

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
November 12, 2019
6:00 P.M.

I. CALL TO ORDER

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

II. OPEN FORUM

Chairman Chodun explained how Open Forum is conducted and asked if anyone wished to speak to come forward at this time. There being no one coming forward to speak Chairman Chodun closed the open forum.

III. APPOINTMENTS

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

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

IV. CONSENT AGENDA

2. Approval of Minutes for the October 8, 2019 Planning and Zoning Commission meeting.
3. Approval of Minutes for the October 29, 2019 Planning and Zoning Commission meeting.

4. **P2019-040**

Discuss and consider a request by Perry Bowen on behalf of Kyle Bryan and Haley Brook Bowen for the approval of a replat for Lots 1 & 2, Block A, Haley & Kyle Addition being a 0.97-acre parcel of land currently identified as Lot A, Block 107, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, being zoned Single-Family 7 (SF-7) District, addressed as 501 S. Clark Street, and take any action necessary.

5. SP2019-041

Discuss and consider a request by LeeAnn Latimer on behalf of Dr. Steve Arze of Zaph & Ath Properties, LLC for the approval of a site plan for a medical office building on a 1.36-acre tract of land identified as Lot 2, Block A, Landing Point Addition, 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.

Commissioner Moeller made a motion to approve the consent agenda. Commissioner Womble seconded the motion which passed by a vote of 5-0 with Commissioners Fishman and Welch absent.

V. PUBLIC HEARING ITEMS

6. MIS2019-014

Hold a public hearing to discuss and consider an amendment to the OURHometown Vision 2040 Comprehensive Plan for the purpose of updating the water and wastewater master plans, and take any action necessary.

64 Planning Director, Ryan Miller, provided a brief explanation of the request. Recently, the City's
65 consultant finished revising the water and wastewater master plans. These plans were
66 incorporated into the OURHometown Vision 2040 Comprehensive Plan on December 3, 2018 by
67 Ordinance No. 18-48 and as a result of their incorporation, staff is bringing forward an amendment
68 to the Comprehensive Plan to incorporate the revisions identified by the City's consultants.
69 According to the Texas Local Government Code, a comprehensive plan may be adopted or
70 amended by ordinance following: (1) A hearing at which the public is given the opportunity to give
71 testimony and present written evidence; and (2) Review by the municipality's planning commission
72 or department, if one exists. Additionally, Section 9.03 of the City's Home Rule Charter states that
73 "(r)ecommended changes to the Master Plan shall be submitted to the City Manager after the
74 Planning and Zoning Commission holds at least one public hearing on the proposed change.
75 Furthermore, Section 9.04 states that the City Manager shall submit the proposed changes to the
76 Council, together with any recommendations. The Council, after a public hearing, shall adopt or
77 reject such proposed revision or any part thereof as submitted within sixty days following its
78 submission by the City Manager. If the proposed revision or part thereof should be rejected by
79 the Council, the Planning and Zoning Commission may make modifications and again forward it
80 to the City Manager for submission to the Council.

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82 Mr. Miller advised the Commission that staff was available for questions.

83
84 Chairman Chodun opened up the public hearing and asked if anyone wished to speak to come
85 forward and do so.

86
87 Richard Marks
88 204 W. Boydston
89 Rockwall, TX
90

91 Mr. Marks came forward and asked if the proposal is related to the project to widen W. Boydston
92 Street. Mr. Miller indicated it is not a part of any sidewalk, street or water projects it is for
93 underground for what is needed for future development.

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95 Chairman Chodun asked if anyone else wished to speak to come forward and do so, there being
96 no one indicating such; Chairman Chodun closed the public hearing and brought the item back to
97 the Commission for discussion or action.

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99 Commissioner Womble made a motion to approve MIS2019-014. Commissioner Thomas seconded
100 the item which passed by a vote of 5-0 with Commissioners Fishman and Welch absent.

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103 VI. ACTION ITEMS

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105 7. SP2019-037

106 Discuss and consider a request by Anna C. Blackwell of Carrillo Engineering, LLC on behalf of Eddie
107 Martin of Retail Partners, LLC for the approval of a site plan for a strip retail center on a 1.1755-acre
108 parcel of land identified as Lot 26 of the Lake Ridge Estates Addition, City of Rockwall, Rockwall County,
109 Texas, situated within the *Ridge Road Retail Subdistrict* of Planned Development District 32 (PD-32),
110 located within the Scenic Overlay (SOV) District, addressed as 2930 Ridge Road [FM-740], and take any
111 action necessary.

112
113 Planning Manager, David Gonzales, provided a brief explanation of the request. The applicant is
114 requesting the approval of a site plan for the purpose of constructing a 7,000 square foot multi-
115 tenant commercial/retail building. According to Planned Development District 32 the subject
116 property is located within the Ridge Road Retail Subdistrict, which allows general retail land uses
117 by-right. The intent of this Ridge Road Retail Subdistrict is to provide retail or restaurant land
118 uses with Ridge Road frontage. The proposed development will construct a single-story retail
119 facility totaling 7,000 square feet. The development will provide 33 surface parking spaces that
120 can be accessed from Ridge Road and Glen Hill Way. The proposed sidewalks which located on
121 both sides of Glen Hill Way will incorporate streetscape elements required by PD-32 and provide
122 decorative trees and pedestrian scaled lighting features. The sidewalks are intended to provide
123 access to the Harbor District and the associated amenities within PD-32. With the exception of
124 the variances being requested, the submitted site plan, landscape plan, photometric plan, and
125 building elevations, generally conform to the technical requirements contained within PD-32 the

Scenic Overlay District, and the Unified Development Code. Since the subject property is adjacent to Ridge Road, the Scenic Overlay District would be considered the regulating ordinance with regard to the design of the subject property.

Mr. Gonzales further noted that according to the Tree Preservation Plan provided by the applicant, a total of 557-inches of trees will be removed from the site, while a total of 105-inches of trees will be preserved. Additionally, the applicant has indicated that nine trees greater than 25-inch caliper will be removed and these nine trees are considered to be Feature Trees, which require replacement at double the caliper inch being removed. The Tree Preservation Plan shows that 105-inches of trees will be preserved on-site, which entitles the applicant to a total Tree Preservation Credit of 21-inches which means that taking into account the proposed Landscape Plan which shows that 156-inches of additional trees will be added to the site and a Tree Preservation Credit of 21-inches the applicant's total mitigation balance would be 491-inches and this balance will need to be satisfied prior to the submission of a final plat. With regard to the land use, a retail facility is permitted by-right in Planned Development District 32.

Mr. Gonzales went over the variances and exceptions being requested by the applicant to the primary materials and the dumpster enclosure. According to the Unified Development Code a minimum of 20% natural or quarried stone is required on all building facades. In this case, the applicant's proposed building elevations do not incorporate stone on the front (east = 0.0%) and side (south = 5.76%) facing facades. Since the building design does not meet the standard for the east and south facing façades a variance to the stone requirements is required to be approved by the Planning and Zoning Commission pending a recommendation from the Architectural Review Board. In regards to the dumpster enclosure according the Unified Development Code these enclosures need to be located to the side or rear of the primary building, and not front on to a public right-of-way and every effort should be made to reduce the visibility of these structures utilizing landscaping and/or the building. In this case, the applicant has stated that due to site constraints, they are unable to orient the dumpster in a way that both complies with the ordinance and allows the necessary maneuverability needed by the waste management truck. As a result, the applicant has oriented the dumpster at the rear of the building, but facing onto the public right-of-way of Glen Hill Road and as a compensatory measure the applicant has increased the landscape screening around the dumpster. According to the Unified Development Code, unless otherwise specified by the Unified Development Code, an applicant may request the Planning and Zoning Commission grant a variance to the provisions contained in the UDC, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship. In cases where a variance or variances is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception." In this case, the applicant has provided a letter explaining the requested variances and proposing to construct the entire roadway for Glen Hill Way. Staff should point out that the applicant would be required to dedicated the right-of-way for Glen Hill Way based on a proportionality study prepared by staff for the current owner; however, that proportionality study did not require the applicant to build the roadway. Based on the cost of construction of that roadway, this proposal does appear to be a sufficient compensatory measure for the requested variances; however, this request does remain a discretionary decision for the Planning and Zoning Commission and will require approval by a super majority vote, with a minimum of four votes in the affirmative required for approval. In the event that the exception 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. Gonzales indicated that the Architectural Review Board reviewed the request and forwarded a recommendation for approval.

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

Commissioner Chodun asked for additional information in regards to the PD-32 requirements.

Chairman Chodun asked the applicant to come forward.

Anna Blackwell
301 Commerce Street
Fort Worth, TX

Ms. Blackwell came forward and provided addition comments in regards to the request. She indicated she was available for questions.

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

Commissioner Thomas made a motion to approve SP2019-037 with staff recommendations as well as the Architectural Review Board's recommendation. Commissioner Moeller seconded the motion which passed by a vote of 5-0 with Commissioners Fishman and Welch absent.

8. SP2019-040

Discuss and consider a request by Matthew Gardner and Halff Associates on behalf of Reid Caldwell of Rockwall Urban Industrial, LP for the approval of a site plan for a multi-tenant industrial building on a 7.02-acre parcel of land identified as Lot 1, Block D, Ellis Center Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Alpha Drive, and take any action necessary.

Planning Manager, David Gonzales, provided a brief explanation of the request. The applicant is requesting approval of a site plan for the purpose of developing a multi-tenant industrial site consisting of three separate buildings that will be approximately 87,600 square feet. The proposed development is subject to the land use, density and dimensional requirements of the Light Industrial District as stipulated by the Unified Development Code. According to the Unified Development Code, light manufacturing/multi-tenant warehouse facilities are permitted by-right land uses in a Light Industrial District. The subject property proposes one point of ingress and egress at the terminus of Alpha Drive. Other than the exceptions being requested, the submitted site plan, landscape plan, treescape plan, photometric plan, and building elevations generally conform to the technical requirements contained within the UDC for a property located within a Light Industrial District. Additionally, according to the Unified Development Code, states that the Light Industrial District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses. The proposed multi-tenant light industrial complex are a permitted land uses in the Light Industrial District and all operations will be indoors with no outside storage of materials unless properly screened or buffered. According the Unified Development Code, non-residential developments that have a side or rear contiguous to any residential zoned or used property shall be screened with a masonry fence a minimum of six feet in height with canopy trees planted on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates a wrought iron fence and three tiered screening such as small to mid-sized shrubs, large shrubs or accent trees, and canopy trees or evergreen trees and canopy trees along the entire length of the adjacency the canopy trees shall be placed on 20-foot centers. In this case, the applicant is providing a three tiered screening system along the entire western property boundary that is adjacent to the Herman Utley Middle School; however, RISD has an existing wrought-iron fence along this western property boundary. Based on the existing fence on the RISD's property the applicant is not proposing to incorporate an additional wrought iron fence. Staff made this suggestion to the applicant to prevent the possibility of creating a strip of land in between the two fences that would be hard for either property owner to maintain. The proposed landscape screening is a discretionary approval for the Planning and Zoning Commission upon a determination that the provided screening will achieve the intent of the screening ordinance. Mr. Gonzales then went over the variances and exceptions the applicant is requesting and indicated the Architectural Review Board made a recommendation of approval.

Chairman Chodun asked the applicant to come forward.

Matt Gardner
3618 Regent Street
Midlothian, TX

Mr. Gardner came forward and provided additional comments in regards to the request. He indicated he was available for questions.

Commissioner Moeller made a motion to approve SP2019-040 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 5-0 with Commissioners Fishman and Welch absent.

VII. DISCUSSION ITEMS

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

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

VIII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 6:39 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 22 day of November, 2019.


Jerry Welch, Vice-Chairman

Attest:


Laura Morales, Planning Coordinator