

# MINUTES



PLANNING AND ZONING COMMISSION MEETING  
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS  
FEBRUARY 11, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

## I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:00 PM. The Commissioners present at the meeting were John Womble, Tracey Logan, Sedric Thomas, Mark Moeller, Annie Fishman, and Vice-Chairman Jerry Welch. 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 Engineers Jeremy White and 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.

Jim Turner  
1691 Old. E. Quail Run Rd.  
Rockwall, TX 75087

Mr. Turner came forward and addressed the Commission. He explained two (2) particular issues in regards to the rules and regulations of John King. The first issue being the requests for tree mitigations from developers. Mr. Turner stated that there could only be a certain amount of trees donated to the Parks department or placed in a tree bank. He expressed that by mitigating trees, developers gain square footage, lots, and extra money. The second issue highly concerning him is the placement of a playground close to the street that will eventually turn into a state highway. He worried about how they're going to be putting a state highway between two (2) schools. In regards to the master plan issued at the time of building John King, Mr. Turner stated how none of what was promised had been implemented. He understood that the master plan is a guideline but there was a reason why it was there.

Chairman Chodun asked Planning and Zoning Director Ryan Miller whether he wanted to provide input to address the concerns stated by Mr. Turner.

Mr. Miller gave a brief background and explanation in regards to the concerns. He explained how the playground mentioned by Mr. Turner is a private HOA playground that was placed when zoning came in in 2015 and setback requirements were thirty (30) feet off the property line. The playground is actually built fifty-seven (57) feet off the right-of-way. The developer was asked to change the location but he did not comply with that. Based on a safety standpoint, he was then asked to place some two (2) ton boulders to provide separation and provide additional canopy trees between the playground and the boulders to better screen the area. The developer was also asked to provide a wrought iron gates to prevent kids getting out of the area. Mr. Miller expressed how there are no legal mechanisms in the ordinances to change the placement of that playground since it is a private HOA amenity.

Chairman Chodun asked if anyone else wished to speak to come forward at this time, there being no one else-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 28, 2020 Planning and Zoning Commission meeting.

3. **P2020-006 (DAVID GONZALES)**

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.

**4. SP2020-002 (KOREY BROOKS)**

Discuss and consider a request by Greg Wallis of Mershawn 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.

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

**V. ACTION ITEMS**

**5. MIS2020-001 (DAVID GONZALES)**

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.

Planning manager David Gonzales provided a brief explanation and background in regards to the request. He explained to the Commission how a site plan for a strip retail center was approved in November and it's located in PD-32 (Planned Development District 32), which is commonly referred to as the Harbor District. City Council replatted the site which included dedicating a right-of-way for Glen Hill Way and creating an entrance into the Harbor District. At the time of approval of the replat, a condition was established for the City Council to consider a request by the applicant for an Alternative Tree Mitigation Settlement Agreement for the purpose of creating a park area for Lot 30. The treescape plan indicates a total of 557-inches being removed from the site and requiring mitigation. After the removal of those inches, there is still a total mitigation balance due of 212-inches. Mr. Gonzales explained that the applicant's request is intended to relieve the total mitigation balance by providing the City with the small park that will contain an entry sign to the Harbor district, as well as trees and park benches. He further stated that the cost of the park will be in excess of \$100,000 at the time of dedication to the City, and will exceed the cost of associated with the mitigation balance due of 212-inches which is \$21, 200. According to the Unified Development Code (UDC), City Council has the ability to approve an Alternative Tree Mitigation Settlement Agreement on a case-by-case basis pending a recommendation from the Planning and Zoning Commission. Should this request be approved, the applicant's overall mitigation balance due of 212-inches would be dissolved and the construction of the small park will move forward. Should it not be approved, the applicant must then settle the remaining mitigation balance. On February 4, 2020, the Parks and Recreation Board reviewed the request for the pocket park and approved a motion to recommend approval of the request to the Planning and Zoning Commission and City Council by a vote of 5-0. In addition, the Architectural Review Board (ARB) will provide a recommendation to the Planning and Zoning Commission concerning the proposed signage at their meeting on February 11, 2020. Mr. Gonzales then advised the Commission that the applicant and staff were present and available for questions.

Planning Director Ryan Miller added that there was no room on the property for additional trees which is why the applicant is having to go through the tree mitigation plan.

Chairman Chodun asked the applicant to come forward.

Russell Martin  
102 Smallwood Drive  
Westworth Village, TX 76114

Mr. Martin came forward and gave a brief explanation of the request.

Commissioner Moeller made a motion to approve item MIS2020-001 with staff recommendations. Vice-Chairman Welch seconded the motion which passed by a vote of 7-0.

**6. SP2019-047 (DAVID GONZALES)**

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. The applicant is requesting the approval of a site plan that was shown at the January 28, 2020 meeting. There are several variances and exceptions associated with this site plan such as building materials, building articulation, landscape screening fence, and driveway spacing requirements. Back in January, the applicant indicated that they would be storing vehicles on the back side of the property and the Unified Development Code (UDC) calls for that to be screened by two (2) options. Both of those options require three (3) tiered screening and the applicant did make changes to the site where it would be possible to have. The applicant is also providing some small trees, accent trees and canopy trees, and wrapping them around the east and west sides to provide the screening. The one (1) item that needs to be brought up again is that the applicant is requesting to place a chain link fence with vinyl coating for the three (3) tiered screening in lieu of a wrought iron fence. Mr. Gonzales noted that the proposed fence would be adjacent to other industrial use properties and does not appear to have a negative impact on them. In the Light (LI) Industrial district, the chain link fence with vinyl coating is allowable by right but it is a discretionary decision for the Planning and Zoning Commission which has been included as a condition of approval.

Mr. Gonzales explained that based on the information provided by the applicant, the following seven (7) variances were identified as requirements of the IH-30 Overlay (OV) and the UDC. When it comes to primary materials, in regards to the building materials, the North and South building elevations meet the requirements. When the applicant met with the Architectural Review Board (ARB), they asked that they make changes to the building to meet the articulation requirements. They also asked that the North side of the building, which faces IH-30, be dressed up to resemble the South side of the building and meet the standards associated with the IH-30 OV district. After changes were made by the applicant, ARB unanimously approved the request as well as the remaining requested variances. The other remaining variances are associated with the East and the West sides of the building. The requirements for stone are being met by all sides of the building except the East and West sides. In the case of the secondary materials, the applicant is providing an exterior wood panel system on the primary entrance to the facility and on the rear of the building and exceeds the permitted amount of metal/steel on the east and west building facades. With the secondary building façade requirements, they are meeting it only on the front elevation of the building. According to the UDC, a four (4) sided structure should have all four (4) matching sides which, in this case, the requirement is not meant on two (2) sides of the structure. Due to the width of the site at the street and the fact that the property is partially only accessible by a cul-de-sac, the applicant is requesting the variance to accommodate two (2) driveways for the purpose of providing two (2) points of ingress and egress.

The UDC states that in cases where variances or exceptions are being requested, the applicant shall provide compensatory measures that directly offset the requested exception or variance. In this case, the applicant has provided letters explaining the exceptions and variances being requested and the proposed compensatory measures for such. The Planning and Zoning Commission is tasked with determining if the compensatory measures properly off-set the requested variances. Mr. Gonzales explained that this is a discretionary decision for the Planning and Zoning Commission that requires approval by a super majority vote or three fourths (3/4) of the majority vote. Although the ARB did not meet in December, they did provide recommendations in January and passed a motion to approve the building elevations and the exceptions and variances associated with the building. The Planning and Zoning Commission was given different options when approving the request such as the following: (1) Approving the site plane separately; (2) Approve the variances all in one motion; or (3) Approve the variances one by one. Mr. Gonzales then advised the Commission that the applicant and staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Jeff Carroll  
750 E. I-30  
Rockwall, TX 75087

Mr. Carroll came forward and provided further information in regards to the request. He explained that the reason for not adding stone to the west side of the building is because they will be starting construction on Phase 2 and he hoped that the trees would provide sufficient coverage. Mr. Carroll did not provide a timeline for the beginning of construction for Phase 2.

Commissioner Thomas made a motion to approve the site plan for item SP2019-047 as well as the variances, with Commissioner Womble seconding the motion which passed by a vote of 7-0.

## VI. DISCUSSION ITEMS

### 7. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

- P2020-002: Replat for Lot 1, Block A, RHDC Addition [APPROVED]
- P2020-003: Replat for Lot 7, Block A, Maverick Ranch Addition [APPROVED]

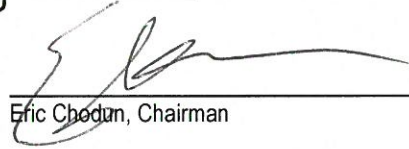
- P2020-004: Replat for Lots 29 & 30, Block A, Lake Ridge Estates Addition [APPROVED]
- P2020-005: Preliminary Plat for Lots 1-7, Block A, SH-276 Rockwall Addition [APPROVED]
- Z2019-027: 2nd Reading of SUP for Big Tex Trailers [APPROVED]
- Z2019-028: 2nd Reading Unified Development Code (UDC) [APPROVED]

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

## VII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 6:36 pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 25 day of February, 2020.

  
Eric Chodun, Chairman

Attest:

  
Angelica Gamez, Planning and Zoning Coordinator