

MINUTES



PLANNING AND ZONING WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JANUARY 28, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:02 PM. The Commissioners present at the meeting were Sedric Thomas, John Womble, Tracey Logan, and Vice-Chairman Jerry Welch. Absent from the meeting were Commissioner Annie Fishman and Mark Moeller. Staff members present were Planning and Zoning Director Ryan Miller, Planning Manager David Gonzales, Senior Planner Korey Brooks, Planning and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams, and Civil Engineer Sarah Johnston.

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.

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

IV. CONSENT AGENDA

2. Approval of Minutes for the January 14, 2020 Planning and Zoning Commission meeting.

3. P2020-002 (Korey)

Consider a request by Michael Hunter of the Rockwall Housing Development Corporation for the approval of a replat of Lot 1, Block A, RHDC Addition being a 0.11-acre parcel of land currently identified as a portion of Lot 4, Block H, Sanger Brothers Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, located at the northwest corner of the intersection of E. Bourn Street and Peters Colony, and take any action necessary.

4. P2020-003 (David)

Consider a request by Dub Douphrate of Douphrate and Associates, Inc. on behalf of Bob and Pam Hawley for the approval of a replat for Lot 7, Block A, Maverick Ranch Addition being a 1.55-acre parcel of land currently identified as Lot 5, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 196 & 216 Ranch Road, and take any action necessary.

5. P2020-004 (David)

Consider a request by Anna C. Blackwell of Carrillo Engineering, LLC on behalf of Eddie Martin of Retail Partners, LLC for the approval of a replat for Lots 29 & 30, Block A, Lake Ridge Estates Addition being a 1.1755-acre parcel of land identified as Lot 26 of the Lake Ridge Estates Addition, City of Rockwall, Rockwall County, Texas, situated within the Ridge Road Retail Subdistrict of Planned Development District 32 (PD-32), located within the Scenic Overlay (SOV) District, addressed as 2930 Ridge Road [FM-740], and take any action necessary.

6. P2020-005 (Korey)

Consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Gene Cooper of Howell MTN RE, LLC for the approval of a preliminary plat for a 39.53-acre tract of land identified as Lot 1, Block A, Rockwall Hospital Addition and Tract 18 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of the intersection of SH-276 and SH-205, and take any action necessary.

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

59 **V. ACTION ITEMS**

60
61 **7. MIS2020-002 (David)**

62 Discuss and consider a request by Jake Fears, PE of Weir & Associates, Inc. on behalf of Chad DeBose of Foremark or the approval
63 of an amended tree mitigation plan in conjunction with an approved site plan for a multi-tenant retail building on a 2.542-acre tract of
64 land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned
65 Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV)
66 District, located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action
67 necessary.
68

69 Planning Manager David Gonzales provided a brief explanation and background of the request. He provided a revised report to the
70 Commission with a few changes in numbers. He explained to the Commission that they had been presented a site plan earlier this
71 year which included a treescape plan. The applicant is requesting to remove 17 more trees. The reason for this request is that these
72 are feature trees and cannot be removed without the Planning and Zoning Commission's approval. If this request is approved then it
73 will increase the applicant's tree mitigation balance to 1,029 inches, which will be due at the time of final plat. According to the UDC,
74 the Planning and Zoning Commission is responsible for reviewing and approving or disapproving treescape plans. Mr. Gonzales
75 advised the Commission that the applicant and staff were present and available for questions.
76

77 Chairman Chodun asked the applicant to come forward to answer any questions.
78

79 **Jake Fears**

80 2201 E. Lamar Blvd.
81 Arlington, TX
82

83 The applicant came forward and provided further information pertaining to the request. He stated that they had to remove one (1) tree
84 due to revised grading along the southwest corner of the building. He also explained that there was going to be an additional building
85 constructed near the southeast corner of the property where the a large number of trees are located; however, they were unable to
86 work out the placement of the building.
87

88 Chairman Chodun asked if there were further questions for the applicant. There being no further questions, he brought the item back
89 to the Commission for discussion or action.
90

91 Commissioner Logan gave further input and stated her disapproval for the cutting down of the feature trees. The applicant came
92 forward to readdress the Commission and provided additional information about which trees were different from the original site plan.
93

94 Commissioner Logan made a motion to approve item MIS2020-002 and approve the removal of tree #2474 only, disallowing the
95 removal of the remainder of the trees that are not necessary to be removed for construction of the building. Commissioner Womble
96 seconding the motion, which passes by a vote of 5-0 with Commissioners Moeller and Fishman absent.
97

98 **8. MIS2020-003 (David)**

99 Discuss and consider a request by Timothy Bates of Plano Marine on behalf of Jason Breland of Suntex Marina Investors, LLC for
100 the approval of a special exception to the screening requirements for an existing marina on a 6.282-acre tract of land identified as
101 Tracts 134, 134-14 & 134-15 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Agricultural
102 (AG) District, situated within the Lake Ray Hubbard Takeline Overlay (TL OV) District, located at the western terminus of Henry M.
103 Chandlers Drive, and take any action necessary.
104

105 Planning Manager David Gonzales provided a brief explanation and background of the request. He provided the applicant's letter in
106 addition to the exhibits. Mr. Gonzales explained how this case was tied to the Specific Use Permit (SUP) that had gone before the
107 City Council at their previous meeting. One of the reasons the applicants are coming forward is to provide the screening fence required
108 by the current Conditional Use Permit (CUP) ordinance. There was a wood fence in place that was taken down and the applicant
109 wanted to replace that with a six (6) foot masonry screening fence. Part of the ordinance requires that the fence have landscaping as
110 well. Mr. Gonzales reminded the Commission about the statements made by residents during the public hearing, and that they were
111 against incorporating the landscaping. The applicant's current request is asking for the permission to build the masonry fence with
112 the exception of not having any trees or having to plant any trees as required by the Unified Development Code. He also explained
113 that the public came out and did not want any of the trees obstructing the view. Mr. Gonzales told the Commission that it is a
114 discretionary decision from the Commission but it does require $\frac{3}{4}$ of the majority vote. With that, he stated that the applicant and staff
115 were available to answer questions.
116

117 Commissioner Chodun asked the applicant to come forward.
118

119 **Jason Breland**

120 1 Harborview Dr.
121 Rockwall, TX 75032

The applicant came forward and provided further information in regards to the request.

Commissioner Womble made a motion to approve item MIS2020-003 with Vice-Chairman Welch seconding the motion passed by a vote of 5-0.

9. MIS2020-004 (David)

Discuss and consider a request by Rachel Gruber of Perkins and Will on behalf of Jason Linscott of Texas Health Hospital Rockwall for the approval of an Alternative Tree Mitigation Settlement Agreement in conjunction with an approved site plan for a hospital (Presbyterian Hospital) on a 18.871-acre parcel of land identified as Lot 23, 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.

Planning Manager David Gonzales provided a brief explanation and background in regards to the request. He reminded the Commission that the original site plan had been approved a couple of weeks ago. As part of that site plan, the applicant requested an alternative tree mitigation settlement agreement for a 432-inch balance. In this request the applicant was requesting a waiver to the full mitigation balance. Essentially, the Commission provided a recommendation of denial to the City Council, however the applicant stated that they did not want to go forward with that request and withdrew the application. The applicant then submitted a subsequent application in order to present an alternate plan this evening. This plan included increasing the number of inches that are being removed from the previous site plan and including additional inches to be planted on site. Based on the UDC, there are three (3) things they can do: [1] provide trees on site, [2] petition to parks and recreation department to accept a certain amount of trees (which in this case there's a mitigation balance that would be equal to 65, three (3) inch caliper trees or 49, four (4) inch trees), and [3] they could purchase preservation credits equal to 20% of the balance and provide the remainder in trees on-site or to the Parks and Recreation Department. Mr. Gonzales explained how in this case, the applicant is wanting to purchase 20% of the mitigation total of 818-inches. This would translate to 164-inches in the amount of \$16,400.00. With that there is still a remaining balance of 194-inches (i.e. less 20% and what is being planted on-site) that will need to be accounted for and to which the applicant is request a full waiver. According to the alternative tree settlement agreement in the UDC, the City Council has the ability to approve an alternative tree mitigation plan on a case by case basis pending a recommendation from the Planning and Zoning Commission. If this were to be approved then \$16,400.00 would go towards the tree mitigation fund for the Parks and Recreation Department to put up trees around the city. Mr. Gonzales advised the Commission that the applicant was here and available for questions as well as staff.

Chairman Chodun asked the applicant to come forward.

Rachel Gruber
2218 Bryan Street
Dallas, TX

The applicant came forward and provided further information in regards to the request. She explained how she went back to the client and came up with another solution to approach the case. Ms. Gruber explained how for over half of the caliper inches that they are removing, they are replacing with trees on-site to go towards total mitigation. She explained there was a letter included with an exhibit that explained her request and showed the variety of trees on-site. According to Ms. Gruber, when the original site plan came in, there were some bald cypress trees that had been planted 15-feet on center and she believes they are too close together for the varietal of tree. She also stated that the 20% payment would be for trees that were planted above and beyond the requirements of the UDC at the time the hospital was constructed. Another reason would be that they cause a visibility issue for the hospital for patients trying to find the hospital from FM-740. She also stated that they would be incorporating some small ornamental trees on-site.

Vice- Chairman Welch and Commissioner Womble inquired further information in regards to the request.

Planning Manager David Gonzales explained how preservation credits work, stating that the maximum amount that you can request is 20% of the total mitigation balance. However, the remaining balance is to be mitigated as well which is why the applicant is additionally asking for a waiver of the remaining balance which would equate to a \$19,400 credit.

Planning and Zoning Director Ryan Miller provided a brief clarification in regards to the other discretionary options for the Commission. He explained how the UDC states that only 20% is the maximum amount that can be taken administratively but that's only if you're meeting the ordinance and providing 80% of the trees. He also stated that the Planning and Zoning Commission and City Council have discretion with regard to what they approve (i.e. 20% or more) in an alternative tree mitigation settlement agreement.

Ms. Gruber, the applicant, later corrected herself and stated that they were only asking for 24% of the waiver for the overall mitigation plan.

Planning and Zoning Director Ryan Miller advised the Commission that those trees were required for tree mitigation when the hospital was built. He explained that those bald cypress trees were not planted above and beyond the requirements of the UDC but were used to wipe out a previous mitigation balance.

Chairman Chodun asked if there were any further questions for the applicant and, there being no further questions, he brought the item back to the Commission for discussion or action.

Commissioner Womble made a motion to deny item MIS2020-004 with Commissioner Logan seconding the motion. The motion was approved by a vote of 4-1, with Vice-Chairman Welch dissenting.

VI. DISCUSSION ITEMS

10. MIS2020-001 (David)

Discuss and consider a request by Russell Martin of HFRPI, LLC for the approval of an Alternative Tree Mitigation Settlement Agreement in conjunction with an approved site plan for a strip retail center on a 1.1755-acre parcel of land identified as Lot 26 of the Lake Ridge Estates Addition, City of Rockwall, Rockwall County, Texas, situated within the Ridge Road Retail Subdistrict of Planned Development District 32 (PD-32), located within the Scenic Overlay (SOV) District, addressed as 2930 Ridge Road [FM-740], and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Russell Martin

550 Bailey Ave.
Fort Worth, TX

Mr. Martin came forward and provided further information in regards to his request. He explained that he's requesting an alternate mitigation for their strip retail center in lieu of providing funds. A pocket park would provide an entry way to the Harbor district and allow them to place signage for the Harbor and the Glen Hill Cemetery. They would also like to help clean up the cemetery. Mr. Martin reiterated that he would be providing the right of way for Glen Hill Way. There would be 668-inches of trees being removed but they would also be providing trees on site.

Planning and Zoning Director Ryan Miller advised the Commission that the Parks and Recreation Board will be making a recommendation in regards to the corner of land on the south side of Glen Hill Way. In addition, they will also get a recommendation from Architectural Review Board (ARB) on the proposed signage design.

Chairman Chodun brought the item back to the Commission for questions and discussion.

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

11. P2020-006 (David)

Discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Jeff Kennemer 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.

Chairman Chodun asked the applicant to come forward.

Pat Atkins

3076 Hays Drive
Rockwall, TX

Mr. Atkins came forward and advised the Commission that he had reviewed staff recommendations and is in agreement with them. He then indicated that he was available to answer any questions.

Chairman Chodun brought the item back to the Commission for questions and discussion.

There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled meeting on February 11th.

12. SP2019-047 (David)

Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of the owner Brad Bacon of Bacon Property, LLC for the approval of a site plan for an office/warehouse building on a 3.57-acre parcel of land identified as Lot 1-M of the Bodin Industrial

Tract, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2055 Kristy Lane, and take any action necessary.

Planning Manager David Gonzales provided a brief explanation and background in regards to the request. He mentioned that the ARB had approved the plan 7-0, but there were still some variances needed since the property was located in the IH-30 Overlay (IH-30 OV) District. He explained that the applicant will be coming before the Commission with the variance requests as well as the driveway request in two (2) weeks. With that, Mr. Gonzales advised the Commission that he was available to answer any questions.

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

13. SP2020-001 (Korey)

Discuss and consider a request by Michael Legg of Legg Architecture, LLC for the approval of a site plan for a for a restaurant with drive through (i.e. *Golden Chick*) on a 1.03-acre parcel of land identified as Lot 1, block A, Grandy's Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 726 E. IH-30, and take any action necessary.

Senior Planner Korey Brooks provided a brief explanation in regards to the request. Since there were structural changes being made to the exterior, this case required review by the Architectural Review Board (ARB). He advised that the ARB had reviewed the case and made recommendations, which were forwarded to the applicant. Mr. Brooks explained that those would be reviewed at the next meeting on February 11th due to the applicant not being able to make it to the meeting.

Chairman Chodun brought the item back to the Commission for questions and discussion.

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

14. SP2020-002 (Korey)

Discuss and consider a request by Greg Wallis of Mershaw Associates, LLC for the approval of a site plan for a medical office building on a 0.45-acre parcel of land identified as Lot 10, Block A, Municipal Industrial Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, 855 Whitmore Drive, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Greg Wallis

1520 E I-30
Rockwall, TX

The applicant came forward and provided additional information in regards to the request. Mr. Wallis explained that they did not have a chance to meet with Architectural Review Board (ARB) but reviewed the recommendations with Senior Planner Korey Brooks. They will go back to the drawing board and resubmit changes next week. He added there was another variance in regards to the articulation.

Chairman Chodun brought the item back to the Commission for questions and discussion.

There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled meeting on February 11th.

15. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).

- P2019-049: Final Plat for Lot 1, Block A, TAC Rockwall Addition [*Postponed*]
- P2020-001: Replat for Lot 12, Block C, Ridgecrest Addition [*Approved*]
- SP2019-043: Alternative Tree Mitigation Plan for 407 Ranch Trail [*Approved*]
- Z2019-026: SUP for Chandler's Landing Marina (1st Reading) [*Denied*]
- Z2019-027: SUP for Big-Tex Trailers (1st Reading) [*Approved*]
- Z2019-028: Unified Development Code (1st Reading) [*Approved*]

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

VII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:05 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this _____

11 day of February, 2020.


Eric Chodun, Chairman

Attest:


Angelica Gamez, Planning Coordinator