

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
June 25, 2019
6:00 P.M.

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:07 p.m. The Commissioners present at the meeting were, Jerry Welch, Mark Moeller, Tracey Logan, John Womble, Eric Chodun and Annie Fishman. Staff members present were Planning Director, Ryan Miller, Planning Manager, David Gonzales, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, and Civil Engineer Sarah Hager.

II. OPEN FORUM

Chairman Lyons explained how Open Forum is conducted and asked if anyone wished to speak to come forward at this time.

Melba Jeffus
1903 S. FM-549
Rockwall, TX

Ms. Jeffus came forward and generally expressed concern in regards to a proposed site plan for a shopping mall/house of worship. She has major concerns with the traffic impact the project will cause in that area which already has tremendous traffic issues.

Judith Matherne
1115 Signal Ridge
Road, TX

Ms. Matherne came forward and generally expressed being in favor of the proposed shopping center she feels Rockwall is an expanding city and the concern with traffic is one that is being faced in the entire city and is part of the growth.

Dean Lanty
216 W. Quail Run Road
Rockwall, TX

Mr. Lanty came forward and expressed concern with the traffic issue the proposed site plan for the house of worship and shopping center will create in one of the most congested intersections in Rockwall.

Sergio Bento
2002 S. Lakeshore Drive
Rockwall, TX

Mr. Bento came forward and spoke in regards to the proposed house of worship/ shopping center and shared he is a Baptist pastor born in Brazil and has faced discrimination. He spoke of the concern of traffic however traffic and growth is inevitable.

Jim Alford
635 Stafford Circle
Rockwall, TX

Mr. Alford came forward and spoke in regard to the proposed site plan for the house of worship/retail center. He expressed concern with the traffic it will create.

64 III. CONSENT AGENDA

65 1. Approval of Minutes for the May 28, 2019 Planning and Zoning Commission meeting.

66 2. SP2019-015

67 Consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB
68 Construction Group, LLC for the approval of a site plan for a restaurant less than 2,000 SF without a drive-
69 through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of
70 Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office
71 (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed
72 as 505 N. Goliad Street, and take any action necessary.

73 3. SP2019-020

74 Consider a request by Dub Douphrate & Associates on behalf of Carla Rankin of Carla Rankin Real Estate
75 Holdings for the approval of a site plan for an office building on a 0.29-acre tract of land identified as Tract
76 22 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned
77 Residential-Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District,
78 addressed as 4035 N. Goliad Street, and take any action necessary.

79 4. P2019-027

80 Consider a request by Kyle Coleman Harris of Pacheco Koch Consulting Engineers on behalf of Alton
81 Frazier of Channell Commercial Corporation for the approval of a replat for Lot 3, Block A, Channell
82 Subdivision Addition being a 18.762-acre parcel of land identified as Lot 2, Block A, Channell Subdivision
83 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the
84 SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 John King Boulevard, and take
85 any action necessary.

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

88 IV. APPOINTMENTS

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

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

93 V. ACTION ITEMS

94 6. SP2019-014

95 Discuss and consider a request by Ahmed Helaluzzaman on behalf of Abdul Latif Khan of Center for
96 Peace and Mercy, Inc. for the approval of a site plan for a *retail shopping center* and *house of worship* on
97 a 2.681-acre tract of land identified as Tract 10-1 & 22 of the E. P. G. Chisum Survey, Abstract No. 64,
98 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic
99 Overlay (SOV) District, located on the north side of Turtle Cove Boulevard north of the intersection of
100 Turtle Cove Boulevard and Ridge Road [FM-740], and take any action necessary.

101 **Planning Director, Ryan Miller, provided a brief explanation and background in regard to the case.**
102 **The applicant is requesting approval of a site plan for a retail shopping center and house of**
103 **worship on a tract of land that is currently vacant. According to the Unified Development Code, a**
104 **house of worship and retail shopping center are both permitted by-right on properties zoned**
105 **Commercial District and no additional approvals are necessary with regard to land use. With the**
106 **exception of the variances being requested the submitted site plan, landscape plan, treescape**
107 **plan, photometric plan, and building elevations generally conform to the technical requirements**
108 **contained within the UDC for a property. Additionally according to the treescape plan submitted**
109 **by the applicant, there are 48 caliper-inches of primary protected trees and 113 caliper-inches of**
110 **secondary protected trees being removed (i.e. a total of 161-caliper-inches in order to develop the**
111 **site. Of the total number of trees, 125 caliper-inches require mitigation, which will be satisfied by**
112 **landscaping being planted on site. Additionally according to the Unified Development Code the**
113 **Commercial District is the proper zoning classification for most types of commercial development**
114 **and generally consists of large shopping centers at major intersection, and commercial shopping**
115 **centers along arterial roadways. Areas should not be zoned Commercial District unless they are**
116

located close to an arterial or a major collector. The Unified Development Code goes on to state that since the Commercial District is general in nature, the development standards are less stringent and do not require as high of standards of development as the Residential Office, Neighborhood Services, and the General Retail Districts. When adjacent to neighborhoods the area should have adequate buffering between the Commercial District and the residential development. In this case, the proposed uses are allowed by-right in a Commercial District and is also located in close proximity to Ridge Road, which is a major collector. Given the proposed use, zoning district, and its proximity to a major collector, the applicant's request appears to conform to the development standards as stipulated in the Unified Development Code with regard to development standards within the Commercial District. The Scenic Overlay District requires 90% primary materials and 20% natural stone. Additionally, all structures that have a footprint of 6,000 square feet or less require a pitched roof. The Scenic Overlay District also requires four sided architecture and that all rooftop mechanical equipment to be screened by an architectural feature that is integral to the building's design. The building elevations submitted by the applicant appear to conform to the requirements stipulated in the Unified Development Code with regard to exterior building materials. The proposed building will be 4,535 square feet and will utilize a flat roof system and since this does not conform to the requirements of the Unified Development Code an exception is required. The Planning and Zoning Commission has approved similar requests. Additionally, although the building elevations seem to generally conform to the four sided architecture requirements, the proposed building elevations show a portion of the rooftop mechanical equipment. The applicant has provided a line-of sight-study showing that the mechanical equipment will not be visible from the property line. The Unified Development Code requires any commercial use or parking lot that has a side or rear contiguous to a residential district to be screened with a masonry fence. As an alternative, berms in conjunction with a minimum six foot wrought iron fence and a combination of trees and shrubs can be utilized to meet this requirement, should the Planning and Zoning Commission determine that the proposed alternative will provide sufficient screening. In this case, the subject property is adjacent to the Turtle Cove Subdivision and the applicant is proposing to utilize six foot tall wrought iron fence in conjunction with a combination of trees and landscaping to provide screening from the adjacent neighborhood.

Mr. Miller further noted that based on the information submitted by the applicant, staff has identified a variance to the requirements of the Unified Development Code for Architectural Standards and Rood Design Standards. According to the Unified Development Code, all structures having a footprint of less than 6,000 square feet shall be constructed of a pitched roof. The proposed house of worship/retail shopping center will utilize a flat roof system and since this does not conform to the requirements of the Unified Development Code, a variance is required. This variance is a discretionary decision for the Planning and Zoning Commission and requires approval by a $\frac{3}{4}$ majority. In the event that the variance is denied, the applicant has the ability to appeal the Planning and Zoning Commission's decision to the City Council by filing a written request with the Planning and Zoning Department.

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

Chairman Lyons asked for questions from the Commission.

Commissioner Chodun asked what criteria could be utilized in considering approval or denial of a site plan. Mr. Miller went over the Unified Development Codes requirements set forth in evaluating a site plan.

Commissioner Fishman asked if the pitched roof requirement has been waived in the past for any other buildings in the area. Mr. Miller indicated it has been waived several instances along this corridor. Commissioner Logan asked if it met all fire codes in regards to access. Mr. Miller stated it met the International Fire Code.

Chairman Lyons asked if based on the location and concern with traffic that was brought up, could a traffic impact analysis be requested. Mr. Miller explained that a traffic analysis could be requested by the Planning and Zoning Commission either at time of site plan or final plat. Commissioner Womble asked if one has been requested before on such a small building. Mr. Miller indicated a TIA has not been requested before by the Commission on a building of this size.

Chairman Lyons asked the applicant to come forward and speak.

Naim Khan
2105 Canyon Creek
Garland, TX

Mr. Khan came forward and indicated he was the civil engineer for the project and was available for questions from the Commission.

Commissioner Welch asked what the expected hours of operation for the house of worship would be. Mr. Khan shared that the main congregation hours will be Fridays from 1:30 p.m. to 2:30 p.m. however individual people can come and go throughout the day.

Commissioner Chodun asked if any prospective tenants for the retail portion had pre-leased yet. Mr. Khan indicated he was unaware of any that had at this time.

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

Extensive general discussion took place between the Commission in regards to the concern with traffic and should a Traffic Impact Analysis be requested, hours of operation regarding the hour of prayer that takes place daily and the variance to the pitch roof that is being requested.

Chairman Lyons made a motion to postpone the case pending a Traffic Impact Analysis. Commissioner Fishman seconded the motion. The motion failed to pass with a vote of 5-2 with Commissioners Womble, Logan, Chodun, Welch, and Moeller dissenting.

Commissioner Chodun made a motion to approve SP2019-014 with staff recommendations and variances requested. Commissioner Womble seconded the motion which passed by a vote of 5-2 with Chairman Lyons and Commissioner Fishman dissenting.

7. MIS2019-005

Discuss and consider a request by Michael Duval of G & A Consultants on behalf of John Delin of R. W. Ladera, LLC for the approval of an *Alternative Tree Mitigation Settlement Agreement* for a 28.011-acre parcel of land identified as a Tract 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 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.

Planning Manager, David Gonzales, provided a brief explanation and background of the request. The applicant is requesting an *Alternative Tree Mitigation Settlement Agreement* in conjunction with the Ladera of Rockwall Addition for the purpose of offsetting a portion of the required tree mitigation. Specifically, the applicant is requesting relief associated with the trees (i.e. 699.5-caliper inches of trees) that will be removed to construct an off-site, 12-inch sanitary sewer line that will serve the development. On June 26, 2018, the Planning and Zoning Commission approved an amended treescape plan allowing for the removal of an additional 977.75-caliper inches that were associated with the construction of this sanitary sewer line. This approval brought the total mitigation balance due to 1,443.25 caliper-inches. On March 12, 2019, a revised treescape plan was submitted with the final plat application indicating the need for the removal of an additional 283.5-caliper inches of tree to allow the installation of the 12-inch sanitary sewer line. This increased the total mitigation balance due to 1,726.75-caliper inches. Currently, the applicant's approved mitigation plan calls for providing all 1,726.75-caliper inches on-site. The applicant's proposal requests that the City Council consider one of two alternatives. Those being option one, that the City Council waive the 699.5-caliper inches associated with the offsite installation of the 12-inch sanitary sewer line; or, option two, that the City Council consider reducing the tree mitigation balance associated with the off-site improvements by $\frac{1}{2}$ the amount (i.e. 349.75-caliper inches). This balance would then be donated to the Parks Department to save the applicant the expense of planting and caring for the trees on-site. If the City Council does not approve one of the two alternatives, the applicant has stated that they intend to provide the full balance to the Parks Department to be used in other areas of the City.

Mr. Gonzales further noted that according to the Unified Development Code, the City Council, upon recommendation from the Planning and Zoning Commission, may consider an Alternative Tree Mitigation Settlement Agreement where, due to hardship, the applicant is unable to meet the requirements of this article or where it is determined that adherence to the tree mitigation requirements will create a hardship for an applicant.

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

Chairman Lyons asked the applicant to come forward.

John Delin
361 W. Byron Nelson Blvd. Suite 104
Roanok, TX

Mr. Delin came forward and provided additional comments pertaining to the request.

Chairman Lyons brought the item back to the Commission for discussion or a motion. General discussion took place in regards to which option of the two being proposed would be the better option.

Commissioner Welch made a motion to approve SP2019-005 with option #2. Commissioner Moeller seconded the motion which was denied by a vote of 4-3 with Commissioners Womble, Logan, Lyons and Fishman dissenting.

Planning Director, Ryan Miller, indicated the Commission could entertain another motion since additional options were provided and a recommendation is being forwarded to City Council however that is discretionary to the Commission.

Commissioner Logan made a motion to approve with option #3. Commissioner Chodun seconded the motion which passed by a vote of 5-2 with Commissioners Welch and Moeller dissenting.

Chairman Lyons called a recess at 7:25 p.m.
Chairman Lyons reconvened the meeting at 7:31 p.m.

VI. DISCUSSION ITEMS

8. P2019-026

Discuss and consider a request by Bill Bricker of Columbia Development Co., LLC for the approval of a preliminary plat for Lots 1-5, Block A, Park Station Addition, being a 16.26-acre tract of land identified as a portion of Lot 1, Block 1, Indalloy Addition (7.409-acres) and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1100 & 1300 E. Washington Street, and take any action necessary.

Planning Director, Ryan Miller, indicated that the case was on the discussion items because it will go before the Parks Board before it returns to the Commission for action and if it adheres to the technical requirements will be on the consent agenda on the next scheduled meeting. Mr. Miller advised the Commission that the applicant was present and was available for questions as well as staff.

Chairman Lyons asked the applicant to come forward.

Tom Jones
5815 Meadowcrest Drive
Dallas, TX

Mr. Jones came forward and provided information pertaining to the request and indicated he was available for questions.

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

312 9. SP2019-021

313 Discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Alton Frazier
314 of Channell Commercial Corporation for the approval of an amended site plan for an existing industrial
315 building on an 18.762-acre parcel of land identified as Lot 2, Block A, Channell Subdivision Addition, City
316 of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-
317 Pass Overlay (SH-205 BY OV) District, addressed as 1700 John King Boulevard, and take any action
318 necessary.
319

320 Planning Manager, David Gonzales, indicated the applicant was present and would go over the
321 case.
322

323 Chairman Lyons asked the applicant to come forward.
324

325 Ed Burke
326 1700 Justin Road
327 Rockwall, TX
328

329 Mr. Burke came forward and provided additional comments pertaining to the request. They have
330 realigned the fire lane based on requirements from the fire department and in the process of that
331 staff asked they create a plot plan for the entire site and they are currently working with TXDOT
332 with the realignment of John King and staff to meet requirements. Mr. Burke indicated he was
333 available for questions.
334

335 Mr. Gonzales added that staff is currently working with the applicant with where the storage areas
336 will be located to make sure that those areas are properly enclosed.
337

338 Chairman Lyons asked for questions from the Commission.
339

340 There being no questions Chairman Lyons indicated the case will return to the Commission for
341 action at the next scheduled meeting.
342

343 10. SP2019-022

344 Discuss and consider a request by Greg Wallis of Mershaw Architects on behalf of Rockwall Assembly
345 of God for the approval of a site plan for an addition to an existing church on a 6.210-acre tract of land
346 identified as Lot 1, Block A, Lakes Assembly Addition, City of Rockwall, Rockwall County, Texas, zoned
347 Single Family 7 (SF-7) District, addressed as 901 Williams Street, and take any action necessary.
348

349 Planning Director, Ryan Miller, indicated that the applicant was present and available for
350 questions.
351

352 Chairman Lyons asked the applicant to come forward.
353

354 Greg Wallis
355 2313 Ridge Road
356 Rockwall, TX
357

358 Mr. Wallis came forward and provided details pertaining to the request. They are working with
359 Lakes Assembly who have a need for additional classroom space and therefore will be doing an
360 expansion and providing a covered patio off the existing fellowship hall. The materials will match
361 the existing building. Mr. Wallis indicated he was available for questions.
362

363 Mr. Miller added that the applicants request is seeking only one variance to the articulation
364 requirement. The Architectural Review Board reviewed the case when they met earlier this evening
365 and recommended approval.
366

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

370 11. SP2019-023

371 Discuss and consider a request by Jake Fears, PE of Weir & Associates, Inc. on behalf of Goliad Real
372 Estate, LLC for the approval of a site plan for a multi-tenant retail building and restaurant on a 2.542-acre
373 tract of land identified as Tract 1 of the S. King Survey, Abstract No. 131, 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 northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action necessary.

Planning Manager, David Miller, indicated that the applicant was present and would discuss details pertaining to the request. He added that there are various variances associated with the case which the Architectural Review Board will review.

Chairman Lyons asked the applicant to come forward.

Jake Fears

2201 E. Lamar Blvd. Suite 200E

Arlington, TX

Mr. Fears came forward and provided information pertaining to the request. They are proposing two separate building and will be seeking variances to the horizontal and vertical articulation. He indicated it is their intent to modify based on staffs' comments to conform to the Overlay standards. He indicated he was available for questions.

Commissioner Fishman asked if there were any potential tenants being considered for the site. Mr. Fears shared that the south building possibly will be a coffee kiosk with the brand name Scooters and the north is being proposed for a restaurant use with the remaining to be retail.

Commissioner Logan expressed concerns with the screening with one of the buildings' orientation will have the back of the building facing SH-205. Mr. Fears indicated they are potentially looking into reorienting that building. Mr. Miller added that one of the Architectural Review Boards comments was to reorient the front of the building.

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

12. SP2019-024

Discuss and consider a request by Shannon Thomas of Rockwall Friendship Baptist Church for the approval of a site plan for a church on a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin Road and John King Boulevard, and take any action necessary.

Planning Director, Ryan Miller, indicated that the applicant was present and would provide details pertaining to the request.

Chairman Lyons asked the applicant to come forward.

Tom Jones

5815 Meadow Crest

Dallas, TX

Mr. Jones came forward and provided details in regards to the request. He shared that he will take the comments that the Architectural Review Board provided to the architect and work with staff to make needed changes before action is taken at the next meeting. He indicated he was available for questions.

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

13. SP2019-025

Discuss and consider a request by Matt Lucas, PE of Kimley Horn on behalf of Kevin J. Lloyd of 2424 MTA Realty, LLC for the approval of a site plan for an office building on a 9.7-acre tract of land identified at Tract 15 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located at the southwest corner of Ridge Road [FM-740] and Turtle Cove Boulevard, and take any action necessary.

Planning Manager, David Gonzales, stated that the Architectural Review reviewed the variance being requested and recommended recommendation for approval. He indicated that the applicant was present and available for questions.

Chairman Lyons asked the applicant to come forward.

Joseph Hornisher
13455 Noel Road Suite 700
Dallas, TX

Mr. Hornisher came forward and indicated he was the engineer of record for the project and was available for questions.

Chairman Lyons asked if a Traffic Impact Analysis was done for the project. Mr. Hornisher stated that there had been one done in January of this year and in March obtained approval and in addition because they are connecting to Ridge Road which is a TXDOT roadway it was submitted to TXDOT and approved.

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

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

- ✓ P2019-024: Vacating Plat for Lots 17 & 18, Block B, Lago Vista Addition [Approved]
- ✓ Z2019-012: Zoning Change (AG to PD) for North Gate (1st Reading) [Approved]
- ✓ Z2019-013: PD Development Plan in Planned Development District 32 (PD-32) (1st 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 7:54 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 30 day of July, 2019.


Johnny Lyons, Chairman

Attest:


Laura Morales, Planning Coordinator

15. Capital Improvements Advisory Committee Meeting (CIAC) [6:30 PM]

The City of Rockwall Planning and Zoning Commission reserves the right to adjourn into executive session at any time to discuss any matters listed on the agenda above, as authorized by Texas Local Government Code § 55.071 (Consultation with City Attorney) or any other exception allowed under Chapter 551 of the Texas Local Government Code.