

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**November 26, 2019**  
**6:00 P.M.**

I. CALL TO ORDER

Vice-Chairman Jerry Welch called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Sedric Thomas, John Womble, and Mark Moeller. Absent from the meeting was Commissioner Annie Fishman, Tracey Logan, and Chairman Chodun. Staff members present were Planning Director, Ryan Miller, Planning Manager, David Gonzales, Planning Coordinators, Laura Morales, Angelica Gamez, City Engineer, Amy Williams, and Civil Engineer Sarah Johnston.

II. OPEN FORUM

Vice-Chairman Welch 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 Vice-Chairman Welch 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 November 12, 2019 Planning and Zoning Commission meeting.

3. P2019-044

Consider a request by Arlyn Samuelson of Westwood Professional Services on behalf of Carolina Molina of SPR Packaging for the approval of Lot 3, Block A, SPR Packaging Addition being a replat of a 10.189-acre parcel of land identified as Lot 2, Block A, SPR Packaging Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1480 Justin Road, and take any action necessary.

4. P2019-047

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 Lots 1, 2, & 3, Block A, MTA Andrews Addition being a final plat of a 9.6990-acre tract of land identified as 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, addressed as 2424 Ridge Road, and take any action necessary.

Commissioner Thomas made a motion to approve the consent agenda. Commissioner Womble seconded the motion which passed by a vote of 4-0 with Commissioners Chodun, Fishman, and Logan absent.

V. ACTION ITEMS

5. MIS2019-015

Discuss and consider a request by Michael Guerrero of Atticus Harbor Village, LLC for the approval of an alternative tree mitigation plan for a 6.915-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),

64 situated within the Interior Subdistrict, located adjacent to Summer Lee Drive southwest of the intersection  
65 of Horizon Road [FM-3097] and Summer Lee Drive, and take any action necessary.  
66

67 Planning Manager, David Gonzales, provided a brief explanation and background of the request.  
68 The applicant is requesting approval of an alternative tree mitigation settlement agreement for the  
69 subject property. On December 13, 2016 two site plans for the subject property laying out a 228-  
70 unit condominium development and a 48-unit townhome development. At the time of approval,  
71 the treescape plans for these cases indicated a total of 3,561 caliper-inches of trees would be  
72 removed from the subject property. The approved landscape plans for these cases indicated a  
73 total of 1,032 caliper inches would be added back to the subject property which left an outstanding  
74 mitigation balance of 2,529-inches. To address the outstanding balance the applicant has provided  
75 an invoice indicating the cost of providing the City with 843, three caliper inch trees. The invoice  
76 includes the cost of the trees and a delivery fee for a total of \$125,000. According to the Unified  
77 Development Code, the mitigation balance may be satisfied by one or a combination of means.  
78 The developer can provide trees on site to off-set the mitigation balance, the developer may  
79 petition the Parks and Recreation Department to accept the required number of trees to off-set the  
80 mitigation balance, or lastly tree preservation credits may be purchased at a rate of \$200.00 per  
81 inch for up to 20 percent of the total replacement inches. Additionally, if the developer plants a  
82 tree on the property, the developer would be eligible for a reduction in the cost of tree preservation  
83 credits of up to 50 percent which would be \$100.00 per inch. Based on these choices, the applicant  
84 could purchase 20% of the total replacement inches (i.e. 505" = \$50,580.00), which would leave a  
85 mitigation balance of 2,023-inches. The remaining mitigation balance would translate to 674, three  
86 caliper inch trees, which would need to be provided to the Parks and Recreation Department for  
87 off-site planting. In lieu of providing the trees the applicant has submitted an offer indicating they  
88 would like to settle the mitigation balance through an alternative tree mitigation settlement  
89 agreement.  
90

91 Mr. Gonzales further noted that according to the Unified Development Code, this gives the City  
92 Council the ability to approve an alternative tree mitigation plans on a case-by-case basis pending  
93 a recommendation from the Planning and Zoning Commission. Should this request be approved,  
94 the applicant is proposing to satisfy the mitigation balance by providing a check in the amount of  
95 \$125,000. These funds will be deposited in the City's tree mitigation fund and will be used for  
96 planting trees in the city's parks, medians, and other similar areas. If the City Council does not  
97 approve an alternative tree mitigation settlement agreement, the applicant intends to provide the  
98 full balance to the Parks Department to be used in other areas of the City.  
99

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

101  
102 Vice-Chairman Welch asked the applicant to come forward.  
103

104 Michael Guerrero  
105 Atticus Real Estate  
106 5339 Alpha Road  
107 Dallas, TX  
108

109 Mr. Guerrero came forward and provided a brief explanation of the request. He shared that they  
110 are looking to do is replace the cedar elm trees and the red buds with Italian cypress however  
111 Planning Director, Ryan Miller, clarified that what was before the Commission at this time was an  
112 alternative tree mitigation plan and anything veering from that would require to go through the  
113 zoning process. Mr. Guerrero indicated staff was correct and all necessary information pertaining  
114 to the request for the alternative tree plan was provided to the Commission from staff and he  
115 would be available for questions.  
116

117 Vice-Chairman Welch asked for questions from the Commission and brought the item back to the  
118 Commission for questions or action.  
119

120 Commissioner Thomas made a motion to approve MIS2019-015 with staff recommendations.  
121 Commissioner Womble seconded the motion which passed by a vote of 4-0 with Commissioners  
122 Chodun, Fishman and Logan absent.  
123

124 (Agenda item #7 was discussed before Agenda #6)  
125



VI. DISCUSSION ITEMS

6. Z2019-025

Hold a public hearing to discuss and consider a request for the approval of a text amendment to the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] for the purpose of allowing the *Rental, Sales, and Service of Heavy Machinery and Equipment* land use by Specific Use Permit (SUP) in the Commercial (C) District, and take any action necessary.

Planning Director, Ryan Miller, provided a brief explanation of the agenda item. At the last City Council meeting the Council heard a request from a representative of the Home Depot. What they are looking to do is establish a tool rental center which is an allowed by right use in the Commercial District but in addition they want to have the ability to rent out heavy machinery equipment which is not allowed in the Commercial District. They requested to the City Council to direct staff to amend the Ordinance to allow that use to be allowed with a Specific Use Permit. By doing so the code would be changed which would affect all commercial properties within the Commercial District to allow this use however the Commission will be able to see on a case by case basis any Specific Use Permit requested. Mr. Miller advised the Commission staff was available for questions.

Vice-Chairman Welch brought the item back to the Commission for questions or discussion.

Commissioner Womble asked where the machinery would be stored. Mr. Miller shared that the City's outside storage ordinance would address that and screening would need to be provided which would be something the Commission would review during the Specific Use Permit process.

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

7. P2019-043

Discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Jeff Kenemer and Robert Witte of Saddle Star South Holdings, LLC, William Thrailkill of CDT Rockwall/2017 LLC, and Gwendolyn Reed for the approval of a master plat/open space plan for the Saddle Star South Subdivision containing 176 single-family residential lots on a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

Planning Manager, David Gonzales, provided a brief explanation of the request. The case is a continuation of Saddle Star South. The PD was amended last month and Phase III was approved and are now going through the master and open space process and also will be going before the Parks Board. Mr. Gonzales indicated staff was available for questions.

Vice-Chairman Welch brought the item back to the Commission for questions or discussion.

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

8. P2019-045

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 10, LTD for the approval of a final plat for Stone Creek, Phase X containing 118 single-family residential lots on a 36.428-acre tract of land identified as a portion of 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, located at the southwest corner of John King Boulevard and Featherstone Drive, and take any action necessary.

Planning Manager, David Gonzales, provided a brief explanation of the request. This is the final phase of Stone Creek and this case is before the Commission because it will be going before the

Parks Board to access parks fees and will be on the consent agenda at the next scheduled meeting. Mr. Gonzales advised the Commission staff was available for questions.

Vice-Chairman Welch brought the item back to the Commission for questions or discussion.

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

9. P2019-046

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Phase 11, LTD for the approval of a preliminary plat for the Breezy Hill, Phase XI containing 78 single-family lots on a 23.849-acre tract of land identified as a portion of Tract 7 and all of Tract 7-06 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 adjacent to Breezy Hill Road north of the intersection of Breezy Hill Road and FM-552, and take any action necessary.

Planning Director, Ryan Miller, provided a brief explanation of the request. This will be one of the final phases of Breezy Hill and this case is before the Commission because it will be going before the Parks Board to access parks fees and will be on the consent agenda at the next scheduled meeting. Mr. Miller advised the Commission staff was available for questions.

Vice-Chairman Welch brought the item back to the Commission for questions or discussion.

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

10. SP2019-043

Discuss and consider a request by Clay Cristy of ClayMoore Engineering, Inc. on behalf of Brian Berry of Milestone Electric, Inc. for the approval of an amended site plan for a multi-tenant office complex on a 9.52-acre tract of land identified as Lot 18 and the south portion of Lot 19, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 407 Ranch Trail, and take any action necessary.

Planning Director, Ryan Miller, indicated the applicant was present and would go over the details of the request and staff would be available for questions.

Vice-Chairman Welch asked the applicant to come forward.

Clay Cristy  
1903 Central Drive, Suite 406  
Bedford, TX

Mr. Cristy came forward and provided a brief explanation of the request. Mr. Cristy shared that they came before the Commission a few months ago with this site and through the process of working with the Engineering Department they deemed that there was additional land that they could develop and they are now amending the site plan. He indicated he was available for questions.

Mr. Miller added that there are a couple of variances associated with the request and since they are increasing the variances that were approved before some of the configurations have changed with regards to parking and staff will denote those when the case comes back. One of the variances that need to be addressed is for vertical walls in the detention area. Currently the City does not allow that a four to one slope is required with no walls in the detention area. Additionally the screening will have to be addressed sooner than the applicant indicated with the last approval. Mr. Miller advised the Commission that staff was available for questions.

Mr. Cristy added that they will work with staff as well as the Architectural Review Board with any comments they receive regarding the variances.

Vice-Chairman Welch brought the item back to the Commission for questions or discussion.



Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting.

11. SP2019-044

Discuss and consider a request by Steven Reyes of Ramsay & Reyes, LLC on behalf of Jimmy McClintock of LMGC, LLC for the approval of a site plan for an office building on a 0.739-acre tract of land identified as a portion of Lot 14 of the Lowe & Allen Addition [0.4590-acres] and Lot 2-R, Block A, Washington Place Addition [0.28-acres], City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 409 W. Washington Street, and take any action necessary.

Planning Director, Ryan Miller, provided a brief explanation of the request. The applicant is requesting to put an office building within the Downtown District which has a unique ordinance that is built around a form based code and as a result it has a lot of strict design criteria that the applicant will be required to meet. Due to that strict criteria the applicant will be requesting numerous waivers however staff is working with the applicant to work through those waivers especially on the design side. Mr. Miller went on to discuss some issues that have found with the building elevations. Mr. Miller advised the Commission that this site plan would more than likely take a few cycles to work through and the Commission will see it come before them at a later date additionally he noted that the applicant was not present however staff would be available to answer any questions.

Vice-Chairman Welch brought the item back to the Commission for questions or discussion. Commissioner Womble asked if it would occupy one tenant or multiple tenants. Mr. Miller stated it would be a spec.

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

12. SP2019-045

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

Planning Manager, David Gonzales, advised the Commission the applicant was present and would provide details in regards to the request.

Vice-Chairman Welch asked the applicant to come forward.

Alton Frazier  
1700 Justin Road  
Rockwall, TX

Mr. Frazier came forward and provided details in regards to the request. They are updating the site plan to reflect the expansion of the building. He indicated he was available for questions. Mr. Gonzales added that the applicant will be requesting an exception to the parking because they are reducing the amount of parking by thirteen spaces. Additionally the Amphitheater encroaches onto the setback and will need to go before the Board of Adjustments for their approval in order for it to be within the setback.

Vice-Chairman Welch brought the item back to the Commission for questions or discussion.

Vice-Chairman Welch asked if changes to the landscaping would be affected by the John King road expansion. Mr. Gonzales shared that the applicant is upgrading the landscaping and that will also be an exception. Mr. Miller added that due to the TXDOT expansion on John King the applicant is not in the position to plant the landscaping however they will in the future and in the interim the applicant is showing what landscape they will be providing to hide the outside storage visible from John King currently.

Commissioner Womble asked for further clarification of the amphitheater. Mr. Miller shared that they will have to go before the Board of Adjustments and justify a hardship to have a structure within the build line.

After general discussion in regards to the parking exception that is being requested, Vice-Chairman Welch 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.

✓ P2019-040: Lots 1 & 2, Block A, Haley & Kyle Addition [Approved]

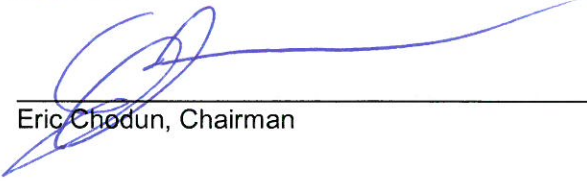
✓ MIS2019-014: Water/Wastewater Master Plans [Approved]

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

VII. ADJOURNMENT

Vice-Chairman Welch adjourned the meeting at 6:55 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 10 day of December, 2019.

  
Eric Chodun, Chairman

Attest:

  
Laura Morales, Planning Coordinator