in the evenings after business hours of the Valvoline. Commissioner Chodun asked  
319 what hours of operation they would have.  
320

321 Mr. Brooks added that the draft ordinance states that the hours of operation are between 6pm  
322 and 10pm three days a week, however which three days a week has not been decided upon as of  
323 yet. In addition to that there are certain guidelines that any type of portable food facility must  
324 meet and those are: 1.The service shall be limited to snow cone stands, beverage and/or food  
325 stands serving nonalcoholic beverages such as coffee, juices or sodas and/or prepared food  
326 products. 2. The maximum time limit of such temporary use shall not exceed 150 days annually  
327 or a time limit otherwise approved by the city council. At the end of the time period, the structure  
328 shall be removed from the property. 3. Any temporary power poles will be removed on the date  
329 of or immediately following the termination date of the permit. 4. No additional freestanding  
330 signage shall be permitted.5.The temporary portable structure or trailer shall meet all health and  
331 electrical codes off the city. 6.Any such temporary facility shall not reduce the number of  
332 required parking spaces of any nearby building or use.7.Any such temporary facility shall have  
333 permanent restrooms for employees available within 300 feet of the door of the portable facility.  
334 Written permission from the permanent building owner for restroom use must be submitted to  
335 the building official; no portable restroom facility is allowed. 8. Any such temporary facility shall  
336 be located on an all-weather, asphalt or concrete, parking surface with adequate space for  
337 parking and circulation.  
338

339 Commissioner Chodun asked why they chose the subject property as the location of choice. Mr.  
340 Richter stated that was the first property that approached them and gave them permission. Mrs.  
341 Richter added that after that first person approached them, they have since had several other  
342 interested parties asking they go to their location. Mr. Richter further added that they would like  
343 to do this to get their foot in the door in providing the portable food service to the residents of  
344 Rockwall.  
345

346 Chairman Lyons asked if there would be a time line set. Mr. Brooks stated it would be 150  
347 calendar days maximum, and the applicant has indicated they will be operating 3 days a week.  
348

349 Commissioner Logan asked if it would be a permanent structure. Mr. Richter stated it is a food  
350 trailer that he hooks up to his truck and parks it and when they are done for the evening they  
351 would hook it back up and leave the facility.  
352

353 Commissioner Fishman asked if there would be seating allowed. Mr. Richter stated they have  
354 portable picnic tables that could be set out if allowed to do so. Commissioner Fishman asked  
355 staff if they would be allowed to provide seating. Mr. Brooks stated it is a limited service  
356 restaurant therefore the seating they're proposing would be allowed.  
357

358 Commissioner Welch asked what they would use for electricity. Mr. Richter stated they would be  
359 using a generator.  
360

361 Commissioner Choudun asked staff if the City has ever been approached with a portable food  
362 concept. Mr. Brooks stated there are special event permits that are issued for portable food  
363 trucks that are allowed four times a year.  
364

365 General discussion took place concerning the concept of the portable food trucks and the  
366 applicant expressed their desire to move around the City to provide the residents with the  
367 experience.  
368

369 Commissioner Trowbridge stated that although he generally is in favor of such a concept he  
370 expressed concern with this being a land use ordinance not a restaurant ordinance and  
371 therefore the Commission would be approving the ability for the Valvoline land owner to have  
372 any food trailer out on his property anytime of the week within those 150 days within the  
373 constraints of the Ordinance since it is tied to the land not to the restaurant.  
374

375 General discussion took place concerning time restraints of the SUP and if one should be placed  
376 as part of the SUP.  
377

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

380  
381 Commissioner Moeller left the meeting at 7:02 p.m.  
382

383  
384 12. Z2017-035

385 Hold a public hearing to discuss and consider a request by Mike Richter of Mingling Mouth on behalf of  
386 Matt Wavering of the Rockwall Economic Development Corporation (REDC) for the approval of a  
387 Specific Use Permit (SUP) for a *Portable Beverage and/or Food Service Facility* on a 4.895-acre parcel  
388 of land identified as Lot 4, Block C, Rockwall Technology Park Addition, City of Rockwall, Rockwall  
389 County, Texas, zoned Light Industrial (LI) District, addressed as 2610 Observation Trail, and take any  
390 action necessary.

391  
392 Planner, Corey Brooks, explained that it is basically the same background as the previous  
393 agenda item, just at a different location which is at the Tech Park. It will be all the same  
394 standards and requirements as discussed for the previous request.  
395

396 Chairman Lyons asked the Commission for any questions for staff or the applicants.  
397

398 Commissioner Welch asked if this location would provide different time restraints from the 6-10  
399 pm from the previous request. Mr. Brooks stated that would be left to the applicant however on  
400 the original ordinance it was 6-10 p.m. and on this request it does say the same hours however,  
401 those can be changed.  
402

403 Mike Richter  
404 2551 Daybreak Drive  
405 Rockwall, TX  
406

407 Sunny Richter  
408 2551 Daybreak Drive  
409 Rockwall, TX  
410

411 Mrs. Richter stated that for the EDC they would be offering lunch, therefore they are looking at  
412 operating from 10am-3pm.  
413

414 Chairman Lyons asked if they would be operating Monday-Friday. Mr. Richter stated this being  
415 new to them, they want to make sure they will have a following therefore they will start with  
416 lunches with the Technology Park and may do one to two times a week to start off with. They  
417 have had numerous different locations approach them wanting them to come to their property  
418 but with this concept being so new they want to see how it will work with these two first.  
419

420 General discussion took place between the Commission concerning the use being tied to the  
421 restaurant as opposed to the land and ways of how the process can be better facilitated.  
422

423 Commissioner Logan asked staff how the bigger cities such as Dallas work with such requests.  
424 Mr. Miller explained that such cities have ordinances that specifically allow food trucks.  
425 Commissioner Logan asked about trailers that set up for example at Lowes selling hot dogs,  
426 what difference is it between that. Mr. Miller explained that every business in town is permitted  
427 four special events per year that allows for a food truck to sit at the business as part as that  
428 special event. Chairman Lyons asked if they could be allowed to go to those businesses as part  
429 of one's special event. Mr. Miller explained that they do not fall within the mobile food vendor  
430 definition because they have a trailer and therefore the reason as to why they need to come  
431 before the Commission requesting an SUP.  
432

433 There being no further questions Chairman Lyons indicated the case will return to the  
434 Commission for action at the next scheduled meeting.  
435

436 13. Z2017-036

437 Hold a public hearing to discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on  
438 behalf of Michael Fisher of 1306 Summer Lee, LLC for the approval of a Specific Use Permit (SUP) for a  
439 medical office building exceeding 36-feet in height in the Scenic Overlay (SOV) District on a 1.082-acre  
440 parcel of land identified as Lot 6, Block A, Temunovic Addition, City of Rockwall, Rockwall County,

441 Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated  
442 within the Scenic Overlay (SOV) District, addressed as 1310 Summer Lee Drive, and take any action  
443 necessary.  
444

445 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the item  
446 came before the Commission earlier in the year as a site plan and was tabled because one of the  
447 elements on the building exceeds 36 feet which would require an SUP within the Scenic Overlay  
448 District.  
449

450 Mr. Gonzales advised the Commission that the applicant was present to answer questions and  
451 further elaborate on the case and staff is available for questions as well.  
452

453 Robert Stensland  
454 Stensland Group Architects  
455 5151 Bent Tree Forest Drive Suite 560  
456 Dallas, TX  
457

458 Mr. Stensland came forward and stated that the Architectural Review Board a few weeks ago  
459 approved it without any comments; however they have a clock tower that exceeds the 36 feet.  
460 Mr. Stensland provided a picture of the building renderings and explained that the majority of  
461 the building roof is slightly under 36 feet and the tower to the right, the midpoint to that tower, is  
462 also under 36 feet but the clock tower's midpoint is about 42 feet.  
463

464 Commissioner Trowbridge asked if only the tower that exceeds the height. Mr. Stensland stated  
465 that was correct.  
466

467 Commissioner Logan asked with it being a one story building is the rest just attic space. Mr.  
468 Stensland stated that all the mechanical equipment is hidden behind the roof. Commissioner  
469 Lyons asked if the applicant was aware the code required it not to exceed 36 feet could they not  
470 have found a way to make the one story building not exceed that code requirement. Mr.  
471 Stensland stated that his client from the very beginning of the project indicated he wanted that  
472 clock tower as part of the design, and in order for it to work as a clock tower it would have to  
473 exceed that height.  
474

475 Commissioner Chodun asked if there would be any sound emanating from the clock tower. Mr.  
476 Stensland stated there would not be any sound. Commissioner Chodun asked if the ARB  
477 approved the clock tower concept. Mr. Gonzales stated they had approved the elevations as is.  
478

479 There being no further questions Chairman Lyons indicated the case will return to the  
480 Commission for action at the next scheduled meeting.  
481

482 Chairman Lyons called a recess at 7:22 p.m.  
483

484 Chairman Lyons called the meeting back to order at 7:31p.m.  
485

486  
487 14. Z2017-037  
488 Hold a public hearing to discuss and consider a request by Russell Phillips on behalf of Sandra  
489 McMullen for the approval of a zoning change from a Single-Family Estate 4.0 (SFE-4.0) District to a  
490 Commercial (C) District for a 8.733-acre tract of land identified as a portion of Lot 16 and all of Lot 14,  
491 Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0  
492 (SFE-4.0) District, addressed as 259 Ranch Road, and take any action necessary.  
493

494 Planner, Corey Brooks, gave a brief explanation of the request stating that the site is surrounded  
495 by Commercial property and the Future Land Use Map designates this area as Commercial  
496 therefore it is in conformance with the Future Land Use Map.  
497

498 Mr. Brooks advised the Commission that the applicant was present and available for questions  
499 and could further elaborate on the request.  
500

501 Russell Phillips  
502 521 Lorraine Lane  
503 Heath, TX

504 Mr. Russell came forward and stated that the people that live there currently are wanting to sell  
505 the property and they had held it in Single Family because they wanted to live there and not pay  
506 the taxes as Commercial throughout the time that they lived there, but they are now moving out  
507 of the City and now want to sell the property. Mr. Russell stated what they would like to do is  
508 develop the property and he respectfully is asking the Commission to approve the zoning that  
509 matches the surrounding tracts. He added that he believes that it was in the original plan all  
510 along for it to be Commercial when the City annexed but this was the only property that asked  
511 not to, but was in the plan.  
512

513 Chairman Lyons asked for questions from the Commission for the applicant or staff.  
514

515 Commissioner Trowbridge asked what the surrounding development is. Mr. Russell stated that  
516 the surrounding developments are Commercial. Mr. Miller added that there is another case on  
517 the agenda will be for a property across the street of a commercial building, but pretty much it is  
518 all business thru this entire district. Mr. Russell provided pictures of the surrounding area  
519 showing they are all metal buildings, some that are fairly new, and they will try to adopt the same  
520 look as those.  
521

522 There being no further questions Chairman Lyons indicated the case will return to the  
523 Commission for action at the next scheduled meeting.  
524  
525

526 15. Z2017-038

527 Hold a public hearing to discuss and consider a request by Lori Stevens of Patriot Paws Service Dogs  
528 for the approval of a Specific Use Permit (SUP) for a residential care facility on a 3.466-acre parcel of  
529 land identified as Lot 1, Block A, Patriot Paws Addition, City of Rockwall, Rockwall County, Texas,  
530 zoned Commercial (C) District, addressed as 302 Ranch Trail, and take any action necessary.  
531

532 Senior Planner, David Gonzales, gave a brief explanation of the request stating that as Mr. Miller  
533 just indicated this property is across the street from the one that was just presented. The subject  
534 property is zoned Commercial and does conform to the Future Land Use Map it is the Patriot  
535 Paws facility that has service animals for veterans. There is a structure that is just north of there  
536 that was a single family home and what the applicant is proposing is to convert that to a facility  
537 that would house veterans for the purpose of training animals and in the event that they would  
538 need to stay for a few days which the applicant has indicated would be no more than fourteen  
539 days and staff has provided a definition in the ordinance that would cover exactly what they are  
540 looking to do.  
541

542 Mr. Gonzales advised the Commission that the applicant was present and available for questions  
543 as well as staff.  
544

545 Chairman Lyons asked the applicant to come forward.  
546

547 Lori Stevens  
548 Patriot Paws  
549 254 Ranch Trail  
550 Rockwall, TX  
551

552 Ms. Stevens came forward and stated they are a non-profit organization and the structure in  
553 place was a residential house. The Dallas Builders Association has volunteered to take the  
554 house on as a project. She explained that when veterans come to get their dogs they stay two  
555 weeks to allow the dog as well as the veteran to be trained with each other however sometimes  
556 veterans need to return to get re-trained and have to stay elsewhere and they incur a cost with  
557 that. The Dallas Builders Association will take the house on as a charity and they have  
558 discussed possibly tearing down the house and building the exact same thing over again. The  
559 purpose of the request is to allow the veterans that need to stay additional time will have a place  
560 to stay it will be fully wheelchair accessible two bedrooms with an open floor plan.  
561

562 Chairman Lyons asked the Commission for questions for the applicant or staff.  
563  
564

565 Commissioner Trowbridge asked if the dogs are trained at a different location and if then this is  
566 more for the recipients of the dogs. Ms. Stevens stated they have some dogs and full time  
567 trainers on the property; they have 67 dogs in the program all at different locations.  
568

569 Commissioner Trowbridge asked staff if it would basically be accommodating a transitional,  
570 longer period type stay for the human's aspect of the partnership more than it is for the dog  
571 aspect of it. Mr. Gonzales stated that was correct, that is what it is being designed for.  
572

573 Commissioner Logan asked the applicant for further explanation of what the house will be how it  
574 will be maintained, would it be a care facility or more like a hotel. Ms. Stevens explained that  
575 basically it will be a home where they can stay, fully wheelchair accessible adaptable for  
576 someone with disabilities. The veterans staying there will not need "care" they may just have a  
577 physical disability that the house will accommodate for. With them being a non-profit  
578 organization they all have volunteer maintenance crew that takes care of the maintenance of the  
579 home.  
580

581 Commissioner Chodun asked if the draft ordinance applies to the entire property. Mr. Gonzales  
582 stated it would apply only to the home which is addressed as 302 Ranch Trail.  
583

584 Commissioner Fishman asked the amount of veterans they anticipate staying at one time and  
585 the amount of time they would be staying. Ms. Stevens stated that never more than two at a time  
586 as there are only two bedrooms and the most they would stay is two weeks.  
587

588 There being no further questions Chairman Lyons indicated the case will return to the  
589 Commission for action at the next scheduled meeting.  
590

591  
592 16. Z2017-039

593 Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC on behalf  
594 of Jane Cullins for the approval of a zoning change from an Agricultural (AG) District to a General Retail  
595 (GR) District for a 9.894-acre portion of a larger 37.932-acre tract of land identified as Tract 5, M. B.  
596 Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG)  
597 District, situated within the 205 By-Pass Overlay (205 BY-OV) District, located at the northeast corner of  
598 the intersection of SH-66 and John King Boulevard, and take any action necessary.  
599

600 Planning Director, Ryan Miller, advised the Commission the applicant was present and would be  
601 presenting the case and staff would add anything if necessary when the applicant finished  
602 presenting the case.  
603

604 Chairman Lyons asked the applicant to come forward.  
605

606 Jon Delin  
607 2565 Strader Road  
608 Justin, TX  
609

610 Mr. Delin came forward stated that the first case that they will be presenting is for the subject  
611 property and they are also in the next case looking to purchase 37 acres. The subject property is  
612 better suited for a General Retail use, strip center, garden office type which they feel would be a  
613 good fit for the land as it is not suited for residential currently because of the grade change from  
614 John King to FM1141 and that is the reason they are requesting to bring it in as General Retail.  
615 Mr. Delin showed the survey of the property and spoke of possible uses they could possibly  
616 bring in such as garden office, general office, however they are not proposing and uses at this  
617 time, they are just requesting to change the zoning.  
618

619 Mr. Miller added that the Future Land Use Map indicates the property as being Medium Density  
620 Residential however it is a strip and it is something that is being looked at under the current  
621 Comprehensive Plan review but they would require the current Comprehensive Plan to be  
622 changed from Medium Density Residential to a Commercial. Mr. Miller advised the Commission  
623 the staff provided them with the use chart of General Retail for their review.  
624

625 Chairman Lyons asked the Commission for questions for staff or the applicant.  
626  
627

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

630  
631  
632 17. Z2017-040

633 Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC on behalf  
634 of Jane Cullins for the approval of a zoning change from an Agricultural (AG) District to a Planned  
635 Development District for a single-family residential land uses on a 28.011-acre portion of a larger  
636 37.932-acre tract of land identified as Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of  
637 Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass  
638 Overlay (205 BY-OV) District, located at the northeast corner of the intersection of SH-66 and John King  
639 Boulevard, and take any action necessary.

640  
641 Planning Director, Ryan Miller, turned the case over to the applicant to further explain on the  
642 request.

643  
644 Jon Delin  
645 2565 Strader Road  
646 Justin, TX

647  
648 Mr. Delin provided a power point presentation that provided background information on the  
649 company and the product they are looking to develop. He spoke of their company specializing in  
650 active adult communities for over 30 years. They cater in single family residences for sale for  
651 active adults 55 years and older which allows people an option to downsize but still live in a  
652 community setting full of active adults. They provide 15 unique custom designs with at least four  
653 different elevations which they refer to as a "semi-custom home" product that allows the ability  
654 to customize the kind of home they want. He went on to state that in accordance to how the  
655 City's ordinance works and how their product will be delivered they get to maintain a lot of  
656 control from the construction from the ground up, to the elevations and brick and stone  
657 selection that allows the community to look great and become an asset to the community. He  
658 went on to add that 45% will be green space and they will provide rich resort style amenities. The  
659 community will be gated and governed under an HOA which the resident would pay  
660 approximately \$300 a month which covers their Home Owners Insurance, exterior maintenance  
661 of the home, and exterior maintenance of the grounds. He went on to explain that thru their  
662 research they found that Rockwall's population growth in the 55 plus demographic is the fastest  
663 growing demographic in Rockwall right now. They feel the location along John King and SH66  
664 offers a great draw because of all the existing communities that are already surrounding the  
665 area. Mr. Delin provided a concept plan that showed the layout of the greenspace as well as the  
666 layout of the homes. The homes will range anywhere from 1,600 square feet to 2,500 square feet  
667 on a single floor although most homes have a two story option. Mr. Delin advised the  
668 Commission that from an engineering standpoint if there were any questions concerning the  
669 streets, one of the engineers on the project was also present to answer any questions. They  
670 have worked with the Fire Marshall and voluntarily fire lane one side of the street to create a  
671 larger fire lane. He provided pictures of the screening they will provide and of what the entry will  
672 look like as well as the landscaping that will be provided at the amenity center.

673  
674 Mr. Delin concluded the power point presentation and advised the Commission he was available  
675 for questions.

676  
677 Mr. Miller added that this type development is, for lack of a better work, somewhat as a  
678 condominium regime where it is one large property but they would own the houses themselves,  
679 they are individual ownership for each of the homes. He further added that the density is 3.2  
680 units per acre, which currently the site is designated for Low Density Residential which is up to  
681 2 units per acre and therefore the request will necessitate a High Density Residential designation  
682 and will require a change at the time of zoning. In addition this is the first case that has been  
683 brought forward since the John King Overlay District standards recently changed, with the  
684 buffer options. They will be creating about an 86 foot separation between the house and the  
685 roadway they have a 50 foot landscape buffer followed by a 21 foot roadway and a 15 foot front  
686 yard setback. They are still working with the Engineering and Fire Department thru the street  
687 design as it does not currently meet the City's minimum standards.

689 Mr. Miller advised the Commission staff provided them a draft ordinance and staff will continue  
690 to work with the applicant and bring in a final product at the next scheduled meeting which will  
691 be a public hearing item.  
692

693 Chairman Lyons asked for any questions for the applicant or staff.  
694

695 Commissioner Trowbridge asked if they would be sold as condos not as individual plots and  
696 with the proposed size of the lots 60's and 70's but what will the minimum distance between  
697 each project. Mr. Delin stated they would be sold as condos and the current design they are  
698 proposing would offer an 8 foot minimum. Commissioner Trowbridge asked since it is a condo,  
699 would they be able to restrict the people that buy the condo, how would they restrict by age,  
700 would it be by the HOA. Mr. Delin stated they follow the Federal Housing Law which basically  
701 states that as long as 80% of the census is over 55 you can sell people under 55 as long as they  
702 meet the restrictions of having no children living there. Commissioner Trowbridge asked if there  
703 would be a professional management that would monitor that restriction. Mr. Delin stated that it  
704 would be part of what is done when they contract with a person, they have to take their age  
705 census at that time and then the HOA would annually have to do an age census as well in order  
706 to abide by the Federal Housing Law. Mr. Delin added that pertaining to the age restriction  
707 question, they also have to follow the State of Texas Condominium Laws, and because of that  
708 there would be deed restrictions as well as governing documents.  
709

710 Mr. Miller added that concerning the age restriction, it typically becomes harder to enforce on  
711 rental product but on for purchase product because there are deed restrictions it would take all  
712 the owners in the area to change the deed restrictions, therefore if they were age restricted thru  
713 deed restriction it becomes easier to control thru a single family product as opposed to for rent  
714 product.  
715

716 Commissioner Trowbridge asked concerning another age restricted development that has  
717 recently been approved but has not commenced development. Mr. Miller stated that there was an  
718 age restricted product that was approved in PD-68 right next to the Evergreen Facility on SH-205  
719 and that has not moved forward since approval.  
720

721 There being no further questions Chairman Lyons indicated the case will return to the  
722 Commission for action at the next scheduled meeting.  
723

724 18.P2017-046

725 Consider a request by Theresa Briones for the approval of a replat for Lots 1 & 2, Block A, Briones  
726 Addition being a 0.25-acre tract of land identified as a portion of Block 7, Garner Addition, City of  
727 Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the North  
728 SH-205 Overlay (N. SH-205 OV) District, addressed as 905 Alamo Street and 906 West Street, and  
729 take any action necessary.  
730

731 Planner Korey Brooks, gave a brief explanation of the request stating that the applicant is  
732 requesting to subdivide the lot into two lots and the reason the case is coming before the  
733 Commission is because it has to go to the Parks Board to be accessed park fees and they will be  
734 meeting with the Parks Board on September 6<sup>th</sup> however the City Council is on September 5<sup>th</sup>  
735 therefore the case will not be going to City Council until September 18<sup>th</sup> for final approval.  
736

737 Mr. Brooks advised the Commission the applicant was not present however staff was available  
738 for questions.  
739

740 Chairman Lyons asked the Commission for questions for staff.  
741

742 Commissioner Trowbridge asked the reason for subdividing the property. Mr. Brooks stated that  
743 one half of the lot faces one street and the other half faces another so with that being the case  
744 they want to subdivide to build a home on the second lot which will be on West Street. Mr.  
745 Brooks added that all the adjacent lots are subdivided in a similar manner.  
746

747 There being no further questions Chairman Lyons indicated the case will return to the  
748 Commission for action at the next scheduled meeting.  
749

750  
751 19.SP2017-025



752 Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of Doug Fox of  
753 Cornerstone Church for the approval of a site plan for a church on a six (6) acre parcel of land identified  
754 as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned  
755 Commercial (C) District, situated within the 205 By-Pass Overlay (205 BY-OV) District, addressed as  
756 1310 Summer Lee Drive, and take any action necessary.

757  
758 **Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is**  
759 **proposing to build a church and the current variances would be to allow stucco within the first**  
760 **four feet of the building and also for the vertical articulation.**

761  
762 **Mr. Brooks advised the applicant was present and available for questions as well as staff.**

763  
764 **Chairman Lyons asked the applicant to come forward.**  
765 **Wayne Mershawn**  
766 **Mershawn Architects**  
767 **2313 Ridge Road**  
768 **Rockwall, TX**

769  
770 **Mr. Mershawn came forward and advised the Commission that the pastor and his wife were**  
771 **present if the Commission had any questions from them. He stated that the ARB recommended**  
772 **approval and he feels they have a design that looks great that the pastor and the church both are**  
773 **happy with and he respectfully asked the Commission for their approval to allow them to move**  
774 **forward with the project.**

775  
776 **Chairman Lyons asked if the reason for the variance is because it is stylistic in nature. Mr.**  
777 **Mershawn stated that it works with the architecture but they don't have equipment on the roof**  
778 **that needs to be hidden as that will be on the ground and screened so therefore there is no real**  
779 **need for a high parapet walls.**

780  
781 **Mr. Brooks added that there will be additional landscaping in front of the two tower elements**  
782 **that have the stucco at the bottom.**

783  
784 **There being no further questions Chairman Lyons indicated the case will return to the**  
785 **Commission for action at the next scheduled meeting.**

786  
787  
788 **20. SP2017-026**

789 Discuss and consider a request by William Adair on behalf of Raymond Jowers for the approval of a site  
790 plan for an industrial building on a 2.16-acre parcel of land identified as Lot 1-B, Bodin Industrial  
791 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as  
792 2040 Kristy Lane, and take any action necessary.

793  
794 **Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant**  
795 **is seeking a variance for the stone for all four sides as well as the horizontal articulation for the**  
796 **east and west elevations. The subject property is zoned Light Industrial with Heavy Commercial**  
797 **adjacent. Mr. Gonzales added that the ARB reviewed the case and the applicant provided the**  
798 **ARB new elevations this evening and the ARB has asked to see it again at the next scheduled**  
799 **meeting to review the materials.**

800  
801 **Mr. Gonzales advised the Commission that the applicant was present and could further**  
802 **elaborate on the case as well as answer questions.**

803  
804 **Chairman Lyons asked the applicant to come forward.**

805  
806 **Willie Mader**  
807 **13055 Clearview Drive**  
808 **Forney, TX**

809  
810 **Mr. Mader came forward and stated what they have is basically a warehouse and they have**  
811 **revised the elevations. The building is metal but encased in all masonry and they will have 20%**  
812 **stone on the new elevations and therefore meeting that requirement it will be 80x200 and in the**  
813 **front have a showroom and offices. In the back it will have storage for the products that will be**

814 sold there. Mr. Mader added that it will be sitting amongst other metal buildings and warehouses  
815 and they feel it will fit well with adjacent properties and will be a vast improvement.  
816

817 Chairman Lyons asked what the materials will be. Mr. Mader stated it will be stone at the bottom  
818 and brick on the columns.  
819

820 There being no further questions Chairman Lyons indicated the case will return to the  
821 Commission for action at the next scheduled meeting.  
822

823  
824 21. SP2017-027

825 Discuss and consider a request by Spencer Byington of SWBC Real Estate, LLC on behalf of the owner  
826 Robert Lamberth of Pneuma Ventures, LTD for the approval of a site plan for a multi-family apartment  
827 complex on a 42.555-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2,  
828 City of Rockwall, Rockwall County, Texas, zoned Planned Development 83 (PD-83) District, situated  
829 within the SH-205 By-Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery  
830 Boulevard and John King Boulevard, and take any action necessary.

831 Senior Planner, David Gonzales, gave a brief explanation of the request stating that zoning was  
832 approved earlier in the year for the 590 units for the entire PD however they have now submitted  
833 for a site plan for Phase I of the project, as far as calculations, they need to have all calculations  
834 based on the PD it requires staff to move forward with full site plan for the entire site, essentially  
835 they are showing everything, and all that is needed is the calculations. They met with ARB  
836 earlier in the evening and they will be coming back with something more clear as far as what  
837 was approved in the Ordinance. There are some details that are not present on the current  
838 renderings and therefore they will come back with a 3D rendering to indicate some of the details  
839 from the original approved renderings.  
840

841 Mr. Gonzales advised the Commission that the applicant was present to answer questions as  
842 well as staff.  
843

844 Chairman Lyons asked the applicant to come forward.  
845

846 Spencer Byington  
847 5600 S. FM 148  
848 Kauffman, TX  
849

850 Mr. Byington came forward and stated he represents SWBC.  
851

852 Adam Everett  
853 713 Willowbrook Drive  
854 Allen, TX  
855

856 Mr. Everett came forward and stated he is with Cross Architects.  
857

858 Chairman Lyons asked the applicants if they would like to add any additional information to  
859 what Mr. Gonzales stated.  
860

861 Mr. Byington stated that he did not have much more to add, he explained he is new to the  
862 process and apologized for not being better prepared. When they met with the Architectural  
863 Review Board earlier in the evening they were red stamped by them immediately and they asked  
864 for clearer elevations and those will be provided to them by the next scheduled meeting.  
865

866 Commissioner Trowbridge asked if this site plan is for both phases or only for Phase I portion.  
867 Mr. Gonzales stated that according to the PD the site plan itself is for the entire project, however  
868 what they are moving forward with is the building of Phase I but staff does need to see  
869 calculations for the both phases. Mr. Miller added that more than likely what they will show is the  
870 place holders and provide the tabulations and come back and amend the site plan when they  
871 come in with Phase II.  
872

873 There being no further questions Chairman Lyons indicated the case will return to the  
874 Commission for action at the next scheduled meeting.  
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22. SP2017-028

Discuss and consider a request by Kent Birdsong of Birdsong CPA for the approval of a site plan for the expansion of an existing building on a 0.451-acre tract of land identified as Lots 1, 2, 3 & 6, Block I, OT Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 105 N. Alamo Street, and take any action necessary.

Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant recently came in to request a permit to expand the building, however the building had a small expansion about a year and a half ago to the north side of the building and therefore when the applicant came in to request expansion once again, staff then has to take a look at the non-conformity of the building and because that expansion along with the requested expansion equaled more than 50% of the building being expanded that kicked in requirements to come before the Planning and Zoning Commission for approval.

Mr. Gonzales further explained that the applicant has indicated that the building is going to look the same and provided a photo of what it will look like with the expansion as well as a landscape plan. The materials that will be used will be consistent with what is currently on the building which is hardy board siding and therefore the look will be same however the 503 square feet will be on the south side and they will be removing one cedar tree which is less than 11 inches which does not require any mitigation. Mr. Gonzales went on to state that the variance has been removed because it is in the SH-66 Overlay District and is an existing structure there is no need to move forward with a variance.

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

Chairman Lyons asked the applicant to come forward.

Kent Birdsong  
105 N. Alamo  
Rockwall, TX

Mr. Birdsong came forward and explained they are requesting the expansion to allow them to have more room as they've outgrown the building as is and respectfully asked the Commission for their approval.

Commissioner Trowbridge asked if it was a multi-tenant building. Mr. Birdsong stated it was not.

Commissioner Trowbridge made a motion to approve SP2017-028. Commissioner Fishman seconded the motion which passed by a vote of 7-0.

23. SP2017-029

Discuss and consider a request by Richard L. Brooks for the approval of an amended site plan for an existing medical building on a 2.427-acre tract of land identified as Lot 1, Block A, Lake Pointe Health Science Center of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2504 & 2506 Ridge Road [FM-740], and take any action necessary.

Senior Planner, David Gonzales, gave a brief explanation of the request stating that the Architectural Review Board met with the applicant earlier in the evening tabled the case. The applicant is requesting to install a composition roof and they want to add a metal roof on top on just the front portion of the building. ARB would like to see either a composition roof or a metal roof where it's matching and not where you have differing materials as the applicant is showing would have. The primary reason that the applicant is requesting is because they came in to request a building permit because their roof is leaking and because of what they were presenting and with the property being on the Scenic Overlay District it requires approval from Planning and Zoning in order to move forward.

Mr. Gonzales advised the Commission the applicant was not present to further elaborate but staff was available for questions and the case would return for action at the next scheduled meeting.

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

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

- ✓ P2017-035: Final Plat for Phase X of the Breezy Hill Subdivision [Approved]
- ✓ P2017-039: Final Plat for Lot 66, Block D, Northshore, Phase 2-A Addition [Approved]
- ✓ Z2017-027: SUP for a Residence Hotel at La Jolla Pointe (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-032: Zoning Change (AG to SFE-2.0) (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-033: SUP for a Music Studio (1<sup>st</sup> Reading) [Approved]

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

25. ADJOURNMENT

Chairman Lyons adjourned the meeting at 8:36 p.m.

26. WORK SESSION

27. *Comprehensive Plan Work Session*

A work session will be held in the City Council meeting room immediately following the adjournment of the August 29, 2016 Planning and Zoning Commission work session meeting.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 12 day of September, 2017.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:   
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**September 12, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:03 p.m. The Commissioners present at the meeting were, Eric Chodun, Mark Moeller, Tracey Logan, Patrick Trowbridge and Jerry Welch. Commissioner Annie Fishman was absent from the meeting. Staff members present were Planning Director, Ryan Miller, Senior Planner David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, and Civil Engineer Jeremy White.

II. CONSENT AGENDA

1. Approval of Minutes for the August 29, 2017 Planning and Zoning Commission meeting.

2. P2017-047

Consider a request by Cameron Slown of FC Cuny Corporation on behalf of Randal Currington of Fontanna Ranch, LP for the approval of a final plat for *Phase III* of the Fontanna Ranch Subdivision containing 53 single-family residential lots on a 27.80-acre tract of land identified as Tract 19 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 67 (PD-67) for Single-Family 16 (SF-16) District land uses, generally located east of FM-549 and south of SH-276, and take any action necessary.

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

III. APPOINTMENTS

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

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

IV. PUBLIC HEARING ITEMS

4. Z2017-031

Hold a public hearing to discuss and consider a request by David Turnham for the approval of a zoning change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a 1.410-acre tract of land identified as Tract 9-01 of the J. E. Sherwood Survey, Abstract No. 193, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 950 Clem Road, and take any action necessary.

**Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicants are requesting a zoning change from an Agricultural to Single-Family 1 because the acreage for the plot does not fit to a Family Estate. The Future Land Use Map designates the area as Low Density Residential therefore the request is in conformance with the Future Land Use Map. Mr. Gonzales explained that the land uses adjacent to the subject property are North of the subject property is Stodghill Lane, which is identified as a TXDOT 4D on the Master Thoroughfare Plan. Located on the east side of Stodghill Lane is an unincorporated area with single-family residential homes. On the west sides of Stodghill Lane there are several properties zoned as Single Family Estate 1.5 & 4.0 Districts. South of the subject property is a 1 acre tract of land with a single-family home that is zoned Agricultural District. Adjacent to this single-family home is 62-acre tract of vacant land zoned Agricultural District. East of the subject property is an unincorporated tract of land with an existing single-family residential home on the property. And west of the subject property are single-family homes that are zoned Single-Family Estate-4.0 District**

64 Mr. Gonzales added that on September 1, 2017, staff mailed 8 notices to property owners and  
65 residents within 500-feet of the subject property. There are no Homeowner's Associations or  
66 Neighborhood Organizations located within 1,500-feet of the subject property participating in the  
67 notification program. Staff has received 1 notice in favor of the applicant's request.  
68

69 Mr. Gonzales advised the Commission the applicants were present and available for questions,  
70 as well as staff.  
71

72 Chairman Lyons opened up the public hearing and asked the applicants to come forward.

73 Laurie Turnham  
74 1480 Madison Drive  
75 Rockwall, TX  
76

77 David Turnham  
78 1480 Madison Drive  
79 Rockwall, TX  
80

81 Mr. and Mrs. Turnham came forward and respectfully asked the Commission for their approval  
82 and added that they were available for any question.  
83

84 Chairman Lyons asked if there was anyone who wished to speak concerning this case to come  
85 forward and do so, there being no one indicating such; Chairman Lyons closed the public  
86 hearing and brought the item back to the Commission for discussion or action.  
87

88 Commissioner Trowbridge made a motion to approve Z2017-031 with staff recommendations.  
89 Commissioner Moeller seconded the motion with a vote of 6-0 with Commissioner Fishman  
90 absent.  
91

92  
93 5. Z2017-034

94 Hold a public hearing to discuss and consider a request by Mike Richter of Mingling Mouth on behalf of  
95 Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a *Portable Beverage and/or Food*  
96 *Service Facility* on a 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business  
97 Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District,  
98 situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2625 S. Goliad Street [SH-205],  
99 and take any action necessary.  
100

101 Chairman Lyons advised the Commission that the applicant has requested to withdraw the case  
102 and action would need to be taken to accept or deny the withdrawal.  
103

104 Commissioner Trowbridge made a motion to accept the withdrawal of Z2017-034. Commissioner  
105 Welch seconded the motion which passed by a vote of 6-0, with Commissioner Fishman absent.  
106

107 6. Z2017-035

108 Hold a public hearing to discuss and consider a request by Mike Richter of Mingling Mouth on behalf of  
109 Matt Wavering of the Rockwall Economic Development Corporation (REDC) for the approval of a  
110 Specific Use Permit (SUP) for a *Portable Beverage and/or Food Service Facility* on a 4.895-acre parcel  
111 of land identified as Lot 4, Block C, Rockwall Technology Park Addition, City of Rockwall, Rockwall  
112 County, Texas, zoned Light Industrial (LI) District, addressed as 2610 Observation Trail, and take any  
113 action necessary.  
114

115 Chairman Lyons advised the Commission that the applicant has requested to withdraw the case  
116 and action would need to be taken to accept or deny the withdrawal.  
117

118 Commissioner Chodun seconded the motion to accept the withdrawal for Z2017-035.  
119 Commissioner Welch seconded the motion which passed by a vote of 6-0, with Commissioner  
120 Fishman absent.  
121

122  
123 7. Z2017-036

124 Hold a public hearing to discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on  
125 behalf of Michael Fisher of 1306 Summer Lee, LLC for the approval of a Specific Use Permit (SUP) for a  
126 medical office building exceeding 36-feet in height in the Scenic Overlay (SOV) District on a 1.082-acre

127 parcel of land identified as Lot 6, Block A, Temunovic Addition, City of Rockwall, Rockwall County,  
128 Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated  
129 within the Scenic Overlay (SOV) District, addressed as 1310 Summer Lee Drive, and take any action  
130 necessary.

131  
132 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the  
133 applicant, Kevin Patel of Triangle Engineering, LLC, is requesting the approval of a Specific Use  
134 Permit to allow for a structure that will exceed 36-feet in height within the Scenic Overlay District  
135 on a 1.082-acre parcel of land generally located west of the intersection of Summer Lee Drive  
136 and West Ralph Hall Parkway. The subject property is zoned Planned Development District 9 for  
137 General Retail District land uses. According to the Unified Development Code any structure  
138 over 36-feet in height requires a Specific Use Permit. The proposed single-story building will be  
139 a 6,454 SF medical office facility. It should be noted that the applicant has submitted a site plan  
140 and on July 25, 2017 ARB recommended approval of the building elevations with the increase  
141 height. The site plan case has been tabled pending the outcome of this SUP request. Granting a  
142 SUP remains a discretionary act of the City Council. If approved the applicant will be required to  
143 site plan and replat the lot.

144  
145 Mr. Gonzales further noted that the directly north and adjacent to the subject property are office  
146 buildings, which are zoned PD-9. Directly south of the subject property is an orthodontic office  
147 and the Foxchase residential subdivision, which is also zoned PD-9. Directly east of the subject  
148 property is an office building, and beyond that is the Sandknop Medical facility and those  
149 properties are zoned PD-9. And directly west of the subject property is Lowrance/Young Dental  
150 Offices, which are also zoned PD-9.

151  
152 Mr. Gonzales went on to state that on September 1, 2017, staff mailed 51 notices to property  
153 owners and residents within 500-feet of the subject property and also emailed a notice to the  
154 Chandlers Landing and Lago Vista HOA's, which are the only HOA's located within 1,500-feet of  
155 the subject property participating in the notification program. Staff has received 3 notices in  
156 favor of the applicant's request and 2 in opposition.

157  
158 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
159 well as staff.

160  
161 Chairman Lyons opened up the public hearing and asked the applicant to come forward.

162  
163 Robert Stensland  
164 Stensland Group Architects  
165 5151 Bent Tree Forest Drive Suite 560  
166 Dallas, TX

167  
168 Mr. Stensland came forward and stated that his clients wish to build something exceptional for  
169 the City by incorporating the clock tower and in order for it to look proportionate it would need  
170 to be something taller and therefore the reason they are requesting the SUP. He added that they  
171 received positive comments after meeting with the Architectural Review Board.

172  
173 Chairman Lyons asked the Commission for any questions for the applicant or staff.

174  
175 Commissioner Trowbridge asked if the second level to the clock tower would have any windows  
176 or would allow view to surrounding homes. Mr. Stensland stated there would be no windows; it  
177 would be empty like a shell.

178  
179 Chairman Lyons asked if there was anyone wishing to speak to come forward and do so, there  
180 being no one indicating such, Chairman Lyons closed the public hearing and brought the item  
181 back to the Commission for discussion or a motion.

182  
183 Chairman Lyons generally expressed being in favor of the request, he feels if the Architectural  
184 Review Board was in favor he felt the building looks good the way they're proposing.

185  
186 Commissioner Chodun stated he didn't feel there was compelling reason for allowing the  
187 variance to the building, and the aesthetics in the other facilities in the surrounding areas are  
188 not similar to the proposed building.

190 Commissioner Logan generally expressed the same reasoning as Commissioner Chodun, she  
191 added that general when the Commission reviews height variances it usually is for three to four  
192 story buildings and this is only a one story building.  
193

194 Commissioner Trowbridge stated he felt the building is a nice alternative to a lot of boxes that  
195 seem to be filling the City, he generally expressed being in favor of the uniqueness of the  
196 building.  
197

198 Commissioner Moeller stated he agreed with Commissioner Trowbridge's thoughts adding that  
199 the building is appealing and generally expressed being in favor of the request.  
200

201 Chairman Lyons made a motion to approve Z2017-036 with staff recommendations.  
202 Commissioner Trowbridge seconded the motion which passed by a vote of 4-2, with  
203 Commissioners Logan and Chodun dissenting and Commissioner Fishman absent.  
204

205  
206 8. Z2017-037

207 Hold a public hearing to discuss and consider a request by Russell Phillips on behalf of Sandra  
208 McMullen for the approval of a zoning change from a Single-Family Estate 4.0 (SFE-4.0) District to a  
209 Commercial (C) District for a 8.733-acre tract of land identified as a portion of Lot 16 and all of Lot 14,  
210 Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0  
211 (SFE-4.0) District, addressed as 259 Ranch Road, and take any action necessary.  
212

213 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant the  
214 applicant is requesting to rezone the subject property from a Single-Family Estate 4.0 District to  
215 a Commercial District. The applicant has stated that he intends to utilize the subject property for  
216 commercial land uses. All of the surrounding properties are currently zoned Commercial  
217 District and should the request be approved, any new development shall be subject to the  
218 Commercial District standards stipulated in the Unified Development Code.  
219

220 Mr. Brooks further explained that directly north of the subject property are commercial  
221 structures and beyond that is vacant land adjacent to County Line Road which is identified as a  
222 Minor Collector on the City's Master Thoroughfare Plan and those areas are zoned Commercial  
223 District. Directly south of the subject property are commercial structures. Directly east of the  
224 subject property is a large, vacant tract of land that is zoned Agricultural District. Band directly  
225 west of the subject property is Ranch Trail Road which is identified as a minor collector.  
226 Beyond this are commercial structures and those areas are zoned Commercial. The Future Land  
227 Use Map designates the subject property for Commercial land uses and the applicant's request  
228 is in conformance with this designation.  
229

230 Mr. Brooks went on to state that on September 1, 2017, staff sent thirty notices to property  
231 owners and residents within 500-feet of the subject property. There are no HOA's/Neighborhood  
232 Associations within 1,500-feet of the subject property. Staff did not receive any notices either in  
233 opposition or in favor of the request.  
234

235 Chairman Lyons opened up the public hearing and asked the applicant to come forward and  
236 speak.  
237

238 Russell Philips  
239 521 Moraine Way  
240 Heath, TX  
241

242 Mr. Phillips came forward and stated they are looking to continue with the commercial buildings  
243 that are currently out there that surround the area and working with the uses along those lines.  
244 He respectfully asked the Commission for their approval.  
245

246 Chairman Lyons asked if anyone wished to speak to come forward and do so, there being no  
247 one indicating such, Chairman Lyons closed the public hearing and brought the item back to the  
248 Commission for discussion or a motion.  
249

250 Commissioner Chodun made a motion to approve Z2017-037 with staff recommendations.  
251 Commissioner Trowbridge seconded the motion which passed by a vote of 6-0 with  
252 Commissioner Fishman absent.



253 9. Z2017-038

254 Hold a public hearing to discuss and consider a request by Lori Stevens of Patriot Paws Service Dogs  
255 for the approval of a Specific Use Permit (SUP) for a residential care facility on a 3.466-acre parcel of  
256 land identified as Lot 1, Block A, Patriot Paws Addition, City of Rockwall, Rockwall County, Texas,  
257 zoned Commercial (C) District, addressed as 302 Ranch Trail, and take any action necessary.  
258

259 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the  
260 applicant, Lori Stevens of Patriot Paws Service Dogs, is requesting the approval of a Specific  
261 Use Permit to allow a Residential Care Facility use. The subject property is addressed as 302  
262 Ranch Trail and is zoned Commercial District and in this case and for the purpose of this use, a  
263 Residential Care Facility is defined as a facility that allows for the short-term occupancy,  
264 occupancy not to exceed 14 days, of a disabled American veteran and/or others with mobile  
265 disabilities that require special training for a service animal. According to the Unified  
266 Development Code a Residential Care Facility requires a Specific Use Permit within a  
267 Commercial District. Currently, there is an existing two bedroom, single-story home on the  
268 subject property, and north of the Patriot Paws facility. Parking for this facility will be in  
269 accordance with the Article V, Parking and Loading, of the UDC and requires a minimum of one  
270 space per bedroom. The single-story home will either be remodeled or demolished and  
271 reconstructed for the purpose of providing short-term occupancy of disabled American veterans  
272 in need of additional training with their service animal. Granting a SUP remains a discretionary  
273 act for the City Council and if approved the applicant will be required to submit a site plan and  
274 replat the property.  
275

276 Mr. Gonzales further stated that on September 1, 2017, staff mailed 31 notices to property  
277 owners and residents within 500-feet of the subject property. There are no Homeowner's  
278 Associations or Neighborhood Organizations located within 1,500-feet of the subject property  
279 participating in the notification program. Staff has not received any notices regarding the  
280 applicant's request.  
281

282 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
283 well as staff.  
284

285 Chairman Lyons opened up the public hearing and asked the applicant to come forward.  
286

287 Laurie Stevens  
288 254 Ranch Trail  
289 Rockwall, TX  
290

291 Ms. Stevens came forward and stated she is joined at tonight's meeting with two individuals  
292 from the Dallas Builders Association who have taken on the project as one of their charities.  
293

294 Phil Crone  
295 Dallas Builders Association  
296 5816 W. Plano Pkwy  
297 Plano, TX  
298

299 Mr. Crone came forward and stated he is the Executive Officer for the Dallas Builders  
300 Association.  
301

302 Scott Roberts  
303 Creative Architects  
304 1026 Creekwood  
305 Garland, TX  
306

307 Mr. Roberts came forward and stated he is one of the architects with the project and works with  
308 Creative Architects.  
309

310 Mr. Crone added that they have many members who are willing and able to help with the project  
311 which is looking to be a rebuild of the facility because that will be the best fit the needs of Patriot  
312 Paws and specifically the veterans that will benefit from it.  
313

314 Commissioner Trowbridge asked what the maximum capacity would be of veterans staying at  
315 one time. Ms. Stevens stated that with the home only being two bedrooms it would be two  
316 people at a time, unless a family member accompanies them.  
317

318 Chairman Lyons asked if anyone wished to speak to come forward and do so, there being no  
319 one indicating such, Chairman Lyons closed the public hearing and brought the item back to the  
320 Commission for discussion or a motion.  
321

322 Commissioner Trowbridge made a motion to approve Z2017-038 with staff recommendations.  
323 Chairman Lyons seconded the motion which passed by a vote of 6-0 with Commissioner  
324 Fishman absent.  
325

326  
327 10. Z2017-039

328 Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC on behalf  
329 of Jane Cullins for the approval of a zoning change from an Agricultural (AG) District to a General Retail  
330 (GR) District for a 9.894-acre portion of a larger 37.932-acre tract of land identified as Tract 5, M. B.  
331 Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG)  
332 District, situated within the 205 By-Pass Overlay (205 BY-OV) District and East SH-66 Overlay (E SH-66  
333 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and  
334 take any action necessary.  
335

336 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant  
337 is requesting approval of a zoning change from an Agricultural District to a General Retail  
338 District for a 9.894 acre portion of a larger 37.932 acre tract of land zoned Agricultural District,  
339 situated within the 205 By-Pass Overlay District and East SH-66 Overlay District, located at the  
340 northeast corner of the intersection of SH-66 and John King Boulevard. The land uses adjacent  
341 to the subject property directly north of the subject property is a 1.837-acre tract of land zoned  
342 Agricultural District. Beyond this parcel is a 1 acre tract of land followed by a 5.702-acre tract of  
343 land and both of these tracts of land are owned by the City and are zoned AG. Directly south of  
344 the subject property is Williams Street which is identified as a Minor Collector on the City's  
345 Master Thoroughfare Plan. Beyond this thoroughfare is a vacant 17.861-acre tract of land that  
346 was subdivided into 78 duplex lots in 1984 that property is zoned Two-Family District. Adjacent  
347 to this property is an undefined portion of Planned Development District 71 which allows for  
348 limited Commercial land uses. Directly east of the subject property is John King Boulevard,  
349 which is identified as a P6D on the City's Master Thoroughfare Plan and beyond this is a vacant  
350 37.932-acre tract of land that is zoned AG. Directly west of the subject property is FM-1141,  
351 which is identified as a Minor Collector on the City's Master Thoroughfare Plan and beyond that  
352 is a 13.376-acre tract of land, which was preliminary platted as the Highlands Subdivision and  
353 that subdivision will consist of 53 single-family lots and is zoned Planned Development District 5  
354 for Zero Lot Line District land uses/development standards.  
355

356 Mr. Miller further stated that the applicant is requested to change the subject property form and  
357 Agricultural District to a General Retail District and they have provided a concept plan showing  
358 generally how they could develop it, and if approved it will be required to go thru the site plan  
359 process and would have to adhere to the General Retail standards. Looking at the applicant's  
360 request Mr. Miller noted that the subject property does appear to conform to the site  
361 specifications stipulated by the UDC for the General Retail District zoning designation.  
362 Specifically, it is located adjacent to two major roadways, Williams Street the current alignment  
363 of SH-66 and John King Boulevard and is in close proximity to an existing and proposed  
364 residential subdivision which are Caruth Lakes and the Highlands. In addition, the property is  
365 physically separated from these residential areas by a major roadway, FM-1141 which alleviates  
366 any need for residential adjacency standards. Additionally with the recent changes to the SH-205  
367 By-Pass Overlay District which now requires a minimum separation of 100 feet between John  
368 King Boulevard and any residential property the subject property may be better suited for a  
369 Future Land Use designation other than Medium Density Residential however, zoning changes  
370 are discretionary decisions for the City Council. If approved a condition of approval will be to  
371 change the Future Land Use Map from a Medium Density Residential designation to a  
372 Commercial Designation.  
373

374 Mr. Miller went on to state that on September 1, 2017, staff mailed 13 notices to property owners  
375 and residents within 500-feet of the subject property and sent a notice to the Caruth Lakes

376 Homeowner's Association which is the only HOA located within 1,500 feet of the subject  
377 property. Staff received one notice back from the property owner in favor of the request.  
378

379 Mr. Miller advised the Commission the applicant was present and available for questions as well  
380 as staff.  
381

382 Chairman Lyons opened up the public hearing and asked the applicant to come forward.  
383

384 Jon Delin  
385 Integrity Group  
386 2565 Strader Road  
387 Justin, TX  
388

389 Mr. Delin came forward and stated he is with Integrity Group and he is accompanied with several  
390 other colleagues that are involved in the project should the Commission have any specific  
391 questions he may not be able to answer. Mr. Delin went on to provide a power point presentation  
392 that included details of the proposed project which he had presented at the previous Work  
393 Session however it now included some changes they addressed which arose from some  
394 concerns that were brought up during that meeting that they've worked with staff on. He spoke  
395 of the topography issues that they are faced with the subject property which would make it  
396 challenging to use it as any type of residential use, which is why they are requesting to change it  
397 to the General Retail use. Some ideas they've considered would be a strip mall center or a  
398 garden office. Mr. Delin advised the Commission he and his colleagues were available for any  
399 questions.  
400

401 Commissioner Trowbridge asked if the frontage would be primarily on John King Blvd or would  
402 it be on FM -1149 Mr. Delin stated the frontage would primarily be on John King, however there  
403 is the ability to put some kind of facility on the FM-1141 side as a standalone and would not be  
404 connected.  
405

406 Chairman Lyons asked if anyone wished to speak to come forward and do so.  
407

408 Jane Cullins Davis  
409 775 Jeff Boyd Road  
410 Rockwall, TX  
411

412 Mrs. Cullins came forward and stated she has owned the subject property for some time and has  
413 a contract with Integrity Group to sell it and is therefore in favor of the request.  
414

415 Bill Bricker  
416 505 Westway Drive  
417 Rockwall, TX  
418

419 Mr. Bricker came forward and stated he represents the property to the south of the subject  
420 property. He generally is not opposed to the retail as he feels it probably is the best use of the  
421 property however across the street he is restricted to PD-71 and therefore doesn't seem  
422 conducive to his business to allow it to go to General Retail without some restrictions. He is  
423 neither opposed nor in favor but would like restrictions to be placed.  
424

425 Chairman Lyons asked if there could be restrictions placed to the uses. Mr. Miller advised the  
426 Commission that a chart of the uses permitted for General Retail was included in the packet they  
427 were provided but the Planning and Zoning Commission does have the ability to recommend a  
428 more restrictive zoning. Chairman Lyons added that after reviewing the uses he does not feel  
429 there are any uses that stand out that would not fit in that area especially being along John King  
430 Blvd.  
431

432 Chairman Lyons asked if there was anyone else who wished to speak to come forward and do  
433 so, there being no one indicating such; Chairman Lyons closed the public hearing and brought  
434 the item back to the Commission for discussion or a motion.  
435

436 Commissioner Trowbridge generally expressed being in favor of the request adding that what  
437 the applicant is proposing seems to be the best use.  
438

439 Commissioner Trowbridge made a motion to approve Z2017-039 with staff recommendations.  
440 Commissioner Welch seconded the motion which passed by a vote of 6-0 with Commissioner  
441 Fishman absent.  
442

443 11. Z2017-040

444 Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC on behalf  
445 of Jane Cullins for the approval of a zoning change from an Agricultural (AG) District to a Planned  
446 Development District for a single-family residential land uses on a 28.011-acre portion of a larger  
447 37.932-acre tract of land identified as Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of  
448 Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass  
449 Overlay (205 BY-OV) District and East SH-66 Overlay (E SH-66 OV) District, located at the northeast  
450 corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.  
451

452 Planning Director, Ryan Miller, gave a brief explanation of the request stating that subject  
453 property is east of the last case that was just discussed located at John King Blvd. and SH-66  
454 and is zoned Agricultural District, and is situated within the 205 By-Pass Overlay and the East  
455 SH-66 Overlay District. The land uses adjacent to the subject property are directly north of the  
456 subject property is a vacant, 15.935-acre parcel of land zoned AG District and beyond that is FM-  
457 1141, which is identified as a minor collector, four lane, divided roadway on the City's Master  
458 Thoroughfare Plan. North of this thoroughfare is a single-family subdivision, which is situated  
459 outside the City's limits. Directly south of the subject property is Williams Street current  
460 alignment of SH-66 which is identified as a Minor Collector on the City's Master Thoroughfare  
461 Plan. Beyond this is an undefined portion of a 28.8836-acre tract of land, which is vacant and  
462 zoned Planned Development District 71 for limited Commercial District land uses. Directly east  
463 of the subject property is a 65.274-acre portion of a larger 148.825-acre tract of land that is zoned  
464 AG and situated on the property is an accessory building. Directly west of the subject property  
465 is John King Boulevard, which is designated as a principle arterial, six lane divided roadway on  
466 the City's Master Thoroughfare Plan and beyond that is the remaining 9.894-acre portion of the  
467 larger 36.932-acre tract of land that is composed of the subject property and is zoned AG and the  
468 applicant has an active zoning case requesting to rezone this property to a General Retail which  
469 was discussed prior to this agenda item.  
470

471 Mr. Miller further noted that the development standards provided by the applicant show that the  
472 community will consist of 89 single-family homes of which 84 are depicted on the concept plan  
473 that will be composed of 4 different unit types ranging in size from 1,600 SF to 2,100 SF. The  
474 overall density proposed with this subdivision will be 3.2 dwelling units/acre. Additionally  
475 according to the applicant's letter submitted with the request the purpose of the request is to  
476 provide a "low-maintenance active adult community that will be maintained and managed by the  
477 HOA". The letter goes on to state that the community will incorporate a fitness trail, activity  
478 center with exercise pool, kitchen and gathering space, and 12.8acres of open space. The  
479 concept plan provided by the applicant shows that the proposed subdivision will be setup in a  
480 condominium regime meaning that all homes are situated on one large lot as opposed to  
481 individual lots, serviced by private streets, and the Homeowner's Association will perform all  
482 maintenance of the grounds and each home will be individually owned by the occupant. The  
483 concept plan also shows that the subdivision will be gated by a 6 foot wrought iron fence,  
484 accessible from 1 point entry adjacent to John King Boulevard, and have an emergency exit onto  
485 SH-66. In addition the applicant has submitted proposed building elevations depicting 4 product  
486 types all of which are single story homes; however, the applicant has indicated that some of the  
487 homes have the option of adding a second story and of the 4 building elevations, the applicant  
488 has stated that 4 variations of each building elevation exist which creates 16 different  
489 possibilities of housing design. The applicant is proposing to meet the City's minimum anti-  
490 monotony restrictions and thru the PD they will be meeting the anti-monotony requirements  
491 however there are some areas where they deviate from the Unified Development Code and the  
492 Engineering Standards of Design, specifically they are proposing 100% flat entry garages. In  
493 addition they are departing from the newly adopted SH-205 Bypass standards that give  
494 residential developments adjacent to John King the choice of providing 1 of four 4 design  
495 alternatives: [1] provide an increased landscape buffer of 100-feet, [2] increase the rear yard  
496 building setback to 50-feet for properties backing to John King Boulevard, [3] incorporate a slip  
497 street with minimum of 50-feet of right-of-way in addition to a 50-foot landscape buffer, and [4]  
498 incorporate an eyebrow street with a 30-foot landscape buffer and 25-foot front yard building  
499 setback. All of these options are designed to provide a minimum of 100-feet of separation  
500 between John King Boulevard and any residential property facing or backing to the roadway. In  
501 this case, the applicant is providing a 50-foot landscape buffer with a slip street; however, the

502 slip street is only 21-feet in width. This reduced street section creates a separation of 86-feet  
503 from the residential property and John King Boulevard. The application does have a building  
504 setback of 15-feet that would create a 101-foot separation between the residential structure and  
505 John King Boulevard; however, as it is currently depicted it would not meet 1 of the 4 approved  
506 design alternatives. Additionally, according to the UDC the minimum residential landscape  
507 buffer for properties adjacent to SH-66 is 25-feet and the applicant is proposing a 20-foot  
508 landscape buffer; however, the applicant is proposing to fence 10 feet of the landscape buffer,  
509 leaving only 10 feet of the buffer to meet the intent of the required separation between SH-66 and  
510 the proposed development. The applicant will be required to provide a 5 foot sidewalk in this  
511 reduced landscape buffer.  
512

513 Mr. Miller went on to explain that the zoning proposal does conform to the majority of the  
514 residential policies and guidelines contained in the Comprehensive Plan. The Future Land Use  
515 Map contained in the Comprehensive Plan, designates the subject property for Low Density  
516 Residential land uses. The proposed zoning change would necessitate that this designation be  
517 amended from a Low Density Residential designation to a High Density Residential designation  
518 which according to the Comprehensive Plan, a High Density Residential land use is defined as  
519 any development that exceeds 3 units per gross acre. In this case, the density of the proposed  
520 subdivision is at 3.2-units per gross acre. The Comprehensive Plan further states that high  
521 density residential land uses should be used as a transitional use from commercial or existing  
522 retail use, or where it will serve as a logical extension of an existing high density development.  
523 In this case, the proposed development is adjacent to mostly agriculturally zoned land with no  
524 adjacent land uses that would warrant a transition. The approval of any changes to the Future  
525 Land Use Map or the approval of an increased density would be discretionary decisions for the  
526 City Council and should the City Council choose to approve the applicant's request a condition  
527 of approval has been included that would amend the Future Land Use Map to reflect the  
528 proposed change in land use from a Low Density Residential designation to a High Density  
529 Residential designation.  
530

531 Mr. Miller further stated that on September 1, 2017, staff mailed 8 notices to property owners and  
532 residents within 500-feet of the subject property and also sent a notice to the Caruth Lakes HOA.  
533 Staff received one notice from the property owner in favor of the request.  
534

535 Mr. Miller advised the Commission that the applicant was present and available for questions as  
536 well as staff.  
537

538 Commissioner Logan posed the question concerning whether or not there would need to be a  
539 sound barrier and expressed her concerns pertaining to that as possibly being an issue along  
540 John King.  
541

542 Commissioner Chodun asked if Caruth Lakes was a PD and what their density is. Mr. Miller  
543 stated that on the Future Land Use Map it is designated as a Medium Density residential  
544 development and since densities are done based on gross the park area would count against  
545 their density and therefore could be less than 3 units per acre.  
546

547 Chairman Lyons asked what the open space percentage was. Mr. Miller stated that typically 20%  
548 is required and in this tract there is a large floodplain area which would be counted as open  
549 space as well.  
550

551 Chairman Lyons opened up the public hearing and asked the applicant to come forward.  
552

553 Jon Delin  
554 2565 Strader Road  
555 Justin, TX  
556

557 Mr. Delin came forward and provided a power point presentation detailing the request that  
558 showed the concept plan of the semi-custom homes they provide. It included price points, floor  
559 plans and amenities it will include. He also addressed the Commission's questions and  
560 concerns throughout the presentation. He stated that concerning the noise concern along John  
561 King they will place landscape berms along the 50 foot buffer that they anticipate to be four to  
562 five feet high which they feel will create a good softening between John King and the front of  
563 those homes. Concerning the garages, they are asking for a deviation of the j-swing because

564 after doing many demographic studies those show that 76% of buyers come in out of a three  
565 garage environment and are not looking for a third car garage.  
566 He went on to say that after speaking with realtors they feel that there is a strong demand for  
567 this type product for active seniors and they are looking forward to working with the City in  
568 bringing in this development they feel will be a great fit to the community.

569  
570 Chairman Lyons asked the Commission for any questions for the applicant.

571  
572 Commissioner Trowbridge expressed liking the concept and feels it is something the City needs,  
573 however along SH-66 there is a lot of traffic along there and expressed concern with the 20 foot  
574 setback they are proposing to provide along that State Highway.

575  
576 General discussion took place concerning the type of buffer off of SH-66 and the type (rod iron  
577 fencing) and setbacks.

578  
579 Randy Rivera  
580 G&A Consultants  
581 (No address given)

582  
583 Ms. Rivera came forward and provided a concept plan diagram and explained the detailed plan  
584 of how the houses are set up and how the setback would be to the houses along that side.

585  
586 Chairman Lyons asked if anyone wished to speak to come forward and do so.

587  
588 Bob Wacker  
589 806 Mira Mar  
590 Rockwall, TX

591  
592 Mr. Wacker came forward and expressed not being in favor of the request. He generally  
593 expressed having an issue with the amount of space that would be between the homes, the flat  
594 front garages which cause vehicles to overlap on the street, and overall the development being  
595 high density.

596  
597 Allen Scott  
598 11346 Mason Drive  
599 Lavon, TX

600  
601 Mr. Scott came forward and stated he has been a realtor for the last 25 years and feels this type  
602 of product is needed and is in high demand because there is not a product such as this  
603 anywhere close. He has visited the properties the developer has now and has seen what good  
604 quality product the outcome produces. He is strongly in favor of the request.

605  
606 Jane Cullins Davis  
607 775 John King Blvd.  
608 Rockwall, TX

609  
610 Ms. Cullins Davis came forward and stated she is the property owner and is in favor of the  
611 request. She feels Rockwall needs a development such as what is being proposed.

612  
613 Bill Bricker  
614 505 Westway  
615 Rockwall, TX

616  
617 Mr. Bricker came forward and generally expressed not being in favor of the request with his  
618 main concern being quality and the setbacks.

619  
620 Caprice Michelle  
621 1827 Mystique  
622 Rockwall, TX

623  
624 Ms. Michelle came forward and expressed being in favor of the request. As a realtor she sees  
625 that this type of product is something her clients are looking for and she feels  
626

627 Chairman Lyons asked if there was anyone else who wished to speak to come forward, there  
628 being no one indicating such Chairman Lyons asked the applicant to come forward for any  
629 rebuttal. Mr. Delin came forward and addressed the concerns with the HOA as well as the  
630 setbacks.

631  
632 Chairman Lyons closed the public hearing and brought the item back to the Commission for  
633 discussion or a motion.

634  
635 General discussion took place between the Commission concerning the setbacks and the  
636 proposed density that is being proposed.

637  
638 Commissioner Welch asked staff if they are looking at the product to be single family or a  
639 condo. Mr. Miller explained it would be a single family.

640  
641 Commissioner Welch asked staff if it could be approved with a recommendation to make the  
642 setback a condition.

643  
644 Commissioner Trowbridge made a motion to approve the request pending the development  
645 conform to the SH-66 Overlay District requirements. Commissioner Welch seconded the motion  
646 which failed by a vote of 3-3 with Commissioners Chodun, Lyons, and Moeller dissenting and  
647 Commissioner Fishman absent.

648  
649 Chairman Lyons made a motion to table the case. Commissioner Trowbridge seconded the  
650 motion which passed by a vote of 6-0, with Commissioner Fishman absent.

651  
652 Chairman Lyons called for a recess at 8:00 p.m.

653  
654 Chairman Lyons called the meeting back to order at 8:10 p.m.

655  
656  
657 V. ACTION ITEMS

658  
659 12. SP2017-024

660 Discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of the  
661 owner Don Silverman of Rockwall 205-552, LLC for the approval of a site plan for a restaurant with a  
662 drive-through on a 0.857-acre parcel of land identified as Lot 4, Block A, Dalton-Goliad Addition, City of  
663 Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205  
664 Overlay (N-SH-205 OV) District, addressed as 3611 N. Goliad Street, and take any action necessary.

665  
666 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
667 is requesting approval of a site plan. They came before the Commission in August of this year  
668 requesting an SUP for the drive thru facility and came to the work session in July requesting to  
669 table due to some minor items they wanted to make after meeting with ARB. The submitted site  
670 plan, building elevations, photometric, and landscape plans conform to the technical  
671 requirements contained within the UDC however after discussion with the ARB, there are some  
672 minor items that need to be addressed with the building elevations and the applicant has agreed  
673 to the items the ARB is asking to be addressed and therefore the ARB has recommended  
674 approval based on those conditions. In addition since the subject property is within the North  
675 SH-205 Overlay District and does not have a pitched roof they will be seeking a variance to that  
676 as well.

677  
678 Mr. Gonzales advised the Commission the applicant is present and available for questions as  
679 well as staff.

680  
681 Commissioner Chodun asked if based on the ARB's recommendation would the Commission be  
682 reviewing it again. Mr. Gonzales stated that based on the ARB's recommendations staff would  
683 take a look at the revisions to make sure they hit all the enhancements that they agreed to add  
684 and if there is any issue and staff feels it needs to bring it back to the Commission they would  
685 do that, but it is not anticipated that to happen.

686  
687 Chairman Lyons asked the applicant to come forward.

690 Juan Vasquez  
691 1919 S. Shiloh Road  
692 Garland, TX  
693

694 Mr. Vasquez came forward and stated they met with the Architectural Review Board earlier and  
695 will be addressing the recommendations they received from them and providing staff with those  
696 revisions to staff.  
697

698 Chairman Lyons made a motion to approve SP2017-024 with staff recommendations.  
699 Commissioner Trowbridge seconded the motion which passed by a vote of 6-0, with  
700 Commissioner Fishman absent.  
701

702 Chairman Lyons advised the Commission he would be recusing himself from the following  
703 agenda item and Vice-Chairman Trowbridge proceeded to present the following agenda item.  
704

705 13. SP2017-025

706 Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of Doug Fox of  
707 Cornerstone Church for the approval of a site plan for a church on a six (6) acre parcel of land identified  
708 as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned  
709 Commercial (C) District, situated within the 205 By-Pass Overlay (205 BY-OV) District, addressed as  
710 1565 Airport Road, and take any action necessary.  
711

712 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
713 requesting approval of a site plan for a 21,598 square foot church, Cornerstone Church. The  
714 proposed church is situated on a 6 acre tract of land and is zoned Commercial District. The site  
715 is situated within the 205 By-pass Overlay District and is addressed as 1565 Airport Road.  
716

717 Mr. Brooks went on to explain that on July 6, 2015, the City Council approved a Specific Use  
718 Permit to allow an Outdoor Commercial Amusement/Recreation Facility, baseball training facility  
719 in a Commercial District. The existing SUP for an Outdoor Commercial Amusement/Recreation  
720 Facility is subject to expire if not utilized by March 20, 2018. The proposed use is a use permitted  
721 by-right in a Commercial District and will not require any additional approvals from the Planning  
722 and Zoning Commission. The submitted site plan, landscape plan, photometric plan, and  
723 building elevations conform to the technical requirements contained within the UDC and the 205  
724 BY- OV District standards with the exception of one variance that the applicant is requesting.  
725 According to the UDC, stucco may not be located in the first 4 feet above grade on a façade  
726 visible from a street or public open space. In this case, the applicant is proposing to utilize  
727 stucco within the first 4 feet on the south elevation, which is visible from Airport Road. The UDC  
728 states that the City Council may grant a variance to this section where a unique or extraordinary  
729 condition exists. Approval of any variance to the overlay district requirements requires a ¾  
730 majority vote. The applicant has stated that the purpose of the variance is  
731 architectural/aesthetic.

732 Mr. Brooks went on to state that on August 29, 2017, the ARB reviewed the submitted building  
733 elevations and made recommendation to approve the building elevations and variance with the  
734 condition that shrubs be planted in front of the areas where the stucco is in the first 4 feet above  
735 grade.  
736

737 Mr. Brooks advised the Commission that the applicant was present and available for questions  
738 as well as staff.  
739

740 Commissioner Welch asked staff for clarification concerning the existing SUP on the property.  
741 Mr. Brooks explained that on the lot there is an existing SUP for a baseball facility, however that  
742 developer has decided not to utilize that SUP and it will expire March of 2018.  
743

744 Vice-Chairman Trowbridge asked the applicant to come forward.  
745

746 Wayne Mershawn  
747 2323 Ridge Road  
748 Rockwall, TX  
749

750 Mr. Mershawn came forward and stated he is the architect for the project and is available for any  
751 questions the Commission may have.  
752



753 Commissioner Chodun asked what the maximum occupancy of the church will be. Mr. Mershawn  
754 stated it would be approximately 600 seating.  
755

756 Commissioner Logan made a motion to approve SP2017-025 with staff recommendations.  
757 Commissioner Chodun seconded the motion which passed by a vote of 5-0, with Commissioner  
758 Fishman absent and Chairman Lyons recusing himself.  
759

760 14. SP2017-027

761 Discuss and consider a request by Spencer Byington of SWBC Real Estate, LLC on behalf of the owner  
762 Robert Lamberth of Pneuma Ventures, LTD for the approval of a site plan for a multi-family apartment  
763 complex on a 42.555-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2,  
764 City of Rockwall, Rockwall County, Texas, zoned Planned Development 83 (PD-83) District, situated  
765 within the SH-205 By-Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery  
766 Boulevard and John King Boulevard, and take any action necessary.  
767

768 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
769 is requesting approval of a site plan for a multi-family apartment complex. On August 17, 2017,  
770 the applicant submitted an application for a site plan showing the proposed layout for a 590-unit  
771 multi-family apartment complex that will be developed on a 42.555-acre tract of land. The  
772 development will be constructed in 2 phases of 295 units each. The subject property is situated  
773 within the SH-205 By-Pass OV, east of the intersection of Discovery Boulevard and John King  
774 Boulevard and is zoned Light Industrial District. According to Planned Development District 83,  
775 the proposed use for a multi-family apartment complex is permitted in compliance with the  
776 standards established by Ordinance 17-18, and will not require any additional approvals by the  
777 Planning and Zoning Commission or City Council. The submitted site plan, open space master  
778 plan, building elevations, landscape plan, treescape plan, and photometric plan conform to the  
779 technical requirements contained within the UDC and Planned Development District 83, with the  
780 exception of the open space master plan and landscape plan. The applicant has provided a  
781 treescape plan and tree survey indicating the area to be primarily covered with non-protected  
782 trees which are cedar and hackberry trees that are 10.5 inches or less. According to the UDC  
783 Hackberry and Cedar trees that are less than 11 inches dbh shall not be considered a protected  
784 tree. The applicant has indicated to staff that the land had previously been used as a ranch for  
785 grazing and has provided several aerial images of tree canopy coverage dating back as early as  
786 1996. The aerial images for years 1996, 2001, 2005, and 2010 provide chronological data  
787 depicting a transformation of the property from virtually no trees to its current state of coverage.  
788 Based on staff's conversation with the landscape architect, a site visit viewing the trees from  
789 rights-of-way and adjacent properties, staff is of the opinion that most of the trees on this site  
790 are non-protected cedar trees and is in agreement with the registered landscape architects  
791 professional assessment of the site. This means that tree mitigation will be satisfied by the  
792 proposed landscape plan, and no mitigation will be required.  
793

794 Mr. Gonzales further stated that on August 29, 2017, the ARB reviewed the submitted building  
795 elevations and made recommendations to the applicant to come back with a design that better  
796 conforms to the approved conceptual elevations. Specifically, the ARB was concerned about  
797 the lack of detail and a reduction of the architectural elements such as exposed rafters,  
798 balconies with railings, depicted in the proposed building elevations. The ARB met with the  
799 applicant this evening and was in agreement with the applicants revised building elevations.  
800 Additionally on September 6, 2017, the Parks Board approved a recommendation to assess the  
801 project fees based on the requirements for a property in Park District No. 31; however, the  
802 property is actually situated within Park District No. 25 which means that the fees being  
803 recommended by the Parks Board are incorrect and will need to be reassessed at the time of  
804 final plat. As part of this case the applicant is being permitted to use the fees to provide amenity  
805 within the proposed development. To verify that the amenity package is equal to the assessed  
806 fees the applicant will need to submit a detailed open space master plan outlining the proposed  
807 amenity package and corresponding cost.  
808

809 Mr. Gonzales advised that the applicant is present and available for questions as well as staff.  
810

811 Chairman Lyons asked if there were any variances that needed to be considered. Mr. Gonzales  
812 stated there were not.  
813

814 Commissioner Trowbridge asked if they were only being allowed to remove the cedar trees  
815 where the buildings are being built. Mr. Gonzales stated that was correct.

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878

Chairman Lyons asked the applicant to come forward.

Spencer Byington  
5600 South FM-148  
Kauffman, TX

Mr. Byington came forward and stated he is with SWBC.

Brian Ramsey  
1255 West 15<sup>th</sup>  
Plano, TX

Mr. Ramsey came forward and stated he is with Cross Architects and expressed appreciation for staff in working with them thus far and stated he was available for any questions the Commission may have.

Commissioner Trowbridge asked if on the site plan, were both phases being done or are they starting out only with one phase. Mr. Gonzales explained that the approval is based on the full site plan for both Phase I and Phase II however, as far as developing, they will be developing in two different phases.

Commissioner Moeller made a motion to approve SP2017-027 with staff recommendations. Commissioner Chodun seconded the motion which passed by a vote of 6-0 with Commissioner Fishman absent.

VI. DISCUSSION ITEMS

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

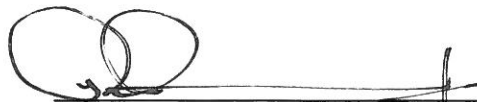
- ✓ P2017-040: Lot 1, Block A, Texas Roadhouse Addition [Approved]
- ✓ P2017-042: Lot 2, Block A, Comfort Inn & Suites, Rockwall Towne Centre Addition [Approved]
- ✓ P2017-043: Lot 1, Block A, North Lakeshore Daycare Addition [Approved]
- ✓ P2017-044: Lot 1, Block A, Everybody Massage Addition [Approved]
- ✓ P2017-045: Lots 1 & 2, Block A, SWBC Rockwall Addition [Approved]
- ✓ Z2017-027: SUP for a Residence Hotel (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-032: Zoning Change (AG to SFE-2.0) (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-033: SUP for Music Studio (2<sup>nd</sup> Reading) [Approved]
- ✓ MIS2017-008: Masonry Exception for Rockwall High School [Approved]
- ✓ MIS2017-009: Sign Variance for Sabrina's Flowers [Denied]

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

VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 8:42 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 10 day of October, 2017.

  
Patrick Trowbridge, Vice-Chairman

Attest:  
  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**September 26, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Vice-Chairman Trowbridge called the meeting to order at 6:03p.m. The Commissioners present at the meeting were, Patrick Trowbridge, Eric Chodun, Annie Fishman, Mark Moeller, Jerry Welch and Tracey Logan. Absent was Chairman Lyons. Staff members present were Planning Director, Ryan Miller, Senior Planner David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineer Jeremy White and Fire Marshall Ariana Hargrove.

II. CONSENT AGENDA

1. P2017-041

Consider a request by request by David Turnham for the approval of a final plat for Lot 1, Block A, Blueberry Hill Estate Addition being a 1.410-acre tract of land identified as Tract 9-01 of the J. E. Sherwood Survey, Abstract No. 193, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 950 Clem Road, and take any action necessary.

2. P2017-048

Consider a request by Dan Warfield of Halff Associates, Inc. on behalf of John Wardell of Lake Pointe Church for the approval of a replat for Lot 3, Block A, Lake Pointe Baptist Church Addition being a 34.4904-acre parcel of land identified as Lot 1, Block A, Lake Pointe Baptist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 701 E. IH-30, and take any action necessary.

3. SP2017-023

Discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of the owner Michael Fisher of 1306 Summer Lee, LLC for the approval of a site plan for a medical office building on a 1.082-acre parcel of land identified as Lot 6, Block A, Temunovic Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 1310 Summer Lee Drive, and take any action necessary.

**Commissioner Moeller made a motion to approve the consent agenda. Commissioner Chodun seconded the motion which passed by a vote of 6-0 with Chairman Lyons absent.**

III. APPOINTMENTS

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

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

IV. PUBLIC HEARING

5. Z2017-040

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC on behalf of Jane Cullins for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for general retail and single-family residential land uses on a 37.932-acre tract of land identified as Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the 205 By-Pass Overlay (205 BY-OV)

63 District and East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the  
64 intersection of SH-66 and John King Boulevard, and take any action necessary.  
65

66 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the subject  
67 property is located on the east and west side of John King Blvd north of SH-66 and is zoned  
68 Agricultural District and within the East SH-66 Overlay District and the 205 By-Pass Overlay  
69 Districts. The subject property was partially annexed in 1960 with the remainder of the property  
70 coming into the City in 1998 and then in 2007/2008 the City of Rockwall acquired a portion of this  
71 property for the future right of way for John King Blvd. This case originally came in as two cases  
72 about 9.8 acres of it came before the Commission at the previous meeting as a zoning change  
73 from AG to General Retail District and the remaining 28 acres was for a age restricted senior  
74 living active community and that consisted of about 84-89 lots. On September 12, 2017, the  
75 Planning and Zoning Commission approved case No. Z2017-039 which is tract 1 however, case  
76 No. Z2017-040 which is tract 2 was continued by the Planning and Zoning Commission to allow  
77 the applicant time to provide clarifications and changes that were requested by the  
78 commissioners in the meeting. On September 18, 2017, the City Council approved a motion to  
79 remand Case No. Z2017-039 back to the Planning and Zoning Commission, and directed staff to  
80 combine the case with Case No. Z2017-040. The City Council's purpose in combining the  
81 request appeared to be twofold: 1) to allow the uses in the General Retail District to be further  
82 limited through the Planned Development District ordinance, and 2) to address the applicant's  
83 comments, which indicated that the two cases were dependent upon each other. Therefore what  
84 is being brought forward at this time is a combined case. Mr. Miller stated he would start with  
85 discussion of the 9 acre portion. The applicant is still requesting that this portion still be under  
86 the General Retail designation but staff has provided for limited uses and took a lot of the same  
87 uses that were limited thru the Breezy Hill and Stone Creek Planned Development Districts with  
88 two additions the first one being that the applicant has agreed to limit the gasoline sales on the  
89 property and there is no gasoline sales thru Specific Use Permit on the General Retail side, and  
90 the other component being that the applicant has requested to allow a nursery/garden center  
91 allowed thru a Specific Use Permit only which would require a discretionary approval. The  
92 subject property does appear to conform to the site specifications stipulated by the UDC for the  
93 General Retail District zoning designation requirements. Specifically, it is located adjacent to  
94 two major roadways and is in close proximity to an existing and proposed residential  
95 subdivision and in addition, the property is physically separated from these residential areas by  
96 a major roadway which alleviates any need for residential adjacency standards.  
97

98 Mr. Miller went on to state that concerning the other portion which is the residential component,  
99 and as was previously discussed at the previous meeting, it is a gated community that is on a  
100 single lot and is set up much like a condominium association is where the HOA will maintain all  
101 the grounds but it will be owner occupied single-family homes. In looking at the concept plan,  
102 the applicant has addressed several of the issues that the Planning and Zoning Commission  
103 raised at the last meeting. Specifically there were some issues with the spacing off of 276, the  
104 code requires a 25 foot landscape buffer and the applicant is showing a 20 foot landscape  
105 buffer, however before they were encroaching the fence 10 feet into the landscape buffer and  
106 now they show a true 20 foot landscape buffer and they've increased the separation between the  
107 house and the roadway to a minimum of 27 feet. On the John King side they are still meeting the  
108 requirements in terms of having a 50 foot landscape buffer and a slip street in front, it doesn't  
109 exactly meet the 100 foot separation however they did get it to 95 feet for one of the homes and  
110 the remaining homes are at a 100 foot separation. The other aspects of the request, the fence  
111 along the John King side does encroach into the landscape buffer by 10 feet but the applicant  
112 has dedicated that as a landscape buffer and won't be building anything in it. The other concern  
113 the Commission had raised was the separation between houses. Currently there is no zoning  
114 district that has less than a 5 foot side yard setback which creates a 10 foot separation between  
115 houses. What the applicant is requesting is a 6 foot separation between houses which would  
116 equate to a 3 foot building setback. Also the 21 foot street is technically considered a drive isle  
117 since it doesn't meet the City's definition of a private street and in this case the engineering  
118 standards of design stipulate a 24 foot drive isle and in this case it is a 21 foot however it is a  
119 one way drive isle. Looking at the Future Land Use Map contained in the Comprehensive Plan  
120 the eastern part is designated for Low Density Residential land uses which is a density of 2 1/2  
121 units per acre or less and in this case the applicant is proposing approximately 3.2 units per  
122 acre which would necessitate a change to a High Density Designation. On the west part the  
123 Future Land Use Map designates that property as a Medium Density Residential designation and  
124 that would need to be changed to Commercial and staff has included that as a condition of  
125 approval.

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Mr. Miller further explained that notices were sent for both on September 1, 2017 and for the west side 13 notices were sent out to property owners within 500 feet of the subject property and also notified the Caruth Lakes HOA. For the property on the east side 8 notices were sent out to property owners within 500 feet of the subject property as well as the Caruth Lake HOA. Staff received 2 notices in favor of both cases.

Mr. Miller advised the Commission the applicant was present to answer any questions as well as staff.

Vice-Chairman Trowbridge asked the applicant to come forward and speak.

John Delin  
Integrity Group  
361 W. Byron Nelson Blvd. Suite 104  
Loan Oak, TX

Mr. John Delin came forward and provided a power point explanation of the request that covered the active adult community that they have specialized in for more than thirty years. He talked of how their team handles all the development from start to finish that allows them to provide a semi-custom home buying experience. It will be part of a condo association which operates under strict Texas law that they have ordinances that they have to abide by. It will be a gated community and therefore have private streets that the City does not have to maintain. It will be a community that will provide a lot of attractive amenities for the home owners. He spoke of how the property being challenging and they are working very hard to make it developable and with the floodplain they are investing in providing off site utilities.

Steve Delin  
Integrity Group  
3400 Nickel Creek Drive  
Plano, TX

Mr. Steve Delin came forward and stated he is in charge of all the marketing and sales for the project. He explained they utilize a third party survey firm that gathers survey information from the buyers to help as sellers to continue to hear the feedback from the customer. He provided a power point presentation that talked about the different features the homes are built with and the different amenities the type of community that they develop that specifically meets the needs of active adults.

Randy Rivera  
GNA Consulting Engineering Firm  
111 Hillside Drive  
Lewisville, TX

Ms. Rivera came forward and discussed the concerns that were brought up in the previous meeting concerning the side yard setbacks, proximity to John King Blvd and the SH66 buffer.

Mr. John Delin came forward and spoke to the Commission of how they felt they listened to the Commissions concerns at the previous meeting and they feel the changes they have made show they are looking to meet the intent of the area and will be a great asset to the City.

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

Jane Cullins-Davis  
775 Jeff Boyd  
Rockwall, TX

Ms. Cullins-Davis came forward and stated she is in favor of the request. She has owned the property for a long time and has dealt with a lot of perspective buyers none of which were low density development. She has spoken with a lot of people that are in favor of this adult community, she feels there is a need for this in Rockwall and it will have a positive impact on the community.

189 Bob Wacker  
190 309 Featherstone  
191 Rockwall, TX  
192

193 Mr. Wacker came forward and expressed concern with the density the development will provide  
194 and if the price point for the development will be successful in Rockwall. He generally expressed  
195 his uncertainty of whether or not this development would be a right fit for Rockwall.  
196

197 Vice-Chairman Trowbridge asked the applicant if he would like to add anything else.  
198

199 Mr. John Delin came forward and added that he feels the proposed community will be very  
200 successful in Rockwall because there isn't a product such as what they are proposing and it is  
201 one that is in high demand. He respectfully asked the Commission for their consideration in  
202 approving the request.  
203

204 Vice-Chairman Trowbridge closed the public hearing and brought the item back to the  
205 Commission for questions and discussion.  
206

207 Commissioner Chodun spoke of how having the two cases combined makes it to where a  
208 decision has to be made on both when he was generally in favor on the retail but reluctant on  
209 the high density development, he added he was hopeful they would have come back with not  
210 necessarily low density but perhaps medium density because he feels there is a disconnect  
211 between what a customer would be paying for as a condo owner versus what they would be  
212 getting from a property standpoint. Although he likes the 55 year and older concept, this area is  
213 not the right fit for such. He generally expressed not being in favor of the request.  
214

215 Commissioner Welch spoke of how as a realtor he sees the demand that is type of product it is  
216 very sought after and will be a good fit for the community of Rockwall. He generally expressed  
217 being in favor of the request.  
218

219 Commissioner Fishman stated she feels a 55 plus community would do very well in Rockwall  
220 and there is a definite need however she expressed concern with the price point for people that  
221 are looking to downsize.  
222

223 Mr. John Delin came forward and added that the price points run from \$300,000-600,000 however  
224 the average is around \$389,000 the price points vary to allow people to choose what best fits  
225 their needs and what they are looking for.  
226

227 Commissioner Logan generally expressed being in favor of the request. She spoke of the notion  
228 that may be misleading that when speaking of low density means low quality but the product  
229 that they are proposing appears to be a great high quality product fitting for the Rockwall  
230 community. The reservations she had previously with the setbacks have been addressed now  
231 that the applicant has met the concerns the Commission had and made necessary changes to  
232 the setbacks.  
233

234 Commissioner Moeller generally also expressed being in favor of the request now that the  
235 applicant addressed the concerns the Commission shared with the applicant at the previous  
236 meeting concerning the setbacks. He feels it is a nice high quality product that they are  
237 proposing and is pleased that the applicant put forth the effort to move the setback.  
238

239 Vice-Chairman Trowbridge asked staff if with the minimum size on these houses being 1,600  
240 square feet is there an overall minimum size that is required in the general development for  
241 single family. Planning Director, Ryan Miller, stated it would depend on the District and the most  
242 dense family district is around 1,000 square feet and goes up to 2,500 square feet in this case it  
243 is tied to the Single-Family 7 District.  
244

245 Vice-Chairman Trowbridge asked staff if they met all the City requirements such as utilities,  
246 road, fire and such. Mr. Miller explained that they will have to provide utilities and meet the fire  
247 safety requirements. Vice-Chairman Trowbridge generally expressed being in favor of the  
248 request as brought forward.  
249

250 Vice-Chairman Trowbridge asked the Commission for further questions or discussion.  
251

252 Commissioner Welch made a motion to approve Z2017-040 with staff recommendations. Vice-  
253 Chairman Trowbridge seconded the motion which passed by a vote of 5-1, with Commissioner  
254 Chodun dissenting.  
255

256  
257 V. ACTION ITEMS  
258

259 6. MIS2017-010

260 Discuss and consider a request by Brian and Darla Kelly for the approval of an exception to the  
261 minimum masonry requirements stipulated by Article V, *District Development Standards*, of the Unified  
262 Development Code to allow for the construction of a single-family home on a 3.217-acre tract of land  
263 identified as a portion of Tract 13-06 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall,  
264 Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, generally located along the  
265 north side of Hanby Lane south of the intersection of Jeff Boyd Road and Hanby Lane, and take any  
266 action necessary.  
267

268 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant was  
269 recently approved a zoning request from Agricultural District to Single-Family 2.0 and the  
270 applicant has now submitted a request for a masonry exception to build a home that will be  
271 approximately 3,000 square feet and the proposed home will be a modern farmhouse style. The  
272 applicants are proposing to utilize 100% hardy board siding in a vertical board and baton pattern  
273 that will be painted white. According to the UDC, all buildings 120 SF or more and over 10 feet in  
274 height shall have exterior walls constructed of at least 80% masonry materials with no more than  
275 50% being Hardie Board or other similar cementaceous material. Buildings not meeting this  
276 requirement shall require approval of the Planning and Zoning Commission and City Council. In  
277 addition according to the UDC, exceptions to these requirements may be permitted on a case-  
278 by-case basis by the City Council upon submission and approval of elevation drawings of the  
279 subject structure, and material samples.  
280

281 Mr. Brooks advised the Commission the applicant was present and available for questions as  
282 well as staff.  
283

284 Vice-Chairman Trowbridge asked the applicant to come forward and speak.  
285

286 Darla Kelly  
287 2846 Bent Ridge  
288 Rockwall, TX  
289

290 Mrs. Kelly came forward and stated the home will be similar to some of the ones that are in the  
291 Park Place neighborhood that is located by Harry Myers Park. She added that although their  
292 tract of land is City, it is referred to as the Island of Rockwall there is only three surrounding  
293 homes.  
294

295 Vice-Chairman Trowbridge brought the item back to the Commission for discussion, questions  
296 or a motion.  
297

298 Commissioner Moeller made a motion to approve MIS2017-010 with staff recommendations.  
299 Commissioner Fishman seconded the motion which passed by a vote of 6-0 with Chairman  
300 Lyons absent.  
301

302  
303 7. SP2017-026

304 Discuss and consider a request by William Adair on behalf of Raymond Jowers for the approval of a site  
305 plan for an industrial building on a 2.16-acre parcel of land identified as Lot 1-B, Bodin Industrial  
306 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as  
307 2040 Kristy Lane, and take any action necessary.  
308

309 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
310 is requesting approval of a site plan for the purpose of constructing a 14,500 square foot office  
311 warehouse on the subject property. Kristy Lane is south off of IH-30 and is a Light Industrial area  
312 as well as a mix of uses with Heavy Commercial and some residential that is part of PD-10 that's  
313 located to the south of the property. The applicant met with the Architectural Review Board  
314 earlier this evening and they did get the Boards approval for the request. The site plan, building

315 elevations and the landscape plans generally do conform to the technical requirements. The  
316 exceptions will need to be reviewed for the horizontal articulation for the east and west  
317 elevations.  
318

319 Mr. Gonzales advised the Commission the applicants were present and available for questions  
320 as well as staff.  
321

322 Vice-Chairman Trowbridge asked the applicant to come forward.  
323

324 Bill Odair  
325 (No address given)  
326

327 Mr. Odair came forward and stated he is the architect working with Mr. Jowers requesting to  
328 build a showroom warehouse. They have met with City staff and they feel that they've met the  
329 requirements for masonry and site work. Concerning the east and west sides' vertical  
330 articulation, those two sides are very nondescript and because it is surrounded by metal  
331 buildings they feel it will be a nice addition to the area.  
332

333 Vice-Chairman Trowbridge asked the Commission for any questions or discussion.  
334

335 Commissioner Logan asked what would be housed within the building what type tenant would  
336 they be seeking. Mr. Odair stated it will house a couple of offices for the managers of this  
337 project as well as showroom for the product that they sell and the warehouse is where they  
338 would store the product. Commissioner Logan expressed concern in approving additional  
339 warehouse space.  
340

341 Raymond Jowers  
342 3290 Anna Cade  
343 Rockwall, TX  
344

345 Mr. Jowers came forward and stated that from where they are located to when they put the  
346 landscaping around it there will not be much that the surrounding home owners would be able  
347 to see and there would not be much traffic that it would generate.  
348

349 Commissioner Welch made a motion to approve SP2017-026 with staff recommendations.  
350 Commissioner Chodun seconded the motion which passed by a vote of 6-0 with Chairman  
351 Lyons absent.  
352

353 Vice-Chairman Trowbridge noted that Agenda items #12 #17 would be moved up and discussed  
354 together and item #14 would be moved up on the agenda as well.  
355

356  
357 VI. DISCUSSION ITEMS  
358

359 8. Z2017-041 (Korey)

360 Hold a public hearing to discuss and consider a request by Mark Latham for the approval of a zoning  
361 change from a Multi-Family 14 (MF-14) District to a Downtown (DT) District for a 0.17-acre tract of land  
362 identified as part of Lots 1, 2 & 3, Block H, Eppstein Addition, City of Rockwall, Rockwall County, Texas,  
363 zoned Multi-Family 14 (MF-14) District, situated within the Historic Overlay (HOV) District, addressed as  
364 310 S. Fannin Street, and take any action necessary.  
365

366 Planner, Korey Brooks, gave a brief explanation and background of the request and the property  
367 stating that on September 21, 2017 the case went before the Historic Preservation Advisory  
368 Board since it is in the Old Towne Rockwall Historic District and a motion was made to deny the  
369 request. Previously in 2001 a request was submitted to rezone to Downtown District and that  
370 request was also denied. In 2013 a request was made to rezone to Residential Office and since  
371 then no additional requests have been made.  
372

373 Mr. Brooks advised the Commission the applicant was present and available for questions as  
374 well as staff.  
375

376 Vice-Chairman Trowbridge asked the applicant to come forward and speak.  
377



378 Mark Latham  
379 1010 Ridge Road Court  
380 Rockwall, TX

381  
382 Mr. Latham came forward and stated that what he is requesting is to rezone out of Multi-Family  
383 14 to a Downtown zone to allow him to put in an office which is what he is looking for the  
384 property to be used for which he feels it is better suited for.

385  
386 Vice-Chairman Trowbridge asked the Commission for questions.

387  
388 Commissioner Moeller asked what benefit the Downtown District zone change would have. Mr.  
389 Latham stated it would allow them to office uses such as an attorney's office, insurance agency  
390 small office uses such as those.

391  
392 Commissioner Moeller asked staff what the difference was between the Downtown District  
393 versus Residential Office. Mr. Miller stated that Downtown District is different in that it has a  
394 certain set of strict design guidelines that go with it that are built around more of a form base  
395 code. If something new was being built it would be heavily regulated. The uses do allow for  
396 some retail land use and allows more flexibility in reusing structures like the Residential Office  
397 District.

398  
399 Commissioner Welch asked if he planned on rehabbing the existing structure that is on the  
400 property. Mr. Latham stated that over the last year they have redone the exterior however since it  
401 is a historic home they are not doing any drastic changes.

402  
403 Commissioner Moeller asked how the parking area would work and did he anticipate any parking  
404 overflowing into the City Hall parking. Mr. Latham stated that in the back of the property there is  
405 sufficient parking that fit about six vehicles.

406  
407 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
408 Commission for action at the next scheduled meeting.

409  
410  
411 9. Z2017-042

412 Hold a public hearing to discuss and consider a request by Jay Odom for the approval of a zoning  
413 change from a Single Family 7 (SF-7) District to a Downtown (DT) District for a 0.21-acre parcel of land  
414 identified as Lot D-1, Block 122, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas,  
415 zoned Single Family 7 (SF-7) District, situated within the Historic Overlay (HOV) District, addressed as  
416 201 Olive Street, and take any action necessary.

417  
418 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
419 tis seeking to change the property from a Single-Family 7 District to a Downtown District. The  
420 case went before the Historical Advisory Committee last week and was approved by the Board  
421 unanimously. The property is vacant and in considered to be non-contributing and the applicant  
422 is requesting to construct an office building for his mortgage company.

423  
424 Mr. Gonzales advised the Commission that the applicant was present and available for questions  
425 as well as staff.

426  
427 Vice-Chairman Trowbridge asked the applicant to come forward and speak.

428  
429 Jay Odom  
430 405 N. Fannin Street  
431 Rockwall, TX

432  
433 Mr. Odom came forward and stated he has owned his business locally in Rockwall for the last 16  
434 years but has been leasing during that time. He purchased the subject property with plans of  
435 building his office to no longer have to lease, however he made the mistake of not checking  
436 what the property was zoned and was under the assumption that it was zoned Commercial. He  
437 plans to incorporate a small office to look similar to the style of the surrounding area and he  
438 feels it will fit well.

439  
440

441 Commissioner Moeller noted that the restrictions for new construction would be more stringent  
442 with changing it to a Downtown District therefore it seems to make sense to change it to such  
443 and would be a good transition.  
444

445 Commissioner Fishman asked if any notices have been received in favor or in opposition. Mr.  
446 Gonzales stated that none have been received as of yet but staff will provide an update at the  
447 public hearing.  
448

449 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
450 Commission for action at the next scheduled meeting.  
451

452  
453 10. Z2017-043

454 Hold a public hearing to discuss and consider a request by Austin Lewis of Lewis Real Estate  
455 Investments, Inc. on behalf of Stone Creek Balance, LTD for the approval of an amendment to Planned  
456 Development District 70 (PD-70) to incorporate a single-single family subdivision consisting of 19 single-  
457 family residential homes on a 4.329-acre tract of land identified as Tract 2-7 of the W. T. Deweese  
458 Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, Planned Development District 70  
459 (PD-70) for Single-Family 10 (SF-10) District land uses, located at the southeast corner of the  
460 intersection of Greenway Drive and FM-552, and take any action necessary.  
461

462 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the area is a  
463 little more than 5 acres located next to the middle school the applicant is requesting to amend PD-  
464 70 to allow for a subdivision consisting of 19 homes which they are calling a "pocket  
465 neighborhood."  
466

467 Mr. Gonzales advised the Commission the applicant was present and would be going over the  
468 request and staff would be available for questions.  
469

470 Vice-Chairman Trowbridge asked the applicant to come forward and speak.  
471

472 Austin Lewis  
473 Lewis Real Estate Investments, Inc.  
474 519 E. IH-30 Suite 327  
475 Rockwall, TX  
476

477 Mr. Lewis came forward and stated that the development's concept is for a "pocket  
478 neighborhood" that will consist of 19 homes in a 5.2 acre tract of land. The idea of himself and  
479 his associate David Dillard is to create a neighborhood with front porches with walkability that  
480 will allow for neighbors to interact with one another and create a sense of a small close knit  
481 community within it.  
482

483 David Dillard  
484 4357 Shirley Drive  
485 Dallas, TX  
486

487 Mr. Dillard came forward and provided a power point presentation that went over the concept  
488 plan of their request which included layout plans of the concept plan they are looking to  
489 develop. He explained that the idea of the "pocket neighborhood" is to have nothing but front  
490 doors opening to a common space where there would not be any cars but rather only pedestrian  
491 traffic. With there being only 19 homes they are not looking to provide any type of pool or big  
492 amenities other bigger subdivisions provide. What they would like to provide is a 1,700 square  
493 foot community center which would consist of a big living room with a fireplace, nice kitchen,  
494 bathrooms and an outside screened in porch with some grills that would generate community  
495 activities among the neighbors. The homes would range from 1,650 square feet up to 3,000  
496 square feet and that would be under the determination of the builder and the homeowner.  
497 Looking at the site plan there is Greenway Drive to the west side and Dalton to the north side  
498 where it is their understanding that there will be a widening of Dalton Road. There is a big ridge  
499 that runs up and down north, south and thru the middle of the site which means they will need to  
500 work thru the detention and water issues. He spoke of their desire of not introducing a City of  
501 Rockwall right of way that would surround the entire site but rather have a cross easement  
502 access thru each individual lot and the concept plan showed how they would be proposing it to  
503 look.

504 They believe it is a great way to develop a not so easy piece of land that will be a good fit to the  
505 Rockwall community.

506  
507 Vice-Chairman Trowbridge asked the Commission for questions for the applicant or staff.

508  
509 Commissioner Welch asked concerning the garages, would they be detached or open. Mr.  
510 Dillard explained that each house would have a two car garage enclosed with a door.  
511 Commissioner Welch asked the applicant to speak more of the plan they have for the floor  
512 layout and sizes. Mr. Dillard explained that they would like the market and the residents of  
513 Rockwall to tell them what they want, their thought is to sell the lots to say three home builders  
514 that do quality work and those would then build to suite skeptically what they think is going to  
515 work for the residents of Rockwall.

516  
517 Commissioner Logan expressed concern with the high density concept of this development and  
518 what it can turn into in the long term. Mr. Lewis stated that the average price for the homes will  
519 be \$375k with the bigger units at higher costs. They're looking to use builders that will provide  
520 high quality custom homes.

521  
522 General discussion took place concerning the layouts proposed, setbacks off of Dalton Road  
523 and the right of way they're proposing to not include.

524  
525 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
526 Commission for action at the next scheduled meeting.

527  
528  
529 11. Z2017-044 (David)

530 Hold a public hearing to discuss and consider a request by Sydney Brown of Godspeed Motors, LLC on  
531 behalf of the owner Greg Ollom for the approval of a Specific Use Permit (SUP) for an *Indoor Motor*  
532 *Vehicle Dealership/Showroom, New and/or Used* on a one (1) acre tract of land identified as Tract 5-1 of  
533 the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light  
534 Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1785 E. IH-30,  
535 and take any action necessary.

536  
537 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
538 is requesting approval for an SUP to allow for an Indoor Motor Vehicle Dealership to include new  
539 and or used vehicles. All business has to be operated in the inside of the building there cannot  
540 be any outside display of vehicles or detailing. The SUP will be for suite #1 which is a 50x 50  
541 approximately 2,500 square foot suite within the 12,500 square foot facility.

542  
543 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
544 well as staff.

545  
546 Vice-Chairman Trowbridge asked the applicant to come forward and speak.

547  
548 Sydney Brown  
549 2003 Evergreen  
550 Rowlett, TX

551  
552 Mr. Brown came forward and stated he is requesting stated he is requesting a Specific Use  
553 Permit for an Indoor Motor Vehicle Showroom and he was available for any question the  
554 Commission has.

555  
556 Vice-Chairman Trowbridge asked if he currently operates a car dealership in Rowlett. Mr. Brown  
557 stated he does not.

558  
559 Commissioner Chodun asked if there was currently signage at the location. Mr. Gonzales stated  
560 there was existing signage for the property however there is an allowance for one pole sign for  
561 example if it is a directory sign where there is several names on it he could have his business  
562 name added to it.

563  
564 Commissioner Fishman asked if they felt this type business would be successful in Rockwall.  
565 Mr. Brown stated he believes it would be.

566

567 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
568 Commission for action at the next scheduled meeting.  
569

570  
571 12. Z2017-045 (Korey)

572 Hold a public hearing to discuss and consider a request by David L. and Sue W. Hodgdon for the  
573 approval of a zoning change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0)  
574 District on a 12.327-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69,  
575 City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 1085 Dalton  
576 Road, and take any action necessary.  
577

578 Planner, Korey Brooks, stated the applicant was present and could discuss his request and staff  
579 was available for questions.  
580

581 David Hodgdon  
582 1085 Dalton Road  
583 Rockwall, TX  
584

585 Mr. Hodgdon stated they have owned the land for more than 30 years and they want to sell the  
586 front part of it which is lot 1 and in order to do that they have to change the zoning.  
587

588 Mr. Brooks added that there 2 tracts on the lot and the UDC states that in order to build a home  
589 on an Agriculturally zoned property it must be 10 acres or more and after subdividing both lots  
590 neither would be 10 acres and that is the reason they are bringing forward the request to change  
591 the zoning from AG to Single-Family 2.0 which is low density.  
592

593 There being no questions Vice-Chairman Trowbridge indicated this case will return to the  
594 Commission for action at the next scheduled meeting.  
595

596 Mr. Brooks noted that Agenda item #17 is for the plat and it will be taken to the Park Board next  
597 week to have park fees established and will come back on the consent agenda at the next  
598 scheduled meeting.  
599

600  
601 13. Z2017-046 (David)

602 Hold a public hearing to discuss and consider a request by Jim Douglas of Douglas Properties, Inc. on  
603 behalf of Isabel Garrett of the McClendon Company for the approval of an amendment to Planned  
604 Development District 82 (PD-82) for the purpose incorporating an additional 59.065-acre tract of land  
605 into the existing single-family development being a 81.49-acre tract of land creating a 140.555-acre tract  
606 of land identified as a portion of Tract 8 and all of Tract 16 of the J. A. Ramsay Survey, Abstract No.  
607 186, City of Rockwall, Rockwall County, Texas, Planned Development District 82 (PD-82) and  
608 Agricultural (AG) District, situated on the west side of Rochell Road south of SH-276, and take any  
609 action necessary.  
610

611 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
612 is seeking to amend PD-82 to add an additional 148 units to the existing 204 units for a total of  
613 352 single family homes. Mr. Gonzales advised the Commission that the applicant was present  
614 and would discuss his request and staff is available for questions.  
615

616 Vice-Chairman Trowbridge asked the applicant to come forward and speak.  
617

618 Jim Douglas  
619 Douglas Properties  
620 2309 Avenue K  
621 Plano, TX  
622

623 Mr. Douglas came forward and provided a power point that went over the concept plan and  
624 layout of the request. He stated that that the tract of land is currently under contract and they are  
625 getting ready to develop PD-82 and this additional tract is where the antenna towers are located.  
626 He explained that looking at the layout of the property it is made up of 65 and 85 foot wide lots  
627 and they've placed the open space next to the towers as a buffer and will be adding an additional  
628 playground, dog park and a trail which is an extension of what is already required for PD-82.  
629 Bloomfield Homes will be the builder for the subdivision which provides a lot of variation of

630 architecture. They have the larger lots and will incorporate a combination of the front and j-  
631 swing and side entry garages that is required under PD-82. It is approximately 59 acres which  
632 will be added to the current 81 acres of PD-82 for a total of 148 acres and the overall density is  
633 about 2.5 units per acre.

634  
635 Mr. Gonzales added that concerning the garage orientation for the new subdivision, Phase I will  
636 maintain what was approved which is 30% j-swing however for this case the applicant is  
637 requesting to allow for 100% front entry.

638  
639 Vice-Chairman Trowbridge asked for questions from the Commission.

640  
641 Commissioner Chodun asked what PD-82 originally was zoned as and is the new Phase that is  
642 being proposed currently low density. Mr. Gonzales stated yes it is and it was originally AG  
643 zoned property.

644  
645 Vice-Chairman Trowbridge asked if they were developing the homes or just the land. Mr.  
646 Douglas stated they would be developing the land and Bloomfield Homes would be the builder.

647  
648 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
649 Commission for action at the next scheduled meeting.

650  
651  
652 14. Z2017-047 (Korey)

653 Hold a public hearing to discuss and consider a request by Trent Hyde for the approval of a Specific  
654 Use Permit (SUP) to allow for an accessory building that does not meet the minimum requirements as  
655 stipulated by Article IV, *Permissible Uses*, of the Unified Development Code for a 0.830-acre tract of  
656 land identified as the Wilson Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family  
657 10 (SF-10) District, addressed as 218 W. Quail Run Road, and take any action necessary.

658  
659 Planner, Korey Brooks, stated the applicant was present and would be discussing his request  
660 and staff would be available for questions.

661  
662 Vice-Chairman Trowbridge asked the applicant to come forward and speak.

663  
664 Trent Hyde  
665 218 W. Quail Run Road  
666 Rockwall, TX

667  
668 Mr. Hyde came forward and stated he is requesting to build a barn that will be  
669 approximately 700 square feet Morgan building and although one of the codes indicates a 15  
670 foot maximum height, he would like to do the ridge vents on top and those are 2 feet, he can  
671 lower the building 2 feet at the peak to hit the 15 foot requirement however from the street he  
672 believes it would look funny.

673  
674 Vice-Chairman Trowbridge asked if the main structure was a one or two story home and where  
675 would the building be situated on the property. Mr. Hyde stated it is a one story and the building  
676 would be built in the rear of the property.

677  
678 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
679 Commission for action at the next scheduled meeting.

680  
681 Vice-Chairman Trowbridge called a recess at 7:43 p.m.

682  
683 Vice-Chairman Trowbridge called the meeting back to order at 7:55 p.m. and moved to Agenda  
684 item #8.

685  
686 15. Z2017-048 (Korey)

687 Hold a public hearing to discuss and consider a request by Russell Phillips on behalf of Sandra  
688 McMullen for the approval of a Specific Use Permit (SUP) for a *mini-warehouse* facility on an 8.733-acre  
689 tract of land identified as a portion of Lot 16 and all of Lot 14, Rainbow Acres Addition, City of Rockwall,  
690 Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 259 Ranch  
691 Road, and take any action necessary.

693 Planner, Korey Brooks, advised the Commission that the applicant was present and would be  
694 discussing the case and staff was available for questions.  
695

696 Vice-Chairman Trowbridge asked the applicant to come forward and speak.  
697

698 Russell Phillips  
699 521 Lorraine Lane  
700 Heath, TX  
701

702 Mr. Phillips came forward and stated he is requesting a Specific Use Permit for a mini storage  
703 facility off of Ranch Trail. He provided pictures of where within the buildings they are proposing  
704 to incorporate the masonry and an aerial of the site that showed the surrounding metal buildings  
705 and a tree line of tall cedars that surround the subject property that he feels will provide ample  
706 coverage and buffering as it will serve as a natural barrier as opposed to incorporating a fence.  
707

708 Vice-Chairman Trowbridge asked what the SUP was specifically for, was it for the actual type of  
709 masonry product type they are proposing. Mr. Brooks stated the SUP is to allow the mini storage  
710 in a Commercial District.  
711

712 Vice-Chairman Trowbridge asked the applicant if he had a franchise that was going to run the  
713 business or would he be running it himself. Mr. Phillips stated they will run it themselves  
714 however they will probably hire a company early on to manage it properly.  
715

716 Commissioner Logan asked concerning visibility of the business to attract customers since with  
717 the tree line it appears it won't be very visible. Mr. Russell stated he feels there is a strong  
718 enough demand for this type business where visibility is not necessarily the driving factor to  
719 attract clientele.  
720

721 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
722 Commission for action at the next scheduled meeting.  
723  
724

725 16. Z2017-049 (Ryan)

726 Hold a public hearing to discuss and consider a request by John Arnold of the Skorburg Company on  
727 behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District  
728 74 (PD-74) to amend the concept plan and for the purpose of incorporating changes to the lot  
729 composition stipulated by the development standards contained in *Exhibit 'C' of Ordinance No. 16-59*  
730 for a 405.184-acre tract of land identified as the Breezy Hill Subdivision and situated within the J.  
731 Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-  
732 552 and west of Breezy Hill Road, and take any action necessary.  
733

734 Planning Director, Ryan Miller, advised the Commission that the applicant was present and  
735 would be presenting the case and staff would be available for questions.  
736

737 Vice-Chairman Trowbridge asked the applicant to come forward and speak  
738

739 Adam Buzcek  
740 8214 Westchester Drive Suite 710  
741 Dallas, TX  
742

743 Mr. Buzcek came forward and provided a slide show presentation which showed a map of the  
744 proposed changes and he gave a quick overview of the request stating that the current PD plat  
745 for Breezy Hill Estates is composed of 776 residential lots and is 2 units per acre with 20% open  
746 space. What they are requesting with the proposed master plat is to reduce the number of lots in  
747 the subdivision to 750 for the purpose constructing additional 100' x 200' and 100' x 180' lots it  
748 is a decrease in density from 1.92 to 1.85 Concerning the garage orientation they are asking to  
749 allow up to 50% of the remaining 94, 70' x 120' lots to incorporate a flat front entry garage. The  
750 power point showed the type mix change and highlighted where within the property those  
751 changes apply to.  
752

753 Mr. Buzcek advised the Commission he was available for questions.  
754  
755

756 Vice-Chairman Trowbridge asked why they would lower their density and give up the economic  
757 profit of more houses. Mr. Buzcek stated that it is market driven, the 100 foot lots have done very  
758 well and are a very in demand product that the consumer is asking for.  
759

760 General discussion took place concerning the garage orientation they're requesting.  
761

762 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
763 Commission for action at the next scheduled meeting.  
764

765  
766 17. P2017-049 (Korey)

767 Hold a public hearing to discuss and consider a request by David L. and Sue W. Hodgdon for the  
768 approval of a final plat for Lots 1 & 2, Block A, Hodgdon Addition being a 12.36-acre tract of land  
769 identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County,  
770 Texas, zoned Agricultural (AG) District, addressed as 1085 Dalton Road, and take any action  
771 necessary.  
772

773 This Agenda item was discussed together with Agenda item #12.  
774

775  
776 18. SP2017-030 (David)

777 Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Randall Noe of  
778 Rockwall Rental Properties, LP for the approval of a Site Plan for a motor vehicle dealership on a 4.86-  
779 acre tract of land identified as Tract 5 of the N. M. Ballard Survey, Abstract No. 99, City of Rockwall,  
780 Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV)  
781 District, addressed as 1415 & 1501 E. IH-30, and take any action necessary.  
782

783  
784 Senior Planner, David Gonzales, advised the Commission that the applicant was present and  
785 would go over the case and staff is available for questions.  
786

787 Vice-Chairman Trowbridge asked the applicant to come forward and speak.  
788

789 Chris Cuny  
790 FC Cuny Corporation  
791 2 Horizon Court  
792 Heath, TX  
793

794 Mr. Cuny came forward and stated they are requesting approval of the site plan, they received  
795 staff comments back and for the most part they are okay with those, the met with the  
796 Architectural Review Board and they expressed some concern over the articulation in some of  
797 the side elevations with those comments they will go back to Subaru and work thru addressing  
798 those comments and concerns. They will be seeking a variance in a parking requirement but  
799 they will bring that forward at the next meeting.  
800

801 There being no questions Vice-Chairman Trowbridge indicated the case will return to the  
802 Commission for action at the next scheduled meeting.  
803

804  
805 19. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).  
806

- 807 ✓ P2017-047: Final Plat for Fontanna Ranch, Phase III [Approved]  
808 ✓ Z2017-031: Zoning Change (AG to SF-1) [950 Clem Road] (1<sup>st</sup> Reading) [Approved]  
809 ✓ Z2017-036: SUP for 1310 Summer Lee Drive (1<sup>st</sup> Reading) [Approved]  
810 ✓ Z2017-037: Zoning Change (SFE-4.0 to C) [259 Ranch Trail] (1<sup>st</sup> Reading) [Approved]  
811 ✓ Z2017-038: SUP for 302 Ranch Trail (1<sup>st</sup> Reading) [Approved]  
812 ✓ Z2017-039: Zoning Change (AG to GR) (1<sup>st</sup> Reading) [Remanded Back to P&Z and Combined w/  
813 Z2017-040]  
814 ✓ Z2017-040: Zoning Change (AG to PD) (1<sup>st</sup> Reading) [Postponed to October 2, 2017]  
815 ✓ SP2017-024: Variance to the Roof Requirements for Freddy's Frozen Custard [Approved]  
816 ✓ SP2017-025: Variance for Materials for Cornerstone Church [Approved]  
817  
818


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

821  
822  
823  
824 VII. ADJOURNMENT

825  
826 Vice-Chairman Trowbridge adjourned the meeting at 9:43 p.m.

827  
828  
829  
830  
831 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
832 ROCKWALL, Texas, this 14 day of November, 2017.

833  
834  
835  
836   
837 \_\_\_\_\_  
838 Johnny Lyons, Chairman

839 Attest  
840   
841 \_\_\_\_\_  
842 Laura Morales, Planning Coordinator



**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**October 10, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

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

II. CONSENT AGENDA

1. Approval of Minutes for the July 11, 2017 Planning and Zoning Commission meeting.
2. Approval of Minutes for the September 12, 2017 Planning and Zoning Commission meeting.

3. P2017-049

Discuss and consider a request by David L. and Sue W. Hodgdon for the approval of a final plat for Lots 1 & 2, Block A, Hodgdon Addition being a 12.36-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 1085 Dalton Road, and take any action necessary.

4. P2017-033

Discuss and consider a request by Mario Ramirez for the approval of a replat for Lot 1, Block K, Rockwall Lake Estates West being a 0.27-acre tract of land identified as Lots 908, 909 & 910, Block E, Rockwall Lake Estates #1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses, addressed as 894 & 908 Lakeside Drive, and take any action necessary.

**Commissioner Chodun made a motion to approve the consent agenda. Commissioner Welch seconded the motion which passed by a vote of 4-0, with Chairman Lyons and Commissioners Logan and Moeller absent.**

III. APPOINTMENTS

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

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

**Vice Chairman Trowbridge advised the Commission that items #10 and #12 would be moved up on the agenda.**

IV. PUBLIC HEARING ITEMS

6. Z2017-041

Hold a public hearing to discuss and consider a request by Mark Latham for the approval of a zoning change from a Multi-Family 14 (MF-14) District to a Downtown (DT) District for a 0.17-acre tract of land identified as part of Lots 1, 2 & 3, Block H, Eppstein Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the Historic Overlay (HOV) District, addressed as 310 S. Fannin Street, and take any action necessary.

64 Planner Brooks advised the Commission that the applicant has requested to withdraw the case.

65  
66 Commissioner Welch made a motion to accept the withdrawal as requested. Commissioner  
67 Fishman seconded the motion which passed by a vote of 3-1 with Vice-Chairman Trowbridge  
68 dissenting, Chairman Lyons and Commissioners Logan and Moeller absent.

69  
70  
71 7. Z2017-042

72 Hold a public hearing to discuss and consider a request by Jay Odom for the approval of a zoning  
73 change from a Single Family 7 (SF-7) District to a Downtown (DT) District for a 0.21-acre parcel of land  
74 identified as Lot D-1, Block 122, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas,  
75 zoned Single Family 7 (SF-7) District, situated within the Historic Overlay (HOV) District, addressed as  
76 201 Olive Street, and take any action necessary.

77  
78 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
79 is requesting to rezone the subject property from a Single Family 7 District to Downtown District.  
80 The subject property is a Non Contributing property, is located within the Historic Overlay  
81 District and Old Town Rockwall Historic District. The property is currently vacant and is situated  
82 adjacent to Bin 303 and 401 N. Fannin Street. The applicant has stated that the purpose of the  
83 zoning change is to construct an office building. According to the UDC a general office land use  
84 is permitted by-right in the Downtown District. In a letter provided by the applicant, the applicant  
85 has stated that in his opinion an office building would be more suitable for the subject property  
86 compared to a single-family home and that opinion is based on the properties adjacency to a  
87 non-residential land use, Bin 303. Directly north of the subject property is a single-family home  
88 addressed as 405 N. Fannin Street and is designated as a Low Contributing property and is  
89 zoned Single-Family 7 District. Directly south of the subject property is Olive Street followed by  
90 several office buildings zoned Downtown District. Directly east of the subject property is a  
91 single-family home addressed as 401 N. Fannin Street and is designated as a High Contributing  
92 property and is zoned Single-Family 7 District. Directly west of the subject property is Bin 303  
93 and is designated as a High Contributing property and is zoned General Retail.

94  
95 Mr. Gonzales went on to explain that the Future Land Use Map contained in the Comprehensive  
96 Plan designates the subject property for Medium Density Residential land uses. The proposed  
97 zoning change would require this designation to be changed to a Commercial designation. If  
98 approved as an office building, this parcel would provide a transition from a higher intensity  
99 land use to the single-family residential property. If the request is approved, the site plan will  
100 require a recommendation by the Historic Preservation Advisory Board forwarded to the  
101 Planning and Zoning Commission prior to any construction. If the City Council approves the  
102 applicant's request, staff has included a condition of approval that would amend the Future Land  
103 Use Map to reflect the proposed change in land use from a Medium Density Single-Family  
104 Residential to a Downtown District designation.

105  
106 Mr. Gonzales further stated that on September 12, 2017, staff mailed 91 notices to property  
107 owners and residents within 500-feet of the subject property. There is no Homeowner's  
108 Association or Neighborhood Organization located within 1,500-feet participating in the  
109 notification program. Additionally, staff posted a sign on the subject property, and advertised  
110 the public hearings in the Rockwall Harold Banner as required Staff has received two responses  
111 in favor of the applicant's request.

112  
113 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
114 well as staff.

115  
116 Vice-Chairman Trowbridge asked the applicant to come forward.

117  
118 Alison Odom  
119 405 N. Fannin Street  
120 Rockwall, TX

121  
122 Mrs. Odom came forward and advised the Commission she was available for any questions they  
123 may have.

124  
125 Vice-Chairman Trowbridge opened up the public hearing and asked anyone who wished to  
126 speak concerning the case to come forward and do so, there being no one indicating such, Vice-

127 Chairman Trowbridge closed the public hearing and brought the item back to the Commission  
128 for discussion or a motion.

129  
130 Commissioner Chodun made a motion to approve Z2017-042 with staff recommendations.  
131 Commissioner Fishman seconded the motion which passed by a vote of 4-0 with Chairman  
132 Lyons and Commissioners Logan and Moeller absent.

133  
134 8. Z2017-043

135 Hold a public hearing to discuss and consider a request by Austin Lewis of Lewis Real Estate  
136 Investments, Inc. on behalf of Stone Creek Balance, LTD for the approval of an amendment to Planned  
137 Development District 70 (PD-70) to incorporate a single-single family subdivision consisting of 19 single-  
138 family residential homes on a 5.28-acre tract of land identified as Tract 2-7 of the W. T. Deweese  
139 Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, Planned Development District 70  
140 (PD-70) for Single-Family 10 (SF-10) District land uses, located at the southeast corner of the  
141 intersection of Greenway Drive and FM-552, and take any action necessary.

142  
143 Senior Planner, David Gonzales, advised the Commission that the applicant submitted a  
144 memorandum requesting to postpone the case to the next scheduled Planning and Zoning  
145 meeting.

146  
147 Commissioner Fishman made a motion to accept the postponement. Commissioner Chodun  
148 seconded the motion which passed by a vote of 4-0 with Chairman Lyons and Commissioners  
149 Logan and Moeller absent.

150  
151  
152 9. Z2017-044

153 Hold a public hearing to discuss and consider a request by Sydney Brown of Godspeed Motors, LLC on  
154 behalf of the owner Greg Ollom for the approval of a Specific Use Permit (SUP) for an *Indoor Motor*  
155 *Vehicle Dealership/Showroom, New and/or Used* on a one (1) acre tract of land identified as Tract 5-1 of  
156 the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Light  
157 Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1785 E. IH-30,  
158 And take any action necessary.

159  
160 Senior Planner, David Gonzales, gave a brief explanation of the case stating that the applicant is  
161 requesting a Specific Use Permit to allow for an indoor motor vehicle dealership for new and/or  
162 used vehicles. The subject property is located within a Light Industrial District within the IH-30  
163 Overlay District. Directly north of the subject property is a 6.96-acre parcel of land containing a  
164 metal building owned by Rockwall 549/I30 Partners, LP and zoned Light Industrial District.  
165 Directly south of the subject property is IH-30. Beyond that is the 5.96-acre tract of land  
166 identified as Rockwall Kia which is zoned Light Industrial District. Directly east of the subject  
167 property is a metal building on a 1.025-acre tract of land that is adjacent to Conveyor Street and  
168 is zoned Light Industrial District. Directly west of the subject property is the a 9.955-acre vacant  
169 tract of land zoned Agricultural District.

170  
171 Mr. Gonzales went on to explain that the City Council approved an ordinance to include this use  
172 in 2014 to allow for an indoor motor vehicle dealership with stipulations that it would require a  
173 Specific Use Permit not only in the Commercial and Heavy Commercial District but also in the  
174 Light Industrial District. City Council defined specifically within the ordinance that the indoor  
175 storage of operable automobiles in a fully enclosed building for the purpose of holding such  
176 vehicles for sale, lease, distribution, or storage. Those were the conditions should someone  
177 make a request for an indoor motor vehicle use. In this case the applicant is requesting to be in  
178 suite 1 which is a 50x50 2,500 square foot facility and he would be limited by the SUP to that  
179 specific area and nothing would be outside other than signage.

180  
181 Mr. Gonzales further stated that on September 29, 2017, staff mailed 17 notices to property  
182 owners and residents within 500-feet of the subject property. There are no Homeowner's  
183 Associations (HOA's) or Neighborhood Organizations located within 1,500-feet of the subject  
184 property participating in the notification program. Additionally, staff posted a sign on the  
185 subject property, and advertised the public hearings in the Rockwall Harold Banner as required  
186 by the UDC. Staff did not receive any notices regarding the applicant's request.

187  
188 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
189 well as staff.

190 Vice-Chairman Trowbridge asked how many car dealerships are currently on the IH-30 corridor.  
191 Mr. Gonzales stated there are eleven car dealerships as well as one that is on tonight's agenda  
192 requesting approval of a site plan for a Subaru dealership that has not started construction.  
193

194 Commissioner Welch asked if the applicant was leasing or did he own the property, and if it is  
195 leased would the SUP terminate at the time the lease terminated. Mr. Gonzales explained that the  
196 applicant would be leasing and the SUP would stay with the property and if the next tenant does  
197 not continue the same use it would terminate within one year.  
198

199 Commissioner Chodun asked if there was anything such as this existing in the City currently.  
200 Mr. Gonzales stated that there is one currently, internet based such as what the applicant is  
201 proposing.  
202

203 Vice-Chairman Trowbridge asked the applicant to come forward and speak.  
204

205 Sydney Brown  
206 2003 Dover Drive  
207 Rowlett, TX  
208

209 Mr. Brown came forward and explained that they are not the traditional car sales dealership the  
210 location they are looking to house from is not designated to be a car lot since they will strictly be  
211 indoors in the confined building. The business is run over the phone or via internet. Typically  
212 when they purchase a car it has already been spoken for and the facility serves as a temporary  
213 garage until the customer comes to pick it up. There would not be any vehicles parked outside.  
214 He respectfully asked the Commission for their approval.  
215

216 Vice-Trowbridge asked the amount of vehicles they anticipate having at any one time. Mr. Brown  
217 sated approximately seven.  
218

219 Commissioner Welch asked staff if the Fire Marshall had any input concerning the request.  
220 Planning Director, Ryan Miller, explained that the Fire Marshall gave the applicant comments and  
221 they would have to adhere to all fire codes.  
222

223 Commissioner Fishman asked the reason for the applicant's desire to be in Rockwall. Mr. Brown  
224 stated the feel the demographics and the market of Rockwall are very good.  
225

226 Commissioner Chodun asked if it is a good market but are  
227

228 Vice-Chairman Trowbridge asked concerning the sales tax revenue. Mr. Brown explained that it  
229 is \$6.25 to the State.  
230

231 Vice-Chairman Trowbridge opened up the public hearing and asked if anyone wished to speak  
232 concerning the case to come forward and do so, there being no one indicating such, Vice-  
233 Chairman Trowbridge closed the public hearing and brought the item back to the Commission  
234 for discussion or a motion.  
235

236 General discussion took place between the Commission concerning if this would be a use that  
237 would fit this type of business in this area and the success of this type of business.  
238

239 Commissioner Welch made a motion to approve Z2017-044. Commissioner Fishman seconded  
240 the motion which passed by a vote of 4-0 with Chairman Lyons and Commissioners Moeller and  
241 Logan absent.  
242

243  
244 10. Z2017-045

245 Hold a public hearing to discuss and consider a request by David L. and Sue W. Hodgdon for the  
246 approval of a zoning change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0)  
247 District on a 12.327-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69,  
248 City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 1085 Dalton  
249 Road, and take any action necessary.  
250  
251

252 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
253 requesting to rezone the property from an Agricultural District to a Single-Family Estate 2.0  
254 District for the purpose of constructing one single-family home. The applicant has also  
255 submitted a request to final plat one tract of land into two parcels of land. According to the  
256 Unified Development Code a single-family dwelling is allowed on any Agriculture District zoned  
257 property that is more than ten acres. Since the resulting subject properties will be less than ten  
258 acres, the tracts will need to be rezoned. Currently, floodplain traverses the property and should  
259 any improvements impact the floodplain, the applicant could be required to submit a flood  
260 study. Directly north of the subject property is Dalton Road which is identified as a Major  
261 Collector, four lane, undivided roadway and beyond this is a tract of vacant land that is zoned  
262 Agriculture District. Directly south of the subject property is a single-family residential  
263 subdivision and beyond this is Ashbourne Drive which is identified as a Minor Collector. Directly  
264 east of the subject property is a single-family residential subdivision zoned Planned  
265 Development District and beyond that is a large tract of land that is zoned Agricultural District.  
266 And directly west of the subject property is a single-family residential subdivision zoned Single-  
267 Family 10 and beyond that is a large tract of land, which is Takeline that is outside of the City  
268 Limits.

269  
270 Mr. Brooks went on to explain that the Future Land Use Map, adopted with the Comprehensive  
271 Plan, designates the subject property for Medium-Density Residential land uses, which are  
272 defined as single-family developments with 2 to 3 units per gross acre. The applicant's request  
273 is in conformance with the Future Land Use Map.

274  
275 Mr. Brooks further stated that on September 29, 2017, staff sent 66 notices to property owners  
276 and residents within 500-feet of the subject property and situated in the City Limits. Staff also  
277 notified the Shoal Creek and Hidden Valley Homeowner's Associations which are the only  
278 HOA's/Neighborhood Associations within 1,500feet. Staff did not receive any notices concerning  
279 this case.

280  
281 Mr. Brooks advised the Commission the applicant was present and available for questions as  
282 well as staff.

283  
284 Vice-Chairman Trowbridge opened up the public hearing asked the applicant if he had any  
285 additional information to provide.

286  
287 David Hodgdon  
288 (No address given)

289  
290 Mr. Hodgdon did not provide any additional information, advised the Commission he was  
291 available for any questions they may have.

292  
293 Vice-Chairman Trowbridge opened up the public hearing and asked if there was anyone wishing  
294 to speak to come forward and do so.

295  
296 Joann Pepper  
297 2621 Egan Ridge Lane  
298 Rockwall, TX

299  
300 Ms. Pepper asked what will happen to the trees east of lot 1 along the take line. Mr. Brooks  
301 explained that those trees are primarily in the floodplain which is an area that cannot be built on  
302 and therefore they will be preserved.

303  
304 Vice-Chairman Trowbridge asked if there was anyone else to wish to speak to come forward and  
305 do so, there being no one indicating such, Vice-Chairman Trowbridge closed the public hearing  
306 and brought the item back to the Commission for discussion or a motion.

307  
308 Commissioner Welch made a motion to approve Z2017-045 with staff recommendations.  
309 Commissioner Fishman seconded the motion which passed by a vote of 4-0, with Chairman  
310 Lyons and Commissioners Logan and Moeller absent.

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11. Z2017-046

Hold a public hearing to discuss and consider a request by Jim Douglas of Douglas Properties, Inc. on behalf of Isabel Garrett of the McClendon Company for the approval of an amendment to Planned Development District 82 (PD-82) for the purpose incorporating an additional 59.065-acre tract of land into the existing single-family development being a 81.49-acre tract of land creating a 140.555-acre tract of land identified as a portion of Tract 8 and all of Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, Planned Development District 82 (PD-82) and Agricultural (AG) District, situated on the west side of Rochell Road south of SH-276, and take any action necessary.

Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant is requesting to amend PD-82. He provided a location map showing that the subject property is right below the Timber Creek Subdivision, right at the city limits. Fontanna Ranch is located south and west of the subject property and to the west there is also a multiple antenna tower for the IHEARTMEDIA Tower Company which somewhat creates a buffer. The applicant is requesting to amend PD-82 which was approved for 204 single lots last year and the lot mix that was approved at that time were 65 and 80 foot lots with minimum lot area of 8,125 square feet for the 65's and 10,000 square feet for the 80's. According to the concept plan for Phase II, the applicant is requesting to provide an additional 148 single-family residential lots. The amendment would allow for a total of 352 single-family lots 148 proposed lots Phase II plus 204 lots in Phase I, with a minimum lot size of 8,125 square feet. The Concept Plan for Phase II indicates the larger 10,000 square foot lots which would be 80' x 120 will be located along the northern boundary of the subject property, adjacent to the Sterling Farms and Timber Creek Additions. The 8,125 SF lots will be located in the center of the addition, and along the eastern boundary of the subject property creating a transition of the lots, while lining up with those in Phase I. The applicant intends to purchase a portion of the property from IHeartMedia for the purpose of dedicating this as right-of way, and connecting the minor collector street (Street H) to Guadalupe Drive in the Fontanna Ranch Subdivision this will create access for the neighborhoods to the elementary school, all parks, and conforms to the City's Master Thoroughfare Plan. The proposed development of Phase II will provide an additional 6.45-acre park with amenities such as a playground, Dog Park, benches, and an 8-ft meandering trail that also provides access to the 9.0-acre public park located in Phase I. The Concept Plan indicates the inclusion of 12.0-acres of net open space exceeds the minimum 20% requirement. The location of the park and open space along the western boundary of the development of Phase II will provide an additional buffer from the IHeartMedia Tower Company's antenna park. The applicant has also indicated that a minimum of a 10-ft landscape buffer along the proposed minor collector street (Street H) will include large canopy trees planted along the perimeter of the roadway at a minimum of 50-ft intervals. The applicant will also be required to provide a minimum of a five 5 foot sidewalk that will be constructed within the rights-of-way of the development.

Mr. Gonzales further explained that the applicant is requesting 100% front entry garages and will require the Commission to decide how they want to proceed with the j-swing drives. Also, it will require a waiver to the alley requirement since they will not have alleys with the front entry drive and it will require City Council approval. The Future Land Use Map contained within the Comprehensive Plan designates the subject property as Low Density Residential land uses. According to the Comprehensive Plan, the Low Density Residential designation is generally defined as single family development consisting of less than 2 units per acre; however, a density up to 2.5 units per gross acre may be allowed within a Planned Development district that includes the dedication and/or development of additional amenities that exceed the minimum standards for residential Planned Developments. In this case, the applicant is proposing a density of 2.50 units per gross acre and is proposing an approximately 6.45-acre park incorporating an 8 foot concrete hike and bike trail system, a playground area, Dog Park, benches, and other features as depicted on the Park Concept Plan. This is inclusive of the 9.0-acre public park that was approved with Phase I.

Mr. Gonzales went on to explain that the proposed zoning does appear to conform to the majority of the Comprehensive Plan's policies and guidelines with the exception of the required proximity of residential lots less than 12,000 sq. ft. to a neighborhood oriented park or open space. The Comprehensive Plan's policy requires the lots to be no further than 800-ft from a public park or open space in order to benefit from a property value premium. An approximation of no more than 7 lots, or 4.7% of the lots located in the North East quadrant of the development

377 are not within the 800-ft. minimum distance requirement. The proposed Concept Plan is a  
378 discretionary decision for the City Council.  
379

380 Mr. Gonzales went on to state that on September 29, 2017, staff mailed 142 notices to property  
381 owners and residents within 500-feet of the subject property. Staff also emailed notices to the  
382 Lofland Farms, Timber Creek, and Fontana Ranch Homeowner's Associations. Staff received  
383 two notices in opposition to the request.  
384

385 Mr. Gonzales advised the Commission that the applicant was present and available for questions  
386 as well as staff.  
387

388 Mr. Miller pointed out in the location map provided that the zoning request is for the entire PD-  
389 82.  
390

391 Commissioner Chodun asked staff if the applicant was requesting to amend the entire PD to  
392 allow front entry, or just Phase II. Mr. Gonzales stated it would be just for Phase II and Phase I  
393 will remain the same which allows 70% front entry and 30% j-swing, in combination to both it  
394 would be 80/20% total.  
395

396 Vice-Trowbridge asked the applicant to come forward and speak.  
397

398 Jim Douglas  
399 Douglas Properties  
400 2309 Avenue K  
401 Plano, TX  
402

403 Mr. Douglas came forward and provided a power point presentation and gave a brief explanation  
404 of the request which detailed the park and park amenities that would be provided. Bloomfield  
405 Homes will be the builder and the garages both front entry or j-swing they use cedar upgraded  
406 doors and they use different architecture looks which will have a good drive up appeal they use  
407 a variation of brick and stone and are upgraded homes. He explained that what can be done in  
408 this subdivision is instead of having the 80/20 mix only in Phase I they can have it spread  
409 throughout as there is a good mix of the two size lots throughout. He went on to say that they  
410 are careful to use different floor plans and elevations to get the variation of the look. They will  
411 take the radio tower lot and make it more of an as best they can by having the open space next  
412 to it instead of the houses and they feel that is a good use of the land as well as connecting the  
413 park with the other park in the original PD. Concerning the roadway to the south, they have  
414 talked to the people that have the towers and they have agreed to work with them to buy that  
415 strip of land to allow the street connection.  
416

417 Mr. Douglas advised the Commission he was available for any questions.  
418

419 Commissioner Chodun asked who would be responsible for maintaining the open space and  
420 would there be two HOA's. Mr. Douglas stated it would be the Home Owner's Association that  
421 would maintain both phases and there will only be one HOA.  
422

423 Commissioner Fishman asked the reason for why they're utilizing more front face garages as  
424 opposed to the j-swing. Mr. Douglas stated the consumer shows to prefer the front face to allow  
425 them to have more yard and less driveway.  
426

427 Vice-Chairman Trowbridge opened up the public hearing and asked anyone who wished to  
428 speak concerning the case to come forward and do so.  
429

430 Kevin Baswell  
431 1715 FM549  
432 Rockwall, TX  
433

434 Mr. Baswell came forward and showed where his property was located using the provided  
435 location map. He asked for clarification concerning the north drive that Mr. Douglas spoke of to  
436 get to FM549. Mr. Baswell generally expressed being in opposition of the request, he would like  
437 the City not to add anymore residential area into this area that at one time was rural. He stated  
438 that when he bought his acreage property, that is one of the things that drew him to Rockwall.  
439 He doesn't agree with how his neighbor to the south was allowed to replat ten acres into two 5

440 acre lots to build two separate homes, he feels that has caused him to lose privacy to the south  
441 side of him.

442  
443 Joanne Pepper  
444 2621 Egan Ridge Lane  
445 Rockwall, TX  
446

447 Ms. Pepper came forward and asked if there has been a study done to see if the schools in the  
448 surrounding area can accommodate the additional 352 houses that are being built. Mr. Miller  
449 explained that the school does base their planning off of the City's Future Land Use Map, and  
450 this property was indicated to be a Low Density Residential and this proposal does conform to  
451 that.

452  
453 Vice-Chairman Trowbridge asked if there was anyone else wishing to speak, there being no one  
454 indicating such Vice-Chairman asked the applicant to come forward and offer any rebuttal.  
455

456 Mr. Douglas came forward and stated that concerning the roadway, the tower people own a strip  
457 along the north side which is how they access the towers, and even without that there will still  
458 be three points of access.  
459

460 Commissioner Welch asked if on the j-swing would it be primarily a third car garage. Mr.  
461 Douglas stated that j-swing were exclusively three car garages therefore it would be a  
462 combination of two and three's.  
463

464 Vice-Chairman Trowbridge closed the public hearing and brought the item back to the  
465 Commission for discussion or a motion.  
466

467 Commissioner Fishman stated she sees how the two phases work well providing a lot of nice  
468 amenities, she however did express some reservation in approving a phase that would allow  
469 100% front entry, she would like to see the j-swing mixed in more throughout the phase. She  
470 also would like to see consistency coming out of the Commission that when they are approving  
471 j-swings that they are staying consistent, would like for them to push to adhere to what Phase I  
472 has of 70/30 to see that reflected in Phase II.  
473

474 Vice-Chairman Trowbridge generally agreed with Commissioner Fishman's comments and  
475 reservations.  
476

477 Commissioner Chodun also generally agreed with Commissioner Fishman, he feels they should  
478 stay consistent.  
479

480 Commissioner Welch generally expressed being in favor of the request he agrees that the  
481 market is calling for more front entry garages. He feels that as a Commission they should not  
482 only look for how they've decided on things in the past but also what the community wants.  
483

484 Commissioner Chodun made a motion to approve the amendment to PD-82 with staff conditions  
485 and to include a recommendation for the entire PD to incorporate front entry driveways with a  
486 minimum of 30% in a "J" swing configuration and the remaining 70% of the driveways to be a  
487 front entry configuration and situated equal to or behind the front façade of the primary  
488 structure. Commissioner Fishman seconded the motion, which passed by a vote of 3-1, with  
489 Commissioner Welch dissenting and Chairman Lyons and Commissioners Logan and Moeller  
490 absent.  
491

492 12. Z2017-047

493 Hold a public hearing to discuss and consider a request by Trent Hyde for the approval of a Specific  
494 Use Permit (SUP) to allow for an accessory building that does not meet the minimum requirements as  
495 stipulated by Article IV, *Permissible Uses*, of the Unified Development Code for a 0.830-acre tract of  
496 land identified as the Wilson Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family  
497 10 (SF-10) District, addressed as 218 W. Quail Run Road, and take any action necessary.  
498  
499

500 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
501 requesting the approval of a Specific Use Permit to allow for an accessory building that does not  
502 meet the minimum requirements stipulated in the UDC. The subject property is a 0.830-acre



503 tract of land zoned Single-Family 10 District. The applicant is proposing to construct a 20 foot  
504 tall metal building that will be approximately 700 square feet. The proposed accessory building  
505 will be located behind the main structure 11 feet from the side property line and 70feet from the  
506 rear property line. Additionally, the accessory building will be screened from public view with a  
507 fence. According to the UDC, properties within a Single-Family 10 District are permitted two  
508 accessory buildings that are a maximum of 225 square feet. In addition, the UDC states that an  
509 accessory building shall be clad with the same materials that are found on the primary structure.  
510 In this case, the proposed accessory building will be 475 square feet larger than what is  
511 permitted by the ordinance, constructed out of metal. As a result, the applicant is required to  
512 apply for a SUP. The approval of this SUP is a discretionary decision for the Planning and  
513 Zoning Commission and City Council.

514  
515 Mr. Brooks further stated that on September 29, 2017, staff mailed 43 notices to property owners  
516 and occupants within 500-feet of the subject property and also notified the Shores/Ray Hubbard,  
517 Stone Creek and Quail Run Valley Homeowner's Associations which are the only HOA's and/or  
518 Neighborhood Organizations within 1,500-feet of the subject property and participating in the  
519 notification program. Additionally, staff posted a sign on the subject property as required by the  
520 UDC. Staff received one email and notice in favor and one notice in opposition of the request.

521  
522 Mr. Brooks advised the Commission the applicant was present and available for questions as  
523 well as staff.

524  
525 Vice-Chairman Trowbridge opened up the public hearing and asked the applicant to come  
526 forward.

527  
528 Trent Hyde  
529 218 W. Quail Run Road  
530 Rockwall, TX

531  
532 Mr. Hyde came forward and stated he is looking to build a 700 foot building that will be on  
533 cement slab. It will be a Morgan building and he would like to add the ridge vent and will have  
534 good curb appeal.

535  
536 Commissioner Fishman asked what the applicant would be using the accessory building for. Mr.  
537 Hyde stated it will be used for storage, tractors and his vehicles.

538  
539 Vice-Chairman Trowbridge asked if there was anyone wishing to speak concerning the case to  
540 come forward and do so.

541  
542 Michael Hunter  
543 Quail Run Road  
544 Rockwall, TX

545  
546 Mr. Hunter came forward and stated he resides within the neighborhood of Mr. Hyde and is in  
547 support of the request. He also spoke with the other five neighbors on Quail Run and he  
548 indicated they also are in favor of the request.

549  
550 Vice-Chairman Trowbridge asked if there was anyone else to wish to speak to come forward and  
551 do so, there being no one indicating such, Vice-Chairman Trowbridge closed the public hearing  
552 and brought the item back to the Commission for discussion or a motion.

553  
554 Commissioner Fishman made a motion to approve Z2017-047 with staff recommendations.  
555 Commissioner Welch seconded the motion which passed by a vote of 4-0 with Chairman Lyons  
556 and Commissioners Moeller and Logan absent.

557  
558 13. Z2017-048

559 Hold a public hearing to discuss and consider a request by Russell Phillips on behalf of Sandra  
560 McMullen for the approval of a Specific Use Permit (SUP) for a *mini-warehouse* facility on an 8.733-acre  
561 tract of land identified as a portion of Lot 16 and all of Lot 14, Rainbo Acres Addition, City of Rockwall,  
562 Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 259 Ranch  
563 Road, and take any action necessary.  
564

565 Planner, Korey Brooks, advised the Commission that the caption states that the property is  
566 zoned SFE-4.0, however last month the Commission recommended approval of a zoning change  
567 for this tract and it had not finished going thru Council at the time. That has now gone thru  
568 Council's first reading and is now a Commercial tract of land. Mr. Brooks went on to give a brief  
569 explanation stating that the applicant is requesting the approval of an SUP to allow for a 575 unit  
570 mini-warehouse facility. According to the concept plan and building elevations, the mini-  
571 warehouse facility will be comprised of 24 buildings, ranging in size from 5 storage units to 108  
572 storage units. Additionally, the applicant is proposing a masonry façade on the perimeter of all  
573 buildings that are visible from the street; however, the applicant is proposing to utilize metal  
574 facades on the interior buildings. Most of the surrounding buildings are constructed of metal.  
575 Each building will have drive-up units with roll-up doors and none of the roll-up doors will face  
576 Ranch Trail or Horizon Road. The leasing office will be a 2 story building. With the exception of  
577 the leasing office, the applicant is proposing to provide landscape screening allowing the mini-  
578 warehouse facility to have limited visibility from Ranch Trail and Horizon Road. The northeast  
579 portion of the property is wooded and the applicant is proposing to save trees in the area to act  
580 as a screen to the adjacent properties. Directly north of the subject property are commercial  
581 structures and beyond that is vacant land adjacent to County Line Road, which is identified as a  
582 Minor Collector on the City's Master Thoroughfare Plan and are zoned Commercial. Directly  
583 south of the subject property are commercial structures. Beyond this is vacant land that is  
584 adjacent to FM-3097, which is identified as a Major Collector, 4 lane, divided roadway on the  
585 City's Master Thoroughfare Plan and is zoned Commercial District. Directly east of the subject  
586 property is a large, vacant tract of land that is zoned Agricultural District and beyond that is a  
587 single-family residential subdivision, which is zoned Single-Family Estates 1.5. Directly west of  
588 the subject property is Ranch Trail Road, which is identified as a Minor Collector and beyond  
589 that are commercial structures, that are zoned Commercial District.

590  
591 Mr. Brooks further added that according to the UDC a mini-warehouse is permitted in a  
592 Commercial District by Specific Use Permit, which is a discretionary decision for the Planning  
593 and Zoning Commission and the City Council. If the request be approved, the applicant will be  
594 required to submit a site plan, landscape plan, photometric plan, and building elevations to the  
595 Architectural Review Board and the Planning and Zoning Commission. Additionally, on  
596 September 29, 2017, staff sent 30 notices to property owners and residents within 500-feet of the  
597 subject property. There are no HOA's/Neighborhood Associations within 1,500-feet of the  
598 subject property. Staff received one notice in opposition of the request.  
599

600 Mr. Brooks advised the Commission that the applicant was present to answer any questions as  
601 well as staff.  
602

603 Vice-Chairman Trowbridge asked if there was any zoning within the City that allows mini-  
604 warehouses by right. Mr. Brooks stated the Light Industrial District allows it by right.  
605 Commissioner Chodun asked if Ranch Trail is set up to allow for the egress and digress for that  
606 type of daily use that this request will bring. Mr. Brooks explained that Ranch Trail is identified  
607 as a minor collector two lane road and therefore would be set up for such use.  
608

609 Vice-Chairman Trowbridge asked the applicant to come forward.

610  
611 Russell Phillips  
612 521 Moraine Way  
613 Heath, TX  
614

615 Mr. Phillips came forward and gave a brief explanation of the request. He is looking for an  
616 exception to the 100% masonry requirement; the leasing office will be full masonry which will be  
617 closest to the road and everything that faces Ranch Trail those walls would be full masonry as  
618 well. Heading towards the back of the property there are fourteen to sixteen foot cedars that go  
619 all around the perimeter of the property which he feels gives a nice barrier to any other location.  
620 He doesn't feel there would be an issue with traffic, because most people do not visit very often.  
621 He believes it will be well received in the area.  
622

623 Vice-Chairman Trowbridge asked concerning the tree line surrounding the building. Mr. Phillips  
624 provided pictures which showed where the existing tree line runs thru and indicated he plans on  
625 conserving those trees as they are on the subject property and they will continue to be  
626 maintained.  
627

628 Commissioner Choudun asked staff if the ordinance could require continual screening in the  
629 rear of the property. Mr. Brooks stated the Commission could amend the ordinance to make that  
630 a requirement to include an evergreen screen. Mr. Phillips added that they do not mind that, as  
631 they prefer the natural screening as opposed to other screening methods.  
632

633 Vice-Chairman Trowbridge opened up the public hearing and asked anyone who wished to  
634 speak concerning the case to come forward and do, there being no one indicating such; Vice-  
635 Chairman Trowbridge closed the public hearing and brought the item back to the Commission  
636 for discussion or a motion.  
637

638 Commissioner Welch made a motion to approve Z2017-048 with staff recommendations.  
639 Commissioner Chodun asked Commissioner Welch to amend his motion to include continual  
640 screening. Commissioner Welch accepted and went on to make a motion to approve Z2017-048  
641 with the condition that the developer provides landscape screening along all property lines.  
642 Commissioner Welch seconded the motion which passed by a vote of 4-0 with Chairman Lyons  
643 and Commissioners Moeller and Logan absent.  
644

645 14. Z2017-049

646 Hold a public hearing to discuss and consider a request by John Arnold of the Skorburg Company on  
647 behalf of Breezy Hill 405, LTD for the approval of a zoning amendment to Planned Development District  
648 74 (PD-74) to amend the concept plan and for the purpose of incorporating changes to the lot  
649 composition stipulated by the development standards contained in *Exhibit 'C' of Ordinance No. 16-59*  
650 for a 405.184-acre tract of land identified as the Breezy Hill Subdivision and situated within the J.  
651 Strickland Survey, Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north of FM-  
652 552 and west of Breezy Hill Road, and take any action necessary.  
653

654 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the subject  
655 property is the Breezy Hill Subdivision which was originally put into a 212 Development  
656 Agreement that allowed it to have 810 single family homes. It was then annexed in 2008 and then  
657 zoned in 2009 at which time the property incorporated 59 acres of Commercial which replaced  
658 some of the proposed residential units and the overall lot count ended up 658, that was  
659 amended in 2012 from 658 to 691 and then again in 2014 with a lot count was increased from 691  
660 to 742 they removed some of the school sites that were originally shown in the concept plan  
661 opening up room for more lots, that also reduced the Commercial acreage from 59 acres to 39  
662 acres. Earlier this year the lot count was increased from 742 to 776 and the Commercial acreage  
663 was reduced from 33 acres to 19 acres and that was to allow for 40 new homes in Phase 10. Also  
664 incorporated at the last change was the ability for them to incorporate 20 flat front entry garages,  
665 currently the zoning only allows j-swing where the garage is situated 20 feet behind the front  
666 façade of the house. The applicant has submitted an application requesting to amend Planned  
667 Development District 74 to approve an alternate concept plan and development standards.  
668 Specifically, the applicant is requesting to reduce the number of lots in the subdivision from 776  
669 to 750 for the purpose constructing additional 100' x 200' and 100' x 180' lots. As part of this  
670 request the applicant is also requesting to allow 50% of the remaining 94, 70' x 120' lots to be  
671 allowed to incorporate a flat front entry garage. Currently, PD-74 requires the applicant to  
672 construct 326, 80' x 125' lots. The applicant is requesting to reduce this to 137, 80' x 125' lots for  
673 the purpose of adding 33, 100' x 200' lots and 44, 100' x 180' lots. In addition, the applicant will  
674 be reducing the 60' x 120' lots by 22 and increasing the 70' x 120' lots by 108. These changes  
675 will reduce the overall lot count from 776 lots to 750 lots, reducing the overall density of the  
676 development from 2.02-units/acre to 1.85-units/acre. These changes will necessitate creating 2  
677 new lot types which would be type 'F' & 'G' The Type 'F' lot is the proposed 44, 100' x 180' lots  
678 and the Type 'G' lot includes 94 of the 225, 70' x 120' lots. For the Type 'G' lots the applicant is  
679 requesting that 50%, 47 lots, be permitted to have a flat front entry garage product. This means  
680 that the applicant will be allowed to have a total of 67 flat front entry garages between the Type  
681 'E' and Type 'G' lots. The Future Land Use Map contained within the Comprehensive Plan  
682 designates the subject property for Commercial and Low Density Residential land uses and  
683 these designations are in conformance with the applicant's request.  
684

685 Mr. Miller went on to state that on September 29, 2017, staff mailed 560 notices to property  
686 owners and residents within 500-feet of the subject property and also emailed a notice to the  
687 Stoney Hollow and Breezy Hill Homeowner's Associations, which are the only HOA's located  
688 within 1,500 feet of the subject property. Staff did not receive any notices back either in favor or  
689 in opposition.  
690

691 Mr. Miller advised the Commission the applicant was present and available for questions as well  
692 as staff.

693 Vice-Chairman Trowbridge asked what the setback are as depicted for this phase and  
694 concerning the recent moratorium that was put in place by the City Council to set back from  
695 John King. Mr. Miller explained that as part of the original zoning which is mostly maintained  
696 throughout, right now the applicant is required a 50 foot landscape buffer which was in place  
697 prior to the changes.

698  
699 Vice-Chairman Trowbridge asked the applicant to come forward.

700  
701 Adam Buzcek  
702 8214 Westchester Drive  
703 Dallas, TX  
704

705 Mr. Buzcek came forward and provided a power point presentation detailing their request. He  
706 stated they had a very well attended informative HOA meeting where they met with the residents  
707 to keep them aware of their proposal and they got positive feedback from those residents. He  
708 explained that they are looking to do 26 fewer lots reducing the density from 1.92 to 1.85 and  
709 keeping the 20% open space. The power point provided what areas would be impacted by the  
710 request. He indicated that their request is to adjust to what the market shows to be successful  
711 and what the consumer has shown they are looking for. He respectfully asked the Commission  
712 for their approval and stated he was available for questions.

713  
714 Vice-Chairman Trowbridge asked if the 100's have different development standards than the 70's  
715 and 80's and asked for clarification concerning the non-curve culverts they show. Mr. Buzcek  
716 explained that only difference between Category D and the new lots, Category F, is the 15 foot  
717 minimum depth and with both those categories they would have a culvert that would allow more  
718 green space less concrete, it has been a very well embraced product by the consumer.

719  
720 Vice-Chairman Trowbridge spoke of being in favor of the recent change to the setback  
721 requirements along John King that was approved by Council, and with that asked how deep the  
722 lots that face John King on the west side. Mr. Buzcek stated that they are approximately 200 feet  
723 allowing for room for berm and everything that is required in accordance to the PD.

724  
725 Vice-Chairman Trowbridge opened up the public hearing and asked anyone who wished to  
726 speak concerning the case to come forward and do so.

727  
728 Jim Smith  
729 6090 Amhurst  
730 Rockwall, TX  
731

732 Mr. Smith came forward expressed being in favor of the request. He feels it is a positive move on  
733 the developer has put forward and encouraged the Commission to vote in favor of the request.

734  
735 Bruce Clark  
736 313 Shenandoah Lane  
737 Rockwall, TX  
738

739 Mr. Clark came forward and stated his property backs up to the Skorburg property and he  
740 generally expressed being in favor of the request however he is concerned with drainage issues  
741 as that tends to be a problem now. He asked staff if there would be any special provisions put in  
742 place. Mr. Miller stated there are not any special provisions or anything in the Planned  
743 Development District, but they will be required to meet all the city's drainage requirements as  
744 well as any Engineering Standards of Design.

745  
746 Bob Wacker  
747 309 Featherstone  
748 Rockwall, TX  
749

750 Mr. Wacker came forward and expressed being in favor of the request. He noted as a point of  
751 reference that the City Council recently did approve a waiver to the John King setback  
752 requirement that was recently passed for the Ladera Senior Community.

753

754 Vice-Chairman Trowbridge opened up the public hearing and asked anyone who wished to  
755 speak concerning the case to come forward and do, there being no one indicating such; Vice-  
756 Chairman Trowbridge closed the public hearing and brought the item back to the Commission  
757 for discussion or a motion.

758  
759 Vice-Chairman Trowbridge noted that the setback that was approved for the Ladera project  
760 recently was only for two or three lots and was approximately a 95 foot setback; although he  
761 likes that the lots are larger he would like to stay consistent to the moratorium for the 100 foot  
762 setback and adhere to it as close as possible.

763  
764 Commissioner Chodun generally expressed being in favor of the request.

765  
766 Commissioner Fishman expressed being in favor of the request, likes the new plan that is being  
767 presented, having the larger lots meets the current market request.

768  
769 Commissioner Chodun made a motion to approve Z2017-049 with staff recommendations.  
770 Commissioner Fishman seconded the motion which passed by a vote of 3-1, with Vice-Chairman  
771 Trowbridge dissenting, Chairman Lyons and Commissioners Logan and Moeller absent.

772  
773  
774 V. ACTION ITEMS

775 15. SP2017-030  
776 Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Randall Noe of  
777 Rockwall Rental Properties, LP for the approval of a Site Plan for a motor vehicle dealership on a 4.86-  
778 acre tract of land identified as Tract 5 of the N. M. Ballard Survey, Abstract No. 99, City of Rockwall,  
779 Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV)  
780 District, addressed as 1415 & 1501 E. IH-30, and take any action necessary.

781  
782  
783 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
784 is requesting site plan approval of the Subaru car dealership. The SUP was approved earlier this  
785 year that allowed for the new card dealership. The Subaru dealership will incorporate a total of  
786 340 parking spaces for the site, with 119 parking spaces being required for a retail building at a  
787 ratio of 1 space per 250 square feet. The remaining 221 parking spaces will be used for display  
788 of the new car inventory. The majorities of these display spaces is designed as dual head-in  
789 parking spaces and require a dimension of 20-ft length x 9-ft width per the City's Engineering  
790 Standards of Design and Construction criteria. The applicant is seeking a waiver to these  
791 design standards and is requesting to allow 18-ft x 9-ft dual head-in parking spaces for display  
792 of the new car inventory. This will require approval of a waiver by City Council and has been  
793 added as a condition of approval. The site will have a total of 2 points of entry via 24-ft fire lane,  
794 Public Access, and Utility Easements along the IH-30 Frontage Road. With the exception of the  
795 variances that the applicant is requesting that were listed in the Commission's case memo, the  
796 submitted site plan, landscape plan, photometric plan, and building elevations conform to the  
797 technical requirements contained within the UDC and the IH-30 Overlay District. Mr. Gonzales  
798 noted that most of the waivers have to do with the north elevation which faces a heavily treed  
799 area that is primarily a floodplain and therefore would have limited visibility. Mr. Gonzales went  
800 over the five variance requests and one waiver that the applicant is requesting along with the  
801 vote it will require to pass. The Architectural Review Board took a look at the elevations and they  
802 did recommend approval including all the variances that are associated with the request.

803  
804 Mr. Gonzales stated that the applicant was present and available for questions as well as staff.

805  
806 Vice-Chairman Trowbridge asked the applicant to come forward.

807  
808 Chris Cuny  
809 FC Cuny Corporation  
810 2 Horizon Court  
811 Heath, TX

812  
813 Mr. Cuny came forward and stated that Jimmy Strohmeyer will be the architect of record working  
814 on the project who has worked to modify the elevations, the main thing is the back elevations,  
815 but it is in a floodplain area therefore there should not be any issue with visibility and he ARB  
816 met and they recommended approval. In terms of the parking spaces their intent is for the

817 required spaces to be for visitors and for the retail, and those will meet the City standards. It is  
818 the parking for the inventory that they are requesting the waiver for. He respectfully asked the  
819 Commission for their consideration and approval.  
820

821 Vice- Chairman brought the item back to the Commission for questions, discussion or motion.  
822

823 Commissioner Chodun made a motion to approve SP2017-030 with staff recommendations  
824 including Commissioner Welch seconded the motion which passed by a vote of 4-0 with  
825 Chairman Lyons and Commissioners Logan and Moeller absent.  
826

827  
828  
829 VI. DISCUSSION ITEMS  
830

831 16. Director's Report of post Council meeting outcomes of Planning & Zoning cases.  
832

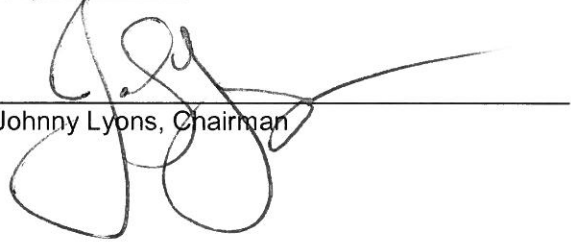
- 833 ✓ P2017-041: Lot 1, Block A, Blueberry Hill Estate Addition [Approved]  
834 ✓ P2017-048: Lot 3, Block A, Lake Pointe Baptist Church Addition [Approved]  
835 ✓ Z2017-031: Zoning Change (AG to SF-1) [950 Clem Road] (2<sup>nd</sup> Reading) [Approved]  
836 ✓ Z2017-036: SUP for 1310 Summer Lee Drive (2<sup>nd</sup> Reading) [Approved]  
837 ✓ Z2017-037: Zoning Change (SFE-4.0 to C) [259 Ranch Trail] (2<sup>nd</sup> Reading) [Approved]  
838 ✓ Z2017-038: SUP for 302 Ranch Trail (2<sup>nd</sup> Reading) [Approved]  
839 ✓ Z2017-040: Zoning Change for Ladera of Rockwall (AG to PD) (1<sup>st</sup> Reading) [Approved]  
840 ✓ SP2017-008: Variances for 2040 Kristy Lane [Approved]  
841 ✓ MIS2017-009: Masonry Exception for 631 Hanby Lane [Approved]  
842

843  
844 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
845 referenced cases at the City Council meeting.  
846

847  
848 VII. ADJOURNMENT  
849

850 Vice-Chairman Trowbridge adjourned the meeting at 8:22 p.m.  
851

852  
853 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
854 ROCKWALL, Texas, this 10 day of October, 2017.

855  
856  
857  
858   
859 \_\_\_\_\_  
860 Johnny Lyons, Chairman

861 Attest:   
862 \_\_\_\_\_  
863 Laura Morales, Planning Coordinator  
864  
865  
866  
867  
868  
869  
870  
871  
872

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**October 24, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:03p.m. The Commissioners present at the meeting were, Eric Chodun, Annie Fishman, Jerry Welch and Tracey Logan. Commissioners absent were Mark Moeller and Patrick Trowbridge. Staff members present were Planning Director, Ryan Miller, Senior Planner David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the October 10, 2017 Planning and Zoning Commission meeting.

2. P2017-056

Discuss and consider a request by Rich Houston on behalf of R. Fifty Green Homes, LLC for the approval of an amending plat for Lots 3 & 4, Block A, Solar Village Addition, containing six (6) single family lots on a 2.055-acre tract of land identified as Lots 1-6, Block A, Solar Village Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, located directly west of the intersection of Williams Street (SH-66) and Caruth Lane, and take any action necessary.

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

III. APPOINTMENTS

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

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

4. Appointment with Bart Tinsley of Rockwall SIL, LLC to consider a request to submit a new zoning application for a zoning change from an Agricultural (AG) and Commercial (C) District to a Planned Development District for an age-restricted multi-family apartment complex and memory care facility on a 12.40-acre tract of land identified as Tract 8 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code, and take any action necessary.

**Senior Planner David Gonzales advised the Commission that the applicant is seeking approval to bring forth a new zoning application. The City Council denied the original application in July of this year for a multi-family complex located on Townsend Drive without prejudice which means if there is a substantial enough change to the application, the applicant can then come forward and request to submit, upon approval of the Planning and Zoning Commission a new application. The applicant has made a change to their project it will still be a multi-family apartment complex however they have now included a memory care facility as well as reducing the height of the building for the multi-family unit. The applicant has indicated that they feel that changing the height from the four stories to a three story and introducing the memory care facility that that initiates a substantial enough change to allow for a new application to be submitted.**

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

65  
66 Chairman Lyons asked the applicant to come forward and speak.

67  
68 Tim Ohanlon  
69 724 Dane Road  
70 Van Alstyle TX  
71

72 Mr. Ohanlon came forward and gave a brief explanation of the request and provided a power  
73 pointe that detailed the changes that they are proposing. He spoke of having taken into  
74 consideration the concerns that the City Council had, and they feel they have made substantial  
75 positive changes to the concept to move forward with a new application. He respectfully asked  
76 the Commission for approval.  
77

78 Chairman Lyons asked how many units would be lost by going to a three story instead of a four  
79 story building. Mr. Ohanlon stated they are losing approximately 30 units, going from 174 units  
80 to 144 units with the change.

81  
82 Commissioner Chodun asked how the memory care facility would operate and would there be an  
83 age restriction to the memory care. Mr. Ohanlon stated there would be no age restriction and the  
84 memory care facility would operate separate from the independent living with a team and staff  
85 that would specifically handle that end of it.  
86

87 Commissioner Logan asked concerning the walking trail. Mr. Ohanlon stated they still plan to  
88 incorporate the park with the parking trail however it will be on a smaller scale; however it will  
89 still be a very nice amenity.  
90

91 Commissioner Welch made a motion to approve the applicants request for resubmittal of a new  
92 application. Commissioner Fishman seconded the motion which passed by a vote of 5-0 with  
93 Commissioners Moeller and Trowbridge absent.  
94

- 95  
96 5. Appointment with Trent Hyde to consider a request to submit a new zoning application for a Specific  
97 Use Permit (SUP) to allow for a detached garage on a 0.830-acre tract of land identified as the  
98 Wilson Addition, City of Rockwall, Rockwall County, Texas, in accordance with Section 8.3, *Council*  
99 *Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified  
100 Development Code, and take any action necessary.

101  
102 Planner, Korey Brooks, advised the Commission that the applicant is seeking to submit a new  
103 zoning application for a Specific Use Permit to allow for a detached garage. The original request  
104 to allow a Specific Use Permit to allow for an approximately 700 square foot metal accessory  
105 building was denied by the City Council October 16<sup>th</sup> of this year. Since then the applicant has  
106 made some changes to his request and is now requesting for detached garage. The main  
107 difference between an accessory building and a detached garage is that a detached garage  
108 requires an engineered foundation or a concrete slab and driveway. The new request is for a 700  
109 square foot detached garage which is allowed by right in the subject property zoning. In this  
110 case the SUP being requested would be to allow for the structure to be clad with hardy board  
111 instead of masonry as the main structure. Additionally, originally the applicant had a second 200  
112 square foot accessory building that was located near the front of the property which he is now  
113 proposing to relocate to the rear of his property. According to the UDC if an application is  
114 denied with prejudice, the applicant could submit a new application within one year if he meets  
115 one of two criteria; one being that the request is more restricted or less intense and secondly, if  
116 there is a change in conditions that are substantial to the zoning district. Staff has determined  
117 that the changes the applicant has brought forward are substantial enough to bring it before the  
118 Commission to determine if they feel there is substantial enough change to allow the applicant  
119 to resubmit a new application.  
120

121 Mr. Brooks advised the Commission that the applicant was present and was available for  
122 questions as well as staff.  
123



124 Commissioner Fishman asked staff to elaborate as to what the concerns City Council had to  
125 deny the original request. Planning Director, Ryan Miller, explained that Council expressed  
126 concern with allowing a metal building of that size in a residential district, however the applicant  
127 is now requesting to clad with hardy plank to make the structure more substantial.  
128

129 Chairman Lyons asked the applicant to come forward.  
130

131 Trent Hyde  
132 218 W. Quail Run  
133 Rockwall, TX  
134

135 Mr. Hyde came forward and explained that with the original request he brought forward and  
136 referred to it as a “barn” whereas he should have called it a detached garage. He explained that  
137 the purpose for it will be to store vehicles and tractors and will be on a cement slab with hardy  
138 board siding that will match the house; he will make sure it looks good and compliments his  
139 house. He respectfully asked the Commission for their approval.  
140

141 Chairman Lyons brought the item back to the Commission for discussion or a motion.  
142

143 Commissioner Welch made a motion to approve the applicants request for resubmittal of a new  
144 application. Commissioner Logan seconded the motion which passed by a vote of 5-0 with  
145 Commissioners Moeller and Trowbridge absent.  
146  
147

#### 148 IV. PUBLIC HEARING

##### 149 6. Z2017-043

150 Hold a public hearing to discuss and consider a request by Austin Lewis of Lewis Real Estate  
151 Investments, Inc. on behalf of Stone Creek Balance, LTD for the approval of an amendment to Planned  
152 Development District 70 (PD-70) to incorporate a single-single family subdivision consisting of 19 single-  
153 family residential homes on a 5.28-acre tract of land identified as Tract 2-7 of the W. T. Deweese  
154 Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, Planned Development District 70  
155 (PD-70) for Single-Family 10 (SF-10) District land uses, located at the southeast corner of the  
156 intersection of Greenway Drive and FM-552, and take any action necessary [*Request to Postpone to*  
157 *November 14, 2017*].  
158  
159

160 Planner, David Gonzales, advised the Commission that the applicant is requesting to postpone  
161 the case to the November 14<sup>th</sup> scheduled meeting.  
162

163 Commissioner Chodun asked if this was the second request the applicant has made to postpone  
164 the case. Mr. Gonzales stated that was correct, at the October 24<sup>th</sup> meeting they requested to  
165 postpone due to some site issues they have encountered.  
166

167 Commissioner Welch made a motion to accept the request to postpone Z2017-043.  
168 Commissioner Logan seconded the motion which passed by a vote of 4-1 with Commissioner  
169 Chodun dissenting and Commissioners Moeller and Trowbridge absent.  
170  
171

#### 172 V. ACTION ITEMS

##### 173 7. P2017-057 (David)

174 Discuss and consider a request by Ed Cavendish of VPS Construction for the approval of a  
175 reinstatement request for the preliminary plat for Marina Village in accordance with Section 38-8(f) of the  
176 Subdivision Ordinance contained in the Municipal Code of Ordinances, and being a 6.888-acre tract of  
177 land, zoned Planned Development District 8 (PD-8), generally located south on the south side of Henry  
178 M. Chandler Drive west of Ridge Road [*FM-740*], originally approved by City Council on September 21,  
179 1992, and take any action necessary.  
180  
181

182 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
183 is requesting to reinstate the preliminary plat that the City Council originally approved it in 1992.  
184 Whenever a preliminary plat is approved, they have one year in order to final plat the property  
185 and then move forward with further constructing documents to continue the process. In this

186 case, since it was approved nothing happened at that time and the one year did lapse and  
187 therefore expiring the plat. The applicants request does not have a substantial change to the  
188 preliminary plat, there are some minor changes and staff has taken a look at those and do  
189 recommend reinstating the preliminary plat for the period of one year however it will be  
190 discretionary to the Planning and Zoning Commission.  
191

192 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
193 well as staff.  
194

195 Chairman Lyons asked the applicant to come forward.  
196

197 Mitch Lenamond  
198 Eric Davis Engineering  
199 120 E. Main Street  
200 Forney, TX  
201

202 Mr. Donovan came forward and stated he is with Eric Davis Engineering and is representing the  
203 applicant on the case. He stated they are currently in the design phase of the subdivision and it  
204 will be a 33 lot subdivision and the original concept was for 34 lots however it remains  
205 substantially similar with a similar layout and complies with the current Planned Development  
206 for the property. The reason for the change was due to widening of utility easements.  
207

208 Chairman Lyons brought the item back to the Commission for discussion or a motion.  
209

210 Commissioner Chodun made a motion to approve P2017-057. Commissioner Fishman seconded  
211 the vote which passed by a vote of 5-0 with Commissioners Moeller and Trowbridge absent.  
212

213  
214 VI. DISCUSSION ITEMS  
215

216 8. Z2017-050 (Korey)  
217 Hold a public hearing to discuss and consider a request by Jim Albracht of Divine Peace Lutheran  
218 Church on behalf of Iris Smith of Rockwall Wedding Chapel for the approval of a Specific Use Permit  
219 (SUP) for a church in the Downtown (DT) District on a 0.804-acre tract of land identified as Lots 1-3,  
220 Block W and Lots 1-4, Block T, Rockwall OT Addition, City of Rockwall, Rockwall County, Texas, zoned  
221 Downtown (DT) District, addressed as 203 & 305 S. Fannin Street, and take any action necessary.  
222

223 Planner, Korey Brooks, advised the Commission that the applicant was present and would be  
224 presenting the case.  
225

226 Chairman Lyons asked the applicant to come forward and speak.  
227

228 Pastor Gunner Ledermann  
229 2434 Hinkinson Lane  
230 Fate, TX  
231

232 Pastor Ledermann came forward and stated he is the pastor for Divine Peace Church. Mr.  
233 Albracht was unable to attend the meeting and he would be representing on his behalf.  
234

235 Mr. Brooks added that the applicant is requesting to convert the Rockwall Wedding Chapel into a  
236 Church which is allowed in the Downtown District with a Specific Use Permit.  
237

238 Commissioner Welch asked if existing liquor licenses that are close to Downtown would have an  
239 impact due to the proximity of a church. Mr. Miller stated that it would on new business coming  
240 in trying to obtain a new license they would be required to meet the minimum 300 foot  
241 separation, however it being a church it would be measured by right of way, front door to front  
242 door and should not interfere with the Downtown Square.  
243

244 Commissioner Fishman asked if there would be any changes to the outside such as the signage.  
245 Pastor Lederman stated they would be changing the signs at some point but not right away and  
246 when they do they will keep them under the regulations required by the City. Mr. Brooks added

247 that if there were any changes to the exterior of the building they would be required to submit a  
248 site plan.  
249

250 Commissioner Chodun asked if they would have adequate parking for a Church use. Mr. Miller  
251 explained that there are currently 21 parking spaces on site which makes them close to meeting  
252 the onsite parking requirement however staff will verify that.  
253

254 Commissioner Logan asked if the Wedding Chapel would continue to be in business. Pastor  
255 Ledermann stated the Rockwall Wedding Chapel will no longer be in operation, however they as  
256 a church may hold a wedding if one of their members wishes to hold one at the Church.  
257

258 There being no further questions Chairman Lyons indicated the case will return to the  
259 Commission for action at the next scheduled meeting.  
260

261  
262 9. Z2017-051

263 Hold a public hearing to discuss and consider a request by Bart Tinsley of Rockwall SIL, LLC on behalf  
264 of the owner Don Cameron of Cameron & Cameron for the approval of a zoning change from an  
265 Agricultural (AG) and Commercial (C) District to a Planned Development District for an age-restricted  
266 multi-family apartment complex and memory care facility on a 12.40-acre tract of land identified as Tract  
267 8 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned  
268 Agricultural (AG) and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District,  
269 located on the west side of T. L. Townsend Drive south of Justin Road, and take any action necessary.  
270

271 Senior Planner, David Gonzales, advised the Commission that this case is coming forward since  
272 the Commission did make a motion allowing them to resubmit a new application, therefore the  
273 applicant had already gone over the case however; staff as well as the applicant is available for  
274 any further questions or discussion pertaining to the case.  
275

276 There being no questions Chairman Lyons indicated the case will return to the Commission for  
277 action at the next scheduled meeting.  
278

279 10. Z2017-052

280 Hold a public hearing to discuss and consider a request by Pat Atkins of Saddlestar Land Development  
281 on behalf of the Stagliano Family Trust for the approval of a zoning change from a Commercial (C)  
282 District and Heavy Commercial (HC) District to a Planned Development District for commercial/retail,  
283 single-family and townhome land uses on a 63.72-acre tract of land identified as Tract 3 of the W. H.  
284 Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) and  
285 Heavy Commercial (HC) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the  
286 northwest corner of S. Goliad Street [SH-205] and Mims Road, and take any action necessary.  
287

288 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
289 is requesting approval of a zoning change he has requested an infrastructure study since there  
290 is a change in the zoning from the Heavy Commercial and Commercial to a residential use and  
291 could have an impact, and once that infrastructural study is received, the case would then move  
292 forward to the Public Hearing portion.  
293

294 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
295 well as staff.  
296

297 Chairman Lyons asked the applicant to come forward and speak.  
298

299 Pat Atkins  
300 Saddle Star Development  
301 3076 Hays Lane  
302 Rockwall, TX  
303

304 Mr. Atkins came forward and stated that he has been working with the Stagliano Family for some  
305 years who own the property and in working with the family they have arrived at a plan that has a  
306 demand from the builder groups that they work with a utilization of town homes, single family as  
307 well as an intermix of Commercial. They feel there is a demand for this type of use. Mr. Atkins  
308 explained showing the site plan of the property that the open space and floodplain area works

309 well with the type of intermix of residential uses with the townhouses in the western section  
310 where it would be divided with a roundabout entry which they refer to as the Enclave Villas. The  
311 detached single house residential will be to the east adjacent to SH-205, combining with a  
312 combination of an amenity center and a clubhouse facility. That will interact with the commercial  
313 that they feel will be a usable condition of approximately five acres of the remaining property  
314 that will work with the retail and interact with the residential interlinking everything with the  
315 properties trail system and sidewalk system. He went on to state that they feel this has been  
316 successful in other quadrants of the metroplex with the intermix of attached conditions of  
317 townhouses along with the intermix of detached residential and tying in to commercial retail as a  
318 group. The Stagliano family partnership has owned the property for over fifteen years where it  
319 has been marketed for Commercial use during that time, and feels the proposed use is the  
320 optimum use that can be provided for the City.  
321

322 Mr. Atkins went on to explain that they have received staff comments and are working to  
323 address those. He stated he is available for any questions the Commission has.  
324

325 Chairman Lyons asked what they had in mind concerning the Commercial, would it consist of  
326 strip centers type development. Mr. Atkins stated they foresee a retail use of small grocery  
327 utilization, dentist or chiropractic office that type uses that will work with the units that they  
328 provide in the development and also providing utilization for Meadow Creek if needed on  
329 Commercial and retail accessibility.  
330

331 Commissioner Chodun asked what the anticipated timeline for completion of the entire project.  
332 Mr. Atkins explained that it is market driven but they feel the residential would begin first and go  
333 quickly and the retail would come along the rooftops probably at the same time because of  
334 already established conditions of Meadow Creek to the east with the demand for that, but they  
335 anticipate beginning late 2018.  
336

337 Commissioner Chodun asked concerning the construction equipment that is currently on the  
338 property. Mr. Atkins stated that it is a batch plant that is being leased out to a concrete company  
339 but that lease is set to expire in June of 2018. As they go through the process that will be  
340 eliminated and there will be site evaluations that will need to be done.  
341

342 Commissioner Welch asked Engineering staff concerning facilities. City Engineer, Amy Williams,  
343 explained that an infrastructure study is being conducted and is expected to be completed  
344 before the case comes back for the Public Hearing and that will allow them to know what needs  
345 to be done concerning the infrastructure. Mr. Gonzales added that they will not move forward  
346 with the Public Hearing until the infrastructure study is complete.  
347

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

351  
352 11. Z2017-053 (Korey)

353 Hold a public hearing to discuss and consider a request by Kelly Duncan for the approval of a Specific  
354 Use Permit (SUP) to allow for an accessory building that does not meet the minimum requirements as  
355 stipulated by Article IV, *Permissible Uses*, of the Unified Development Code for a 4.60-acre tract of land  
356 identified as Lot 3 of the Rolling Meadows Subdivision, City of Rockwall, Rockwall County, Texas,  
357 zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 2705 Rolling Meadows Drive, and take  
358 any action necessary.  
359

360 Planner, Korey Brooks, gave a brief explanation of the case stating that the applicant is  
361 requesting to construct an accessory building and the purpose for the Specific Use Permit is  
362 because they are proposing to build it out of metal and about 400 square feet. According to the  
363 UDC properties that are within a Single-Family Estate 4.0 District are allowed two accessory  
364 buildings no larger than 225 square feet therefore this SUP would be to allow a larger building  
365 made out of metal.  
366

367 Mr. Brooks advised the Commission the applicant was not present but staff was available for  
368 questions.  
369

370 Commissioner Fishman asked if this would be the only accessory building on the property and  
371 where would it be located. Mr. Brooks stated the proposed building would be the only building  
372 on the property and will be located behind the main structure to the rear of the property.  
373

374 There being no further questions Chairman Lyons indicated the case will return to the  
375 Commission for action at the next scheduled meeting.  
376  
377

378 12. Z2017-054 (Ryan)

379 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text  
380 amendment to Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*] for  
381 the purpose of making general corrections and clarifications to the code, and take any action necessary.  
382  
383

384 Planning Director, Ryan Miller, gave a brief explanation of the request stating that around this  
385 time last year staff was looking at bringing forward an amendment to the Tree Preservation  
386 Ordinance. These changes were initially started by staff in response to a code enforcement case  
387 dealing with the indiscriminate clearing of land. Through this case several inconsistencies in  
388 the current ordinance were brought to staff's attention, and through the processes of making  
389 corrections to clear up these inconsistencies staff identified several other areas of the ordinance  
390 in need of updating or clarification. Shortly after the City Council's direction, the Texas  
391 Legislature entered into a special session that included two bills that had the potential to affect a  
392 municipalities' ability to require/regulate tree preservation. Staff ultimately choose to hold off on  
393 bringing the text amendment forward until the end of the special session. Recently through the  
394 special session, only one of the bills affecting Tree Preservation, HB007 was approved. Staff  
395 has reviewed the changes to the Texas Local Government Code introduced by the approved bill  
396 which will be effective on December 1, 2017 and determined that the proposed text amendment  
397 to Article IX, Tree Preservation, of the UDC is not in conflict. The proposed text amendment  
398 would change the identification of trees to one of four categories: [1] Primary Protected Tree, [2]  
399 Secondary Protected Tree, [3] Featured Tree, and [4] Non-Protected Tree. Under the current  
400 ordinance, trees can be both a Protected Tree and a Feature Tree depending on the size and type  
401 of the tree. The proposed changes would remove this overlap and define any tree greater than  
402 25-inches as a Feature Tree. In addition, the proposed ordinance outlines how a mitigation  
403 balance may be satisfied such as by providing trees to the Parks Department, plant trees on site,  
404 buy Tree Preservation Credits, etc., and increases the per inch cost for Tree Preservation Credits  
405 from \$125.00/inch to \$200.00/inch. This change is being proposed to address the current cost of  
406 purchasing trees, which has significantly increased since the passage of the original ordinance.  
407 Finally, the changes provide a process for the City Council to approve Alternative Tree  
408 Mitigation Plans as this is not addressed in the current ordinance. In accordance, with Section  
409 4.2 of Article XI, Zoning Related Applications, of the UDC staff is bringing the proposed  
410 amendments forward to the Planning and Zoning Commission for a recommendation to the City  
411 Council.  
412

413 Mr. Miller advised the Commission staff was available for questions.  
414

415 There being no questions Chairman Lyons indicated the case will return to the Commission for  
416 action at the next scheduled meeting.  
417  
418

419 13. Z2017-055 (Ryan)

420 Hold a public hearing and consider a request by Kevin Hickman of PegasusAblon on behalf of Rockwall  
421 Rental Properties, LP for the approval of a PD Development Plan amending Ordinance 13-16 and in  
422 accordance with Ordinance No. 10-21, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-  
423 Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall,  
424 Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-  
425 30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and  
426 Lakefront Trail, and take any action necessary.  
427

428 Planning Director, Ryan Miller, gave a brief explanation of the request and background of the  
429 property stating that the way Planned Development 32 is structured, there is pool of units that is  
430 built in for the entire Planned Development District consisting of 1,161 total units and as  
431 property develops in the area they are required to go thru an interim zoning step called a PD

432 Development Plan and this is how they claim a share of those units and it is discretionary to the  
433 Planning and Zoning Commission as well as City Council to allocate those units on a first come  
434 first serve basis and currently all but 230 of those units have been entitled. This particular  
435 property went thru the PD Development Plan in 2013 and they were allocated 399 units, however  
436 the applicant is requesting to increase the number of the units on the property by 50.  
437

438 Mr. Miller advised the Commission the applicant was present to further elaborate on the request  
439 and staff was available for questions.  
440

441 Chairman Lyons asked the applicant to come forward and speak.  
442

443 Kevin Hickman  
444 8222 Douglas Avenue  
445 Dallas, TX  
446

447 Mr. Hickman came forward and provided a concept plan of the proposal. He explained that  
448 currently there is a large parking lot that encumbers approximately 180 parking spaces the  
449 overall plan for development takes away part of that parking lot and they will be building a  
450 parking garage. They are requesting an additional 51 additional units making their overall site  
451 increase from 399 units to 450 units total. Mr. Hickman advised the Commission he was open to  
452 any questions the Commission may have.  
453

454 Commissioner Logan asked clarification of the number of units left to be allocated and of those  
455 how many have been allocated to the applicant. Mr. Miller explained that 399 units have already  
456 been allocated to this site and the additional 51 that the applicant is requesting would be taken  
457 from the overall 230 units left for the entire PD if approved.  
458

459 Chairman Lyons asked what the purpose of having a certain number for PD-32 for condos, what  
460 was the intent behind that. Mr. Miller explained that the intent was to limit the number of units  
461 permitted in the District as a whole, however didn't want to allocate those to any property  
462 because it wanted to be market driven for that area. Basically those units are to be allocated by  
463 the Planning and Zoning Commission and City Council on a first come first serve basis at their  
464 discretion and are not earmarked for any particular property.  
465

466 There being no further questions Chairman Lyons indicated the case will return to the  
467 Commission for action at the next scheduled meeting.  
468

469  
470 14. P2017-051 (David)

471 Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of BSKJ  
472 Development, Inc. for the approval of a preliminary plat for Lots 1-8, Block A, Carrier Drive Business  
473 Park Addition being a 17.0-acre portion of a larger 43.851-acre tract of land identified as Tract 1-4 of the  
474 J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI)  
475 District, situated within the SH-276 Overlay (SH-276 OV) District, generally located east of the  
476 intersection of SH-276 and John King Boulevard, and take any action necessary.  
477

478 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
479 is proposing a small commercial retail development which includes eight lots. Mr. Gonzales  
480 advised the Commission that the applicant was present and would go over the request and staff  
481 would be available for questions.  
482

483 Chairman Lyons asked the applicant to come forward and speak.  
484

485 Dub Douphrate  
486 2235 Ridge Road  
487 Rockwall, TX  
488

489 Mr. Douphrate came forward and provided a concept plan of the proposal and explained that  
490 they are doing a more centralized detention on this project to allow for each of the eight  
491 individual lot to not have its own detention which they feel is a plus in the way it is laid out.  
492 Basically it is not going to be Light Industrial but rather business commercial type use. He went  
493 on to say that they have already been in discussion with two or three businesses that are

494 interested in locating in this Park. Mr. Douphrate advised the Commission he was available to  
495 answer questions the Commission may have.  
496

497 Chairman Lyons asked what the size of most of the buildings would be. Mr. Douphrate stated  
498 they would vary in size, although they would like to keep the same pattern with the lots, but they  
499 would probably be anywhere from 5,000-10,000 square feet and possibly two story. They have  
500 seen some interest from a professional standpoint for professional businesses to come in and  
501 therefore it could be a use between office as well as Commercial. They will know more of what  
502 size for each building on a lot to lot basis and tenant need.  
503

504 Commissioner Welch asked staff if each individual building would come before the Commission  
505 as they are developed and completed. Mr. Gonzales explained that each would have to go thru  
506 the site plan process as well as engineering individually and not as a group and since they are  
507 situated within an Overlay District they would have to meet with the Architectural Review Board  
508 for review.  
509

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

513 15. P2017-052

514 Discuss and consider a request by Brian Kelly for the approval of a final plat for Lot 1, Block A, Kelly  
515 Ranch Addition being a 3.217-acre portion of a larger 9.195-acre tract of land identified as Tract 13-06  
516 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Single-  
517 Family Estate 2.0 (SFE-2.0) District, addressed as 631 Hanby Lane, and take any action necessary.  
518

519 Planner, Korey Brooks, gave a brief explanation of the request stating that earlier this year the  
520 Commission approved a zoning change for the subject property to a Single Family Estate 2.0  
521 and also approved a masonry exception. This plat is coming before the Commission because it  
522 will need to go to the Park Board to assess park fees and will come back on the consent agenda  
523 at the next scheduled meeting.  
524

525 No further discussion or questions took place concerning this agenda item.  
526  
527

528 16. P2017-053

529 Hold a public hearing to discuss and consider a request by Bart Carroll of Carroll Consulting Group, LLC  
530 for the approval of a replat for Lots 19, 20 & 21 of the Hidden Valley Estates No. 2 Addition being a  
531 4.716-acre tract of land currently identified as Lot 11 of the Hidden Valley Estates No. 2 Addition,  
532 Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ),  
533 addressed as 1 and 1A Wildbriar Street, and take any action necessary.  
534

535 Planner, Korey Brooks, gave a brief explanation of the request stating that the case is coming  
536 before the Commission because although the subject property is located within the ETJ, the City  
537 of Rockwall is the platting entity for the property. Currently it is one lot, and anytime the number  
538 of lots is being increased in an established residential subdivision a public hearing must be  
539 held.  
540

541 Mr. Brooks advised the Commission staff was available for questions.  
542

543 Chairman Lyons asked since the lot was being split into three lots, where the access would be.  
544 Mr. Brooks explained it would be thru Country Ridge Lane and each lot does meet the minimum  
545 lot frontage along Country Ridge Road.  
546

547 Commissioner Chodun asked what the property was zoned. Mr. Brooks explained that since it is  
548 not in the City limits but within the ETJ it is not zoned.  
549

550 There being no further questions Chairman Lyons indicated the case will return to the  
551 Commission for action at the next scheduled meeting.  
552

553 17. P2017-054

554 Discuss and consider a request by Jim Douglas of Douglas Properties, Inc. on behalf of Isabel Garrett of  
555 the McClendon Company for the approval of a master plat for the Terracina Estates Subdivision

556 consisting of 352 single-family lots on a 140.555-acre tract of land identified as a portion of Tract 8 and  
557 all of Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas,  
558 Planned Development District 82 (PD-82) for Single-Family 10 (SF-10) District land uses, situated on  
559 the west side of Rochell Road south of SH-276, and take any action necessary.  
560

561 Senior Planner, David Gonzales, gave a brief explanation of the request stating that this case  
562 came before the Commission in the previous meeting where the applicant is requesting to  
563 amend PD-82 to allow for additional homes along the west side of the subject property along the  
564 antennae towers are located. That request was approved by City Council at the first reading with  
565 a vote of 4-3; therefore staff will be putting in as a condition of approval for both the preliminary  
566 and master plat moving forward that it must be approved at City Council second reading in order  
567 to move forward with the master and preliminary plats. However with that an application has  
568 been accepted and moving forward the first one is for the master plat which is takes a look at the  
569 entire property.  
570

571 Mr. Gonzales advised the Commission the applicant is present and available for questions as  
572 well as staff.  
573

574 Chairman Lyons asked the applicant to come forward and speak.  
575

576 Jim Douglas  
577 Douglas Properties  
578 2309 Avenue K  
579 Plano, TX  
580

581 Mr. Douglas came forward and gave a brief explanation of the request and provided a power  
582 point presentation that showed the overall master plat that takes the original PD-82 and adds the  
583 additional land that they have. They have received staff comments and are working with them to  
584 take care of those.  
585

586 Chairman Lyons asked the Commission for any questions or discussion.  
587

588 There being no questions Chairman Lyons indicated the case will return to the Commission for  
589 action at the next scheduled meeting.  
590

591 18. P2017-055 (David)

592 Discuss and consider a request by Jim Douglas of Douglas Properties, Inc. on behalf of Isabel Garrett of  
593 the McClendon Company for the approval of a preliminary plat for *Phase 1* of the Terracina Estates  
594 Subdivision consisting of 110 single-family lots on a 54.995-acre portion of a larger 81.49-acre tract of  
595 land identified as Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall  
596 County, Texas, Planned Development District 82 (PD-82) for Single-Family 10 (SF-10) District land  
597 uses, situated on the west side of Rochell Road south of SH-276, and take any action necessary.  
598

599 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the master  
600 plat lays out the phases within that and what is being presented is for Phase I within of what  
601 they are requesting.  
602

603 Mr. Gonzales advised the Commission the applicant and staff are available for questions.  
604

605 Chairman Lyons asked the applicant to come forward and speak.  
606

607 Jim Douglas  
608 Douglas Properties  
609 2409 Avenue K  
610 Plano, TX  
611

612 Mr. Douglas came forward and stated that what they have done with Phase I is to make sure all  
613 the improvements required under PD-52 are done for the City.  
614

615 There being no questions Chairman Lyons indicated the case will return to the Commission for  
616 action at the next scheduled meeting.  
617



618 19. SP2017-031

619 Discuss and consider a request by Ed Cavendish of VPS Construction for the approval of a site  
620 plan/master open space plan for the Spyglass Hill, Phase 4 Subdivision consisting of 33 single-family  
621 residential lots on a 6.888-acre tract of land, zoned Planned Development District 8 (PD-8), generally  
622 located south on the south side of Henry M. Chandler Drive west of Ridge Road [FM-740], and take any  
623 action necessary.

624  
625 Senior Planner, David Gonzales, explained that this came before the Commission earlier in the  
626 evening as agenda #7 where the Preliminary Plat was approved to be reinstated. Mr. Gonzales  
627 pointed out that within PD-8 there are height restrictions and those elevations will have to be  
628 met.

629  
630 Chairman Lyons asked the applicant to come forward.

631 Mitchell Lenamond  
632 120 E. Main Street  
633 Forney, TX  
634

635  
636 Mr. Lenamond came forward and stated that they are aware of the height restrictions that the PD  
637 has and they will abide by those.  
638

639 There being no questions Chairman Lyons indicated the case will return to the Commission for  
640 action at the next scheduled meeting.  
641

642 20. SP2017-032 (Korey)

643 Discuss and consider a request by Deric Salser of Salser Development Group on behalf of Russ Porter  
644 of Rockwall School of Music for the approval of a site plan for a music studio on a 0.747-acre portion of  
645 a larger 2.49-acre parcel of land identified as Lot 9, Block A, Flagstone Corners Addition, City of  
646 Rockwall, Rockwall County, Texas, zoned Planned Development District 60 (PD-60) for Residential-  
647 Office (RO) District land uses, addressed as 1830 & 1842 Mims Road, and take any action necessary.  
648

649  
650 Planner, Korey Brooks, gave a brief explanation of the request stating that a the Commission  
651 and City Council recently approved a Specific Use Permit to allow a music studio in a  
652 Residential Office District along Mims Road, and they are now moving forward with the site plan  
653 for that music studio.  
654

655 Mr. Brooks advised the Commission the applicant was present and available for questions as  
656 well as staff.  
657

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

659 Derick Salser  
660 345 New Hope Road  
661 Sunnyvale, TX  
662

663  
664 Mr. Salser came forward and stated he is the applicant but the architect and the owner were  
665 present and available for questions.  
666

667 Russ Porter  
668 1447 Red Wolfe Drive  
669 Rockwall, TX  
670

671 Mr. Porter came forward and stated he and his wife have owned Rockwall School of Music for  
672 the last 21 years serving the Rockwall community.  
673

674 Mr. Brooks added that the applicant will be seeking a variance to the masonry requirement to  
675 allow hardy board and for the masonry wall they are seeking a special exception to allow for a  
676 precast masonry wall.  
677

678 Commissioner Chodun asked if there would be lighting. Mr. Brooks stated that the applicant has  
679 submitted photometric plans and staff will be reviewing that to ensure that they adhere to all  
680 lighting restrictions.  
681

682 There being no further questions Chairman Lyons indicated the case will return to the  
683 Commission for action at the next scheduled meeting.  
684

685 21. SP2017-033

686 Discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Deepak  
687 Gandhi of Rockwall Inn Keepers I, LTD for the approval of a site plan for a hotel on a 2.681-acre  
688 identified as a portion of Lots 9 & 11, Block A, La Jolla Pointe, Phase 2 Addition, City of Rockwall,  
689 Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)  
690 and Scenic Overlay (SOV) Districts, located at the southeast corner of the intersection of Laguna Drive  
691 and La Jolla Pointe Drive, and take any action necessary.  
692

693 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
694 is requesting approval for a site plan for the non-residence hotel which an approved for an SUP  
695 recently. The applicant met with the Architectural Review Board and the only thing they had  
696 issues with was the use of the materials that being natural stone product and the use of stucco  
697 however the applicant has agreed to meet the standards for the natural stone as well as three  
698 parts stucco where they have that labeled on their elevations and they will meet the 20% natural  
699 stone on the building otherwise that would become a variance for that request.  
700

701 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
702 well as staff.  
703

704 Chairman Lyons asked the applicant to come forward and speak.  
705

706 Juan Vasquez  
707 Vasquez Engineering  
708 1919 S. Shiloh Road  
709 Garland, TX  
710

711 Mr. Vasquez came forward and stated that the project is for the Hyatt Place the non-residence  
712 hotel that was recently approved a Specific Use Permit and after having met with the ARB they  
713 will be meeting their requests for the natural stone as well as the 20% the ordinance sets forth.  
714

715 There being no questions Chairman Lyons indicated the case will return to the Commission for  
716 action at the next scheduled meeting.  
717

718 22. SP2017-034 (Korey)

719 Discuss and consider a request by Mike Whittle of Whittle Development, Inc. on behalf of Randall Noe  
720 of N&H Legacy Partners for the approval of a site plan for an office buildings on 0.44-acre tract of land  
721 identified as Lot 2, Block 2, Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned  
722 Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6520 Alliance  
723 Drive, and take any action necessary.  
724

725 Planner, Korey Brooks, advised the Commission that agenda items #22 and #24 would be  
726 discussed together and the applicant is present and available for questions as well as staff.  
727

728 Mike Whittle  
729 7205 Ship Road  
730 Rowlett, TX  
731

732 Mr. Whittle came forward and explained that are building two new office buildings along Alliance  
733 Road and they will look very similar to the existing buildings. They met with the Architectural  
734 Review Board who requested they provide more articulation which they will be looking to  
735 incorporate that.  
736

737 There being no questions Chairman Lyons indicated the case will return to the Commission for  
738 action at the next scheduled meeting.  
739

740 23. SP2017-035

741 Discuss and consider a request by Johnathan Kerby of Kimley-Horn & Associates, Inc. on behalf of  
742 Harold E. Weinberger & Elana Kroll for the approval of a site plan for a retail/restaurant strip center on a  
743 1.6123-acre parcel of land identified as Lot 2, Block A, Rockwall Market Center East Addition, City of  
744 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay  
745 (IH-30 OV) District, addressed as 819 E. IH-30, and take any action necessary.  
746

747 **Planner, Corey Brooks, gave a brief explanation of the request stating that this project would be**  
748 **replacing the existing the building which housed the Johnny Carrino's restaurant. Mr. Brooks**  
749 **stated the applicant was unable to attend the meeting but a representative was present and**  
750 **available for questions as well as staff.**  
751

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

753 **Dan Porter**  
754 **Dynamic Development Company**  
755 **9920 FM428**  
756 **Aubrey, TX**  
757  
758

759 **Mr. Porter came forward and stated that the project involves the redevelopment of the existing**  
760 **IH-30 frontage property that houses the Carrino's Restaurant that is no longer in business. The**  
761 **building was built in 1999 and it is a 6,600 square foot building. Their development plan is to**  
762 **scrape that existing building and build a 10,250 square foot strip shopping center and plant to**  
763 **have three to four tenants. Their current plan is to demise that 10,250 square foot to have at the**  
764 **eastern portion a 4,750 square foot space with a drive-thru around the building because they are**  
765 **in the finalizing steps of a lease agreement for a regional brand sit down restaurant. The middle**  
766 **portion of the building is about 2,500 square feet which they would like to see go to one retailer**  
767 **and it will not be a restaurant and the other space on the eastern portion is 3,000 square feet and**  
768 **that will be straight retail which will likely be a mattress store. They will meet the parking**  
769 **requirements and after meeting with the ARB and they intend to meet all their requirements as**  
770 **well.**  
771

772 **There being no questions Chairman Lyons indicated the case will return to the Commission for**  
773 **action at the next scheduled meeting.**  
774

775  
776 24. SP2017-036

777 Discuss and consider a request by Mike Whittle of Whittle Development, Inc. on behalf of Randall Noe  
778 of N&H Legacy Partners for the approval of a site plan for an office buildings on 0.55-acre tract of land  
779 identified as Lot 3, Block 2, Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned  
780 Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6530 Alliance  
781 Drive, and take any action necessary.  
782

783 **Agenda Item was discussed in combination with Agenda item # 23.**  
784  
785

786 25. Director's Report of post Council meeting outcomes of Planning & Zoning cases.  
787

- 788 ✓ P2017-033: Lot 1, Block K, Rockwall Lake Estates West Addition [Approved]
- 789 ✓ P2017-049: Lots 1 & 2, Block A, Hodgdon Addition [Approved]
- 790 ✓ Z2017-040: Ladera of Rockwall (AG to PD) (2<sup>nd</sup> Reading) [Approved]
- 791 ✓ Z2017-042: Zoning Change (SF-7 to DT) (1<sup>st</sup> Reading) [Approved]
- 792 ✓ Z2017-043: Amendment to PD-70 (1<sup>st</sup> Reading) [Postponed to November 6, 2017]
- 793 ✓ Z2017-044: SUP for Indoor Motor Vehicle Showroom at 1785 E. IH-30 (1<sup>st</sup> Reading) [Approved]
- 794 ✓ Z2017-045: Zoning Change (AG to SFE-2.0) (1<sup>st</sup> Reading) [Approved]
- 795 ✓ Z2017-046: Amendment to PD-82 (1<sup>st</sup> Reading) [Approved]
- 796 ✓ Z2017-047: SUP for an Accessory Building at 218 W. Quail Run Road (1<sup>st</sup> Reading) [Denied]
- 797 ✓ Z2017-048: SUP for a Mini-Warehouse at 259 Ranch Trail (1<sup>st</sup> Reading) [Approved]
- 798 ✓ Z2017-049: Amendment to PD-74 (1<sup>st</sup> Reading) [Approved]
- 799 ✓ SP2017-030: Variances for Subaru of Rockwall [Approved]
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Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting.

VII. ADJOURNMENT

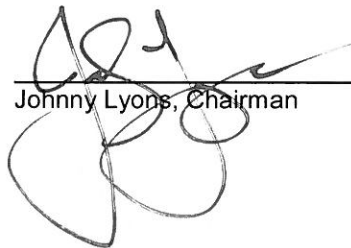
Chairman Lyons adjourned the meeting at 7:51 p.m.

VIII. TRAINING SESSION

26. *Planning and Zoning Commission Training Session*

A work session with the GIS Department will be held in the City Council meeting room immediately following the adjournment of the October 24, 2017 Planning and Zoning Commission work session meeting.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 14 day of November, 2017.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**November 14, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

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

II. CONSENT AGENDA

1. Approval of Minutes for the October 24, 2017 Planning and Zoning Commission meeting.
2. Approval of Minutes for the September 26, 2017 Planning and Zoning Commission meeting.

3. P2017-051

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of BSKJ Development, Inc. for the approval of a preliminary plat for Lots 1-8, Block A, Carrier Drive Business Park Addition being a 17.0-acre portion of a larger 43.851-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located east of the intersection of SH-276 and John King Boulevard, and take any action necessary.

4. P2017-052

Discuss and consider a request by Brian Kelly for the approval of a final plat for Lot 1, Block A, Kelly Ranch Addition being a 3.217-acre portion of a larger 9.195-acre tract of land identified as Tract 13-06 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 631 Hanby Lane, and take any action necessary.

5. P2017-054

Discuss and consider a request by Jim Douglas of Douglas Properties, Inc. on behalf of Isabel Garrett of the McClendon Company for the approval of a master plat for the Terracina Estates Subdivision consisting of 204 single-family lots on a 81.49-acre tract of land identified as Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, Planned Development District 82 (PD-82) for Single-Family 10 (SF-10) District land uses, situated on the west side of Rochell Road south of SH-276, and take any action necessary.

6. P2017-055

Discuss and consider a request by Jim Douglas of Douglas Properties, Inc. on behalf of Isabel Garrett of the McClendon Company for the approval of a preliminary plat for *Phase 1* of the Terracina Estates Subdivision consisting of 110 single-family lots on a 54.995-acre portion of a larger 81.49-acre tract of land identified as Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, Planned Development District 82 (PD-82) for Single-Family 10 (SF-10) District land uses, situated on the west side of Rochell Road south of SH-276, and take any action necessary.

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

III. APPOINTMENTS

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

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

64  
65 IV. PUBLIC HEARING ITEMS  
66

67 8. P2017-053

68 Hold a public hearing to discuss and consider a request by Bart Carroll of Carroll Consulting Group, LLC  
69 for the approval of a replat for Lots 19, 20 & 21 of the Hidden Valley Estates No. 2 Addition being a  
70 4.716-acre tract of land currently identified as Lot 11 of the Hidden Valley Estates No. 2 Addition,  
71 Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ),  
72 addressed as 1 and 1A Wildbriar Street, and take any action necessary.  
73

74 **Planner, Korey Brooks, gave a brief explanation of the request stating that the case is coming**  
75 **before the Commission because it is a residential replat that increases the number of lots and**  
76 **currently it is one lot and the applicant is proposing to subdivide the one lot into three lots. Per**  
77 **the inter local agreement with the City of Rockwall and Rockwall County any property that is in**  
78 **the ETJ, the City then becomes the governing body for the platting.**  
79

80 **Mr. Brooks advised the Commission the applicant was present and available for questions as**  
81 **well as staff.**  
82

83 **Chairman Lyons opened up the public hearing and asked the applicant to come forward and**  
84 **speak.**  
85

86 **Christy Phillips**  
87 **Carroll Consulting Group**  
88 **P.O. Box 11**  
89 **Lavon, TX**  
90

91 **Ms. Phillips came forward and stated the request is to replat the single lot to three residential**  
92 **lots.**  
93

94 **Commissioner Trowbridge asked if any of the property was within the floodplain zone that**  
95 **they're aware of. Ms. Phillips stated it was not within the floodplain.**  
96

97 **Chairman Lyons asked if they would be sharing a driveway or would each lot have their own**  
98 **individual access to the lots. Ms. Phillips stated they should each have their own individual**  
99 **driveway and access to Country Ride Road.**  
100

101 **Chairman Lyons asked if anyone wished to speak to come forward and do so.**  
102

103 **Chuck Newton**  
104 **304 Wooded Trail**  
105 **Rockwall, TX**  
106

107 **Caroline Newton**  
108 **304 Wooded Trail**  
109 **Rockwall, TX**  
110

111 **Mr. Newton came forward and expressed concern with Wildbriar not being listed as a street and**  
112 **on the County Roads as it is more of a private drive, he feels there needs to be access for the**  
113 **proposed lots to have access to County Ride Road.**  
114

115 **Planning Director, Ryan Miller, noted that since the properties are not in zoning a zoning district**  
116 **there is not a minimum lot frontage requirement in the County, however it does meet all of the**  
117 **City's technical requirements for platting as well as the County's requirements for access.**  
118

119 **Mrs. Newton expressed concern with the deed restrictions not being enforced or adhered to by**  
120 **the applicant and would like for the City to step in and make sure the stipulations on those deed**  
121 **restrictions be enforced. Mr. Miller explained that the City is not a party to those deed**  
122 **restrictions and therefore cannot enforce deed restrictions.**  
123

124 **Sam Antony**  
125 **305 Wooded Trail**  
126 **Rockwall, TX**

127  
128 Mr. Antony came forward and expressed concern with the consequence to the greenbelt with  
129 adding three additional septic systems which will slope down, is concerned with who would  
130 regulate to ensure it would not pose a health risk. Mr. Miller explained that the City is not the  
131 permitting authority on these properties, all the City can be involved with is processing the plats,  
132 and therefore that concern would need to be addressed to Rockwall County since they will be  
133 the permitting authority. Mr. Antony asked if there would be adequate road access to those  
134 properties once they are divided. Mr. Miller explained that they would all have access to Country  
135 Ridge Road.

136  
137 Chairman Lyons asked if there was anyone else who wished to speak to come forward and do  
138 so, there being no one indicating such Chairman Lyons closed the public hearing and brought  
139 the item back to the Commission for discussion or action.

140  
141 Commissioner Welch made a motion to approve P2017-053 with staff recommendations.  
142 Commissioner Moeller seconded the motion which passed by a vote of 7-0.

143  
144 9. Z2017-043

145 Hold a public hearing to discuss and consider a request by Austin Lewis of Lewis Real Estate  
146 Investments, Inc. on behalf of Stone Creek Balance, LTD for the approval of an amendment to Planned  
147 Development District 70 (PD-70) to incorporate a single-single family subdivision consisting of 19 single-  
148 family residential homes on a 5.28-acre tract of land identified as Tract 2-7 of the W. T. Deweese  
149 Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, Planned Development District 70  
150 (PD-70) for Single-Family 10 (SF-10) District land uses, located at the southeast corner of the  
151 intersection of Greenway Drive and FM-552, and take any action necessary [*Request to Postpone to*  
152 *November 28, 2017*].

153  
154 Senior Planner, David Gonzales indicated that the applicant is requesting to postpone the item  
155 to the next scheduled meeting that will be held November 28<sup>th</sup> and due to this being the third  
156 request by the applicant; according to the UDC it will be the last time a postponement can be  
157 requested. It is a public hearing and the postponement, should it be granted, would need to be  
158 announced and a motion would need to be taken by the Commission as to grant the  
159 postponement or not.

160  
161 Chairman Lyons asked the Commission for any discussion or action.

162  
163 Commissioner Trowbridge asked for clarification if tabling the item were to be denied would it  
164 then put a time parameter where they would have the ability to reapply for the same thing again.  
165 Mr. Gonzales explained that the postponement would allow for one more public hearing however  
166 should they postpone that one it would automatically be withdrawn and the applicant would be  
167 allowed to submit any time after that. Planning Director, Ryan Miller, added clarification that if  
168 the Commission decides to move forward and take action on it, that would be sending a  
169 recommendation to City Council and they would then have the final approving authority and they  
170 would have the choice of accepting the denial with prejudice or without prejudice.

171  
172 Chairman Lyons made a motion to table Z2017-043 with the next public hearing date set to be on  
173 November 28, 2017. Commissioner Welch seconded the motion which passed by a vote of 4-3  
174 with Commissioners Chodun, Trowbridge and Welch dissenting.

175  
176  
177 10. Z2017-050

178 Hold a public hearing to discuss and consider a request by Jim Albracht of Divine Peace Lutheran  
179 Church on behalf of Iris Smith of Rockwall Wedding Chapel for the approval of a Specific Use Permit  
180 (SUP) for a church in the Downtown (DT) District on a 0.804-acre tract of land identified as Lots 1-3,  
181 Block W and Lots 1-4, Block T, Rockwall OT Addition, City of Rockwall, Rockwall County, Texas, zoned  
182 Downtown (DT) District, addressed as 203 & 305 S. Fannin Street, and take any action necessary.

183  
184 Planner, Korey Brooks, gave a brief explanation of the case stating that the applicant is  
185 requesting a Specific Use Permit) to allow a church in a Downtown District. According to the  
186 Unified Development Code), a church/house of worship is permitted within a Downtown District  
187 with a Specific Use Permit, which is a discretionary decision for the Planning and Zoning  
188 Commission and the City Council. Currently the subject property houses a wedding chapel  
189 which is the Rockwall Wedding Chapel. The applicant is not proposing any changes to the

190 exterior of the buildings, however, should exterior modifications be made, a site plan may be  
191 required. Additionally, the existing structure is generally in conformance with the parking  
192 standards stipulated in the Unified Development Code. Additionally the church is in  
193 conformance with the parking requirements of the UDC.  
194

195 Mr. Brooks went on to state that on October 26, 2017, staff mailed 140 notices to property  
196 owners and occupants within 500-feet of the subject property and also notified the Bent Tree  
197 Condos and the Stonebridge Meadows Homeowner's Associations which are the only HOA's  
198 and/or Neighborhood Organizations within 1,500-feet of the subject property and participating in  
199 the notification program. Staff did not receive any notices concerning this case.  
200

201 Mr. Brooks advised the Commission that the applicant was present and available for questions  
202 as well as staff.  
203

204 Chairman Lyons opened the public hearing and asked the applicant to come forward and speak.  
205

206 Jim Albracht  
207 Divine Peace Lutheran Church  
208 2002 Kings Path  
209 Heath, TX  
210

211 Mr. Albracht came forward and did not provide additional information.  
212

213 Commissioner Chodun asked the applicant if they are currently paying property taxes given that  
214 it is not being used as a church currently. Mr. Albracht indicated that he is one of the buyers of  
215 the properties however the owner is present and does pay property taxes.  
216

217 Commissioner Fishman asked if they would be increasing parking spaces to meet their needs.  
218 Mr. Albracht stated they would not be increasing parking spaces however there are municipal  
219 lots that are within a half a block.  
220

221 Chairman Lyons asked if anyone wished to speak to come forward and do so, there being no  
222 one indicating such Chairman Lyons closed the public hearing and brought the item back to the  
223 Commission for discussion or action.  
224

225 Commissioner Trowbridge made a motion to approve Z2017-050. Commissioner Welch  
226 seconded the motion which passed by a vote of 7-0.  
227

228 11. Z2017-051

229 Hold a public hearing to discuss and consider a request by Bart Tinsley of Rockwall SIL, LLC on behalf  
230 of the owner Don Cameron of Cameron & Cameron for the approval of a zoning change from an  
231 Agricultural (AG) and Commercial (C) District to a Planned Development District for an age-restricted  
232 multi-family apartment complex and memory care facility on a 12.40-acre tract of land identified as Tract  
233 8 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned  
234 Agricultural (AG) and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District,  
235 located on the west side of T. L. Townsend Drive south of Justin Road, and take any action necessary.  
236

237 Senior Planner, David Gonzales, gave a brief explanation of the case stating that the applicant is  
238 requesting for the approval of a zoning change from an Agricultural and Commercial District to a  
239 Planned Development District for an age-restricted multi-family apartment complex and memory  
240 care facility on a 12.40-acre tract of land. Earlier in the year on May 12, 2017, the applicant  
241 submitted an application requesting to rezone the subject property from an Agricultural and  
242 Commercial District to a Planned Development District for an age restricted multi-family  
243 apartment complex consisting of 174 dwelling units. This request was denied with prejudice by  
244 the City Council on July 3, 2017 restricting the ability of the applicant to submit a zoning  
245 application for a period of one year from date of denial, unless the applicant submits an  
246 application that is for a more restrictive or less intense use than previously requested. Based on  
247 a revised submittal on October 24, 2017, the Planning and Zoning Commission determined the  
248 applicant had brought forward modifications that represented a substantial change to the  
249 original request. Although the requests primary use remains a multi-family complex, the  
250 modifications introduced by the applicant represent a reduction in the amount of dwelling units  
251 from 174 units to 144 units. In addition, the building height was decreased from a four story



252 multi-family complex to a three story multi-family complex, and the applicant introduced a  
253 separate 32 bed memory care facility.

254 Mr. Gonzales further noted that along with the application, the applicant has submitted a  
255 concept plan, building elevations, and development standards for the proposed age restricted  
256 multi-family apartment complex and memory care facility. The concept plan shows that the  
257 proposed 144-unit age restricted apartment complex will consist of a three story building  
258 composed of a 145,793 total gross square footage. The proposed building design will  
259 incorporate a wrap-around architectural style with a courtyard and pool in the center of the  
260 facility. By reducing the height and units of the multi-family apartment complex by one story,  
261 the applicant will construct a single-story, 87,120 square foot memory care facility. The memory  
262 care facility will have 28 rooms and 32 beds available for patient use. If approved, the total unit  
263 count for this development will be 172 units which consist of 144 MF units and 28 memory care  
264 units and will have a gross density of 14 units per acre, consistent with the City's development  
265 standards for a Multi-Family 14 District. The development will also include a five foot  
266 meandering walking trail, pool amenity, pavilion, dog park, and an indoor recreation area.  
267 Additional accessory uses listed in the ordinance such as. barber and beauty shop, chapel, drug  
268 store, health studio, will be available to the residents, but not to the general public. The  
269 proposed multi-family complex will be highly articulated and will meet the City's standards for  
270 building design. Additionally based on the size of the subject property and the number of units  
271 proposed, the requested density will be 14 units per acre, meeting the standards established for  
272 a Multi-Family 14 District. The addition of the 28 units for the memory care facility will also  
273 equate to 14 units per acre. However, the Future Land Use Map indicates the subject property to  
274 be zoned for Commercial land uses. Based on the request for a high density development the  
275 Engineering Department has contacted the City's engineering consultant, Birkhoff, Hendricks &  
276 Carter, LLP to review the City's 2014 Wastewater Collection System Master Plan and determine  
277 the capacity necessary for the existing sanitary sewer system regarding the proposed planned  
278 development. Any zoning change proposing a more intense land use than what is depicted on  
279 the City's Future Land Use Plan could have implications for the City's existing infrastructure (i.e.  
280 streets, water, and wastewater) capacities. The City's consultant has determined that the  
281 capacity necessary for the existing infrastructure is adequate for this development. The  
282 development conforms to all other requirements of the Multi-Family 14 District.

283  
284 In addition Mr. Gonzales explained that the UDC stipulates that multi-family apartment  
285 complexes be parked as follows: [1] one (1) bedroom or efficiency units require 1½ parking  
286 spaces per unit, [2] two (2) bedroom units require two (2) parking spaces per unit, and [3] three  
287 (3) bedroom units require 2½ parking spaces per unit. The applicant has indicated that the age  
288 restricted multi-family apartment complex will have one (1) and two (2) bedroom units only. This  
289 equates to 243 required parking spaces for the proposed development of the multi-family  
290 apartment complex; however, the applicant is proposing a 1.5 spaces/unit for a total of 222  
291 parking spaces. This will require approval of the Planning and Zoning Commission and City  
292 Council for the reduced number of 21 parking spaces. It should be noted that the reduced  
293 parking total has been included in the draft ordinance and is considered to be a condition of  
294 approval. The PD Concept Plan indicates that a mixture of 56 garage spaces, 52 covered surface  
295 spaces, and 109 surface parking spaces will be utilized. The ratio of garages to parking units  
296 equals 56:222 or 25.23% of all parking spaces. A memory care facility is parked at a ratio of one  
297 space per bed within the facility and one space per employee on the largest shift. The applicant  
298 has indicated the memory care facility will have 32 beds and 10 employees on the largest shift  
299 and is providing the necessary parking of 42 spaces to meet the standards established in the  
300 UDC for this use. The building elevations submitted by the applicant show that both the multi-  
301 family apartment complex and the memory care facility will utilize a mixture stone, brick, and  
302 HardiePlank lap siding on the exterior façades, and a composition shingled roof. In addition, the  
303 elevations conform to the four sided architecture requirements stipulated by the SH-205 Overlay  
304 District as required by the UDC.

305  
306 Mr. Gonzales went on to state that on October 26, 2017, staff mailed 37 notices to property  
307 owners and residents within 500-feet of the subject property and there is no HOA/Neighborhood  
308 Organizations within 1500-feet participating in the notification program. Staff received eight  
309 notices in favor of the applicant's request.

310  
311 Mr. Gonzales advised the Commission that the applicant was present and available for questions  
312 as well as staff.

313  
314 Chairman Lyons asked for questions for staff from the Commission.

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Chairman Lyons asked if of the current number of apartments under development are “senior” apartments. Mr. Gonzales stated that none of the entitlements currently are relegated for senior independent living.

Commissioner Logan asked concerning the reason for the addition of the memory care facility. Mr. Gonzales stated the applicant could better answer their reason for the addition.

Chairman Lyons asked the applicant to come forward and speak.

Bart Tinsley  
1625 Clark Springs Drive  
Allen, TX

Mr. Tinsley came forward and addressed Commissioner Logan’s question concerning adding the memory care they have seen that with independent living residents may have a spouse with the need of the memory care facility and therefore the addition of the memory care component would work well. Also it would narrow it down to a senior living campus.

Tim O’Hanlon  
724 Dane Road  
Van Alstyne, TX

Mr. O’Hanlon came forward and stated he was available for any questions the Commission may have and respectfully asked the Commission for their approval.

Commissioner Trowbridge generally expressed being in favor of the proposal however is concerned with the density.

General discussion took place concerning other projects the have developed such as these that have been welcomed by the community because there is a large need for it and they have shown to be successful because of the demand.

Commissioner Logan asked concerning the amount of parking spaces they would be lacking. Mr. Gonzales stated they would be short 21 spaces.

Commissioner Fishman asked concerning the traffic impact it may have in the area. Mr. O’Hanlon stated that typically most of the residents would not be driving too often, a van service will be provided however they have seen that the times that residents choose to come and go is typically not during peak hours such as when school is starting or letting out. They do not feel it will have much impact on additional traffic to the area, on the contrary would provide a lot less than any type of office or such like use.

Joseph Reue  
Burgess & Niple  
10701 Corporate Drive Suite 118  
Stafford, TX

Mr. Reue came forward and stated they provided a preliminary analysis that shows as both Mr. Tinsley and Mr. O’Hanlon mentioned with seniors their peak drive times are different he feels they are one sixth the traffic and he spoke of the traffic count that they conducted.

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

Don Cameron  
4090 E. FM 552  
Rockwall, TX

Mr. Cameron came forward and stated he has been a resident of Rockwall for 53 years and is joined by his family at the meeting in support of the request. He feels this request is a perfect

377 location for a use such as is being proposed. He urged the Commission to consider the approval  
378 of the request.

379 Dr. David McKeon  
380 4104 Village Drive  
381 Rockwall, TX  
382

383 Mr. McKeon came forward and expressed being in favor of the request. He and Dr. Bob Green's  
384 property line where his office is located, abuts the subject property line therefore he has a  
385 vested interest in what is approved to be developed and has had concern with what those  
386 possibilities may be. He feels what the current proposal is offering will address any concerns  
387 they have such as the aesthetics, safety, and traffic. He feels any with how the proposed  
388 development is being brought forward those concerns would not be an issue. He asked the  
389 Commission to consider approval.  
390

391 Chairman Lyons asked if there was anyone else who wished to speak to come forward and do  
392 so, there being no one indicating such; Chairman Lyons closed the public hearing and brought  
393 the item back to the Commission for discussion or action.  
394

395 Chairman Lyons generally expressed being in favor of the request due to it being a senior  
396 independent living complex as opposed to a regular multi-family proposal which would not  
397 work in this area. The addition of the memory care serves a need that the community has and in  
398 this location will be an asset.  
399

400 Chairman Lyons made a motion to approve Z2017-051 with staff recommendations.  
401 Commissioner Trowbridge seconded the motion.  
402

403 General discussion then took place between the Commission concerning approving dense  
404 development such as this but taking into consideration that surrounding property owners are  
405 showing support to approve. Also discussed was tying it to the zoning for it to remain "senior  
406 living" however the City cannot force any deed restrictions, the prospect of other uses that may  
407 be proposed in the future on the subject property and the overall need for a facility such this.  
408

409 Chairman Lyons indicated that there was a motion and a second on the floor to approve Z2017-  
410 051 with staff recommendations. The motion passed with a vote of 6-1 with Commissioner  
411 Chodun dissenting.  
412

413 Chairman Lyons called a recess at 7:30 p.m.  
414

415 Chairman Lyons called the meeting back to order at 7:43 p.m.  
416

417 12. Z2017-052

418 Hold a public hearing to discuss and consider a request by Pat Atkins of Saddlestar Land Development  
419 on behalf of the Stagliano Family Trust for the approval of a zoning change from a Commercial (C)  
420 District and Heavy Commercial (HC) District to a Planned Development District for commercial/retail,  
421 single-family and townhome land uses on a 63.72-acre tract of land identified as Tract 3 of the W. H.  
422 Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) and  
423 Heavy Commercial (HC) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the  
424 northwest corner of S. Goliad Street [SH-205] and Mims Road, and take any action necessary [*Request*  
425 *to Postpone to November 28, 2017*].  
426

427 Senior Planner, David Gonzales, advised the Commission that the applicant is asking to  
428 postpone the public hearing in order to address staffs comments and if granted, the  
429 postponement would take the public hearing to the November 28, 2017 meeting and that date  
430 would need to be announced and that would be sufficient notice and no additional notice would  
431 be required.  
432

432 Chairman Lyons brought the item back to the Commission for discussion or action.  
433

434 Commissioner Trowbridge made a motion to approve the postponement of Z2017-052 to the  
435 November 28, 2017 meeting. Commissioner Fishman seconded the motion which passed by a  
436 vote of 7-0.  
437

438  
439 13. Z2017-053

440 Hold a public hearing to discuss and consider a request by Kelly Duncan for the approval of a Specific  
441 Use Permit (SUP) to allow for an accessory building that does not meet the minimum requirements as  
442 stipulated by Article IV, *Permissible Uses*, of the Unified Development Code for a 4.60-acre tract of land  
443 identified as Lot 3 of the Rolling Meadows Subdivision, City of Rockwall, Rockwall County, Texas,  
444 zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 2705 Rolling Meadows Drive, and take  
445 any action necessary.  
446

447 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
448 requesting the approval of an SUP to allow for an accessory building that does not meet the  
449 minimum requirements stipulated in the UDC. The applicant is proposing to construct an 14-  
450 foot tall metal building that will be approximately 1,092 square feet. The proposed accessory  
451 building will be located behind the main structure, 120-feet from the side property line and 140-  
452 feet from the rear property line, and have a roll-up door. The applicant has stated that the  
453 proposed accessory building will not be used for commercial uses but will be used for the  
454 storage of personal vehicles and equipment. Since, the property does not have a solid fence,  
455 the proposed accessory building may be visible from Rolling Meadows Drive, however, other  
456 properties located within the subdivision such as the property adjacent to the subject property  
457 have a metal accessory. According to the UDC, properties within a Single-Family Estate 4.0  
458 District are permitted one accessory buildings that is a maximum of 2,000 square feet. In  
459 addition, the UDC states that an accessory building shall be clad with the same materials that  
460 are found on the primary structure. In this case, the proposed accessory building conforms to  
461 the size and height requirements, however, since the proposed accessory building will be  
462 constructed out of metal, the applicant is required to apply for a Specific Use Permit and the  
463 approval of this SUP is a discretionary decision for the Planning and Zoning Commission and  
464 City Council.  
465

466 Mr. Brooks added that on October 26, 2017, staff mailed 24 notices to property owners and  
467 occupants within 500-feet of the subject property and also notified the Rolling Meadows  
468 Homeowner's Association which is the only HOA and/or Neighborhood Organization within  
469 1,500-feet of the subject property and participating in the notification program. Staff received 1  
470 notice in favor of the request.  
471

472 Mr. Brooks advised the Commission that the applicant was unable to attend the meeting  
473 however staff was available for questions.  
474

475 Chairman Lyons asked for questions from the Commission.  
476

477 Chairman Fishman asked if the size of the building increase in size from what was presented at  
478 the work session. Mr. Brooks stated it did, originally the applicant was proposing a 20x20 loafing  
479 shed and since has decided to build a 42x46 accessory building with a rolling door.  
480

481 Commissioner Fishman asked if there were any additional accessory buildings on the property.  
482 Mr. Brooks stated there were not.  
483

484 Commissioner Chodun asked concerning the line of trees adjacent to the south property are  
485 those tall enough to screen the building. Mr. Brooks stated they would provide some type of  
486 screening. Commissioner Chodun expressed concern if it did not as it may be an eye sore to the  
487 adjacent property.  
488

489 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come  
490 forward and do so, there being  
491

492 Commissioner Chodun made a motion to approve Z2017-053 with staff recommendations and  
493 with the condition that the applicant maintain the landscape screening adjacent to the south  
494 property. Commission Moeller seconded the motion which passed by a vote of 6-1 with  
495 Commissioner Logan dissenting.  
496

497 14. Z2017-054

498 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text  
499 amendment to Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*] for  
500 the purpose of making general corrections and clarifications to the code, and take any action necessary.  
501

502 Planning Director, Ryan Miller, gave a brief explanation of the request stating that on June 6,  
503 2017, the City Council directed staff to proceed with changes to Article IX, Tree Preservation, of  
504 the Unified Development Code for the purpose of [1] clarifying the criteria for affected  
505 properties, [2] revising existing definitions, [3] outlining the requirements and review process for  
506 treescape plans, [4] amending the mitigation requirements, and [5] making general corrections  
507 and clarifications to the existing ordinance. These changes were initially started by staff in  
508 response to a code enforcement case dealing with the indiscriminate clearing of land. Through  
509 the revision of the code, several inconsistencies in the current ordinance were brought to  
510 staff's attention, and through the processes of making corrections to clear up these  
511 inconsistencies staff identified several other areas of the ordinance in need of updating or  
512 clarification. Shortly after the City Council's direction, the Texas Legislature entered into a  
513 special session that included two (2) bills that had the potential to affect a municipalities' ability  
514 to require/regulate tree preservation. Staff ultimately chose to hold off on bringing the text  
515 amendment forward until the end of the special session. Through the special session, only one  
516 (1) of the bills affecting Tree Preservation, Bill HB007 was approved. Staff has reviewed the  
517 changes to the Texas Local Government Code introduced by the approved bill which will be  
518 effective on December 1, 2017 and determined that the proposed text amendment to Article IX,  
519 Tree Preservation, of the Unified Development Code is not in conflict.  
520

521 Mr. Miller further explained that the proposed text amendment would change the identification of  
522 trees to one (1) of four (4) categories: [1] Primary Protected Tree, [2] Secondary Protected Tree,  
523 [3] Featured Tree, and [4] Non-Protected Tree. Under the current ordinance, trees can be both a  
524 Protected Tree and a Feature Tree depending on the size and type of the tree. The proposed  
525 changes would remove this overlap and define any tree greater than 25-inches as a Feature Tree.  
526 In addition, the proposed ordinance outlines how a mitigation balance maybe satisfied (e.g.  
527 provide trees to the Parks Department, plant trees on site, buy Tree Preservation Credits, etc.),  
528 and increases the per inch cost for Tree Preservation Credits from \$125.00/inch to \$200.00/inch.  
529 This change is being proposed to address the current cost of purchasing trees, which has  
530 significantly increased since the passage of the original ordinance. Finally, the changes provide  
531 a process for the City Council to approve Alternative Tree Mitigation Plans. This is not  
532 addressed in the current ordinance.  
533

534 Mr. Miller advised the Commission staff was available for questions.  
535

536 Chairman Lyons opened up the public hearing and asked if there was anyone wishing to speak  
537 to come forward and do so, there being no one indicating such; Chairman Lyons closed the  
538 public hearing and brought the item back to the Commission for discussion or action.  
539

540 Commissioner Moeller made a motion to approve Z2017-054 with staff recommendations.  
541 Commissioner Logan seconded the motion which passed by a vote of 7-0.  
542  
543

544 15. Z2017-055

545 Hold a public hearing and consider a request by Kevin Hickman of PegasusAblon on behalf of Rockwall  
546 Rental Properties, LP for the approval of a PD Development Plan amending Ordinance 13-16 and in  
547 accordance with Ordinance No. 10-21, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-  
548 Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall,  
549 Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-  
550 30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and  
551 Lakefront Trail, and take any action necessary.  
552

553 Planning Director, Ryan Miller, gave a brief background explanation of the request. On June 17,  
554 2013, the City Council approved a PD Development Plan allocating 399 urban residential units,  
555 condominiums, to the subject property. These units were tied to a concept plan that showed  
556 two condominium buildings being constructed on the subject property, one adjacent to  
557 Lakefront Trail consisting of 349-units and one adjacent to the Harbor Fountain consisting of  
558 50-units. In addition, the plan indicated two retail/restaurant strip centers would be constructed  
559 adjacent to Lake Front Trail and Harbor Heights Drive. These areas were eventually developed  
560 with a hotel, Spring Hill Suites, in 2016. Currently, 928 of the 1,161 urban residential units have  
561 been allocated by the City Council. This means that there are a total of 233-units unallocated  
562 within the district. The applicant has submitted an application requesting to amend the PD  
563 Development Plan approved under Ordinance No. 13-16 for the purpose of allowing an additional  
564 51-units to be allocated to the existing 399-units already entitled on the subject property.

565 According to the applicant's letter, the current owner, Rockwall Rental Properties, LP, will be  
566 retaining the proposed building adjacent to the Harbor Fountain and 75 of the 399-units. The  
567 remainder of the land and the remaining 324-units are under contract by the applicant. The  
568 applicant is requesting that the City Council grant the additional 51-units to increase the overall  
569 unit count for the property, adjacent to Lakefront Trail, to 375-units. In addition, the applicant  
570 has submitted a concept plan showing that the building would be increased from a four) story  
571 building to a five story building. The applicant has submitted an updated concept plan that staff  
572 has incorporated into the draft ordinance and conformance to this plan is considered to be a  
573 condition of approval. Staff should point out that the applicant is showing a parking garage will  
574 be added on the subject property that will be intended to serve the adjacent property. This  
575 property is currently occupied by a Cinemark Theater, and is owned by the applicant. After  
576 reviewing the applicant's case, staff has determined that the request is in conformance with all  
577 the requirements of Planned Development District 32; however, the allocation of any urban  
578 residential units within Planned Development District 32 is a discretionary decision for the City  
579 Council. If approved the total number of unallocated urban residential units would be decreased  
580 to 182-units.

581  
582 Mr. Miller further noted that on October 26, 2017, staff mailed 140 notices to property owners and  
583 residents within 500-feet of PD-32. Staff also emailed a notice to the Lakeside Village, Fox  
584 Chase, Chandler's Landing, Signal Ridge and Waters Edge Homeowner's Associations, which  
585 are the only HOA's located within 1,500 feet of PD-32. Staff had received one notice that  
586 appeared to be in opposition of the proposed development.

587  
588 Mr. Miller advised the Commission that the applicants were present and available for questions  
589 as well as staff.

590  
591 Chairman Lyons asked the Commission for questions.

592  
593 Commissioner Trowbridge asked if it was only the addition of units and the addition of a floor  
594 that was being discussed. Mr. Miller stated it was for the additional units, a PD Development  
595 Plan is tying down a conceptual layout they are still required to meet all the density and  
596 dimensional requirements that are in the controlling ordinance, Ord. 10-21, that runs the design  
597 of the building and pushes it towards that form base code and that is reviewed as part of the site  
598 plan.

599  
600 Chairman Welch asked for clarification of the allocation of the units, would there be additional  
601 units available any to be added in later. Mr. Miller explained that the 1161 number of units is a  
602 fixed number and every time we approve the number is subtracted from that, in this case there is  
603 currently 928 which means there are 233 unallocated units, if the request is approved it will  
604 decrease the number of units available in the District from 233 units to 182 units.

605  
606 Chairman Lyons opened up the public hearing and asked the applicant to come forward and  
607 speak.

608  
609 Kevin Hickman  
610 9474 Gagehill Drive  
611 Dallas, TX

612  
613 Mr. Hickman came forward and spoke of various aspects of the request. They have under  
614 contract the land that encompasses 375 units as well as the public garage along Lakefront Trail  
615 the seller is retaining the piece of land that contains the 75 dwelling units which will be self-  
616 contained parking that probably will be a podium style building there making for a total of 3  
617 garages. He pointed out that one of the main reasons they are asking to increase the density is  
618 because the land is encumbered by an REA which encompasses the retail project that is  
619 adjacent to this site. They acquired the retail site last December and are in the process of  
620 "cleaning" it up and are making a significant investment and see it as lifting up the overall  
621 Harbor District and the request will be a complimentary use to that. The public garage that  
622 contains 180 units is really for the retail parking and the demand that is going to be generated by  
623 the retail and the other two projects will be self-contained parking.

624  
625 Chairman Lyons asked if anyone wished to speak to come forward and do so.

626  
627 Paul Day

628 1507 Walnut Ridge Drive  
629 Rockwall, TX  
630

631 Mr. Day came forward and expressed the need for additional parking in the Harbor as some  
632 restaurants find it hard to keep their doors open for lack of parking. His question to the applicant  
633 was if the parking would be free or would there be a fee.  
634

635 Chad Cain  
636 P.O. Box 234  
637 Rowlett, TX  
638

639 Mr. Cain came forward and stated that he owns a piece of property within the area that received  
640 notification. He asked for clarification of who will own the 75 dwelling units, Pegasus Ablon or  
641 the original requestor of the 399 units. He generally expressed not being in favor of the request  
642 does not feel they need to get the additional units to make the project work.  
643

644 Brad Williams  
645 2728 North Harwood Street  
646 Dallas, TX  
647

648 Mr. Williams came forward and stated he represents DRZW Holdings for property number 201  
649 which is adjacent to the property. He shared that they are not opposed to the request however  
650 they are in the process of putting their own plan together and are in conversation with the  
651 property owners to their north and west property numbers 203 and 205 to possibly put those  
652 properties together and form a larger development site such as a multi-family or high density  
653 residential which they feel would be the best use because of the lake front and the subject  
654 property behind them. He went on to say that plans for their project is underway and they will  
655 likely be requesting additional units as well.  
656

657 Chairman Lyons asked the applicant to come forward for any rebuttal he wished to offer.  
658

659 Mr. Hickman came forward and indicated that the ownership structure although driven by  
660 Pegasus Ablon, the ownership structure between the multi-family and the retail will likely not be  
661 the same and concerning whether the parking will have a fee associated with it he stated there  
662 will not be. He spoke of Pegasus Ablon's intent to elevate the Harbor District.  
663

664 Commissioner Trowbridge asked if they would be the primary developer. Mr. Hickman will be the  
665 primary developer of the 375 units the seller of the land is retaining the lot with the 75 dwelling  
666 units and they will be working in conjunction with that owner likely working with the same  
667 architect to achieve a similar design.  
668

669 Commissioner Fishman asked how the view would be impacted coming in IH-30 would the  
670 fountain be blocked. Mr. Hickman indicated that the Harbor Fountain would still be visible.  
671

672 Chairman Lyons closed the public hearing and brought the item back to the Commission for  
673 discussion or action.  
674

675 General discussion took place concerning density and the numbers of allocated units and how  
676 approval of the request would affect those numbers and the PD as a whole.  
677

678 Commissioner Welch made a motion to approve Z2017-055 with staff recommendations.  
679 Chairman Lyons seconded the motion which passed by a vote of 6-1 with Commissioner  
680 Trowbridge dissenting.  
681

682  
683 V. ACTION ITEMS  
684

685 16. SP2017-031  
686 Discuss and consider a request by Ed Cavendish of VPS Construction for the approval of a site  
687 plan/master open space plan for the Spyglass Hill, Phase 4 Subdivision consisting of 33 single-family  
688 residential lots on a 6.888-acre tract of land, zoned Planned Development District 8 (PD-8), generally  
689 located south on the south side of Henry M. Chandler Drive west of Ridge Road [FM-740], and take any  
690 action necessary.

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Senior Planner, David Gonzales, advised the Commission that the applicant has requested to withdraw the case. No action needs to be taken by the Commission regarding this request.

17. SP2017-032

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

Planner, Corey Brooks, gave a brief explanation and background of the request stating that the applicant is requesting approval of a site plan for a 4,000 square foot music studio. On September 5, 2017, the City Council approved a Specific Use Permit to allow a music studio, Rockwall School of Music, in Planned Development District 60. Per the approved Specific Use Permit, the applicant is proposing to construct a 6 foot masonry screening wall adjacent to the residential properties located along the eastern and southern property lines. According to the applicant, the building will be designed so that no sound will affect the adjacent residential properties and this was a condition of approval of the approved SUP and the applicant will also be required to provide a 20-foot landscape buffer strip adjacent to Mims Road.

Mr. Brooks went on to state that the site plan, landscape plan, treescape plan, and photometric plan conform to the technical requirements of the Unified Development Code. With regard to the treescape plan the applicant has provided a tree survey identifying trees, including 1 Pecan tree measuring 20 caliper inches that will require removal in order to develop the property. According to the Unified Development Code, any Oak, Pecan, or Elm tree that has a dbh of four 4 inches or greater or any tree that has a dbh of 30 inches or greater is considered to be a feature tree and may not be removed without the approval of the Planning and Zoning Commission. The applicant is mitigating for 44 caliper inches by planting 54 caliper inches on site. In addition the applicant is requesting two special exceptions. The first is for the masonry fence. According to the UDC any commercial use that has a side or rear contiguous to a single-family residential development shall be screened with a masonry fence. Additionally, the UDC states that precast walls may be approved by the Planning and Zoning Commission. In this case, the applicant is proposing to construct a 6 foot pre-cast concrete wall that will be located on the inside of the existing landscape screening consisting of Nellie R. Stevens Holly trees at the residential property lines to the east and south. The second exception is for the masonry requirements. The applicant is proposing to utilize 63% Hardy Plank on the North Elevation and 54% Hardy Plank on the West Elevation. According to the UDC, each exterior wall of a structure shall consist of 90% masonry materials when visible from a public street or open space. Additionally, Hardy Plank or other cementaceous products shall be limited to 50% of the building's façade. Although this is considered a discretionary decision to the Planning and Zoning Commission and City Council, the applicant did provide a rendering of the structure with the Specific Use Permit which was approved on September 5, 2017 and as a condition of approval of the SUP the building was to generally conform to the elevations in the ordinance. The Architectural Review Board reviewed the submitted building elevations and made recommendation to approve the building elevations with the condition that the stone wainscot be continued around the entire building and the applicant agreed to this condition.

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

Chairman Lyons asked how the ARB view the variances. Mr. Brooks indicated that the ARB looked at the special exceptions and forwarded a recommendation of approval.

Commissioner Logan expressed concern with the precast concrete wall because in looking at others as an example down Dalrock road in Rowlett their life span doesn't seem to be that long.

Chairman Lyons asked the applicant to come forward and speak.

Deric Salser  
345 New Hope Road  
Sunnyvale, TX

Mr. Salser came forward and spoke of the request with regards to the masonry requirement, as the project evolved doing the 63% hardy plank they believe is more aesthetically pleasing.



754 Concerning the precast wall, there are many different kinds, and they are open to any  
755 suggestion or recommendation as to which the Commission would prefer they use and go with  
756 that one. They don't believe that the homes would see the wall due to an existing shrub row that  
757 is behind a rod iron fence that is six feet tall and is hard to see through.  
758

759 Chairman Lyons asked for questions from the Commission.  
760

761 Commissioner Logan asked if there was a way to forgo the wall if there was a natural barrier  
762 since by placing a wall would leave the shrubs inaccessible. Mr. Brooks indicated that at the  
763 time the SUP came through one of the conditions of approval was to build a wall due to some  
764 concerns that some residents had concerning noise that the school would generate.  
765

766 Chairman Lyons asked staff if there have or are any precast wall in Rockwall. Mr. Miller stated a  
767 precast wall was approved for the Service King off of IH-30 and there are several other precast  
768 walls within the city.  
769

770 General discussion took place concerning the requirement of the wall that was put in place in  
771 the ordinance and what other options available. Mr. Miller added that the applicant could request  
772 to amend the SUP if that requirement should they want to request a landscape wall instead.  
773

774 Commissioner Welch made a motion to approve SP2017-032 site plan, with the exception to the  
775 applicant's request for a pre-cast fence and approval of the exception to the masonry  
776 requirements. Commissioner Chodun seconded the motion which passed by a vote 7-0.  
777

778  
779 18. SP2017-033

780 Discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Deepak  
781 Gandhi of Rockwall Inn Keepers I, LTD for the approval of a site plan for a hotel on a 2.681-acre  
782 identified as a portion of Lots 9 & 11, Block A, La Jolla Pointe, Phase 2 Addition, City of Rockwall,  
783 Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV)  
784 and Scenic Overlay (SOV) Districts, located at the southeast corner of the intersection of Laguna Drive  
785 and La Jolla Pointe Drive, and take any action necessary.  
786

787 Senior Planner, David Gonzales, gave a brief background and explanation of the request. The  
788 applicant is requesting the approval of a site plan for the purpose of constructing a 4 story,  
789 62,870 square foot hotel.  
790

791 On August 7, 2017, the City Council approved a Specific Use Permit to allow for a hotel in a  
792 Commercial District. The SUP also allows for the structure to exceed 36-feet in height with a  
793 maximum overall height not to exceed 60-ft. The SUP limits the hotel to suites that do not  
794 contain kitchen facilities or cook-tops. This hotel will contain a total number of 100 rooms and  
795 will have a 1,800 square foot meeting room. Additionally, the SUP stipulates that the  
796 development shall generally be in conformance with the concept plan and building elevations  
797 depicted in the ordinance. They meet all the density and dimensional requirements stipulated in  
798 the UDC, the Overlay District as well as the Specific Use Permit. The request went before the  
799 ARB earlier this evening and the Board did recommend approval.  
800

801 Mr. Gonzales went on to note that in regards to treescape plan, the applicant provided a  
802 treescape plan indicating a total of 1,297 caliper inches being removed from the site, the majority  
803 of which are Elm trees. As a note Cedar and Hackberry trees that are 11 inches dbh or larger,  
804 shall be replaced at 50 percent of the total caliper inches being removed; however, if less than  
805 11 inches dbh are not considered a protected tree. And feature trees, Oaks, Pecans, and Elms  
806 may not be removed without approval of the Planning and Zoning Commission and are required  
807 to be replaced on an inch-for-inch basis. The applicant's landscape plan depicts the provision  
808 of 65 caliper inches being added to the site. Taking this into account, the total mitigation  
809 required for the site is 1,404 caliper inches. The applicant has chosen to pay into the City's Tree  
810 Fund an amount equal to \$125 per caliper inch for 20% of the mitigation balance, for a total of  
811 \$35,100.00 and the remaining balance will be coordinated with the Parks Department for the  
812 delivery of the trees.  
813

814 Mr. Gonzales advised the Commission that the applicant was present and available for  
815 questions.  
816

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

818  
819 Juan Vasquez  
820 Vasquez Engineering  
821 1919 S. Shiloh Road Suite 440  
822 Garland, TX

823  
824 Mr. Vasquez came forward and stated he was available for any questions the Commission may  
825 have.

826  
827 Commissioner Trowbridge made a motion to approve SP2017-033 with staff recommendations.  
828 Commissioner Fishman seconded the motion which passed by a vote of 7-0.

829  
830 Planner Korey Brooks asked for the Chairman's permission for agenda item #19 and #21 to be  
831 combined and discussed together, however it would require two separate motions.

832  
833  
834 19. SP2017-034

835 Discuss and consider a request by Mike Whittle of Whittle Development, Inc. on behalf of Randall Noe  
836 of N&H Legacy Partners for the approval of a site plan for an office buildings on 0.44-acre tract of land  
837 identified as Lot 2, Block 2, Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned  
838 Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6520 Alliance  
839 Drive, and take any action necessary.

840  
841 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
842 requesting approval of a site plan for two lots (addressed as 6520 & 6530 Alliance Drive) within  
843 Planned Development 57 which in 2004, the City Council approved Planned Development  
844 District 57 for Commercial District land uses and as a condition of approval, that each building  
845 throughout the development be constructed with a consistent design scheme and materials  
846 approved by the Architectural Review Board. In this case, the proposed office building is  
847 consistent with the other buildings in the development. The site plan, landscape plan,  
848 photometric plans and building elevations do conform to the technical requirements stipulated  
849 in the Unified Development Code however the applicant is requesting a variance to the minimum  
850 parking requirements stipulated in the UDC for both sites. According to the UDC office buildings  
851 require a parking ratio of 1 space per 300 square feet. In this case, the development is required  
852 to have 17 parking spaces; however, only 12 are being provided (5 spaces below the minimum  
853 requirement) and this variance will require a simple majority vote for approval.

854  
855 Mr. Brooks went on to state that the Architectural Review Board reviewed the submitted building  
856 elevations at the last work session meeting and made a recommendation to approve the building  
857 elevations with the condition that the office building incorporate some sort of differentiation in  
858 the front façade to distinguish it from the other buildings in the development and the applicant  
859 has since made those changes.

860  
861 Mr. Brooks advised the Commission that the applicant was present and available for questions  
862 as well as staff.

863  
864 Commissioner Welch asked if the other buildings meet the parking requirements or did they ask  
865 for variances to the parking. Mr. Brooks indicated that the other buildings do meet the parking  
866 requirements and it would be the two being discussed that would be five parking spaces short  
867 each.

868  
869 Commissioner Welch asked if there was a reason perhaps the use that they felt the extra parking  
870 wasn't needed. Mr. Brooks deferred that question to the applicant.

871  
872 Chairman Lyons asked the applicant to come forward and speak.

873  
874 Mike Whittle  
875 7205 Ship Road  
876 Rowlett, TX

877  
878 Mr. Whittle came forward and in response to Commissioner Welch's question stated that the  
879 property is pretty restricted on the space for the parking they have four other buildings there

880 right now that house a few offices and the parking is pretty open there is not a big need for all  
881 those spaces, making it not a matter of cost but rather of space.  
882 Commissioner Welch asked if the handicapped parking be affected if approved. Mr. Brooks  
883 explained that it would not affect the handicapped parking requirement.  
884

885 General discussion took place the necessity of parking for the square footage.  
886

887 Commissioner Welch made a motion to approve SP2017-034 site plan and recommend approval  
888 of the variance to the minimum parking requirements. Chairman Lyons seconded the motion  
889 which passed by a vote of 5-2 with Commissioners Trowbridge and Chodun dissenting.  
890

891  
892 20. SP2017-035

893 Discuss and consider a request by Johnathan Kerby of Kimley-Horn & Associates, Inc. on behalf of  
894 Harold E. Weinberger & Elana Kroll for the approval of a site plan for a retail/restaurant strip center on a  
895 1.6123-acre parcel of land identified as Lot 2, Block A, Rockwall Market Center East Addition, City of  
896 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay  
897 (IH-30 OV) District, addressed as 819 E. IH-30, and take any action necessary.  
898

899 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
900 requesting approval of a site plan for a 10,250 square foot retail/restaurant strip center at the  
901 Rockwall Market Center East. The proposed restaurant/retail strip center is situated on a 1.6123  
902 acre where currently there is a restaurant, Johnny Carinos that will need to be demolished to  
903 develop the property. The proposed restaurant/retail strip center will consist of a retail suite that  
904 will be approximately 3,000 square feet and a second retail suite that will be approximately 2,500  
905 square feet, and a 4,750 restaurant with a drive-through. All of which uses are permitted by right  
906 in a Commercial District. The site plan, photometric plan, landscape plan and building elevations  
907 do meet the technical requirements stipulated in the Unified Development Code however the  
908 applicant is also requesting a variance to the minimum stone requirement stipulated in the UDC  
909 that indicates that each exterior wall shall consist of 90% masonry including a minimum of 20%  
910 natural or quarried stone. In this case, the north elevation consists of 12% natural stone and the  
911 west elevation consists of 15% natural stone. Since these two elevations are below the  
912 minimum 20% natural or quarried stone requirement, a variance is required. It should be noted  
913 that although the north and west elevations are below the minimum 20% stone requirement, the  
914 total building consists of 20% stone. Additionally the applicant is requesting a variance to the  
915 landscaping standards stipulated in the UDC which indicates that each development along IH-30  
916 shall have a 20-foot wide landscape buffer strip along the entire length of the subject property's  
917 frontage along IH-30. Currently, there is a legal non-conforming structure located on the site  
918 that was constructed before the IH-30 Overlay District standards requiring a 20-foot landscape  
919 buffer were established. In this case, the existing parking lot encroaches the area that would be  
920 designated as a 20-foot landscape buffer and the applicant is requesting the leave/match the  
921 existing landscape area which requires a variance. Mr. Brooks further noted that the  
922 Architectural Review Board reviewed the revised building elevations and made a motion to  
923 approve the revised building elevations with variances to the stone requirement on the north  
924 elevation (front elevation), the landscaping requirements, and the vertical and horizontal  
925 articulation requirements. Additionally, the Architectural Review Board requested that the  
926 applicant lower the stone wainscot on the north façade to match the wainscot on the west  
927 elevation and the applicant has agreed to this request.  
928

929 Mr. Brooks advised the Commission the applicant was present and available for questions as  
930 well as staff.

931 Johnathan Kirby  
932 Kimley-Horn & Associates  
933 2508 Winfield Drive  
934 Plano, TX  
935

936 Mr. Kirby came forward and stated he was available for questions.  
937

938 Commissioner Chodun made a motion to approve SP2017-035 with staff recommendations.  
939 Commissioner Moeller seconded the motion which passed by a vote of 7-0.  
940

941  
942 21. SP2017-036

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Discuss and consider a request by Mike Whittle of Whittle Development, Inc. on behalf of Randall Noe of N&H Legacy Partners for the approval of a site plan for an office buildings on 0.55-acre tract of land identified as Lot 3, Block 2, Alliance Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6530 Alliance Drive, and take any action necessary.

**Agenda Item was discussed with agenda item # 19**

**Commissioner Welch made a motion to approve SP2017-036 site plan and to disapprove the variance to the minimum parking requirements. Commissioner Trowbridge seconded the motion which passed by a vote of 6-1 with Commissioner Logan dissenting.**

VI. DISCUSSION ITEMS

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

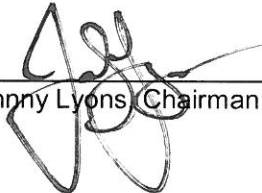
- ✓ P2017-056: Amending Plat for Lots 3 & 4, Block A, Solar Village Addition [Approved]
- ✓ Z2017-042: Zoning Change (SF-7 to DT) [201 Olive Street] (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-043: Amendment to PD-70 (1<sup>st</sup> Reading) [Postponed to November 20, 2017]
- ✓ Z2017-044: SUP for Indoor Motor Vehicle Showroom at 1785 E. IH-30 (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-045: Zoning Change (AG to SFE-2.0) [1085 Dalton Road] (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-046: Amendment to PD-82 (2<sup>nd</sup> Reading) [Denied]
- ✓ Z2017-048: SUP for 259 Ranch Trail (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2017-049: Amendment to PD-74 (2<sup>nd</sup> Reading) [Approved]

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

VII. ADJOURNMENT

**Chairman Lyons adjourned the meeting at 9:41 p.m.**

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

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**November 28, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:08 p.m. The Commissioners present at the meeting were, Eric Chodun, Annie Fishman, Jerry Welch, Tracey Logan, Mark Moeller and Patrick Trowbridge. Staff members present were Planning Director, Ryan Miller, Planner, Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. P2017-060

Consider a request by Clay Cristy of ClayMoore Engineering on behalf of Tim Thompson of CN Rockwall Investors, LLC for the approval of a replat for Lot 4, Block A, Briscoe/Hillcrest Addition being a 0.915-acre tract of land identified as Lot 3, Block A, Briscoe/Hillcrest Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32) situated within the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of Horizon Road [FM-3097] and the IH-30 Frontage Road, and take any action necessary.

2. P2017-061

Consider a request by Gerald Monk of Monk Consulting on behalf of Kevin Smart of KSAM Properties for the approval of a replat for Lot 4, Block A, Wal-Mart Rockwall Addition being a one (1) acre parcel of land identified as Lot 2, Block A, Wal-Mart Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 49 (PD-49) for General Retail (GR) District land uses, situated within the SH-66 Corridor Overlay (SH-66 OV) District, addressed as 862 W. Rusk Street (SH-66), and take any action necessary.

3. P2017-062

Consider a request by Juan Vasquez of Vasquez Engineering, Inc. on behalf of Don Silverman of Rockwall 205-552, LLC for the approval of a replat for Lots 4 & 5, Block A, Dalton Goliad Addition being a 5.683-acre tract of land identified as Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, generally located at the northwest corner of the intersection of SH-205 [N. Goliad Street] and FM-552, and take any action necessary.

4. P2017-063

Consider a request by David Naylor of Rayburn Country Electric Cooperative for the approval of a replat for Lots 4-7, Block A, Rayburn Country Addition being a 36.042-acre tract of land identified as Lots 1-3, Block A, Rayburn Country Addition and Tract 3-13 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG), Heavy Commercial (HC) and Commercial (C) Districts, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 950 & 980 Sids Road, and take any action necessary.

5. P2017-064

Consider a request by Jason and Anna Potts for the approval of a replat for Lot 27, Block C, Harbor Landing, Phase 2 Addition being a 0.69-acre tract of land identified as Lots 20 & 26, Block C, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single family detached land uses, addressed as 318, 320 & 322 Portview Place, and take any action necessary.

6. P2017-050

Consider a request by Russell Phillips on behalf of Sandra McMullen for the approval of a replat for Lots 22 & 23, Rainbo Acres Addition being an 8.733-acre tract of land identified as a portion of Lot 16 and all

62 of Lot 14, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)  
63 District, addressed as 259 Ranch Road, and take any action necessary.

64  
65 **Commissioner Trowbridge made a motion to approve the consent agenda. Commissioner Welch**  
66 **seconded the motion which passed by a vote of 7-0.**  
67

68  
69 III. APPOINTMENTS  
70

71 7. Appointment with Architectural Review Board representative to receive the Board's  
72 recommendations and comments for items on the agenda requiring architectural review.  
73

74 **Architectural Review representative gave a brief explanation concerning agenda items that were**  
75 **discussed at the Architectural Review Board meeting.**  
76

77  
78 8. Appointment with Jim Douglas of Douglas Properties, Inc. on behalf of Isabel Garrett of the  
79 McClendon Company to consider a request to submit a new zoning application for an amendment  
80 to Planned Development District 82 (PD-82) for the purpose incorporating an additional 98.341-acre  
81 tract of land into the existing single-family development being a 81.49-acre tract of land creating a  
82 179.831-acre tract of land identified as a portion of Tract 8 and all of Tract 16 of the J. A. Ramsay  
83 Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, in accordance with Section  
84 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified  
85 Development Code, and take any action necessary.  
86

87 **Planning Director, Ryan Miller, advised the Commission that the applicant Jim Douglas is**  
88 **seeking approval to submit a new zoning application.**  
89

90 **Chairman Lyons asked the applicant to come forward and speak.**  
91

92 **Jim Douglas**  
93 **2309 Avenue K**  
94 **Plano, TX**  
95

96 **Mr. Douglas came forward and gave a brief explanation of the changes he has made since the**  
97 **initial application was denied.**  
98

99 **General discussion took place between the Commission as to whether or not there was**  
100 **substantial enough change to allow a new application to be brought forward, discussion**  
101 **included the 30% open space and the different lot sizes being proposed. Commissioner Chodun**  
102 **generally expressed not feeling there was substantial change.**  
103

104 **Commissioner Trowbridge made a motion to approve the agenda item. Commissioner Fishman**  
105 **seconded the vote which passed by a vote of 6-1, with Commissioner Chodun dissenting.**  
106  
107

108 9. Appointment with Trent Hyde to consider a request to submit a new zoning application for a Specific  
109 Use Permit (SUP) to allow for a detached garage that does not meet the minimum requirements as  
110 stipulated by Article IV, *Permissible Uses*, of the Unified Development Code for a 0.830-acre tract of  
111 land addressed as 218 W. Quail Run Road, City of Rockwall, Rockwall County, Texas, in  
112 accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative*  
113 *Procedures*, of the Unified Development Code, and take any action necessary.  
114

115 **Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant**  
116 **previously came before the Commission for approval of a SUP for a metal accessory building at**  
117 **which time the Commission recommended approval however City Council denied the request.**  
118 **Since that time the applicant came before the Commission a second time requesting to submit a**  
119 **new application proposing to do an accessory building clad with hardyboard and that**  
120 **request to submit a new application was granted due to it being a substantial change. However**  
121 **the applicant contacted the manufacturer he intended to use and it was discovered that he**  
122 **would be unable to clad the building with hardyboard due to the design of the building. Due to**  
123 **that the applicant is now proposing to construct a detached garage with a driveway on a**

124 concrete slab, two roll up doors, with masonry and stone rather than hardyboard. Mr. Brooks  
125 advised the Commission the applicant was present and available for questions as well as staff.  
126

127 Chairman Lyons asked the applicant to come forward and speak.  
128

129 Trent Hyde  
130 218 W. Quail Run  
131 Rockwall, TX  
132

133 Mr. Hyde came forward and indicated he was available for questions and provided a picture of  
134 what the building will look like he respectfully asked the Commission for granting his request to  
135 submit a new application.  
136

137 Commissioner Fishman asked if the purpose was still for storage. Mr. Hyde stated it was.  
138 Chairman Lyons generally indicated he felt it appeared to be a substantial enough change.  
139 General discussion took place between the Commission as to whether or not it was enough of a  
140 change to grant the request.  
141

142 Commissioner Trowbridge made a motion to approve the agenda item. Chairman Lyons  
143 seconded the motion, which passed by a vote of 6-1, with Commissioner Logan dissenting.  
144

145  
146 IV. PUBLIC HEARING  
147

148 10. Z2017-043

149 Hold a public hearing to discuss and consider a request by Austin Lewis of Lewis Real Estate  
150 Investments, Inc. on behalf of Stone Creek Balance, LTD for the approval of an amendment to Planned  
151 Development District 70 (PD-70) to incorporate a single-family subdivision consisting of 19 single-family  
152 residential homes on a 5.28-acre tract of land identified as Tract 2-7 of the W. T. Deweese Survey,  
153 Abstract No. 71, City of Rockwall, Rockwall County, Texas, Planned Development District 70 (PD-70)  
154 for Single-Family 10 (SF-10) District land uses, located at the southeast corner of the intersection of  
155 Greenway Drive and FM-552, and take any action necessary.  
156

157 Planning Director, Ryan Miller, gave a brief explanation and background of the request stating  
158 that the subject property, which was annexed into the City on May 19, 1986 by Ordinance No. 86-  
159 37, is located at the southeast corner of the intersection of Greenway Drive and FM-552. It is a  
160 5.28-acre tract of land that is currently vacant, and is zoned Planned Development District 70.  
161 The applicant is requesting to amend PD-70 for the purpose of incorporating a single-family  
162 subdivision consisting of 19 single-family residential lots. If approved, the amended Concept  
163 Plan and development standards will incorporate a designation for the proposed 19 single-family  
164 homes as the Common Ground Subdivision and the proposed 19 lots will count against the total  
165 918 single-family lots currently permitted by PD-70. The current Concept Plan designates the  
166 subject property for 11 of the Type 'E' lots (70' x 120'), which means that the applicant's request  
167 will increase the number of lots on the subject property by 8 lots. According to the Concept  
168 Plan, the applicant is proposing to develop a pocket neighborhood, which is characterized as a  
169 community oriented small neighborhood with front porches fronting onto a common green  
170 space. The common area will include a trellis garden with a fire pit, a walking trail, and a  
171 screened porch area attached to the amenity center. Of the 19 single-family home sites, 17 lots  
172 will measure 37' x 100', or 3,700 square feet in area. The remaining 2 lots will measure 48' x 100'  
173 or 4,800 square feet and 60' x 100' or 6,000 square feet. The applicant intends to establish  
174 separate design standards within PD-70 that would allow for the construction of farmhouse style  
175 homes ranging from 1,600 SF to 2,600 SF on each lot. Additionally, the applicant intends to  
176 provide a 30-foot private street for the community, and a dedicated 25-foot fire lane. The private  
177 street is required to meet City standards for neighborhood street design, measuring a minimum  
178 of 29-feet back-to-back. This type layout will also require the dedication of 20-foot easement for  
179 water and sewer services. Based on the Concept Plan, the layout of the lot configuration for the  
180 single-family residential lots does not meet the City's standards for subdivision. Under Section  
181 38.1, of Article I, of Chapter 38, Subdivision, 'Lot' means an undivided tract or parcel of land that  
182 has frontage on a public street, and which is or in the future may be offered for sale,  
183 conveyance, transfer or improvement as a building site, that is designated as a distinct and  
184 separate tract. The applicant is requesting a waiver to the Subdivision Ordinance, Chapter 38, of  
185 the Municipal Code of Ordinances to allow for not meeting the required lot frontage on a public

186 street for the subject property as depicted on the proposed Concept Plan. Finally, it is also the  
187 intent of the applicant to create a separate Home Owners Association for the proposed Common  
188 Ground Subdivision in order to service the private streets and common areas and a waiver to the  
189 Subdivision Ordinance is a discretionary decision for the City Council.  
190

191 Mr. Miller went on to give a summary of the waivers explaining that the requirements being  
192 requested with the amendment to Planned Development District 70 for the Common Ground  
193 Subdivision for the subject property that depart from the requirements of the UDC or Code of  
194 Ordinances: 1) Masonry Requirements. The UDC allows the exterior building façades to be  
195 composed of up to 50% cementaceous materials. In this case, the applicant is proposing a  
196 variation that could include up to 100% cementaceous material lap siding, which is an increase  
197 of 50%. 2) Lot Size. The UDC requires a minimum lot size of 10,000-SF in an SF-10 zoning  
198 district. Planned Development District 70 has an underlying zoning requirement of SF-10, with  
199 the minimum lot size/area of 6,000-SF. One lot meets this standard Type 'C', with the remaining  
200 18 lots less than 6,000 square feet (3,700 square feet and 4,800 square feet). 3) Lot Frontage.  
201 The Code of Ordinances requires all lots to have frontage on a public road. In this case, the  
202 applicant's request is to provide a private street within the community and front all of the lots  
203 onto the private street.  
204

205 Mr. Miller further stated that on September 29, 2017, staff mailed 888 notices to property owners  
206 and residents within 500-feet of the subject property. Staff also emailed notices to the Quail Run  
207 Valley, The Shores/Ray Hubbard, Lakeview Summit, and Promenade Harbor Homeowner's  
208 Associations which are the only HOA's located within 1,500 feet of the subject property  
209 participating in the notification program. Staff has received 5 notices in favor of, 14 notices  
210 opposed, 1 notice neutral to the request and 1 email received Sunday that appeared to be neutral  
211 but raised some points.  
212

213 Mr. Miller advised the Commission the applicant was present and available for questions as well  
214 as staff.  
215

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

218 Austin Lewis  
219 401 Shoreview Drive  
220 Rockwall, TX  
221

222 Mr. Lewis came forward and gave a brief explanation of the request for the pocket neighborhood  
223 concept. He addressed some of the concerns that have been expressed by surrounding  
224 neighbors.  
225

226 David Dillard  
227 4357 Shirley Drive  
228 Dallas TX  
229

230 Mr. Dillard came forward and gave a brief explanation of the request and provided a power point  
231 presentation of their proposal that showed the "pocket neighborhood" concept they are want to  
232 achieve which they feel will be a great fit to the Rockwall community.  
233

234 Chairman Lyons asked for questions from the Commission.  
235

236 Commissioner Moeller asked concerning the HOA's maintenance fees associated to maintaining  
237 the common grounds feels that may be burdensome for only 19 homes. Mr. Dillard indicated  
238 they were aware the HOA fees may be higher than most but in return the home owners would  
239 enjoy the amenities.  
240

241 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come  
242 forward and do so.  
243

244 Kevin Sullivan  
245 605 Wooded Trail  
246 Rockwall, TX  
247



248 Mr. Sullivan came forward and generally expressed not being in favor of the request he feels  
249 having the homes so close together does not allow for privacy.

250  
251 Shirley Smith  
252 609 Amherst Drive  
253 Rockwall, TX

254  
255 Mrs. Smith came forward and generally expressed concern with not having the entire concept to  
256 look at what the it will look like at its completion.

257  
258 Jim Smith  
259 609 Amherst Drive  
260 Rockwall, TX

261  
262 Mr. Smith came forward expressed concern with the proximity of the homes being so close  
263 together and generally expressed not being in favor of the request.

264  
265 Dave Rebel  
266 302 Wooded Trail  
267 Rockwall, TX

268  
269 Mr. Rebel came forward and generally expressed not being in favor of the request.

270  
271 Kathy Sullivan  
272 Wooded Trail  
273 Rockwall, TX

274  
275 Ms. Sullivan came forward and expressed concern with the traffic issues that the development  
276 may cause as well as the density and generally expressed not being in favor of the request.

277  
278 Chairman Lyons closed the public hearing and brought the item back to the Commission for  
279 discussion or a motion. General discussion took place between the Commission where the  
280 general consensus not being generally in favors of the proposal.

281  
282 Commissioner Trowbridge made a motion to deny Z2017-043. Commissioner Moeller seconded  
283 the motion to deny passed with a vote of 7-0.

284  
285 Chairman Lyons called a recess at 7:55

286  
287 Chairman Lyons called the meeting back to order at 8:05

288  
289 11. Z2017-052  
290 Hold a public hearing to discuss and consider a request by Pat Atkins of Saddlestar Land Development  
291 on behalf of the Stagliano Family Trust for the approval of a zoning change from an Agricultural (AG)  
292 District, Commercial (C) District and Heavy Commercial (HC) District to a Planned Development District  
293 for commercial/retail, single-family and townhome land uses on a 63.72-acre tract of land identified as  
294 Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned  
295 Agricultural (AG) District, Commercial (C) District and Heavy Commercial (HC) District, situated within  
296 the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of S. Goliad Street [SH-205]  
297 and Mims Road, and take any action necessary.

298  
299 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the subject  
300 property was annexed into the City of Rockwall and zoned Agricultural District on May 19, 1986  
301 and is currently zoned Agricultural, Heavy Commercial, and Commercial Districts, with the  
302 Agricultural District being located east of Mims Road, the Commercial District designation being  
303 located adjacent to Mims Road and S. Goliad Street [SH-205] and the Heavy Commercial District  
304 designation being located on the interior of the subject property. In 2016 TXDOT established a  
305 staging area for the SH-205 improvements at the southwestern corner of the subject property at  
306 the corner of Mims Road and S. Goliad Street. On October 13, 2017, the applicant Pat Atkins of  
307 Saddlestar Land Development submitted an application requesting to rezone the property from  
308 Agricultural, Heavy Commercial, and Commercial Districts to a Planned Development District for  
309 single-family, townhome and commercial land uses. Based on the concept plan, this will

310 establish a horizontal mixed use development with commercial/retail on the northwest quadrant  
311 of S. Goliad Street and Mims Road, while transitioning to a 198 lot townhome, 22' x 75' min. lot  
312 size, development and continuing west to a 65 single-family lot, i.e. 50' x 120' min. lot size,  
313 development creating the Planned Development District. Along with the application, the  
314 applicant has submitted a concept plan and development standards outlining the proposed  
315 development. The concept plan shows that an approximately 5.30-acre tract of commercial/retail  
316 land -- identified as Tract 1 on the concept plan -- will be situated at the hard corner of Mims  
317 Road and S. Goliad Street. North and west of the non-residential land uses will be a 16.89-acre  
318 tract of land designated for 198, 22' x 75' townhome lots. This is identified as Tract 2 on the  
319 concept plan. Parking for the townhomes will be to the rear of the properties. Additionally, niche  
320 parking will be located at the front of the townhomes. East of the townhomes is Tract 3 on the  
321 concept plan, which is composed of a 12.60-acre tract of land and a 2.21-acre tract of land  
322 reserved for the construction of 65 single-family home lots that will measure 50' x 150'. This  
323 portion of the development will be located adjacent to the Highland Meadows Subdivision. In  
324 addition, the concept plan shows that approximately 21.5-acres of open space will be provided;  
325 however, staff should note that the majority of this open space is situated within existing  
326 floodplain and would only count at a rate of 1/2-acre for every acre, 50% of the 20% open space  
327 requirement. The floodplain totals 17.6-acres and will equate to 8.8-acres total open space  
328 based on the 50% maximum allowed by the UDC; therefore, the adjusted acreage of open space  
329 for the development will equal 12.7-acres, 19.9% and require a waiver to the Unified Development  
330 Code for not meeting the minimum 20% requirement. Additionally, the applicant has indicated  
331 an amenity center at the northeast quadrant, and a proposed eight foot hike and bike trail along  
332 the outer edge of the development, which provides access to SH-205 and Mims Road and is  
333 generally in conformance with the City Master Trail Plan.

334  
335 Mr. Miller further explained that the subject property is zoned for Agricultural, Commercial and  
336 Heavy Commercial land uses. The Future Land Use Map, adopted with the Comprehensive Plan,  
337 designates the majority of the subject property for Commercial/Industrial land uses and a  
338 portion of Tract 3, 2.21-acres located east of Mims Road for Medium Density Residential land  
339 uses. The proposed zoning change would necessitate that the designation of Tract 1 be  
340 changed from a Commercial/Industrial designation to a Commercial designation, Tract 2 be  
341 changed from a Commercial/Industrial designation to a High Density Residential designation,  
342 and a portion of Tract 3, 12.60-acre from a Commercial/Industrial designation to a Medium  
343 Density Residential designation. The 2.21-acre portion of Tract 3, located east of Mims Road,  
344 would maintain its current designation as Medium Density Residential. With regard to Tract 1,  
345 and according to the Comprehensive Plan, a Commercial land use is defined as an area "where  
346 commercial is indicated at the intersection of major roadways and development have not  
347 occurred." The Comprehensive Plan goes on to state that "(z)oning should only be allowed  
348 where the commercial use is eminent and where it would be planned and integrated with the  
349 adjacent residential neighborhoods. Furthermore, the Comprehensive Plan states "(t)he amount  
350 of retail and the size of the area to be designated for commercial or mixed use development may  
351 be large or small depending on the service area it will serve and the style and quality of  
352 development." In this case, the proposed development is adjacent to heavy commercial and  
353 single-family residential land uses, which is east of the subject property and buffered by S.  
354 Goliad Street. These existing land uses may warrant a transition of land uses. With regard to  
355 Tract 2, and according to the Comprehensive Plan, a High Density Residential land use is  
356 defined as any development that exceeds three units per gross acre. In this case, the density of  
357 the proposed townhome use is at 7.5-units per gross acre. The Comprehensive Plan goes on to  
358 state that "(h)igh density residential [land uses] should be used as a transitional use from  
359 commercial (or existing retail) use, or where it will serve as a logical extension of an existing  
360 high density development". In this case, the proposed development is adjacent to the proposed  
361 commercial/retail land use. Townhomes "should differ in appearance through the use of varying  
362 entry features, use of detail and trim, use of materials, articulation and setback." With regard to  
363 Tract 3, and according to the Comprehensive Plan, a Medium Density Residential land use is  
364 defined as an area consisting of residential developments "that have typically been built in  
365 Rockwall. They may be 2-3 units per acre, but generally about 3 units per acre." In this case, the  
366 density of the proposed single-family lots is at 2.68-units per gross acre. The zoning proposal  
367 conforms to the majority of the residential policies and guidelines contained in the  
368 Comprehensive Plan for a single-family residential development and the Medium Density  
369 Residential land use. With regard to the overall development, the applicant's proposal of a  
370 townhome product provides a transition between the commercial/retail land use and the  
371 proposed single-family residential home lots. The approval of any changes to the Future Land

372 Use Map or the approval of an increased density would be a discretionary decision for the City  
373 Council should the City Council choose to approve the applicant's request staff has included a  
374 condition of approval that would amend the Future Land Use Map to reflect the requested  
375 designations.  
376

377 Mr. Miller went on to state that on October 27, 2017, staff mailed 160 notices to property owners  
378 and residents within 500-feet of the subject property. Staff also sent a notice to the Flagstone  
379 Estates, Lynden Park, Hickory Ridge, and Hickory Ridge East Homeowner's Association, which  
380 are the only HOA/Neighborhood Organizations located within 1,500 feet of the subject property.  
381 Staff had received two notices opposed to the applicant's request.  
382

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

386 Chairman Lyons asked the applicant to come forward and speak.  
387

388 Pat Atkins  
389 Saddle Star Development  
390 3076 Hays Road  
391 Rockwall, TX  
392

393 Mr. Atkins came forward and gave a brief explanation of the request and provided a power point  
394 that outlined and gave details of the proposal.  
395

396 Commissioner Logan expressed concern with the traffic and asked if there would be a traffic  
397 analysis done. Mr. Atkins stated that they could provide one if needed.  
398

399 Extensive general discussion took place between the Commission concerning the traffic issues  
400 such development in this area would cause and how it would impact the surrounding residential  
401 communities.  
402

403 Chairman Lyons opened up the public hearing and asked if anyone who wished to speak to  
404 come forward and do so.  
405

406 Bob Wacker  
407 806 Miramar Drive.  
408 Rockwall, TX  
409

410 Mr. Wacker came forward and suggested the amenity center could be moved closer to the  
411 middle where it could be accessible to the residents.  
412

413 Chairman Lyons asked for anyone else wishing to speak to come forward and do so, there being  
414 no one indicating such, Chairman Lyons closed the public hearing and brought the item back to  
415 the Commission for discussion or a motion.  
416

417 Commissioner Logan expressed concern with the issues that it will cause on traffic.  
418

419 Commissioner Moeller expressed concern over losing the Commercial designation to another  
420 residential area as well as the traffic it will cause.  
421

422 Commissioner Chodun expressed concern with the traffic the development will cause.  
423

424 Mr. Atkins came forward and added that concerning the traffic issues he can provide staff a  
425 traffic impact analysis and requested the opportunity to table the item to allow him time to work  
426 on the concerns that were brought up.  
427

428 Commissioner Trowbridge made a motion to table the item. Chairman Lyons seconded the  
429 motion which passed by a vote of 7-0.  
430  
431  
432

12. Z2017-054

433 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text  
434 amendment to Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*]  
435 for the purpose of making general corrections and clarifications to the code, and take any action necessary.  
436  
437

438 Planning Director, Ryan Miller, gave a brief explanation of the request stating that at staff's  
439 request, the City Council remanded this case back to the Planning and Zoning Commission on  
440 November 20, 2017. The purpose of this request was to allow staff more time to review HB007 to  
441 ensure compliance to all new requirements, and to ensure the City Attorney had proper time to  
442 review the amendment prior to adoption. The projected City Council public hearing will be held  
443 on December 4, 2017 pending a recommendation from the Planning and Zoning Commission.  
444

445 Mr. Miller advised the Commission staff was available for questions.  
446

447 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come  
448 forward and do so there being no one indicating such, Chairman Lyons closed the public  
449 hearing and brought the item back to the Commission for discussion or a motion.  
450

451 Commissioner Welch made a motion to approve the item with staff recommendations.  
452 Commissioner Trowbridge seconded the motion which passed by a vote of 7-0.  
453

454 V. ACTION ITEMS  
455

456 13. MIS2017-014  
457

458 Discuss and consider a special request by Steven J. Goldberg of Cogent Realty Advisors, LLC for the  
459 approval of waivers to the requirements stipulated for the Southside Residential Neighborhood Overlay  
460 (SRO) District to allow the construction of three (3) single-family homes on a 0.310-acre tract of land  
461 identified as Lots 33 & 34, Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single  
462 Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District,  
463 located at the southeast corner of Emma Jane Road and Sam Houston Street, and take any action  
464 necessary.  
465

466 Planner, Korey Brooks, gave a brief explanation stating that the applicant has submitted a  
467 special request for approval of a deviation from the minimum front yard setback, minimum lot  
468 depth, and minimum lot size stipulated for properties in the Southside Residential Neighborhood  
469 Overlay District as stipulated by the Unified Development Code. The purpose of this request is to  
470 allow for the subdivision of 2 lots into 3 lots for the construction of 3 single-family homes.  
471 According to the applicant, the lots were purchased after reviewing the ownership lines depicted  
472 by the Rockwall Central Appraisal District, which makes the properties appear to be in 3 parcels  
473 of land; however, 2 of the properties were subdivided by metes and bounds, and these lots are  
474 not buildable in their current format they do not meet the lot depth and lot size requirements). In  
475 addition, the lots are currently platted into 2lots. Staff should note that this property is located  
476 within the Southside Residential Neighborhood Overlay District, which allows for less restrictive  
477 development standards than a typical single-family, residentially zoned property. The concept  
478 plan submitted by the applicant, Tracts 1 & 2 will each have a single-family home oriented  
479 toward Houston Street and Tract 3 will have a single-family home oriented toward Emma Jane  
480 Street. The applicant is requesting a special exception to the minimum lot size for the 2  
481 proposed lots adjacent to Sam Houston Street Tracts 1 & 2 with the 2 proposed lots being 3,360  
482 square feet being 1,640 square feet smaller than the minimum requirement. The applicant is also  
483 requesting a special exception to the minimum lot depth for Tracts 1 & 2. In its current  
484 configuration, Tracts 1 & 2, are 56-feet to 60-feet deep, 40-feet to 44-feet more shallow than the  
485 minimum requirement. The applicant is requesting a special exception to the side-yard setback  
486 from 20-feet to 10-feet for the proposed lot, Tract 1 on the corner of Houston Street and Sam  
487 Houston Street. It should be noted that since Tract 1 is on the corner of 2 streets, Sam Houston  
488 Street and Emma Street, it is considered to have dual frontage, therefore subject to the front-  
489 yard setback for both frontages. Finally, the applicant is requesting a special exception to  
490 construct three 3 single-family homes with front-entry garages. Although this request is typical  
491 of neighboring homes, it is a discretionary decision. The Southside Residential Overlay District  
492 was created to provide flexibility necessary for allowing infill and redevelopment of the  
493 Southside Neighborhood.  
494

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

497  
498 Commissioner Moeller asked

499  
500 Steve Goldberg  
501 7117 Stephanie Drive  
502 Allen, TX

503  
504 Mr. Goldberg came forward and gave a brief explanation of the request he noted when they  
505 initially did a site inspection on the site prior to acquisition it was noted that there are three sets  
506 of water meters and sewer clean outs which appears that the property was originally meant for  
507 three properties.

508  
509 Commissioner Fishman asked what the look of the surrounding houses was if they are similar in  
510 style to what is being proposed. Mr. Goldberg stated there is a variation in styles and there are a  
511 lot of older homes in the surrounding area.

512  
513 Commissioner Trowbridge asked if the homes would have backyards. Mr. Goldberg stated they  
514 will try and create a large enough as is feasible however they do not have the exact design of the  
515 houses as of yet.

516  
517 Commissioner Chodun asked if they have considered reconfiguring to allow two of the tracts to  
518 comply with the zoning to only have one not meeting the zoning. Mr. Goldberg indicated with the  
519 size lots they had not considered other configuration as it would not be feasible with the lot  
520 sizes requirements.

521  
522 Commissioner Trowbridge generally expressed not being in favor of the request.

523  
524 Commissioner Trowbridge made a motion to deny MIS2017-014. Commissioner Fishman  
525 seconded the vote which passed by a vote of 7-0.

526  
527  
528 VI. DISCUSSION ITEMS

529  
530 14. Z2017-056

531 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text  
532 amendment to Section 6.2, *Public Hearing Postponement, Recess and Continuances*, of Article II,  
533 *Authority and Administrative Procedures*, of the Unified Development Code [Ordinance No. 04-38] for  
534 the purpose of amending the time period for postponing or continuing a public hearing, and take any  
535 action necessary.

536  
537 Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the  
538 November 20, 2017 City Council meeting, the City Council directed staff to amend the  
539 postponement procedures for public hearings to reduce the number of times an applicant can  
540 request the postponement of a public hearing. Section 6.2, *Public Hearing Postponement,*  
541 *Recess and Continuances*, of Article II, *Authority and Administrative Procedures*, of the Unified  
542 Development Code lays the current procedures for postponing a public hearing stating, "(a)  
543 public hearing for which notice has been given may be postponed by announcing the  
544 postponement at or after the time and place the hearing is scheduled to begin (i)f a  
545 postponement or continuance of a public hearing is to a specific date and time no later than 60  
546 days from the first or most recent hearing, the announcement of the postponement or  
547 continuance at the public hearing in which the application has been postponed or continued  
548 shall be sufficient notice and no additional notice is required." Under these current procedures,  
549 if an applicant requests to postpone a public hearing, staff at the direction of the City Attorney  
550 has taken the position that since the public hearing is a posted and advertised meeting, official  
551 action is required by the acting body to either accept or deny the postponement request. A  
552 denial of the request would allow the acting body to hold a public hearing and take action on the  
553 case, as long as the case meets all other procedural requirements stipulated by the UDC. These  
554 procedures typically allow an applicant the ability to request up to three to four postponements  
555 under the 60-day rule based on the City's typical meeting schedule. At the end of the 60-days  
556 staff considers the application to be voluntarily withdrawn and the applicant would need to

557 resubmit a new application to reinstate the case. Staff should note that this process does not  
558 have any approvals at the staff level and does not allow staff to initiate a postponement;  
559 however, in cases where the applicant has not provided sufficient information to staff to allow  
560 the case to move forward staff may ask the applicant or acting body to consider postponing the  
561 case to allow more time for the applicant to provide the requested information. Based on the  
562 direction of the City Council, staff has drafted an amendment to the UDC that would reduce the  
563 number of times an applicant can request a postponement to two by changing the 60-day rule to  
564 30-days. In accordance, with Section 4.2 of Article XI, Zoning Related Applications, of the UDC  
565 staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a  
566 recommendation to the City Council.

567  
568 Mr. Miller stated staff was available for questions.

569  
570 Chairman Lyons asked for questions.

571  
572 There being no questions Chairman Lyons indicated the case will return to the Commission for  
573 action at the next scheduled meeting.

574  
575  
576 15. Z2017-057

577 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text  
578 amendment to Section 2.1.11, *Utilities, Communications and Transportation*, of Article IV, *Permissible*  
579 *Uses*, of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of changing the antenna  
580 standards to allow replacement telecommunications towers in excess of 125-feet by Specific Use Permit  
581 (SUP), and take any action necessary.

582  
583 Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the  
584 November 20, 2017 City Council meeting, the City Council directed staff to prepare a text  
585 amendment allowing replacement telecommunications towers in excess of 125-feet by Specific  
586 Use Permit. This direction was the result of an appointment with David Naylor, President and  
587 CEO of Rayburn Electric, who requested the ordinance change to accommodate the replacement  
588 of a 320-foot telecommunications tower on the property at 950 & 980 Sids Road. Section 2.1.11,  
589 *Utilities, Communications and Transportation*, of Article IV, *Permissible Uses*, of the UDC an  
590 Antenna, Commercial – Freestanding, Other requires that the antenna installation comply with  
591 the height and area regulations of the applicable zoning district and the support structure not  
592 exceed a maximum height of 125-feet. Based on the City Council's direction staff has drafted an  
593 amendment that can accommodate Mr. Naylor's request by adding a provision to the current  
594 ordinance that would allow a legally recognized, non-conforming telecommunications tower to  
595 be replaced with a tower of comparable height by Specific Use Permit. In addition, staff has  
596 further restricted these types of replacements to more intense or industrial zoning districts for  
597 the Heavy Commercial, Light Industrial and Heavy Industrial Districts. In accordance, with the  
598 UDC staff is bringing the proposed amendment forward to the Planning and Zoning Commission  
599 for a recommendation to the City Council.

600  
601 Mr. Miller advised the Commission staff was available for questions.

602  
603 There being no questions Chairman Lyons indicated the case will return to the Commission for  
604 action at the next scheduled meeting.

605  
606  
607 16. Z2017-058

608 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text  
609 amendment to Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] for  
610 the purpose of creating a land use and use standards for the *Food Truck/Trailer* land use, and take any  
611 action necessary.

612  
613 Planning Director, Ryan Miller, gave a brief explanation of the request stating that At the  
614 November 20, 2017 City Council meeting, the City Council directed staff to prepare a text  
615 amendment adding Food Trucks/Trailers to the list of Permissible Uses contained in Article IV,  
616 *Permissible Uses*, of the Unified Development Code. Currently, the City allows these types of  
617 uses under the Beverage and/or Food Service Facility, Portable by Specific Use Permit in all  
618 non-residential zoning districts with the exception of the Neighborhood Services and Research

619 and Technology Districts. The purpose of the change would be to allow Food Trucks/Trailers to  
620 operate by-right in certain zoning districts under a set of operational conditions. The  
621 amendment specifically allows the use in all non-residential zoning districts by-right -- with the  
622 exception of the Residential Office and Neighborhood Services District which are typically closer  
623 to residential properties. Mr. Miller spoke of the operational constraints. The City Council has  
624 asked that the Planning and Zoning Commission review the proposed text amendment and make  
625 recommendations concerning the operational conditions. As part of this text amendment, staff  
626 has changed the Beverage and/or Food Service Facility, Portable land use to a Beverage Service  
627 Facility, Portable, to account for the overlap of the two uses.  
628

629 Mr. Miller advised the Commission staff was available for questions.  
630

631 Commissioner Welch asked if it would include tables and chairs. Mr. Miller explained that this  
632 would allow for the food vendor to set up chairs and tables that could be removed from the  
633 location upon departure.  
634

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

638 17. Z2017-059

639 Hold a public hearing to discuss and consider a request by Ed Cavendish of Ed Cavendish Homes/VPS  
640 Construction on behalf of Jal Kumar of Rockwall Marina Development, LLC for the approval of an  
641 amendment to Planned Development District 8 (PD-8) [*Ordinance No. 92-39*] for the purpose of allowing  
642 townhomes on a 6.88-acre tract of land identified as Lot 4, Block A, Spyglass Hill #4 Addition and Tract  
643 134-12 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned  
644 Planned Development District 8 (PD-8) [*Ordinance No. 92-39*] for Zero Lot Line (ZL-5) District land  
645 uses, generally located south on the south side of Henry M. Chandler Drive west of Ridge Road [*FM-*  
646 *740*], and take any action necessary.  
647

648 Planning Director, Ryan Miller gave a brief explanation of the request stating that the subject  
649 property is in the Chandler's Landing subdivision and is currently regulated by an Ordinance  
650 that was approved in 1994 that allows for zero lot line homes. Basically what the applicants are  
651 requesting to change the Ordinance to allow for a townhome product. In looking at the Future  
652 Land Use Map currently indicates the property as being high density residential and the request  
653 would not change that Future Land Use designation. Mr. Miller advised the applicant was  
654 present and available for question as well as staff.  
655

656 Chairman Lyons asked the applicant to come forward and speak.  
657

658 Stephen Reyes  
659 2251 Ridge Road  
660 Rockwall, TX  
661

662 Mr. Reyes came forward and indicated they are the planners of the proposed development  
663 representing Mr. Cavendish. Mr. Reyes gave a brief explanation of the request. They are  
664 proposing a few items in the PD to be changed in order for the project to be successful. The  
665 homes will be on single family plotted lots and will consist of one and a half story to two story  
666 homes. They are proposing a 50 to 100 foot of separation from the adjacent condominium land  
667 and the highest roof peak would be 8 feet lower than the current PD requires. It will consist of  
668 approximately 42% open space which will be maintained by an HOA. The streets will meet the  
669 City's engineering requirements and the streets will also have garages on one side only. Mr.  
670 Reyes advised the Commission he was available for any questions.  
671

672 Mr. Miller added that in regards to the heights the original PD set up specific height limitations to  
673 ensure that the views up the hill were visible from all properties and what the applicant is  
674 proposing to do is reduce the height. The only thing the applicant is requesting that doesn't  
675 adhere to the Comprehensive Plan is that the homes adjacent to the water will be a front entry  
676 product with the remainder being rear entry.  
677

678 Ed Cavendish  
679 1017 Derby Trail  
680 Heath, TX

681 Mr. Cavendish came forward and gave a brief explanation of the request. The townhomes will be  
682 approximately 1,900-2,100 square feet. He noted that in the current ordinance there was no open  
683 space and they are proposing approximately 46% open space. Mr. Cavendish advised the  
684 Commission he was available for questions.

685  
686 Chairman Lyons asked for questions from the Commission. No further discussion took place on  
687 this item.

688  
689 There being no questions Chairman Lyons indicated the case will return to the Commission for  
690 action at the next scheduled meeting.

691  
692  
693 18. Z2017-060  
694 Hold a public hearing to discuss and consider a request by David Naylor of Rayburn Country Electric  
695 Cooperative for the approval of a zoning change from Agricultural (AG) District to a Heavy Commercial  
696 (HC) District for a 3.227-acre parcel of land identified as Lot 3, Block A, Rayburn Country Addition, City  
697 of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the  
698 intersection of Mims Road and Sids Road, and take any action necessary.

699  
700 Planner, Korey Brooks, gave a brief explanation of the request stating that currently the property  
701 has Rayburn Country Electric Cooperative and the applicant is requesting to rezone a portion in  
702 order to expand. The Future Land Use Map shows it as a Commercial Industrial area they would  
703 be rezoning from an Agricultural designation to a Heavy Commercial and therefore not change  
704 the Future Land Use Map. Mr. Brooks indicated that the applicant was not present but staff could  
705 answer any questions.

706  
707 Chairman Lyons asked for questions from the Commission.

708  
709 There being no questions Chairman Lyons indicated the case will return to the Commission for  
710 action at the next scheduled meeting.

711  
712  
713 19. Z2017-061  
714 Hold a public hearing to discuss and consider a request by Deric Salser of Salser Development Group  
715 on behalf of Russ Porter of Rockwall School of Music for the approval of an amendment to Specific Use  
716 Permit (SUP) No. 174 (S-174) [Ordinance No. 17-45] being a 0.747-acre portion of a larger 2.49-acre  
717 parcel of land identified as Lot 9, Block A, Flagstone Corners Addition, City of Rockwall, Rockwall  
718 County, Texas, zoned Planned Development District 60 (PD-60) for Residential-Office (RO) District land  
719 uses, addressed as 1830 & 1842 Mims Road, and take any action necessary.

720  
721 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
722 requesting to amend a recently approved SUP because at the time the SUP was approved there  
723 was a requirement for a masonry wall and the applicant is asking for that requirement to be  
724 removed.

725  
726 Mr. Brooks advised the Commission that the applicant was present and available for questions.

727  
728 Chairman Lyons asked the applicant to come forward.

729  
730 Deric Salser  
731 345 New Hope Road  
732 Sunnyvale, TX  
733

734 Mr. Salser came forward and stated that the reason for the request is they are trying to avoid  
735 building a masonry wall on the back side of the property because there is a rod iron fence with a  
736 shrub row that is approximately 6-7 feet tall that screens the houses from the subject property  
737 he provided a picture showing what that shrub row looks like.

738  
739 Commissioner Fishman asked if part of including the masonry wall as a requirement was done  
740 for any soundproof reasons with it being a school of music.

741  
742 Wes Porter



743 3318 Ridge Road  
744 Rockwall, TX  
745

746 Mr. Porter came forward and stated that they do thousands of dollars' worth of soundproofing  
747 for students in adjoining rooms don't hear each other when they are playing different  
748 instruments therefore the homes would not be able to hear or be bothered with noise coming  
749 from inside the school.  
750

751 There being no further questions Chairman Lyons indicated the case will return to the  
752 Commission for action at the next scheduled meeting.  
753

754  
755 20. Z2017-062

756 Hold a public hearing to discuss and consider a request by Cameron Slown of FC Cuny Corporation on  
757 behalf of Phillip McNeill, Jr. of McNeill Hotel Company for the approval of a Specific Use Permit (SUP)  
758 for a hotel on a 2.166-acre parcel of land identified as Lot 2A of the Isaac Brown Addition, City of  
759 Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the  
760 Scenic Overlay (SOV) District, located southwest of the intersection of Summer Lee Drive and Horizon  
761 Road [FM-3097], and take any action necessary.  
762

763 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the subject  
764 property is in Planned Development 32 and is a portion in the Interior Sub District in the  
765 Residential Subdistrict and under both those sub districts the land use charts allow for a hotel  
766 by Specific Use Permit.  
767

768 Mr. Miller advised the Commission that the applicant was present and available for questions as  
769 well as staff.  
770

771 Chris Cuny  
772 2 Horizon Court  
773 Heath, TX  
774

775 Mr. Cuny came forward and gave a brief explanation of the request and provided a power point  
776 that went over the concept plan which is for a TRU hotel which is a new Hilton product. It is a  
777 narrow tract of land and they are currently in the process of working with the Atticus Group to  
778 possibly acquire a piece of property that they have in a land swap that would be used for parking  
779 that would suit them better. Mr. Cuny went on to state that they feel this hotel would be a good fit  
780 for the community the TRU Hilton is a mid-scale product that is going after the millennials vey  
781 functional and contemporary with a lot of open and common space. It is geared towards the  
782 budget conscious traveler but more affluent millennial similar in price to the Hampton Inn. It will  
783 not have a full restaurant however it will have a breakfast bar. It will be a 4 story hotel with 98  
784 beds with two of the floors having view corridors with views of the lake.  
785

786 Chairman Lyons asked for any questions from the Commission.  
787

788 Commissioner Trowbridge asked what the surrounding use would be. Mr. Miller explained that it  
789 is the Atticus property that would be the apartments up front and the 36 townhomes in the back.  
790

791 Commissioner Logan asked if there was a cemetery within the vicinity. Mr. Cuny stated that the  
792 cemetery was further to the south.  
793

794 There being no further questions Chairman Lyons indicated the case will return to the  
795 Commission for action at the next scheduled meeting.  
796

797 21. Z2017-063

798 Hold a public hearing to discuss and consider a request by Jim Douglas of Douglas Properties, Inc. on  
799 behalf of Isabel Garrett of the McClendon Company for the approval of an amendment to Planned  
800 Development District 82 (PD-82) for the purpose incorporating an additional 98.341-acre tract of land  
801 into the existing single-family development being a 81.49-acre tract of land creating a 179.831-acre tract  
802 of land identified as a portion of Tract 8 and all of Tract 16 of the J. A. Ramsay Survey, Abstract No.  
803 186, City of Rockwall, Rockwall County, Texas, Planned Development District 82 (PD-82) and

804 Agricultural (AG) District, situated on the west side of Rochell Road south of SH-276, and take any  
805 action necessary.

806  
807 **Planning Director, Ryan Miller, advised the Commission the applicant was present to answer any**  
808 **questions as well as staff.**

809  
810 **Jim Douglas**  
811 **2309 Avenue K**  
812 **Plano, TX**

813  
814 **Mr. Douglas came forward and stated that the park land was required in PD-82 and it is being**  
815 **built by them where they put in the playground and pavilion and deed it to the City and the City**  
816 **would maintain it. They are currently getting ready to start on Phase 1 of the development.**

817  
818 **Chairman Lyons asked for any questions from the Commission.**

819  
820 **There being no questions Chairman Lyons indicated the case will return to the Commission for**  
821 **action at the next scheduled meeting.**

822  
823  
824 22. Z2017-064  
825 Hold a public hearing to discuss and consider a request by Robert Rash for the approval of a Specific  
826 Use Permit (SUP) to allow a detached garage that does not meeting the minimum masonry  
827 requirements on a 1.144-acre parcel of land identified as Lot 8, Block A, Grady Rash Subdivision, City  
828 of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 4  
829 Soapberry Lane, and take any action necessary.

830  
831 **Planner, Korey Brooks, advised the applicant was present and available for questions as well as**  
832 **staff.**

833  
834 **Chairman Lyons asked the applicant to come forward and speak.**

835  
836 **Robert Rash**  
837 **3 Soapberry Lane**  
838 **Rockwall, TX**

839  
840 **Mr. Rash came forward and stated that the Grady Rash Subdivision is 4.67 acres and has four**  
841 **homes on it. In 2003 he was granted permission by the City to build an RV shed which is built to**  
842 **the maximum width and height to store their RV. He no longer uses the RV and now would like to**  
843 **enclose the shed to use to store tractors and use for storage. They are requesting to use R9**  
844 **paneling and will be three quarters inside the column therefore the bricks would still be**  
845 **showing. He has spoken with some of the surrounding neighbors who don't have any issues**  
846 **with his request.**

847  
848 **Commissioner Chodun asked the applicant if he could bring a picture of the R9 paneling at the**  
849 **next meeting to allow the Commission the opportunity to see what it looks like.**

850  
851 **There being no further questions Chairman Lyons indicated the case will return to the**  
852 **Commission for action at the next scheduled meeting.**

853  
854 23. P2017-058  
855 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of  
856 Stone Creek Balance, LTD. for the approval of a preliminary plat for Stone Creek, Phase IX containing  
857 63 single-family residential lots on a 17.418-acre tract of land identified as a portion of Tract 3 of the S.  
858 King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development  
859 District 70 (PD-70) for Single Family-10 (SF-10) District land uses, generally located north of the  
860 northwest corner of the intersection of Hays Road and E. Quail Run Road, and take any action  
861 necessary.

862  
863 **Planning Director, Ryan Miller, advised the Commission that the item has been withdrawn by the**  
864 **applicant and no action needed to be taken.**

865

866 24. P2017-059  
867 Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Russell  
868 Hickey of Merritt Capital Partners for the approval of a preliminary plat for an age/restricted senior living  
869 community consisting of 47 single-family lots on a 13.031-acre tract of land identified as Lots 5 & 7,  
870 Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development  
871 District 68 (PD-68), situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of  
872 S. Goliad Street [S. SH-205] north of the intersection of S. Goliad Street and Justin Road, and take any  
873 action necessary.

874  
875 **Planner, Korey Brooks, and gave a brief explanation of the request stating that the plat does**  
876 **meet the technical requirements of the Unified Development Code and is coming before the**  
877 **Commission because it has to go before the Parks Board to have park fees accessed and will be**  
878 **on the consent agenda at the next scheduled meeting.**

879  
880 **No discussion took place concerning the agenda item.**

881  
882 25. SP2017-037  
883 Discuss and consider a request by Randy Eardley, P.E. of Wier & Associates, Inc. on behalf Getra  
884 Thomason-Saunders of Chick-Fil-A, Inc. for the approval of a site plan for a restaurant with drive-  
885 through on a 0.656-acre tract of land being identified as Lots 1 & 2, Block A, Billy Peoples #1 Addition,  
886 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205  
887 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any  
888 action necessary.

889  
890 **Planner, Korey Brooks, advised the Commission that the applicant was present and that the**  
891 **request is to construct a drive-through only Chick-Fil-A on the corner of Yellow Jacket Lane and**  
892 **North Goliad.**

893  
894 **Chairman Lyons asked the applicant to come forward.**

895  
896 **Priya Acharya**  
897 **2201 E. Lamar Blvd. Suite 200E**  
898 **Arlington, TX**

899  
900 **Ms. Acharya came forwarded and stated she is one of the civil engineers for Chick-Fil-A and they**  
901 **are proposing to build a drive-through only Chick-Fil-A. There are currently two existing vacant**  
902 **buildings on the property and Chick-Fil-A is seeking to buy the properties and during the**  
903 **platting stage they will be requesting to plat the two lots into one.**

904  
905 **Chairman Lyons asked for questions from the Commission.**

906  
907 **Commissioner Trowbridge asked if the sites were currently under contract by a franchisee or the**  
908 **company. Ms. Acharya stated that she believed by the company but depending on how the site**  
909 **plan process goes Chick-Fil-A would proceed to purchase.**

910  
911 **Mr. Brooks added that there are some variances associated with the site plan, one being that**  
912 **there is a 20 foot landscape buffer required and the applicant is requesting a variance to that to**  
913 **match the existing concrete. Secondly the applicant is requesting a variance to the four sided**  
914 **architecture which includes vertical and horizontal articulation as well as materials. The**  
915 **elevation on the drive-through is a flat surface and the Architectural Review Board reviewed it**  
916 **and provided some guidance and direction on that and the architect agreed to make some**  
917 **revisions and send those back to staff. Additionally the applicant is requesting a variance to the**  
918 **pitched roof system.**

919  
920 **Commissioner Chodun asked if the reason for it being a drive-through only was due to the size**  
921 **of the lot. Ms. Acharya stated that was part of the reason since it is a relatively small lot.**

922  
923 **There being no further questions Chairman Lyons indicated the case will return to the**  
924 **Commission for action at the next scheduled meeting.**

925  
926 26. SP2017-038

927 Discuss and consider a request by Arnaldo Cotto of J. Houser Construction on behalf of Jerry Kissick of  
928 Jerry Kissick Custom Homes for the approval of a site plan for a retail center on a 2.113-acre tract of  
929 land identified as Lot 6, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas,  
930 zoned Commercial (C) District, located at the northwest corner of the intersection of Ranch Trail Road  
931 and Horizon Road [FM-3097], and take any action necessary.  
932

933 **Planning Director, Ryan Miller, gave a brief explanation of the request stating that originally it**  
934 **was a site plan that was approved about five years ago and it has since expired and now the**  
935 **applicant has to go back through the process. They will be subject to meet all the current**  
936 **requirements. One of the things that has changed since it originally went thru is that now all new**  
937 **site plans are required to go through the Architectural Review Board process.**  
938

939 **Mr. Miller advised the Commission the applicant was present and available for questions as well**  
940 **as staff.**  
941

942 **Josh Houser**  
943 **J Houser Construction**  
944 **2931 Ridge Road**  
945 **Rockwall, TX**  
946

947 **Mr. Houser came forward and gave a brief explanation of the request stating that it is a**  
948 **development that they have bought and are planning to replat separating it out from the original**  
949 **location which is no longer owned by Jerry Kissick. They will address the comments that they**  
950 **received from the Architectural Review Board.**  
951

952 **Chairman Lyons asked for questions from the Commission.**  
953

954 **There being no questions Chairman Lyons indicated the case will return to the Commission for**  
955 **action at the next scheduled meeting.**  
956

957 27. SP2017-039

958 Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Russell  
959 Frank of Hacienda Car Wash for the approval of a site plan for a carwash within the Scenic Overlay  
960 (SOV) District on a 2.008-acre tract of land being identified as Lots 1 & 2-01, Block A, the Woods at  
961 Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated  
962 within the Scenic Overlay (SOV) District, located south of the intersection of W. Yellow Jacket Lane and  
963 Ridge Road [FM-740], and take any action necessary.  
964

965 **Planning Director, Ryan Miller, gave a brief explanation and background of the case stating that**  
966 **earlier on in the year the site was before the Commission for a Specific Use Permit seeking to do**  
967 **a car wash in the Scenic Overlay District which was approved. They are now in the process of**  
968 **putting together a site plan package. Mr. Miller indicated the applicant was present.**  
969

970 **Dub Douphrate**  
971 **2235 Ridge Road**  
972 **Rockwall, TX**  
973

974 **Mr. Douphrate came forward and advised the Commission he was available for questions.**  
975

976 **Chairman Lyons asked if they were going to address the comments the Architectural Review**  
977 **Board had. Mr. Douphrate indicated they would adhere to their comments.**  
978

979 **There being no further questions Chairman Lyons indicated the case will return to the**  
980 **Commission for action at the next scheduled meeting.**  
981

982 28. SP2017-040

983 Discuss and consider a request by Sami Ibrahim of DFW Distributor Petroleum, Inc. for the approval of  
984 a site plan for a gas station on a 2.47-acre tract of land identified as Tracts 2-14 & 2-01 of the J. A.  
985 Ramsey Survey, Abstract 186, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)  
986 District, situated within the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the  
987 intersection of SH-276 and FM-549, and take any action necessary.

988 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant  
989 is proposing to build a gas station and a retail center both of which are permitted by right uses.  
990 The Architectural Review Board reviewed the elevations and provided some initial comments to  
991 the applicant. There are several variances associated with the elevations but the applicant stated  
992 that they are looking to reduce the number of variances to just the bare minimum they may have  
993 one in regard to the back of the building which will be adjacent to the residential area.  
994

995 Mr. Miller advised the Commission that the applicant was present and available for questions as  
996 well as staff.  
997

998 Semi Abraham  
999 7 Peninsula Court  
1000 Heath, TX

1001  
1002 Mr. Abraham came forward and stated they have owned the property since 1999 they will be  
1003 bringing in a Circle K he feels it will be a great project. He advised the Commission he was  
1004 available for questions.  
1005

1006 Chairman Lyons asked for questions from the Commission.  
1007

1008 There being no questions Chairman Lyons indicated the case will return to the Commission for  
1009 action at the next scheduled meeting.  
1010

1011  
1012 29. Director's Report of post Council meeting outcomes of Planning & Zoning cases.  
1013

- 1014 ✓ P2017-051: Preliminary Plat for Lots 1-8, Block A, Carrier Drive Business Park Addition [Approved]
- 1015 ✓ P2017-052: Lot 1, Block A, Kelly Ranch Addition [Approved]
- 1016 ✓ P2017-053: Lots 19, 20 & 21 of the Hidden Valley Estates No. 2 Addition [Approved]
- 1017 ✓ P2017-054: Master Plat for Terracina Estates Addition [Approved]
- 1018 ✓ P2017-055: Preliminary Plat for Phase 1 of the Terracina Estates Addition [Approved]
- 1019 ✓ Z2017-043: Amendment to PD-70 (1<sup>st</sup> Reading) [Postponed to December 4, 2017]
- 1020 ✓ Z2017-050: SUP for Divine Peace Lutheran Church (1<sup>st</sup> Reading) [Approved]
- 1021 ✓ Z2017-051: Zoning Change (AG & C to PD) for Rockwall SIL (1<sup>st</sup> Reading) [Approved]
- 1022 ✓ Z2017-052: Zoning Change (C & HC to PD) (1<sup>st</sup> Reading) [Postponed to December 4, 2017]
- 1023 ✓ Z2017-053: SUP for an Accessory Building at 2705 Rolling Meadows Drive (1<sup>st</sup> Reading) [Approved]
- 1024 ✓ Z2017-054: Amendment to Article IX, Tree Preservation of the UDC (1<sup>st</sup> Reading) [Remanded Back  
1025 to P&Z]
- 1026 ✓ Z2017-055: Amendment to PD Development Plan [Ordinance No. 13-16] (1<sup>st</sup> Reading) [Approved w/  
1027 Conditions]
- 1028 ✓ SP2017-032: Variances for Rockwall School of Music [Approved]
- 1029 ✓ SP2017-035: Variances for a Retail/Restaurant Strip Center at 819 E. IH-30 [Approved]  
1030

1031  
1032 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
1033 referenced case at the City Council meeting.  
1034

1035  
1036 VII. ADJOURNMENT  
1037

1038 Chairman Lyons adjourned the meeting at 10:14 p.m.  
1039

1040  
1041 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
1042 ROCKWALL, Texas, this 16 day of July, 2018.  
1043

1044  
1045  
1046  
1047  
  
\_\_\_\_\_  
Johnny Lyons, Chairman

1048  
1049  
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1056  
1057

Attest:

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

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**December 12, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

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

II. CONSENT AGENDA

1. P2017-059

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Russell Hickey of Merritt Capital Partners for the approval of a preliminary plat for an age/restricted senior living community consisting of 47 single-family lots on a 13.031-acre tract of land identified as Lots 5 & 7, Block A, Eastshore Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 68 (PD-68), situated within the SH-205 Overlay (SH-205 OV) District, located on the east side of S. Goliad Street [S. SH-205] north of the intersection of S. Goliad Street and Justin Road, and take any action necessary.

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

III. APPOINTMENTS

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

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

IV. PUBLIC HEARING ITEMS

3. Z2017-052 *[Request to Postpone to January 9, 2017]*

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

Chairman Lyons advised the Commission that the applicant is requesting to postpone the agenda item to the January 9, 2017 meeting, and indicated that a motion would need to be made to approve or deny the postponement.

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

Chairman Lyons advised the Commission that agenda items #13 and #8 would be moved up.

65 4. Z2017-054

66 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text  
67 amendment to Article IX, *Tree Preservation*, of the Unified Development Code [*Ordinance No. 04-38*] for  
68 the purpose of making general corrections and clarifications to the code, and take any action necessary.  
69

70 Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the  
71 December 4, 2017 City Council meeting, the City Council remanded the Tree Preservation  
72 ordinance back to the Planning and Zoning Commission for the purpose of allowing staff to  
73 make three changes. The changes are pretty minor but are as follows: 1) Section 5.6.(C) staff  
74 removed the following statement: "... that is above and beyond the required landscaping ...".  
75 This means that if the developer/property owner plants a tree on site -- required or not -- they will  
76 be eligible for the Tree Preservation Credit. 2 Section 1.3.4 was changed from: If the City  
77 determines that a tree or trees create unsafe vision clearance or conflicts with other ordinances  
78 or regulations, or the tree or trees are determined to be in a hazardous or dangerous condition  
79 so as to endanger the public health, safety or welfare of the general public, the City may remove  
80 the tree or trees without being required to follow the terms and provisions of this ordinance. To:  
81 If the City determines that a tree or trees create unsafe vision clearance or conflicts with other  
82 ordinances or regulations, or the tree or trees are determined to be in a diseased, dead,  
83 hazardous or dangerous condition so as to endanger the public health, safety or welfare of the  
84 general public, the City or property owner may remove the tree or trees without being required to  
85 follow the terms and provisions of this ordinance. This change will address the ability of a  
86 property owner to remove a tree that: (1) is diseased or dead, or (2) poses an imminent or  
87 immediate threat to persons or property. And lastly, 3) Section 10 was changed to remove "...  
88 shall be guilty of a misdemeanor and upon conviction here of ..." This section now reads: Any  
89 person, firm, corporation, agent or employee thereof who violates any of the provisions of this  
90 article shall be fined \$500.00 for each offense. The unlawful damage, destruction or removal of  
91 each tree shall be considered a separate incident and each offence subjects the violator to the  
92 maximum penalty of \$500.00 for the first tree with each subsequent tree increasing by \$500.00  
93 increments.  
94

95 Mr. Miller stated the agenda item was a public hearing item and a copy of the draft ordinance  
96 was provided for the Commission and staff was available for questions.  
97

98 Chairman Lyons opened up the public hearing and asked anyone who wished to speak to come  
99 forward and do so, there being no one indicating such, Chairman Lyons closed the public  
100 hearing and brought the item back to the Commission for discussion or action.  
101

102 Commissioner Trowbridge made a motion to approve Z2017-054. Commissioner Welch  
103 seconded the motion which passed by a vote of 6-0, with Commissioner Fishman absent.  
104  
105

106 5. Z2017-056

107 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text  
108 amendment to Section 6.2, *Public Hearing Postponement, Recess and Continuations*, of Article II,  
109 *Authority and Administrative Procedures*, of the Unified Development Code [*Ordinance No. 04-38*] for  
110 the purpose of amending the time period for postponing or continuing a public hearing, and take any  
111 action necessary.  
112

113 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the text  
114 amendment would essentially decrease the amount of time an applicant has to postpone a case  
115 going for public hearing from sixty days to thirty days, this effectively decreases the number of  
116 times they are able to postpone a zoning case from four to two.  
117

118 Mr. Miller stated the item was a public hearing and staff was available for questions.  
119

120 Chairman Lyons opened up the public hearing and asked anyone who wished to speak to come  
121 forward and do so, there being no one indicating such; Chairman Lyons closed the public  
122 hearing and brought the item back to the Commission for discussion or a motion.  
123

124 Commissioner Moeller made a motion to approve Z2017-056 with staff recommendations.  
125 Commissioner Welch seconded the motion which passed by a vote of 6-0, with Commissioner  
126 Fishman absent.  
127



128 6. Z2017-057

129 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text  
130 amendment to Section 2.1.11, *Utilities, Communications and Transportation*, of Article IV, *Permissible*  
131 *Uses*, of the Unified Development Code [*Ordinance No. 04-38*] for the purpose of changing the antenna  
132 standards to allow replacement telecommunications towers in excess of 125-feet by Specific Use Permit  
133 (SUP), and take any action necessary.

134  
135 Planning Director, Ryan Miller, gave a brief explanation of the request stating the amendment  
136 would change the Article IV Permissible Uses Section specifically to the Utilities,  
137 Communications and Transportation section to allow a provision in the Code that would allow a  
138 legally recognized, non-conforming telecommunications tower to be replaced with a tower of  
139 comparable height by Specific Use Permit. Currently the height is capped out at 125 feet  
140 however sometimes the City annexes, and in the case that was presented to Council, the City  
141 annexed a 320 foot tower and they want the ability to demolish that tower to put up a safer tower.  
142

143 Mr. Miller stated the item was a public hearing and staff would be available for questions.  
144

145 Chairman Lyons opened up the public hearing and asked anyone who wished to speak to come  
146 forward and do so.  
147

148 David Naylor  
149 (No address given)  
150

151 Mr. Naylor came forward and stated he is President and CEO of Rayburn Electric, and they are  
152 the ones who asked for the request and would be available to answer any question the  
153 Commission may have.  
154

155 Chairman Lyons asked if there was anyone else wishing to speak to come forward and do so,  
156 there being no one indicating such Chairman Lyons closed the public hearing and brought the  
157 item back to the Commission for discussion or a motion.  
158

159 Commissioner Trowbridge made a motion to approve Z2017-057 with staff recommendations.  
160 Commissioner Chodun seconded the motion which passed by a vote of 6-0, with Commissioner  
161 Fishman absent.  
162  
163

164 7. Z2017-058

165 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text  
166 amendment to Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] for  
167 the purpose of creating a land use and use standards for the *Food Truck/Trailer* land use, and take any  
168 action necessary.  
169

170 Planning Director, Ryan Miller, gave a brief explanation of the request stating that at the  
171 November 20, 2017 City Council meeting, the City Council directed staff to prepare a text  
172 amendment adding Food Trucks/Trailers to the list of Permissible Uses contained in the UDC.  
173 Currently, the City allows these types of uses under the Beverage and/or Food Service Facility,  
174 Portable by Specific Use Permit in all non-residential zoning districts with the exception of the  
175 Neighborhood Services and Research and Technology Districts. The purpose of the change  
176 would be to allow Food Trucks/Trailers to operate by-right in certain zoning districts under a set  
177 of operational conditions. The amendment specifically allows the use in all non-residential  
178 zoning districts by-right with the exception of the Residential Office and Neighborhood Services  
179 District which are typically closer to residential properties under certain operational constraints.  
180 In addition Mr. Miller noted that as part of this text amendment, staff has changed the Beverage  
181 and/or Food Service Facility, Portable land use to a Beverage Service Facility, Portable, to  
182 account for the overlap of the two uses.  
183

184 Mr. Miller further noted that the conditions would include that the Food Truck/Trailer be located  
185 on an improved surface such as concrete or asphalt on private property where an existing  
186 business is currently operating with a valid CO and only operate between the hours of 7:00 AM  
187 and 10:00 PM, and will be required to be removed from the property during non-operation hours.  
188 The Food Truck/Trailer has to be equipped with trash receptacles approved by the City Health  
189 Inspector and comply with all other applicable City codes. The outside storage of trash will be  
190 prohibited. They will also have to provide permanent restrooms whether it be public or private

191 for employees available within 300-feet of the facility and portable restrooms facilities are not  
192 permitted to meet this requirement. Additionally they will be required to have access to a  
193 minimum of two dedicated parking spaces and not reduce the required parking for the existing  
194 building/land use and all noise and lighting will be subject to the requirements of the Municipal  
195 Code of Ordinances and the Unified Development Code. In addition, no lights associated with  
196 the operation of a Food Truck/Trailer may be directed towards an adjacent property or onto a  
197 public right-of-way. And lastly all signage must be attached to the Food Truck/Trailer with the  
198 exception of one free standing menu board no greater than eight square feet placed adjacent to  
199 the Food Truck/Trailer. Mr. Miller also provided a map that depicted a 300-foot buffer of all  
200 existing restaurants on the map to give the Planning and Zoning Commission an idea about  
201 what the inclusion of a proximity requirement would do to the permissible areas. If the  
202 Commission choose to incorporate this requirement into the attached ordinance it will need to  
203 be added to any motion for approval.  
204

205 Mr. Miller stated it was a public hearing and staff was available for questions.  
206

207 Commissioner Welch asked staff to give more detail concerning the restroom requirement. Mr.  
208 Miller explained that the way that staff has structured the permitting process for these types of  
209 facilities is that currently they have a program for mobile food vendors but they're not allowed to  
210 park or set up on any private property they have to remain moving. However there is currently a  
211 mobile vendor permitting where the City Health inspector where they get a tag and once they're  
212 certified as a mobile food vendor then they would be able to register property with the property  
213 owners consent. The reason for the permanent restroom facilities is because the City will only  
214 track it at the point where it is issued to a property, therefore if portable restrooms were to be  
215 allowed those facilities could be moved and then would not have access to restrooms. Basically  
216 what is being required is for them to be either 200 feet from a public restroom or a restroom on  
217 the property in which they are operating from.  
218

219 Commissioner Welch asked if this would impact the Special Event permit which allows business  
220 to have four special events a year. Mr. Miller stated it would not, the Special Event Permit would  
221 still allow for each individual business to pull a special event permit which would allow them to  
222 host an event fourteen days four times a year.  
223

224 Commissioner Chodun asked if the 300 foot buffer is incorporated could the Commission also  
225 say that an exception could be made to the buffer incorporation by an SUP. Mr. Miller stated that  
226 could be incorporated into the Ordinance.  
227

228 Chairman Lyons added that a 300 foot buffer really limits where they can set up, and a big  
229 concern was how this would interfere with the Downtown District, therefore another option could  
230 be to do away with the 300 foot buffer and go to not allowing them in the Downtown District.  
231

232 Chairman Lyons opened up the public hearing and asked if there was anyone wishing to speak  
233 to come forward and do so, there being no one indicating such; Chairman Lyons closed the  
234 public hearing and brought the item back to the Commission for discussion or a motion.  
235

236 Commissioner Trowbridge made a motion to approve Z2017-058 with the condition to prohibit it  
237 within the Downtown Square but waived by approval of a Specific Use Permit. Commissioner  
238 Chodun seconded the motion which passed by a vote of 6-0, with Commissioner Fishman  
239 absent.  
240

241 Chairman Lyons called a recess at 7:27 p.m.  
242

243 Chairman Lyons called the meeting back to order at 7:40 p.m.  
244  
245

246 8. Z2017-059

247 Hold a public hearing to discuss and consider a request by Ed Cavendish of Ed Cavendish Homes/VPS  
248 Construction on behalf of Jal Kumar of Rockwall Marina Development, LLC for the approval of an  
249 amendment to Planned Development District 8 (PD-8) [*Ordinance No. 92-39*] for the purpose of allowing  
250 townhomes on a 6.88-acre tract of land identified as Lot 4, Block A, Spyglass Hill #4 Addition and Tract  
251 134-12 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned  
252 Planned Development District 8 (PD-8) [*Ordinance No. 92-39*] for Zero Lot Line (ZL-5) District land

253 uses, generally located south on the south side of Henry M. Chandler Drive west of Ridge Road [FM-  
254 740], and take any action necessary.

255  
256 Planning Director, Ryan Miller, gave a brief explanation of the request stating that Planning  
257 Director, Ryan Miller, gave a brief explanation of the request stating that the subject property  
258 was annexed into the City zoned Agricultural District on October 29, 1973. On November 12,  
259 1973, the subject property was rezoned to Planned Development District 8 and designated for a  
260 Multi-Family Structure or Condominium by Ordinance No. 73-48. This designation was amended  
261 on October 19, 1992 by Ordinance No. 92-39, which re-designated the subject property to allow  
262 34 zero-lot-line, single-family homes. The subject property is an un-platted 6.88-acre tract of  
263 land located on Henry M. Chandler Drive, adjacent to the Chandler's Landing Marina and the  
264 Spyglass Condominiums, in the Chandler's Landing community. On October 13, 2017, the  
265 applicant requested to reinstate the preliminary plat that was approved in 1992 in accordance  
266 with Ordinance No. 92-39. This preliminary plat depicted the proposed layout for the 44 zero-lot-  
267 line, single-family homes. The Planning and Zoning Commission approved the reinstatement  
268 request October 24, 2017; however, the applicant ultimately choose to submit an application on  
269 November 17, 2017 requesting to amend Ordinance No. 92-39 to allow for a 48-unit townhome  
270 development. According to the concept plan provided by the applicant the proposed townhome  
271 development will consist of 48-single family attached lots that will be broken up into blocks of  
272 three to five homes. The development will incorporate approximately 42% open space, the  
273 majority of which will be used to create a buffer between the proposed development and  
274 Spyglass, Phase 3 which is located directly east of the subject property. The concept plan also  
275 shows that about half of the proposed lots will have front entry garages and the remainder of the  
276 lots will incorporate rear entry garages that would be accessible from an alleyway. The  
277 applicant has also requested that the streets be private and maintained by the Homeowner's  
278 Association. The applicant has not provided examples of the proposed building elevations;  
279 however, staff has incorporated anti-monotony standards that require a minimum of two  
280 intervening homes of differing appearance be used before the same material blend/building  
281 elevation is utilized. In addition, when Ordinance No. 92-39 was approved, the City Council  
282 established maximum finished floor elevations for each building pad on the proposed concept  
283 plan. The purpose of these maximums was to ensure that the views of the properties located  
284 directly east, Spyglass, Phase 3, of the subject property would not be affected by the proposed  
285 development. In conformance with these requirements the applicant has stated that the highest  
286 roof elevation of any townhome will be at an elevation of 500-feet above sea level. This is eight  
287 feet below the highest elevation permitted under Ordinance No. 92-39 and that was included this  
288 in the conditions of approval for the case.  
289

290 Mr. Miller went on to explain that the Future Land Use Map contained in the Comprehensive  
291 Plan, designates the subject property for High Density Residential land uses, which is defined as  
292 any development that exceeds three units per gross acre. In this case, the applicant is  
293 proposing a density of 6.98 dwelling units per gross acre, which is conformance with the High  
294 Density Residential land use designation. The proposed density would be a 0.58 unit increase to  
295 the current density of 6.39 dwelling units per gross acre. The Comprehensive Plan states that  
296 high density residential land uses should be used as a transitional use from commercial (or [an]  
297 existing retail use, or where it will serve as a logical extension of an existing high density  
298 development." The proposed development is adjacent to the Spyglass Condominiums (adjacent  
299 to the eastern property line), which carry the following densities by phase: (1) Phase 1: 18.99  
300 dwelling units per gross acre, (2) Phase 2: 14.23 dwelling units per gross acre, and (3) Phase 3:  
301 15.38 dwelling units per gross acre. These densities may warrant a consideration of the  
302 proposed development; however, any increase in density is a discretionary decision for the City  
303 Council and should the City Council approve the applicant's request no change would be  
304 required to the Future Land Use Map.  
305

306 Mr. Miller further noted that on November 30, 2017, staff mailed 269 notices to property owners  
307 and residents within 500-feet of the subject property and also sent a notice to the Chandler's  
308 Landing, The Cabana's at Chandler's Landing, Matchpoint Townhomes, Cutter Hill (Phases 1-3),  
309 and the Spyglass Homeowner's Associations, which are the only HOA/Neighborhood  
310 Organizations located within 1,500 feet of the subject property. Of the notices sent out staff  
311 received five notices in opposition to the request.  
312

313 Mr. Miller advised the Commission the applicant is present and available for questions as well as  
314 staff.  
315

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

318  
319 Ross Ramsey  
320 2235 Ridge Road  
321 Rockwall, TX

322  
323 Mr. Ramsey came forward and stated that they are the planners for the project has been on the  
324 table other times but they feel that the way they are proposing it is the proper way to do it, they  
325 are certain there is a market for this type of product. Mr. Rash provided a concept plan showing  
326 the overall layout of the townhomes where they will be built at what heights which would not  
327 impede view to any of the existing condominiums. They will be plotted lots for sale, and they will  
328 have two car garages, fenced in rear yard and the Home Owner's Association would maintain all  
329 the yards. Mr. Ramsey went on to talk about the green space that would be provided as well as  
330 the general overall view it would have from a depiction he provided that also showed  
331 conceptually the view coming down the hill in respect of how the houses would be built and how  
332 they would affect the existing condos. He advised the Commission Mr. Cavendish who would be  
333 the builder was available as well and would like to speak.

334  
335 Ed Cavendish  
336 Cavendish Homes  
337 1017 Navy Trail  
338 Heath, TX

339  
340 Mr. Cavendish came forward and spoke of the concept plan they are proposing. He showed  
341 concept site plan which was approved in 1992 and they feel that that concept would not be  
342 fitting anymore as it is too busy too close, he provided a concept plan of the current concept  
343 plan which depicted the green space they are proposing and he spoke as Mr. Ramsey did of the  
344 view coming down the hill in respect to the heights of the homes they're proposing to build. It  
345 will be 42% green space and they will be building a playground which more or less has them  
346 using approximately half the land as opposed to the original approved plan. Mr. Cavendish went  
347 on to say that he has built houses in Rockwall Communities for many years and he plans on  
348 building this development as a very special and unique addition to the City.

349  
350 Chairman Lyons asked for question from the Commission.

351  
352 Commissioner Logan asked if they would be building multi story coming down the hill. Mr.  
353 Cavendish stated they would be townhomes no higher than two stories max.

354  
355 Chairman Lyons asked anyone who wished to speak to come forward and do so.

356  
357 Kevin Ballard  
358 1907 Lakeview  
359 Rockwall, TX

360  
361 Mr. Ballard came forward and stated he owns two condos within the subject property, one that is  
362 on a ground floor which houses his elderly father. He believes the map that the applicant  
363 showed of the elevations is somewhat misleading he feels it is probably an accurate slope  
364 determination on about half of the area however the two condos he owns are on flat land and  
365 therefore if even a one story is built they would be looking out there patio into somebody's  
366 garage. He feels the elevation depiction that the applicant is proposing is not accurate, and it will  
367 impact the great lake view from his condo entirely which would in turn affect his home value. He  
368 is in opposition of the request.

369  
370 Phil Bishop  
371 333 Columbia Drive  
372 Rockwall, TX

373  
374 Mr. Bishop came forward and stated he is the property manager of Spyglass Hill Phase 3 and  
375 stated several of the home owners were present and asked he speak on behalf of them. The  
376 biggest concern they all have is that the view of the lake will be affected. They feel their view  
377 shouldn't be sacrificed just to allow someone else to make money. Although it appears to be a  
378 good plan, as Mr. Ramsey does good work, however in mentioning the previous plan that was

379 approved in 1992 at least left view corridors between a good number of the homes. They feel in  
380 looking at the presented documentation and presentation that the applicants have provided,  
381 where 500 feet above sea level is in relationship to the existing condominiums, and with such  
382 short notice they feel they don't have enough time to really determine how it will impact the  
383 views from their condominiums. They are in opposition of the request.  
384

385 Scott Mason  
386 275 Henry Chandler Drive  
387 Rockwall, TX  
388

389 Mr. Mason came forward and generally expressed not being in favor of the request due how his  
390 view will be obscured. He realizes there will be something developed there, they would however  
391 like to see concrete plans of what they're proposing, to be sure of the heights before any  
392 approval is done, and until then he is opposed to the request. Mr. Mason asked how the height  
393 was measured.  
394

395 Mr. Miller explained that the maximum height listed by the applicant is 30 feet and the way that is  
396 written in the ordinance states that the maximum height shall be measured to the midpoint of the  
397 roof of a single family home which is standard how heights are measured in all zoning districts.  
398

399 Chuck Nixon  
400 174 Henry M. Chandler  
401 Rockwall, TX  
402

403 Mr. Nixon came forward and stated he is the developer of Chandlers Landing back in the early  
404 80's and at the time they developed they retained an architect Jerry Stewart and a lot of effort  
405 was put into making sure that every condominium had a view, whether it be direct views or  
406 corridor views. They did three phases but were unfortunately unable to complete the last phase.  
407 He would like to ask on behalf of the owners if they could have the time to have the original  
408 architect, Mr. Stewart, to review the proposed plan and advise the owners as to what extent it  
409 would still allow for a view.  
410

411 Chairman Lyons asked the applicant to come forward for any rebuttal.  
412

413 Mr. Ramsey came forward and stated they understand the concerns the residents have  
414 concerning the view, and they are aware of those; however they have carefully reviewed the  
415 contours of the land and he provided the depiction which shows how the heights will be and  
416 how they believe will not pose an issue once built. The depiction he showed that showed the 500  
417 feet above sea level and he spoke of how that showed it to be a maximum. They are not  
418 restricting any view corridors of the existing condominiums; they made sure of that from the  
419 very beginning of the project. He stated he and Mr. Cavendish would gladly meet with any of the  
420 homeowners that are concerned, and they will explain in further detail; however he feels he can  
421 assure them they will not inhibit any view.  
422

423 Chairman Lyons asked if the Engineering staff had reviewed the depiction of the topography and  
424 elevation that the applicant provided. Mr. Miller explained that the drawing the applicant has  
425 been referring to in his presentation was not provided to staff, however it is currently in a zoning  
426 phase and therefore do not require a grading plan until site plan and engineering. Currently it is  
427 a conceptual plan, if the zoning is approved, then they would move into preliminary plat which  
428 would start that process followed by master plat site plan, engineering and then final plat.  
429 However Mr. Miller clarified that view corridors are not looked, only grading plans how the earth  
430 will be graded. Chairman Lyons asked how the heights would be looked at. Mr. Miller stated  
431 heights would be looked at on a permit to permit basis and the Building Inspections Department  
432 would be looking at those permits.  
433

434 Commissioner Welch asked for clarification of what is being approved, was it the change of use  
435 from single family zero lot line to townhome. Mr. Miller explained that all that was being looked  
436 at is the Planned Development Ordinance which provides the regulating language, it would  
437 change the use if approved from Single Family zero lot lines, to the townhome use.  
438

439 Chairman Lyons closed the public hearing and brought the item back to the Commission for  
440 action or discussion.  
441

442 Commissioner Chodun expressed generally being in favor with the request; he feels it is  
443 compelling the amount of homeowners who showed up to speak. However something does and  
444 will be developed on the property, and if the general concerns from the citizens were that the  
445 change from single family to townhomes, it might be more compelling. Commissioner Chodun  
446 went on to express his general favor of the request due to the rational that the property owners  
447 who feel their view will be obscured had to have realized at some point or other the inevitable of  
448 something being developed would eventually happen.  
449

450 Chairman Lyons generally also expressed being in favor of the request, although he  
451 understands the concerns of the citizens, what was being expressed was not what was before  
452 them to approve which is to change from single family to townhomes he feels that the developer  
453 appears to be willing to work with the concerns of those property owners and believes  
454 townhomes would be a good fit to that area.  
455

456 Chairman Lyons generally expressed the same views of Commissioner Chodun and generally  
457 expressed being in favor of the request. Although she understands the concerns of the  
458 homeowners who feel they may be affected, the realization is that something inevitably will be  
459 developed there and what the applicant is proposing doesn't appear that it will affect them.  
460

461 Commissioner Moeller expressed concern over the elevations that the citizens expressed  
462 concern over, however he appreciates the depiction the applicant has shown; he's still  
463 concerned with the elevation change and how that will fit.  
464

465 Commissioner Trowbridge made a motion to approve Z2017-059 with staff recommendations.  
466 Commissioner Chodun seconded the motion which passed by a vote of 5-1, with Commissioner  
467 Moeller dissenting and Commissioner Fishman absent.  
468  
469

470 9. Z2017-060

471 Hold a public hearing to discuss and consider a request by David Naylor of Rayburn Country Electric  
472 Cooperative for the approval of a zoning change from Agricultural (AG) District to a Heavy Commercial  
473 (HC) District for a 3.227-acre parcel of land identified as Lot 3, Block A, Rayburn Country Addition, City  
474 of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the  
475 intersection of Mims Road and Sids Road, and take any action necessary.  
476

477 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
478 requesting to rezone the property from an Agricultural District to a Heavy Commercial District  
479 for the purpose of expanding an existing electric utilities facility, Rayburn Country Electric  
480 Cooperative. On December 4, 2017, the City Council approved a replat to replat four parcels of  
481 land into three parcels of land to establish Lot 4 and to combine Lots 5-7. According to  
482 Subsection 4.7, Heavy Commercial District, of Section 4, Commercial Districts, of Article V,  
483 District Development Standards, a utilities facility is permitted with a Specific Use Permit in a  
484 Heavy Commercial District. Should the zoning change be approved, the applicant would be  
485 required to apply for a Specific Use Permit to allow for the expansion of the existing electric  
486 utilities facility and should the Specific Use Permit be approved, the applicant would be required  
487 to submit a site plan for the facility expansion. The Future Land Use Map designates the subject  
488 property for Heavy Commercial land uses, which is defined as commercial uses that involve  
489 large volumes of truck traffic, outside operation and storage of vehicles, or excessive noise and  
490 the applicant's request is in conformance with the Future Land Use Map and the Comprehensive  
491 Plan.  
492

493 Mr. Brooks went on to state that on December 1, 2017, staff sent 13 notices to property owners  
494 and residents within 500-feet of the subject property and staff also notified the Flagstone  
495 Estates, Meadow Creek Estates, Hickory Ridge, and Lynden Park Homeowner's Associations  
496 which are the only HOA's/Neighborhood Associations within 1,500 feet. Staff received one notice  
497 in favor of the request.  
498

499 Chairman Lyons opened up the public hearing and asked the applicant to come forward and  
500 speak.  
501

502 Bill Thomas  
503 201 Winco Circle  
504 Wylie, TX

505 Mr. Thomas came forward and stated he was requesting the zoning change and should it be  
506 approved will come in next to site plan with the plan to expand the facility.  
507

508 Chairman Lyons asked if anyone wished to speak to come forward and do so, there being no  
509 one indicating such; Chairman Lyons closed the public hearing and brought the item back to the  
510 Commission for discussion or a motion.  
511

512 Chairman Chodun made a motion to approve Z2017-060 with staff recommendations.  
513 Commissioner Welch seconded the motion which passed by a vote of 6-0, with Commissioner  
514 Fishman absent.  
515

516  
517 10. Z2017-061

518 Hold a public hearing to discuss and consider a request by Deric Salser of Salser Development Group  
519 on behalf of Russ Porter of Rockwall School of Music for the approval of an amendment to Specific Use  
520 Permit (SUP) No. 174 (S-174) [Ordinance No. 17-45] being a 0.747-acre portion of a larger 2.49-acre  
521 parcel of land identified as Lot 9, Block A, Flagstone Corners Addition, City of Rockwall, Rockwall  
522 County, Texas, zoned Planned Development District 60 (PD-60) for Residential-Office (RO) District land  
523 uses, addressed as 1830 & 1842 Mims Road, and take any action necessary.  
524

525 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
526 requesting the approval of an amendment to Specific Use Permit. On September 5, 2017, the  
527 City Council approved a Specific Use Permit to allow a music studio on the subject property. At  
528 that time, the Specific Use Permit included an operational condition that a six foot masonry  
529 screening wall along with a row of canopy trees a minimum of four caliper-inches in size and  
530 spaced 20-feet on center to be provided adjacent to the residential properties adjacent to the  
531 northeast and southeast property lines. This requirement was added in accordance to  
532 Subsection 5.6, Screening from Residential Uses, of Section 5, Mandatory Provisions, of Article  
533 VIII, Landscape Standards, of the Unified Development Code that states that any commercial use  
534 that has a side or rear contiguous to a residential district shall be screened with a six foot  
535 masonry fence. The UDC further states that as an alternative, berms in conjunction with a  
536 minimum six foot wrought iron fence and a combination of trees and shrubs can be utilized to  
537 meet the screening requirements should the Planning and Zoning Commission determine that  
538 the proposed alternative will provide sufficient screening. In this case, there is an existing  
539 wrought iron fence, six foot tall trees, and an existing wooden fence along the property lines  
540 adjacent to residential properties. The applicant is requesting to remove the requirement of a  
541 six foot masonry wall adjacent to the residential properties. The applicant feels there will be  
542 sufficient screening from the adjacent residential properties utilizing the existing wrought iron  
543 fence, wood fence, existing trees, along with the proposed row of canopy trees required to be  
544 planted with the existing SUP. Staff should note that although similar screening requests have  
545 previously been approved, since this is in a Specific Use Permit request, it is a discretionary  
546 decision for both the Planning and Zoning Commission and the City Council.  
547

548  
549 Mr. Brooks went on to state that on December 1, 2017, staff sent 92 notices to property owners  
550 and residents within 500-feet of the subject property and notified the Lynden Park and Flagstone  
551 Estates HOA's which are the only Neighborhood Associations/HOA's located within 1,500-feet of  
552 the subject property. Staff received one notice in favor of the request and two notices in  
553 opposition of the request and one email with three residents being in favor of the request.  
554

555 Chairman Lyons asked the applicant to come forward and do so.  
556

557 Russ Porter  
558 3318 Ridge Road  
559 Rockwall, TX  
560

561 Mr. Porter came forward and stated that they have made contact with the three residents that  
562 expressed their opposition and they have had good conversations with them and they have  
563 expressed wanting to leave the existing greenery because by putting a wall would make it hard  
564 to maintain that greenery.  
565

566 Chairman Lyons opened up the public hearing and asked anyone who wished to speak to come  
567 forward and do so there being no one indicating such; Chairman Lyons closed the public  
568 hearing for discussion or a motion.  
569

570 Commissioner Logan made a motion to approve Z2017-061. Commissioner Moeller seconded the  
571 motion. Commissioner Chodun asked Commissioner Logan to amend the motion with the  
572 condition for the live screening to be maintained. Commissioner Logan accepted the  
573 amendment. The motion passed by a vote of 6-0, with Commissioner Fishman absent.  
574

575  
576 11. Z2017-062

577 Hold a public hearing to discuss and consider a request by Cameron Slown of FC Cuny Corporation on  
578 behalf of Phillip McNeill, Jr. of McNeill Hotel Company for the approval of a Specific Use Permit (SUP)  
579 for a hotel on a 2.166-acre parcel of land identified as Lot 2A of the Isaac Brown Addition, City of  
580 Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the  
581 Scenic Overlay (SOV) District, located southwest of the intersection of Summer Lee Drive and Horizon  
582 Road [FM-3097], and take any action necessary.  
583

584 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant  
585 is requesting a Specific Use Permit for the purpose of establishing a Hotel on the 2.166-acre  
586 subject property. The property is located approximately 315-feet southwest of the intersection  
587 of Summer Lee Drive and Horizon Road, and is zoned Planned Development District 32 (PD-32).  
588 According to Ordinance No. 17-22 the subject property is partially located within the  
589 Horizon/Summer Lee and the Residential Subdistricts of Planned Development District 32 and  
590 according to the Subdistrict Land Use Chart that is contained in this ordinance a Hotel requires  
591 a Specific Use Permit in all of the Subdistricts in PD-32. The applicant has stated that the  
592 proposed Hotel will consist of four floors with 98 rooms, and be under a Hilton brand TRU. The  
593 applicant also stated that the hotel will be targeted at the mid-scale market and be comparable to  
594 the Hampton Inn. In addition, the Specific Use Permit ordinance includes a stipulation that the  
595 hotel cannot be utilized as an Extended Stay, Transient or Residence Hotel. The subject  
596 property is located within the Scenic Overlay District, and according to this overlay district any  
597 structure that exceeds 36-feet in height requires a Specific Use Permit. The applicant has stated  
598 that there is a potential that the hotel area could change if a proposed land swap with the  
599 adjacent property owner to the south is approved; however, this will not significantly change the  
600 proposed Specific Use Permit location depicted in the provided concept plan. In addition, if this  
601 case is approved the applicant will need to submit a PD Development Plan, and any changes to  
602 the Specific Use Permit ordinance can be handled through this process and the approval of the  
603 applicant's request is a discretionary decision for the Planning and Zoning Commission and City  
604 Council.  
605

606 Mr. Miller further noted that on November 30, 2017, staff mailed 39 notices to property owners  
607 and residents within 500-feet of the subject property. Additionally, staff sent a notice to the  
608 Lago Vista Homeowner's Association), which is the only HOA/Neighborhood Organization  
609 participating in the Neighborhood Notification Program within 1,500-feet of the subject property.  
610 Staff received one notice in favor from the property owner.  
611

612 Mr. Miller advised the Commission the applicant was present and available for questions as well  
613 as staff.  
614

615 Chairman Lyons asked the applicant to come forward.  
616

617 Chris Cuny  
618 2 Horizon Court  
619 Heath, TX  
620

621 Mr. Cuny came forward and gave a brief power point presentation of the request which showed  
622 the renderings. He stated they are very excited to bring this product into the City of Rockwall. He  
623 respectfully asked the Commission for their approval and stated he was open to any questions  
624 the Commission may have.  
625

626 Commissioner Trowbridge asked how many hotels currently are entitled within the City. Mr.  
627 Miller explained that currently entitled there are 560 units and existing there are 550 units for a  
628 total of 1,110.



629 General discussion took place between the Commission and the applicant concerning the  
630 adjacent land and the planned development that will be coming into that property and where that  
631 would line up to not cause an issue with overcrowding or affecting the views as well as how the  
632 parking would be integrated within those properties.  
633

634 Chairman Lyons opened up the public hearing and asked if anyone wished to speak to come  
635 forward and do so; there being no one indicating such Chairman Lyons closed the public  
636 hearing and brought the item back to the Commission for discussion or a motion.  
637

638 Commissioner Welch made a motion to approve with staff recommendations. Commissioner  
639 Moeller seconded the motion which passed by a vote of 6-0, with Commissioner Fishman  
640 absent.  
641

642  
643 12. Z2017-063

644 Hold a public hearing to discuss and consider a request by Jim Douglas of Douglas Properties, Inc. on  
645 behalf of Isabel Garrett of the McClendon Company for the approval of an amendment to Planned  
646 Development District 82 (PD-82) for the purpose incorporating an additional 98.341-acre tract of land  
647 into the existing single-family development being a 81.49-acre tract of land creating a 179.831-acre tract  
648 of land identified as a portion of Tract 8 and all of Tract 16 of the J. A. Ramsay Survey, Abstract No.  
649 186, City of Rockwall, Rockwall County, Texas, Planned Development District 82 (PD-82) and  
650 Agricultural (AG) District, situated on the west side of Rochell Road south of SH-276, and take any  
651 action necessary.  
652

653 Senior Planner, David Gonzales, gave a brief explanation of the request stating that the applicant  
654 is requesting an amendment to PD-82 to allow for an additional 148 single-family residential lots  
655 to the existing 204 single-family homes permitted by PD-82. This amendment would allow for a  
656 total of 352 single-family lots. The lot mix will be comprised of a minimum lot size of 8,125  
657 square feet, 65' x 125' lots, mid-sized lots of 10,000 square feet, 80' x 120', and ten larger lots  
658 containing a minimum of 25,000 square feet. The additional Concept Plan submitted by the  
659 applicant indicates the larger 25,000 square feet lots to be 80' x 120' will be located along the  
660 northern boundary of the subject property, adjacent to the Sterling Farms Addition. The 8,125  
661 SF lots will be located in the center of the addition, and along the eastern boundary of the  
662 subject property creating a transition of the lots, while lining up with those in Phase I.  
663 Furthermore, the applicant intends to purchase the property from IHeartMedia for the purpose of  
664 dedicating the 39-acre property as open space and providing a meandering trail wrapping  
665 around the property. Additionally, the applicant intends to dedicate right-of way connecting the  
666 minor collector street (Street H) to Guadalupe Drive in the Fontanna Ranch Subdivision, which is  
667 located at the southern piece of the property. This will create access for the neighborhoods to  
668 the elementary school, all parks, and conforms to the City's Master Thoroughfare Plan. The  
669 proposed development of the subject property will provide an additional 2.24 acre private park  
670 with amenities such as a playground, Dog Park, benches, and an eight foot meandering trail that  
671 also provides access to the nine acre public park amenity provided by the developer that was  
672 approved with PD-82. The Concept Plan indicates the addition of 50.46-acres of open space or  
673 51% and will combine the 18.97-acres of open space or 23.3% from the existing PD-82 for a total  
674 of 69.43-acres of open space for the development, which exceeds the 20% requirement. With the  
675 inclusion of the subject property, the location of the park and open space along the western  
676 boundary of the development will provide an additional buffer from the IHeartMedia Tower  
677 Company's antenna park. The applicant has also indicated that a minimum of a ten (10) foot  
678 landscape buffer along the proposed minor collector street (Street H) will include large canopy  
679 trees planted along the perimeter of the roadway and park trails at a minimum of 50-ft intervals.  
680 The applicant will also be required to provide a minimum of a five) foot sidewalk that will be  
681 constructed within the rights-of-way of the development and staff included these as  
682 development requirements within the Planned Development District Ordinance.  
683

684 Mr. Gonzales went on to state that the Future Land Use Map designates the subject property for  
685 Low Density Residential land uses and according to the Comprehensive Plan, the Low Density  
686 Residential designation is generally defined as single family development consisting of less  
687 than two units per acre; however, a density up to 2.5 units per gross acre may be allowed within  
688 a Planned Development district that includes the dedication and/or development of additional  
689 amenities that exceed the minimum standards for residential Planned Developments. These  
690 amenities may include but not limited to parks and open space, neighborhood amenity centers,  
691 development of trails and parks in flood plains, municipal parks and/or recreation facilities. In

692 this case, the applicant is proposing a density of 1.50 units per gross acre and is proposing an  
693 approximately 2.24-acre Private Park, incorporating concrete hike and bike trail system, and  
694 other features as depicted on the Concept Plan. This is exclusive of the 9.0 acre public park that  
695 was approved with the original PD-82 request and that has already been preliminary platted with  
696 the current PD-82. This means that the applicant is proposing to incorporate 11.24 acres of total  
697 parkland. The proposed zoning does conform to the majority of the Comprehensive Plan's  
698 residential policies.  
699

700 Mr. Gonzales further noted that on December 1, 2017, staff mailed 211 notices to property  
701 owners and residents within 500-feet of the subject property and also emailed notices to the  
702 Lofland Farms, Timber Creek, and Fontana Ranch Homeowner's Associations, which are the  
703 only HOA's located within 1,500 feet of the subject property participating in the notification  
704 program. Staff has received two notices opposed to the request.  
705

706 Mr. Gonzales advised the Commission that the applicants were present and available for  
707 questions as well as staff.  
708

709 Chairman Logan asked for further clarification of the open space in relation to the antenna park  
710 how much of that will be usable land. Mr. Gonzales explained that it will be used as open space  
711 and the antennas will be fenced off and dressed up for them not to be so visible.  
712

713 Commissioner Chodun asked if the 39 acres of open space is being used in the equation of the  
714 density. Mr. Gonzales stated open space is included with the gross acres.  
715

716 Chairman Lyons asked the applicant to come forward.  
717

718 Jim Douglas  
719 Douglas Properties  
720 2309 Avenue K  
721 Plano, TX  
722

723 Mr. Douglas came forward and stated staff did a good job in explaining the request and provided  
724 a brief power presentation detailing the request. They will be providing additional amenities on  
725 top of the ones that were originally approved with the PD-82, and with respect to the tower site  
726 they were able to reach an agreement with the people purchasing the land that the towers are  
727 on. The towers will stay but they will be bringing in rod iron fencing and adding landscaping  
728 around the base of the towers to allow people to use the park. There will be trail systems around  
729 and in the northern portion which is Phase III they will add additional amenities that will include  
730 a pavilion and another playground and will be maintained by the HOA. Mr. Douglas went on to  
731 speak of the concern that was expressed at the work session concerning traffic, and street H as  
732 Mr. Gonzales explained, which runs left to right is on the Master Thoroughfare Plan and the  
733 subdivision is designed where that will be the major access point getting in and out this project  
734 and will not only give the residents in this neighborhood but some of the other residents easier  
735 access to the school as well as easier access in and out of their subdivisions. They will also be  
736 improving two lanes of Rochell Road. Mr. Douglas went on to state that they feel this triangular  
737 piece is on an island and they feel having low density is the best use of the land and they ask the  
738 Commission to consider approval and are available for any questions they have.  
739

740 Chairman Lyons asked for questions from the Commission.  
741

742 Commissioner Chodun asked if the open space becomes part of the PD can it be sold later. Mr.  
743 Gonzales explained that in order for that to occur they would have to amend the PD. Mr. Miller  
744 added that it could not, once it is dedicated as open space it would then be in the HOA's hands  
745 which would make it very difficult if not impossible.  
746

747 Commissioner Welch asked if the area that is landscaped around the base of the towers would  
748 be irrigated. Mr. Douglas stated at the base of the towers they would run irrigation there and for  
749 the larger open spaces they would do like the golf course type heads that spray larger areas.  
750

751 Chairman Lyons opened up the public hearing and asked anyone who wished to speak to come  
752 forward and do so.  
753  
754

755 Greg Coleman  
756 3157 Diamond Way  
757 Rockwall, TX  
758

759 Mr. Coleman came forward and stated he is an adjacent property owner to the north and feels  
760 that from what he has seen the applicant has presented is better than what he anticipated it  
761 would be. However he does have several concerns and questions he would like answered. His  
762 questions were if there would be an easement along the north property line between his and the  
763 subject property and would there be any screening along the north corner which is where his  
764 property is located. Also, will the homes be multi-story homes and is there any plan to make  
765 additional lanes since the traffic in the area is already an issue and would that cause issues with  
766 emergency services having access.  
767

768 Mr. Miller explained that concerning the screening since it is a residential adjacency there would  
769 not be any screening requirement. Concerning emergency access and transportation planning  
770 the City has a Master Thoroughfare Plan which is based on the Future Land Use Map which the  
771 use that is being proposed is confirming to that Future Land Use Map meaning that no change  
772 or no additional studies would need to be required. Basically it should not cause any issues with  
773 emergency services or traffic as this area was planned however street H will alleviate a lot of the  
774 traffic.  
775

776 Mr. Coleman went on to ask concerning the drainage on the site where will it drain in case of a  
777 large rain event. Mr. Miller explained that they will be required full engineering and they will  
778 provide on-site detention areas that will collect their storm water and release it at the same rate.  
779

780 Janice Novotny  
781 3581 Rochelle Road  
782 Rockwall, TX  
783

784 Ms. Novotny came forward and stated she lives in the County but expressed her concern with  
785 the traffic issues adding another development will cause. She is very concerned in how the City  
786 is not maintaining the road and would like for it to be addressed.  
787

788 Pamela Coleman  
789 3157 Diamond Way  
790 Rockwall, TX  
791

792 Mrs. Coleman came forward and generally expressed being in opposition of the request and  
793 asked concerning the existing fence that adjoins the property to theirs and the trees along it  
794 would those be removed. She expressed her concern with the traffic this development will cause  
795 as well as her desire to see bigger lots.  
796

797 Chairman Lyons asked the applicant to come forward for rebuttal.  
798

799 Mr. Douglas came forward and stated they would be providing the homes they build with a  
800 wooden privacy fence and would not be taking down any trees by the fence Ms. Coleman was  
801 referring to. Concerning the question of the easement, there is an access easement and that is  
802 to allow the tower company to access the towers.  
803

804 Chairman Lyons closed the public hearing and brought the item back to the Commission for  
805 action or discussion.  
806

807 Chairman Lyons made a motion to approve Z2017-063 with staff recommendations.  
808 Commissioner Moeller seconded the motion, which passed by a vote of 5-1, with Commissioner  
809 Chodun dissenting and Chairman Fishman absent.  
810

811  
812 13. Z2017-064  
813 Hold a public hearing to discuss and consider a request by Robert Rash for the approval of a Specific  
814 Use Permit (SUP) to allow a detached garage that does not meeting the minimum masonry  
815 requirements on a 1.144-acre parcel of land identified as Lot 8, Block A, Grady Rash Subdivision, City  
816 of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, addressed as 4  
817 Soapberry Lane, and take any action necessary.

818  
819  
820  
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Planner, Corey Brooks, gave a brief explanation of the request stating that the applicant is requesting the approval of a Specific Use Permit to allow a detached garage that does not meet the minimum masonry requirements on the subject property. The accessory building is an existing 20-foot tall and 45' x 20' carport that is not enclosed. The existing accessory building is located across Soapberry Lane, adjacent to the side property line. The applicant is proposing to enclose the carport utilizing metal and add doors to the front of the structure to convert it into a detached garage. According to the applicant's letter, the applicant plans to utilize the proposed accessory building to store personal trailers, tractors, and other yard equipment.

Mr. Brooks went on to state that according the Unified Development Code in all residential districts, one detached garage, as an accessory use, shall be allowed provided that that does not exceed 900 SF or 15-feet in height, and contains the same exterior materials as found on the main structure. The UDC further states that accessory buildings/detached garages not meeting those standards shall require the approval of a Specific Use Permit. On November 9, 2017, the Board of Adjustments approved a request from the applicant to allow the change of an existing legal non-conforming use, carport to another legal non-conforming use, a garage. Mr. Brooks further noted that although the approval an SUP is a discretionary decision for the Planning and Zoning Commission and the City Council, the Board of Adjustments has approved a request to allow the change of an existing legal non-conforming use to another legal non-conforming use, which allowed the applicant to submit an application for the Specific Use Permit.

Mr. Brooks further stated that on December 1, 2017, staff mailed 65 notices to property owners and occupants within 500-feet of the subject property and also notified The Preserve Homeowner's Association, which is the only HOA and/or Neighborhood Organization within 1,500-feet of the subject property participating in the notification program. Staff received two notices in opposition of this request and four notices in favor of the request.

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

Chairman Lyons asked the applicant to come forward and speak.

Robert Rash  
3Soapberry  
Rockwall, TX

Mr. Rash came forward and stated he feels it is a unique subdivision as there are only four homes on it and all four are in favor of his request. There is no City of Rockwall street that is attached to the property and is completely surrounded by allies and the entrance to the property within the subdivision is a private road that is maintained by those four residences.

Chairman Lyons asked the Commission for any questions for staff or the applicant.

Commissioner Logan asked if any comments that were received in opposition included concerns with the view of the lake being obscured by the carport. Mr. Brooks stated that of the two notices received that was not a reason.

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

Commissioner Trowbridge made a motion to approve Z2017-064. Commissioner Chodun seconded the motion which passed by a vote of 5-1, with Commissioner Logan dissenting and Commissioner Fishman absent.

#### V. ACTION ITEMS

##### 14. Z2017-055

Hold a public hearing and consider a request by Kevin Hickman of PegasusAblon on behalf of Rockwall Rental Properties, LP for the approval of a PD Development Plan amending Ordinance 13-16 and in accordance with Ordinance No. 10-21, for a 7.344-acre tract of land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey, Abstract No. 11, City of Rockwall,

881 Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 (IH-  
882 30) Overlay District, located at the southwest corner of the intersection of the IH-30 frontage road and  
883 Lakefront Trail, and take any action necessary.  
884

885 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the item is  
886 being remanded back to the Commission after City Council's second reading in which they  
887 wanted to add a provision that would control the construction schedule which the applicants  
888 have agreed to. Basically the new provision would require that the building adjacent to Lakefront  
889 Trail be granted a building permit by June 1, 2019 and the building adjacent to the Harbor  
890 Fountain be issued a building permit by June 1, 2020. Should they not meet those benchmarks  
891 the Ordinance would revert back to the original allocated units meaning they would lose the  
892 units allocated through this Ordinance. Since this was a substantial change the City Council  
893 wanted to remand the item back to the Commission to allow them to review.  
894

895 Mr. Miller advised the Commission the applicant was present and available for questions as well  
896 as staff.  
897

898 Chairman Lyons asked for questions from the Commission.  
899

900 Commissioner Trowbridge asked how many units would be left after these that have been  
901 allocated. Mr. Miller stated there would be 182 units remaining.  
902

903 Commissioner Welch asked the difference in the year. Mr. Miller explained that the first project  
904 they've indicated that their projected start date is 2019 and the Mayor put the additional year and  
905 that was agreed to by the applicant.  
906

907 Commissioner Logan asked if the parking garage would fall within the first time limitation. Mr.  
908 Miller stated yes, the parking garage would be built with project along Lakefront Trail. The  
909 applicant has indicated that there is currently an agreement that the parking garage if they were  
910 to build they would be required to build the parking garage for the commercial side.  
911

912 Chairman Lyons asked the applicant to come forward.  
913

914 Kevin Aikman  
915 9474 Gagehill Drive  
916 Dallas, TX  
917

918 Mr. Aikman came forward and stated and gave a brief explanation of the request and stated that  
919 it is very similar to what was presented before with the difference being the time restraints they  
920 understand that the City wants to see progress they have made the commitment that once they  
921 break ground they will continue to make progress. He stated he would answer any additional  
922 questions the Commission may have.  
923

924 Commissioner Trowbridge asked what the height would be. Mr. Aikman stated they will be up to  
925 five stories in certain places, they have a 14-16 foot requirement per the PD along Lakefront  
926 Drive and with the grade change along the project it could potentially just be four stories along  
927 the drive and then give them the ability to do five stories. They currently have only done a  
928 preliminary site plan but they will get all those details taken care of during their formal site  
929 planning process.  
930

931 Chairman Lyons brought the item back to the Commission for action or discussion.  
932

933 Commissioner Welch made a motion to approve Z2017-055 with staff recommendations.  
934 Commissioner Moeller seconded the motion which passed by a vote of 6-0, with Commissioner  
935 Fishman absent.  
936

937  
938 15. MIS2017-015

939 Discuss and consider a special request by Michael Hunter of the North East Texas Community  
940 Development Corporation for the approval of waivers to the requirements stipulated for the Southside  
941 Residential Neighborhood Overlay (SRO) District to allow the construction of a duplex on a 0.1120-acre  
942 tract of land identified as a portion of Lot 4B, Block H, Sanger Addition, City of Rockwall, Rockwall  
943 County, Texas, zoned Multi Family 14 (MF-14) District, situated within the Southside Residential

944 Neighborhood Overlay (SRO) District, located at the northeast corner of Peters Colony and E. Bourn  
945 Street, and take any action necessary.  
946

947 Planner, Corey Brooks, gave a brief explanation of the request stating that the applicant has  
948 submitted a special request for the approval of a deviation from the minimum front yard setback,  
949 minimum lot size and minimum lot depth for properties in the Southside Residential  
950 Neighborhood Overlay District as stipulated by the Unified Development Code. The purpose of  
951 this request is to allow for the subject property to be platted as shown by the ownership lines  
952 depicted on the Rockwall County Appraisal District website and the purpose for the replat is for  
953 construction of a duplex. The concept plan submitted by the applicant shows that the subject  
954 property will have a duplex oriented toward Peters Colony. The applicant is requesting a special  
955 exception to the minimum front yard setback adjacent to Peters Colony to reduce it from 20-feet  
956 to 15-feet. Additionally, the applicant is requesting a special exception to the minimum lot size  
957 to allow a reduction from 5,000 square feet to 4,896 square feet and a special exception to the  
958 minimum lot depth to reduce it from 100-feet to 70-feet and lastly the applicant is requesting a  
959 masonry exception to allow up to 60% Hardiboard. Additionally Mr. Brooks added that a duplex  
960 is allowed by-right in a Multi-Family 14 District.  
961

962 Mr. Brooks went on to state that the Southside Residential Overlay District was created to  
963 provide flexibility necessary for allowing infill and redevelopment of the Southside  
964 Neighborhood and he provided the Commission with the development standards with that  
965 District for their review. The approval of these requests are discretionary decisions for the  
966 Planning and Zoning Commission and City Council.  
967

968 Mr. Brooks advised the Commission that the applicant was present and available for questions  
969 as well as staff.  
970

971 Chairman Lyons asked the applicant to come forward.  
972

973 Michael Hunter  
974 787 Hail Drive  
975 Rockwall, TX  
976

977 Mr. Hunter came forward and gave a brief explanation of the request stating that they look for  
978 land where they can build and rent for affordable housing for low income people, which is  
979 working class people, people that have jobs that are looking for an affordable place to live. Mr.  
980 Hunter stated they came before the Commission on another lot on the same block where they  
981 have since built a duplex. They feel they build a quality product but are limited to the small lots  
982 that are remaining that allow the right zoning. They believe they can build a duplex on the  
983 subject property, they own the property to the west which is a triplex and they are proposing to  
984 do a combination drive to allow for the both of them to allow for the parking. Concerning the  
985 request for the masonry exception the problem that they ran into on the duplex they recently  
986 completed was that on the separation of hardiboard and brick or stone when they came to the  
987 façade that had the gables the slit between the second floor and the first floor didn't hit 50% and  
988 it didn't look right, they feel it would look better if they have the first floor masonry stone and the  
989 second floor hardiboard and include the gables in that, that is the reason behind the request for  
990 the 0%. He respectfully asked the Commission's approval and stated he would answer any  
991 questions the Commission may have.  
992

993 Commissioner Logan expressed concern with a duplex being built that will house two families  
994 on a lot that has been deemed small for one. She feels that although she understands the need  
995 for the housing that they provide it would be better suited for just one home as opposed to a  
996 duplex.  
997

998 Mr. Hunter stated they feel that the way this lot is shaped would be better suited for the duplex  
999 and at the same time give two families the opportunity of housing.  
1000

1001 Commissioner Chodun asked for clarification if there would be shared parking. Mr. Hunter stated  
1002 it would not be shared parking, since they own both properties the best thing to do to  
1003 accommodate the tenants would be to widening the drive.  
1004

1005 General discussion took place concerning the parking and the size of the lot and if it is suited for  
1006 the duplex.

1007 Commissioner Welch made a motion to approve MIS2017-015 with staff recommendations.  
1008 Commissioner Trowbridge seconded the motion which passed by a vote passed with a vote of 4-  
1009 2, with Commissioners Logan and Chodun dissenting and Commissioner Fishman absent.  
1010  
1011

1012 16. MIS2017-016

1013 Discuss and consider a special request by Steven J. Goldberg of Cogent Realty Advisors, LLC for the  
1014 approval of waivers to the requirements stipulated for the Southside Residential Neighborhood Overlay  
1015 (SRO) District to allow the construction of two (2) single-family homes on a 0.310-acre tract of land  
1016 identified as Lots 33 & 34, Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single  
1017 Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District,  
1018 located at the southeast corner of Emma Jane Road and Sam Houston Street, and take any action  
1019 necessary.  
1020

1021 Planner, Korey Brooks, gave a brief explanation of the request stating that on November 28,  
1022 2017, the Planning and Zoning Commission recommended denial of a request for approval of a  
1023 deviation from the minimum front yard setback, minimum lot depth, and minimum lot size for the  
1024 purpose of constructing three single-family homes. After the Planning and Zoning Commission's  
1025 recommendation, the applicant chose to withdraw the request. Since that time, the applicant  
1026 has changed his request and is seeking approval of a deviation from the minimum front yard  
1027 setback stipulated for properties in the Southside Residential Neighborhood Overlay District as  
1028 stipulated by the Unified Development Code. The purpose of this request is to allow for the  
1029 subdivision of three tracts of land into two lots for the construction of two single-family homes.  
1030 The subject property is located at the southeast corner of Emma Jane Road and Sam Houston  
1031 Street and situated within the Southside Residential Neighborhood Overlay District. According  
1032 to the applicant, the lots were purchased after reviewing the ownership lines depicted by the  
1033 Rockwall Central Appraisal District, which makes the properties appear to be in three parcels of  
1034 land; however, two of the properties were subdivided by metes and bounds, and these lots are  
1035 not buildable in their current format, they do not meet the lot depth and lot size requirements. In  
1036 addition, the lots are currently platted into two lots. Staff should note that this property is  
1037 located within the Southside Residential Neighborhood Overlay District, which allows for less  
1038 restrictive development standards than a typical single-family, residentially zoned property.  
1039 The concept plan submitted by the applicant shows that two tracts of land will have two single-  
1040 family homes oriented toward Emma Jane Street. The applicant is requesting a special  
1041 exception to the side yard setback from 20-feet to 10-feet for the proposed lot adjacent to Sam  
1042 Houston Street which would be tracts 1 & 2 combined. Since Tracts 1 and 2 are on the corner of  
1043 two streets being Sam Houston Street and Emma Jane Road, it is considered to have dual  
1044 frontage, therefore, subject to the front-yard setback for both frontages. The applicant is also  
1045 requesting a special exception to construct two single-family homes with front-entry garages.  
1046 The applicant has provided a site plan showing the footprint of an 1,800 square feet single-family  
1047 home. Although this request is typical of neighboring homes, it is a discretionary decision for  
1048 the Planning and Zoning Commission and the City Council.  
1049

1050 Mr. Brooks advised the Commission that the applicant was present and available for questions  
1051 as well as staff.  
1052

1053 Chairman Lyons asked the applicant to come forward.  
1054

1055 Steve Goldberg  
1056 7117 Stephanie Drive  
1057 Dallas, TX  
1058

1059 Mr. Goldberg came forward and gave a brief explanation of the request and stated they heard  
1060 the Commissions concerns when they were before them at the last meeting and they have since  
1061 drawn up a new plan, which they feel will fit to the existing homes in the area.  
1062

1063 General discussion took place concerning street orientation and setbacks.  
1064

1065 Commissioner Trowbridge made a motion to approve MIS2017-016 with staff recommendations.  
1066 Commissioner Moeller seconded the motion which passed by a vote of 6-0, with Commissioner  
1067 Fishman absent.  
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17. SP2017-037

Discuss and consider a request by Randy Eardley, P.E. of Wier & Associates, Inc. on behalf Getra Thomason-Saunders of Chick-Fil-A, Inc. for the approval of a site plan for a restaurant with drive-through on a 0.656-acre tract of land being identified as Lots 1 & 2, Block A, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [SH-205], and take any action necessary.

Planner, Corey Brooks, gave a brief explanation of the request stating that the applicant is requesting approval of a site plan for a restaurant, 2,000 SF or more, w/ drive-through and the proposed restaurant is 2,200 square feet. According to the submitted site plan, the proposed restaurant will be a drive-through only and have no inside seating and will have a walk-up window. In addition, it will incorporate five tables on the patio. There is an existing vacant convenient store, E-Z Mart, and a vacant restaurant, Pizza Hut, that will need to be demolished in order to develop the site. According to the Unified Development Code a restaurant with a drive-through shall not have access to local residential streets. Additionally, the UDC states that stacking lanes for drive-through service windows shall accommodate at least 6 vehicles per lane. In this case, the submitted site plan shows stacking to accommodate 19 vehicles with dual lanes.

Mr. Brooks further noted that in a General Retail District a Specific Use Permit is required for a restaurant with a drive-through therefore should this site plan be approved an SUP would have to be submitted. The applicant has already submitted an application for an SUP and approval of the site plan is conditional on approval of the Specific Use Permit.

Mr. Brooks went on to state that there are a few variances associated with the request the first being to the four sided Architecture and with that is included in vertical articulation and the UDC provides a formula for determining how much of a height change a building is required based upon how long the wall is. In this case the height change would need to be five feet although the applicant is not meeting that they are providing a height change from the drive-through elevation of about a foot and a half. Additionally there are other elements that are being provided that will provide vertical articulation. Secondly the applicant is seeking a variance for the pitched roof requirement according to the UDC all structures having a footprint of 6,000 square feet or less need to be constructed with a pitched roof system, however the applicant is requesting a variance to use a flat roof system. And lastly, the applicant is requesting a variance to the landscaping standards. According to the Unified Development Code UDC, the landscape buffer shall be a minimum of 20-feet wide along the entire length of the property adjacent to SH-205. In this case, there is an existing parking lot that encroaches the 20-foot landscape buffer and the applicant is requesting to utilize the existing parking lot. According to the site plan submitted, a ten (10)-foot landscape buffer with all of the required landscaping is being provided adjacent to SH-205. All variances will require a ¾ majority vote of the City Council members present to be approved.

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

Chairman Lyons asked the applicant to come forward.

Priya Acharya  
Wier & Associates  
2201 E. Lammar Blvd.  
Arlington, TX

Ms. Acharya stated she did not have anything to add from what Mr. Brooks presented however she wanted to acknowledge staff has been very helpful to them during the process.

Chairman Lyons asked for questions from the Commission.

Commissioner Logan expressed concern over the traffic flow. Ms. Acharya stated there would be two points of exit one being Yellow Jacket and the other SH-205.



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Chairman Lyons made a motion to approve SP2017-037 with staff recommendations. Commissioner Trowbridge seconded the motion which passed by a vote of 6-0, with Commissioner Fishman absent.

18. SP2017-038 *[Postponed to December 26, 2017]*

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

Chairman Lyons noted this agenda item was postponed and no action was necessary.

19. SP2017-039

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Russell Frank of Hacienda Car Wash for the approval of a site plan for a carwash within the Scenic Overlay (SOV) District on a 2.008-acre tract of land being identified as Lots 1 & 2-01, Block A, the Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located south of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

Senior Planner David Gonzales, gave a brief explanation of the request that the applicant is requesting the approval of a site plan for the purpose of constructing a single-story, 4,396 square foot car wash facility which will be situated on a 2.008-acre tract of land. On February 6, 2017, the City Council approved a Specific Use Permit to allow for a car wash facility within the Scenic Overlay District. The SUP also established operational conditions requiring the car wash tunnel to be setback a minimum of 50-ft from Ridge Road and that the facility is required to provide screening adjacent to the southern boundary that consists of a wrought iron fence and landscaping. The applicant's site plan meets both of these conditions and additionally, the SUP stipulates that the development shall generally be in conformance with the concept plan as established in the ordinance. The SUP also stipulates that they provide screening along the south boundary next to the Lakewood Park Addition and the applicant has updated their landscaping plan that shows they will be providing the necessary screening for that portion of the property. Concerning the site plan, landscape plan and the building elevations they all technically conform to the technical requirements stipulated in the UDC as well as the Scenic Overlay District with the exception of the building elevations. The applicants have provided updated building elevations from the recommendations they received from the Architectural Review Board at the previous meeting. The ARB had concerns with the colors they brought forward at that meeting and they have since toned those colors down however the updated building elevations they have provided is still not representative of the materials that they have submitted. Mr. Gonzales provided the Commission with a material sample board that shows the colors that will be on the building. However the ARB at this time still recommended that the applicant come back with a different color and also to change the stone to be more of a linear type of appearance. The applicant has provided a treescape plan indicating a total of 1,194 caliper inches being removed from the site, the majority of which are Oak trees. As a note Cedar and Hackberry trees that are 11-inches dbh or larger, shall be replaced at 50 percent of the total caliper inches being removed; however, if less than 11 inches dbh shall not be considered a protected tree. Feature trees such as Oaks, Pecans, and Elms may not be removed without approval of the Planning and Zoning Commission and are required to be replaced on an inch-for-inch basis; however, tree no. 5759 is a 30-inch caliper Oak tree and is required to be mitigated at twice the number of inches being removed, therefore an additional 30-inches will be added to the mitigation balance. The applicant's landscape plan depicts the provision of 28 caliper inches being added to the site and taking this into account, the total mitigation required for the site is 1,196 caliper inches. The applicant will work with staff to satisfy the tree mitigation balance prior to construction.

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

1194 Chairman Lyons asked if due to the applicant still working with the ARB with some of the  
1195 recommendations that they had would the case be postponed to ensure those get taken care of  
1196 or would the Commission still take action. Mr. Gonzales explained that it would not need to be  
1197 postponed and action could be taken if the Commission chose to, the ARB wants staff to take a  
1198 look at those, and staff has decided that it can be reviewed and make sure that it meets the  
1199 intent of ARB's recommendations and if staff sees any issues with what they provide they will let  
1200 the applicant know it will need to be reviewed by the ARB again and the Commission.  
1201

1202 Chairman Lyons asked the applicant to come forward.  
1203

1204 Russell Frank  
1205 2400 South Goliad  
1206 Rockwall, TX  
1207

1208 Mr. Frank came forward and stated they are still working on the color and will provide staff with  
1209 the updated colors as soon as they have them.  
1210

1211 Chairman Lyons asked concerning the stone that the ARB recommended. Mr. Gonzales clarified  
1212 that ARB did not like the random stone that it appears to be, they prefer it to be something more  
1213 patterned.  
1214

1215 Commissioner Welch made a motion to approve SP2017-039 with staff recommendations and to  
1216 include approval for the variances requested to the Scenic Overlay District standards to allow  
1217 for not meeting the 20% stone requirement for the rear building elevation and to allow for stucco  
1218 to exceed 50% of the standard, as depicted on the building elevations. Commissioner Moeller  
1219 seconded the motion which passed by a vote of 5-1, with Commissioner Logan dissenting and  
1220 Commissioner Fishman absent.  
1221

1222  
1223 20. SP2017-040 (David) *[Postponed to December 26, 2017]*

1224 Discuss and consider a request by Sami Ibrahim of DFW Distributor Petroleum, Inc. for the approval of  
1225 a site plan for a gas station on a 2.47-acre tract of land identified as Tracts 2-14 & 2-01 of the J. A.  
1226 Ramsey Survey, Abstract 186, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)  
1227 District, situated within the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the  
1228 intersection of SH-276 and FM-549, and take any action necessary.  
1229

1230 Chairman Lyons noted this agenda item was postponed and no action was necessary.  
1231

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1234 VI. DISCUSSION ITEMS

1235  
1236 21. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).  
1237

- 1238 ✓ P2017-060: Lot 4, Block A, Briscoe/Hillcrest Addition *[Approved]*
- 1239 ✓ P2017-061: Lot 4, Block A, Wal-Mart Addition *[Approved]*
- 1240 ✓ P2017-062: Lots 4 & 5, Block A, Dalton Goliad Addition *[Approved]*
- 1241 ✓ P2017-063: Lots 4-7, Block A, Rayburn Country Addition *[Approved]*
- 1242 ✓ P2017-064: Lot 27, Block C, Harbor Landing, Phase 2 Addition *[Approved]*
- 1243 ✓ P2017-050: Lots 22 & 23 of the Rainbo Acres Addition *[Approved]*
- 1244 ✓ Z2017-043: Amendment to PD-70 (*1<sup>st</sup> Reading*) *[Denied]*
- 1245 ✓ Z2017-052: Zoning Change (C & HC to PD) (*1<sup>st</sup> Reading*) *[Postponed to December 18, 2017]*
- 1246 ✓ Z2017-054: Amendment to Article IX, *Tree Preservation* of the UDC (*1<sup>st</sup> Reading*) *[Remanded Back to P&Z]*
- 1247
- 1248 ✓ Z2017-055: Amendment to PD Development Plan *[Ordinance No. 13-16]* (*2<sup>nd</sup> Reading*) *[Remanded Back to P&Z]*
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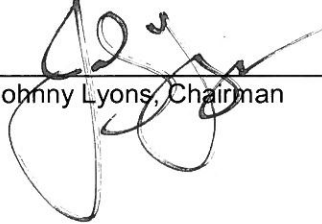
1252 Planning Director, Ryan Miller, provided a brief update about the outcome of the above  
1253 referenced cases at the City Council meeting.  
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VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 9:37 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
ROCKWALL, Texas, this 24 day of December, 2017.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:

Laura Morales  
Laura Morales, Planning Coordinator

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**December 26, 2017**  
**6:00 P.M.**

I. CALL TO ORDER

Vice-Chairman Patrick Trowbridge called the meeting to order at 6:02 p.m. The Commissioners present at the meeting were, Eric Chodun, Mark Moeller, Tracey Logan and Jerry Welch. Absent from the meeting was Chairman Johnny Lyons and Commissioner Annie Fishman. Staff members present were Planning Director, Ryan Miller, Planner, Korey Brooks, Planning Coordinator, Laura Morales, and City Engineer, Amy Williams.

II. CONSENT AGENDA

1. Approval of Minutes for the December 12, 2017 Planning and Zoning Commission meeting.

2. P2017-069

Consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of an amending plat for Phase 1 of the Somerset Park Subdivision, containing 152 single-family residential lots on a 56.247-acre tract of land being a portion of a larger 139.354-acre tract of land identified as Blocks 1-12, of the Somerset Park Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

3. P2017-071

Consider a request by Jeremy Upton for the approval of a final plat for Lot 1, Block A, Epton Addition being a 4.95-acre tract of land identified as Tracts 18 & 19 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 2075 Airport Road, and take any action necessary.

4. P2017-072

Consider a request by James Zaferis on behalf of Pete Koulos of Astrocheif Texas LLC (DBA Pegasus Food) for the approval of a replat for Lot 6, Block C, Rockwall Technology Park being a 8.482-acre parcel of land identified as Lot 5, Block C, Rockwall Technology Park, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1635 Innovation Drive, and take any action necessary.

5. P2017-073

Consider a city initiated request for the approval of a final plat for Lots 1, 2 & 3, Block A, Fannin Addition being a 4.01-acre tract of land identified as a portion of Lot AA, Block 122, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, generally located on the west side of Fannin Street south of the intersection of Fanning Street and Heath Street, and take any action necessary.

Vice-Chairman Trowbridge asked to pull item #5 for further discussion. Commissioner Welch made a motion to approve the consent agenda with the exception of item #5. Commissioner Moeller seconded the motion which passed by a vote of 5-0, with Chairman Lyons and Commissioner Fishman absent.

Vice-Chairman Trowbridge asked for further clarification on item #5 which is a City initiated request. Planning Director, Ryan Miller, explained that the City is currently in the process of facilitating the sale of a piece of property adjacent to City water tanks off of Fannin Street. The property has already been put out to bid, and the property is being divided into three pieces. One piece that has no frontage was offered to the adjacent property owner. The City will retain a 20 foot strip of land thru there; the reason for the retention is due to a large 20 inch water line that runs thru there, and the City would rather not put that into the property and put it in an

63 easement, but instead be safe and provide enough access to allow work to be done on that line  
64 should there be a leak. The remainder of the property went to the highest bidder and the City is  
65 currently under the process of getting the title work complete.  
66

67 Vice-Chairman Trowbridge made a motion to approve consent agenda item #5 P2017-073.  
68 Commissioner Chodun seconded the motion which passed by a vote of 5-0, with Chairman  
69 Lyons and Commissioner Fishman absent.  
70

71  
72 III. APPOINTMENTS

73  
74 6. Appointment with Architectural Review Board representative to receive the Board's  
75 recommendations and comments for items on the agenda requiring architectural review.  
76

77 Architectural Review representative gave a brief explanation concerning agenda items that were  
78 discussed at the Architectural Review Board meeting.  
79

80  
81 IV. PUBLIC HEARING ITEMS

82  
83 7. Z2017-059 [*Request to Postpone to January 30, 2018*]

84 Hold a public hearing to discuss and consider a request by Ed Cavendish of Ed Cavendish Homes/VPS  
85 Construction on behalf of Jal Kumar of Rockwall Marina Development, LLC for the approval of an  
86 amendment to Planned Development District 8 (PD-8) [*Ordinance No. 92-39*] for the purpose of allowing  
87 townhomes on a 6.88-acre tract of land identified as Lot 4, Block A, Spyglass Hill #4 Addition and Tract  
88 134-12 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned  
89 Planned Development District 8 (PD-8) [*Ordinance No. 92-39*] for Zero Lot Line (ZL-5) District land  
90 uses, generally located south on the south side of Henry M. Chandler Drive west of Ridge Road [*FM-*  
91 *740*], and take any action necessary.  
92

93 Vice-Chairman Trowbridge stated that the agenda item was being requested to be postponed.  
94

95 Planning Director, Ryan Miller, added that the agenda item was brought before the Commission  
96 at the last meeting and then taken forward to City Council, however there was a typo in the case  
97 memo that indicated that the previous zoning allowed for 44 single family zero lot line homes but  
98 it was 36 single family zero lot line homes. City Council felt that it was enough to warrant  
99 sending it back to the Planning and Zoning Commission for further review. The applicant is  
100 requesting to table the item to allow him more time to engage with the HOA and the  
101 neighborhood. It will require an action from the Commission and announcing that the next  
102 public hearing will be held January 30, 2018 for the Planning and Zoning Commission and  
103 February 5, 2018 for the City Council.  
104

105 Commissioner Logan made a motion to approve the postponing Z2017-059. Commissioner  
106 Chodun seconded the motion which passed by a vote of 5-0, with Chairman Lyons and  
107 Commissioner Fishman absent.  
108

109  
110 V. ACTION ITEMS

111  
112 8. SP2017-038 [*Postponed to January 9, 2018*]

113 Discuss and consider a request by Arnaldo Cotto of J. Houser Construction on behalf of Jerry Kissick of  
114 Jerry Kissick Custom Homes for the approval of a site plan for a retail center on a 2.113-acre tract of  
115 land identified as Lot 6, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas,  
116 zoned Commercial (C) District, located at the northwest corner of the intersection of Ranch Trail Road  
117 and Horizon Road [*FM-3097*], and take any action necessary.  
118

119 Vice-Chairman Trowbridge stated the agenda item would be postponed for the next scheduled  
120 meeting and asked if any action was necessary from the Commission. Planning Director, Ryan  
121 Miller, stated no action would be required for this agenda item.  
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9. SP2017-040

Discuss and consider a request by Sami Ibrahim of DFW Distributor Petroleum, Inc. for the approval of a site plan for a gas station on a 2.47-acre tract of land identified as Tracts 2-14 & 2-01 of the J. A. Ramsey Survey, Abstract 186, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-276 Overlay (SH-276 OV) District, located at the southeast corner of the intersection of SH-276 and FM-549, and take any action necessary.

Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant is requesting approval of a site plan that would allow for about an 11,500 square foot retail center and a 5,000 square foot gas station. The subject property is zoned Commercial and is located at the southeast corner of SH-276 and FM-549 and located within the SH-276 Overlay District and FM-549 District. The site plan does meet all the City's technical requirements with regard to the site plan, landscape plan, photometric plan and building elevations. The applicant is requesting a couple of variances, the first being to the natural stone requirement. They are meeting the stone requirement on both buildings on three sides, but on both buildings on the rear side they are short on the stone requirement, however with the property being adjacent to a residential property to the south will require a six foot masonry wall and would have limited visibility in the back for that stone requirement. The second variance is to the four sided architectural requirement, which is composed of material and articulation requirements. In this case, they are not meeting the vertical or horizontal articulation on the retail center on the north and south sides of the buildings and on the gas station on the north side of the building. The final variance is in response to something the Engineering Department noticed on the site plan. The applicant had indicated a small area in the back of the retail center for a detention area however the area indicated is too small to provide sufficient detention with the City's current requirement of a four to one slope and therefore require vertical walls unless the applicant proposes an underground detention system. The applicant has not responded as to whether or not they will move forward with that variance request. Mr. Miller went on to state that the Architectural Review met and recommended approval of the variances.

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

Vice-Chairman Trowbridge asked for questions from the Commission.

Vice-Chairman Trowbridge asked for clarification of the retaining wall with regard to the detention. Mr. Miller explained that if they cannot have the four to one slope they would then be required to build a vertical wall to create enough capacity in the detention pond to hold the storm water runoff.

Vice-Chairman Trowbridge asked the applicant to come forward and speak.

Sami Ibrahim  
7 Peninsula Court  
Heath, TX

Mr. Ibrahim came forward and stated that he feels that the project would be a great addition to the Technology Park and this area.

Commissioner Moeller asked concerning the detention pond would it be something that they are willing to address with the City's comments. Mr. Ibrahim stated they would be addressing what the City is asking of them. Mr. Miller asked the applicant for clarification as to whether or not they would be requesting the variance to the vertical walls or are they proposing an underground detention. Mr. Ibrahim indicated it could be either one, but he would need to confer with his engineer to see which option would better fit the project, but are open to do either one.

Mr. Miller clarified for the Commission if they chose to approve the vertical walls that would give the applicant the ability to build the detention system with the vertical walls, however should the Commission deny the vertical walls the applicant would then be required to meet the Engineering Standards of Design which would require underground detention.

185 Mr. Ibrahim indicated he would prefer the vertical walls because of the location and the financial  
186 aspect it would incur. Mr. Miller clarified that if they proceed with the vertical walls they would  
187 have to request the variance as the vertical walls are not permitted under current standards.  
188

189 Commissioner Welch asked if where the detention would be located within the project. Mr. Miller  
190 stated the detention system would be located behind the retail building on the east side. Mr.  
191 Ibrahim added that it would be of view because of the six foot masonry wall.  
192

193 Commissioner Chodun asked if the masonry wall was memorialized in the plan with what the  
194 Architectural Board mentioned that because of the variance to the stone they intended to build  
195 the masonry wall. Mr. Miller explained that the six foot masonry wall is required by Code  
196 because they are a commercial facility building directly adjacent to a residential property and  
197 therefore masonry separation is required.  
198

199 General discussion took place between the Commission concerning the detention system, what  
200 would be better suited, vertical walls versus the underground detention system.  
201

202 Commissioner Chodun asked if the variances could be separated when making a motion. Mr.  
203 Miller stated that it could be separated.  
204

205 Commissioner Chodun made a motion to approve SP2017-040 with the variances to the stone  
206 requirement and the horizontal vertical articulation. Commissioner Moeller seconded the motion  
207 which passed by a vote of 5-0, with Chairman Lyons and Commissioner Fishman absent.  
208

209 Vice-Chairman Trowbridge made a subsequent motion to deny the variance request for the  
210 vertical walls. Commissioner Logan seconded the motion, which failed by a vote of 2-3, with  
211 Commissioners Chodun, Welch and Moeller dissenting and Chairman Lyons and Commissioner  
212 Fishman absent.  
213

214 Commissioner Welch made a motion to approve the variance request for the vertical walls. Vice-  
215 Chairman Trowbridge seconded the motion which passed by a vote of 3-2, with Commissioners  
216 Trowbridge and Logan dissenting and Chairman Lyons and Commissioner Fishman absent.  
217  
218

#### 219 10. MIS2017-017

220 Discuss and consider a special request by Steven J. Goldberg of Cogent Realty Advisors, LLC for the  
221 approval of waivers to the requirements stipulated for the Southside Residential Neighborhood Overlay  
222 (SRO) District to allow the construction of a single-family home on a 0.0172-acre tract of land identified  
223 as a portion of Lot 53 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-  
224 Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District,  
225 located at the northwest corner of Emma Jane Road and Sam Houston Street, and take any action  
226 necessary.  
227

228 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant  
229 is requesting a waiver to the minimum lot depth, the depth for a front yard setback, the minimum  
230 length for a driveway, the minimum depth for a rear yard setback, and a front flat entry garage. In  
231 this case the applicant is proposing to build a new single family home and currently along Sam  
232 Houston Street there are several utility poles and what the applicant is requesting the variances  
233 to do is to reorient the house toward Emma Jane. Mr. Miller went on to stat that as discussed in  
234 previous cases anytime there is a corner lot it is treated as a double front yard setback, which  
235 requires 20feet on both sides. In this case the applicant would be meeting the requirement along  
236 Sam Houston, but because he had to reorient the house, he is requesting that the front yard  
237 setback be reduced to 10 feet and as a result of that reduction he is also having to request the  
238 minimum driveway length be reduced to 10 feet because he is proposing to put a flat front entry  
239 garage which would also require a variance. In addition the applicant is also requesting that the  
240 lot depth, because of the way the new property would be oriented, it would be reduction in lot  
241 depth from 100 feet to 49 feet and a reduction in the rear yard building setback from 10 feet to 6  
242 feet. The applicant would be meeting the side yard setbacks on the west side of the property; the  
243 majority of the waivers are driven by the reorientation of the house.  
244

245 Mr. Miller went further noted that Southside Overlay District gives applicants the ability to  
246 request these types of items from the City Council and the Planning and Zoning Commission in  
247 the furtherance of neighborhood preservation according to the Code.  
248

249 Mr. Miller advised the Commission the applicant was present and available for questions as well  
250 a staff.  
251

252 Commissioner Welch asked expressed concern over the depth of the driveway, for example if  
253 there is a 10 foot driveway with a 20 foot car, could they be required to park in the driveway. Mr.  
254 Miller stated that could not be a requirement however the Commission could require he keep the  
255 20 foot setback on the driveway which faces Sam Houston currently.  
256

257 Vice-Chairman Trowbridge asked the applicant to come forward and speak.  
258

259 Steve Goldberg  
260 7117 Stephanie Drive  
261 Dallas, TX  
262

263 Mr. Goldberg came forward and stated that the request is driven because with the existing  
264 current frontage off of Sam Houston there are two utility poles with overhead lines and they feel  
265 that in fairness to whoever moves there it would be better suited to be front oriented toward  
266 Emma Jane Street. In regards to the garage and the driveway, the way the building footprint was  
267 drawn there is room to move the garage back to allow for additional room in the driveway. Mr.  
268 Goldberg further noted that if the Commission approved the 10 foot set back off of Emma Jane  
269 Street, he can recess the garage off of the existing driveway which would provide the 20 foot. Mr.  
270 Miller added that he could j-swing the garage and move the orientation of the garage door and  
271 that would meet the garage requirements. Mr. Goldberg stated that they would like to use the  
272 existing driveway that is currently there, the feel that the area is driven on economics where by  
273 putting more price into these lots the more difficult it is to build moderately priced housing and  
274 also by putting a j-swing they would lose square footage to the house.  
275

276 Vice-Chairman Trowbridge brought the item back to the Commission for discussion or action.  
277

278 Commissioner Welch made a motion to approve MIS2017-017 with the provision that the  
279 driveway be a minimum of 20-feet in length. Commissioner Moeller seconded the motion which  
280 passed by a vote of 5-0, with Chairman Lyons and Commissioner Fishman absent.  
281  
282

283 11. MIS2017-018

284 Discuss and consider a request by Peter Muhl of Rockwall Habitat for Humanity for the approval of  
285 waivers to the requirements stipulated for the Southside Residential Neighborhood Overlay (SRO)  
286 District to allow the construction of two (2) single-family homes on a 0.22-acre parcel of land identified  
287 as Lot 1, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single  
288 Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District,  
289 addressed as 801 Lamar Street, and take any action necessary.  
290

291 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant has  
292 submitted a special request for the approval of a deviation from the minimum lot size and  
293 minimum lot depth for a property in the Southside Residential Neighborhood Overlay District as  
294 stipulated by UDC. The applicant is requesting to allow for the subject property to be  
295 subdivided for the construction of a single-family home on Lot 2. The subject property has an  
296 existing single-family home situated on it and the applicant has submitted a replat to subdivide  
297 one lot into 2 lots for the construction of a second single-family home on Lot 2. The applicant is  
298 requesting a special exception to the minimum lot size to allow a reduction from 5,000 SF to  
299 4,435 SF on Lot 2; Lot 1 conforms to the requirements stipulated in the UDC. Additionally, the  
300 applicant is requesting a special exception to the minimum lot depth to reduce it from 100-feet to  
301 75-feet for Lots 1 and 2. The proposed single-family home is allowed by right in a Single-Family 7  
302 District. Lastly as a condition of approval the applicant will be required to extend Lamar Street  
303 down to the end of lot 2 in order to allow access to that lot.  
304

305 Mr. Brooks advised the Commission the applicant was not present however staff was available  
306 for questions.



307 Vice-Chairman Trowbridge brought the item back to the Commission for discussion or action.  
308

309 Commissioner Chodun made a motion to approve MIS2017-018 with staff recommendations.  
310 Commissioner Logan indicated she had a question. Vice-Chairman Trowbridge seconded the  
311 motion on the floor. Commissioner Logan asked if the intent for square footage of the house for  
312 lot 2 was known. Mr. Miller explained that the applicant would be required to meet the standards  
313 for the District which in the Southside Residential Neighborhood Overlay District it requires a  
314 minimum of a 900 foot square home. Vice-Chairman Trowbridge indicated there was a motion on  
315 the floor and asked for a vote. The motion passed by a vote of 5-0, with Vice-Chairman Lyons  
316 and Commissioner Fishman absent.  
317

318  
319 VI. DISCUSSION ITEMS  
320

321 12. Z2017-065

322 Hold a public hearing to discuss and consider a request by Randy Eardley, P.E. of Wier & Associates,  
323 Inc. on behalf Getra Thomason-Saunders of Chick-Fil-A, Inc. for the approval of a Specific Use Permit  
324 (SUP) for a restaurant with a drive-through or drive-in on a 0.656-acre tract of land being identified as  
325 Lots 1 & 2, Block A, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General  
326 Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 &  
327 2000 S. Goliad Street [SH-205], and take any action necessary.  
328

329  
330 Planner, Korey Brooks, gave a brief explanation of the request stating that the Commission  
331 recently approved a site plan for the applicant, Chick-Fil-A located on SH-205 and Yellow Jacket  
332 Lane. The applicant is requesting a Specific Use Permit since the subject property is located  
333 within General Retail District and restaurants with a drive-thru requires a Specific Use Permit.  
334

335 Mr. Brooks advised the Commission the applicant was not present but staff was available for  
336 questions.  
337

338 Vice-Chairman Trowbridge asked for questions for the Commission.  
339

340 There being no questions Vice-Chairman Trowbridge indicated the case will return to the  
341 Commission for action at the next scheduled meeting.  
342

343  
344 13. Z2017-066

345 Hold a public hearing to discuss and consider a request by Trent Hyde for the approval of a Specific  
346 Use Permit (SUP) to allow for a detached garage that does not meet the minimum requirements as  
347 stipulated by Article IV, *Permissible Uses*, of the Unified Development Code for a 0.830-acre tract of  
348 land identified as the Wilson Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family  
349 10 (SF-10) District, addressed as 218 W. Quail Run Road, and take any action necessary.  
350

351  
352 Planner, Korey Brooks, gave a brief explanation of the request stating that a case was brought  
353 before the Commission a few months back where the applicant requested approval for a metal  
354 accessory building which the Commission recommended approval, however City Council denied  
355 that request. After that the applicant came forward with a change of request proposing to clad  
356 the building in hardiboard however the manufacturer made him aware that that would not be  
357 possible. The applicant then made a second request to construct a metal detached garage with  
358 different materials which he has provided samples of, and the Commission felt there was  
359 substantial change to allow the applicant to submit another application for his request for a  
360 Specific Use Permit for a detached garage.  
361

362 Mr. Brooks stated the applicant was not present however staff was available for questions.  
363

364 Commissioner Logan expressed concern with allowing metal buildings, she generally expressed  
365 looking for some guideline and/or discussion as to where the line may be drawn with having  
366 recently approved a metal "attached garage" in an area that is close to the newer developments  
367 and more recently developed areas within the City where as before generally the requests were  
368 coming from larger lots closer to the outskirts of the City limits.

369 Vice-Chairman Trowbridge expressed generally agreeing with Commissioner Logan's thoughts  
370 however with the request in question it backs up to unused are and the neighbors all have come  
371 out showing their support for the applicant's request.  
372

373 Commissioner Moeller expressed being in agreeance with both Commissioner Logan's and Vice-  
374 Chairman Trowbridge's thoughts however he generally indicated he felt it should be looked on a  
375 case by case basis.  
376

377 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
378 Commission for action at the next scheduled meeting.  
379

380  
381 14. Z2017-067

382 Hold a public hearing to discuss and consider a request by Katherine Crane for the approval of a zoning  
383 change from a Single Family 10 (SF-10) District to a Residential-Office (RO) District for a 0.210-acre  
384 parcel of land identified as Lot 17, Block 14, Highwood Addition, City of Rockwall, Rockwall County,  
385 Texas, zoned Single Family 10 (SF-10) District, addressed as 302 W. Kaufman Street, and take any  
386 action necessary.  
387

388  
389 Planner, Korey Brooks, gave a brief explanation of the request stating that the applicant is  
390 requesting a zoning change from Single Family 10 to Residential Office for the purpose of  
391 relocating her counseling business to the existing home. Across the street on Kauffman there is  
392 a home that has been converted into a business and that is zoned Downtown District and  
393 directly across West Street there is a another home that has been converted into an office as  
394 well.  
395

396 Mr. Brooks advised the Commission the applicant was not present however staff would be  
397 available for questions.  
398

399 Commissioner Moeller asked would there be parking issues with allowing the counseling office  
400 use being requested. Mr. Brooks stated the applicant would have to comply with the parking  
401 requirements.  
402

403 Commissioner Chodun asked if any zoning changes have been approved within that SF-10 area.  
404 Mr. Miller stated there have not been any approved zoning changes in that area.  
405

406 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
407 Commission for action at the next scheduled meeting.  
408

409  
410 15. P2017-046

411 Hold a public hearing to discuss and consider a request Theresa Briones for the approval of a replat for  
412 Lots 1 & 2, Block A, Briones Addition being a 0.25-acre parcel of land identified as portion of Block 7 of  
413 the Garner Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District,  
414 situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 905 N. Alamo Street,  
415 and take any action necessary.  
416

417  
418 Planner, Korey Brooks, gave a brief explanation of the request stating that a public hearing is  
419 required for this case because the number of lots is increasing in an established subdivision. It  
420 meets the technical requirements of the UDC.  
421

422 Mr. Brooks advised the Commission the applicant was not present however staff was available  
423 for any questions.  
424

425 There being no discussion or questions Vice-Chairman Trowbridge indicated the case will return  
426 to the Commission for action at the next scheduled meeting.  
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16. P2017-066

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

**Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant is proposing a preliminary plat for 28 single family lots. The property is zoned PD-47 which does allow for single family uses. It is being brought before the Commission because it is required to go to the Park Board for recommendation.**

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

**Vice-Chairman Trowbridge asked the applicant to come forward and speak.**

**Todd Winters  
Engineering Concepts  
201 Winco Circle  
Wylie, TX**

**Mr. Winters came forward and stated they are requesting approval for the preliminary plat and will be going to the Park Board. They received comments from the Engineering staff which they will respond to.**

**Vice-Chairman Trowbridge asked if they are 80 foot lots. Mr. Winters stated the lots will be 80 foot and approximately 10,000 square feet.**

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

17. P2017-067

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

**Planner, Korey Brooks, gave a brief explanation of the request stating that the plat being requested will go before the Park Board to establish park fees for Lot 2 and since the number of lots being increased in an established subdivision a public hearing is required.**

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

**There being no discussion or questions Vice-Chairman Trowbridge indicated the case will return to the Commission for action at the next scheduled meeting.**

18. P2017-068

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

493 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the request is  
494 for the Ladera project which zoning was recently approved for which is an age restricted living  
495 community that is set up like a condominium regime where the owner would own the house and  
496 the HOA would own the land which is the reason there is only one lot as they come to  
497 preliminary plat. It will go before the Park Board for their recommendation and to access fees.  
498

499 Vice-Chairman Trowbridge asked the applicant to come forward and speak.  
500

501 Michael Duvall  
502 G&A Consultants  
503 111 Hillside Drive  
504 Lewisville, TX  
505

506 Mr. Duvall came forward and stated the zoning for the project was recently approved and they  
507 will not be doing any changes or variances. They received the technical comments from staff  
508 and they will address those.  
509

510 Vice-Chairman Trowbridge asked for questions from the Commission.  
511

512 Commissioner Logan asked staff if the driveway that is on SH-66 shown on the site plan would  
513 be an emergency exit only and had that changed from the original. City Engineer, Amy Williams,  
514 indicated that staff spoke to the applicant and it was conveyed that it will be an exit and an  
515 entrance. Ms. Williams added that the applicant will be required to do a Traffic Impact Analysis.  
516

517 Vice-Chairman Trowbridge asked concerning the setbacks, with each condominium having one  
518 owner, would they still adhere to setbacks as if each was individually platted as was approved.  
519 Mr. Miller explained that they were approved for different setbacks but that was done thru the PD  
520 Ordinance and staff will make sure that at the time of permitting they meet the requirements of  
521 the Ordinance.  
522

523 Commissioner Logan asked why the extra entrance was added. Mr. Duvall stated he believed it  
524 was simply to allow the residents another access point, however if after the Traffic Impact  
525 Analysis is conducted and it shows they can't have it as that, it will remain an emergency  
526 entrance only.  
527

528 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
529 Commission for action at the next scheduled meeting.  
530

531  
532 19. P2017-070

533 Discuss and consider a request by Cameron Slown of F. C. Cuny Corporation on behalf of Robert S.  
534 Whittle for the approval of a final plat for the Highlands Subdivision containing 46 single-family  
535 residential lots on a 11.655-acre tract of land identified as Tract 2 of the M. B. Jones Survey, Abstract  
536 No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for  
537 Zero Lot Line (ZL-5) District land uses, situated within the SH-205 By-Pass Overlay (205 BY-OV)  
538 District, located at the northwest corner of the intersection of SH-66 and FM-1141, and take any action  
539 necessary.  
540

541 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the  
542 Commission saw the request when it came before them in the preliminary plat. It conforms to the  
543 Zoning and are allowed zero lot line homes however the applicant has conveyed that they will be  
544 going with a conventional setback, which will have the same setback but it will have the typical  
545 five foot setback on either side of the home. Mr. Miller added that the preliminary has changed  
546 since the Commission last saw it they have removed the section adjacent to FM 1141 they are no  
547 longer proposing to cross the creek; however that was not viewed as a substantial change from  
548 the preliminary since they are reducing the number of lots being proposed for that area.  
549

550 Mr. Miller advised the Commission the applicant was present and available for questions as well  
551 as staff.  
552  
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554

555 Vice-Chairman Trowbridge asked the applicant to come forward and speak.

556

557

Cameron Slown  
FC Cuny Corporation  
2 Horizon Court  
Heath, TX

558

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562

Mr. Slown came forward and stated that they have had to update things to help the site work better but they feel they are moving in the right direction. They have received staff comments and they will be addressing those as well as having a Traffic Impact Analysis done. He advised the Commission he was available for questions.

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Vice-Chairman Trowbridge asked in looking at the depiction provided what the percentage of open space would be. Mr. Slown stated it was approximately 10,000 square feet but did not have an exact number at the time and would provide that at the next meeting. Mr. Miller added that with the incorporation of the floodplain they should exceed the 20% open space.

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

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20. SP2017-041

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

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Planning Director, Ryan Miller, gave a brief explanation of the request stating that Rayburn Electric who constructed a new facility in 2013 are looking to expand two facilities behind that facility, one to be an office and the other a warehouse. The original facility has a Texas Hill Country look that used a lot of Austin stone, metal roof as well as some wood accent elements. Mr. Miller added that they will be asking for two variances, one being an exception for the use of tilt wall material which is pretty typical in the Heavy Commercial. The other will be an exception for the amount of cementous material because they are using a variation of both hardiboard and the tilt wall construction and they and doing that to provide a material variation. The Architectural Review Board reviewed the site plan earlier in the evening and indicated they are okay with that however they would like to review a material sample board to get an idea of what the coloring will be like.

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Mr. Miller advised the Commission the applicant was present and could further elaborate on the request and answer any questions.

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Vice-Chairman Trowbridge asked the applicant to come forward and speak.

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599

Bill Thomas  
Engineering Concepts and Design  
201 Winco Circle  
Wylie, TX

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604

Mr. Thomas came forward and stated they are seeking those architectural variances Mr. Miller spoke of as well as a parking variance and that is because they are basing off the number of employees as opposed to the square footage. Mr. Miller added that comments on the parking variance will be included in the case memo that will be provided to the Commission before the case comes for action.

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Michael Malone  
HK Architects  
350 North Saint Paul  
Dallas, TX

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616 Mr. Malone came forward and stated he is one of the architects on the project and explained that  
617 some of the rationale that is going in is because one of the requirements for the tilt wall  
618 construction is because part of the office building is an operation center which is a 24hour  
619 facility which requires a certain level of hardening for storms and therefore are looking to do that  
620 but hide it by picking up on the architecture of the existing building.

621  
622 Commissioner Chodun asked the applicant if they could provide a drawing/depiction of the  
623 entire project at the next meeting. Mr. Malone stated they will provide one.

624  
625 Commissioner Logan asked what material the extended awning above the first floor of the  
626 building would be. Mr. Malone indicated it would be a standing seam metal roof which will match  
627 the roof of the existing building.

628  
629 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
630 Commission for action at the next scheduled meeting.

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633 21. SP2017-042

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

640  
641 Planning Director, Ryan Miller, gave a brief explanation of the request stating that the applicant  
642 Lollicup is seeking approval for a site plan they are proposing a large warehouse distribution  
643 center. The front of the building which is the north elevation will be the office area and will serve  
644 as their Corporate Headquarters. They will have truck docks running north and south down the  
645 side of the building and the south elevation will be the elevation that faces Discovery Drive. Mr.  
646 Miller added that after meeting with the Architectural Review Board they want the applicant to  
647 explore the possibility of articulating the entryways, adding additional stone and making the rear  
648 south elevation look more like the elevations along the top since it will be visible from Discovery  
649 Blvd. Mr. Miller further noted that the applicant will be seeking several variances one of which is  
650 the use of tilt wall as well as some variances associated with the Overlay District requirements,  
651 the 20% natural stone and the four sided architecture, and the horizontal and vertical  
652 articulation.

653  
654 Mr. Miller advised the Commission that the applicant was present and available for questions as  
655 well as staff.

656  
657 Vice-Chairman Trowbridge asked the applicant to come forward and speak.

658  
659 David Junge  
660 2199 Innerbelt Business Center Drive  
661 St. Louis, Missouri  
662

663 Mr. Junge came forward and stated that they met with the Architectural Review Board and  
664 discussed the elevations. One of the variances they are seeking is to eliminate the stone and he  
665 noted that one of the neighboring facilities Pratt doesn't have any stone and they are also  
666 seeking a parking variance. Another discussion point that was brought up was to add some tree  
667 screening on the west property line. They will address ARB's concerns with the elevations.

668  
669 Vice-Trowbridge asked concerning the stone variance, are they seeking a variance on all stone  
670 or just the sides that are not visible. Mr. Junge stated they are seeking to eliminate the use of all  
671 stone due to the cost it would incur however the intent is to provide the beige warmer colors on  
672 the front of the building to imply the stone without actually having it.

673  
674 There being no further questions Vice-Chairman Trowbridge indicated the case will return to the  
675 Commission for action at the next scheduled meeting.

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

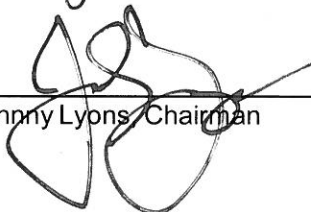
- ✓ P2017-059: Preliminary Plat for the Standard Subdivision [Approved]
- ✓ Z2017-052: Zoning Change (C & HC to PD) (1<sup>st</sup> Reading) [Postponed to January 16, 2017]
- ✓ Z2017-054: Amendment to Article IX, Tree Preservation of the UDC (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-056: Amendment to Section 6.2 of Article II (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-057: Amendment to Section 2.1.11 of Article IV (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-058: Amendment to Article IV for Food Trucks/Trailers (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-059: Amendment to Planned Development District 8 (PD-8) (1<sup>st</sup> Reading) [Remanded Back to the Planning and Zoning Commission]
- ✓ Z2017-060: Zoning Change (AG to HC) (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-061: Amendment to S-174 for Rockwall School of Music (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-062: SUP for a Hotel in PD-32 (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-063: Amendment to PD-82 (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-064: SUP for a Detached Garage at 4 Soapberry Lane (1<sup>st</sup> Reading) [Approved]
- ✓ Z2017-055: Amendment to PD Development Plan [Ordinance No. 13-16] (2<sup>nd</sup> Reading) [Approved]
- ✓ SP2017-037: Variances for a Chick-Fil-A [Approved]
- ✓ SP2017-039: Variances for Hacienda Car Wash [Approved]
- ✓ MIS2017-015: Waivers in the SRO for Property at the NWC of Peters Colony and E. Bourn Street [Approved]
- ✓ MIS2017-016: Waivers in the SRO for Property at the SEC of Emma Jane Street and Sam Houston Street [Approved]

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

VII. ADJOURNMENT

Vice-Chairman Trowbridge adjourned the meeting at 7:31 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 9 day of January, 2018.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator