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MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
December 8, 2015
6:00 P.M.

9 I. CALL TO ORDER

10
11 Chairman Renfro called the meeting to order at 6:03 p.m. Present were Commissioners John
12 McCutcheon, Patrick Trowbridge, Tracey Logan, Johnny Lyons, Annie Fishman, and Mike Jusko.
13 Also present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, and Planning
14 Coordinator, Laura Morales.

15
16 II. CONSENT AGENDA

- 17
18 1. Approval of Minutes for the November 24, 2015 Planning and Zoning Commission meeting.

19
20 Commissioner McCutcheon made motion to approve the consent agenda. Commissioner Jusko
21 seconded the motion, which passed by a vote of 7-0.

22
23 III. APPOINTMENTS

- 24
25 2. Appointment with Architectural Review Board representative to receive the Board's
26 recommendations and comments for items on the agenda requiring architectural review.

27
28 Architectural Review Board representative was not present, Planning Director; Ryan Miller
29 advised the Commission the recommendations would be discussed during discussion of the
30 site plan.

31
32 IV. PUBLIC HEARINGS

33
34 3. MIS2015-003

35 Hold a public hearing to discuss and consider a City initiated request to amend the Comprehensive
36 Plan by approving changes to the Master Thoroughfare Plan Map contained within the *Transportation*
37 section, add a street cross section for a M4U-M (*minor arterial, four [4] lane, undivided roadway,*
38 *modified*) and modify existing street cross sections in Appendix 'D', *Thoroughfare Cross Sections*, and
39 take any action necessary.

40
41 Planning Director, Ryan Miller, gave brief explanation stating that in May of 2014, Rockwall
42 County initiated a review of the County Master Thoroughfare Plan with the assistance of City
43 staff. Recently, the County has completed this review and requested staff codify the proposed
44 changes into the City's Master Thoroughfare Plan prior to the County's adoption of the County
45 Thoroughfare Plan. In addition, City staff has also been assisting the North Central Texas
46 Council of Governments with the 2014 Amendment to the 2035 Mobility plan and also working
47 on the 2040 Mobility plan. Through these processes and through a review of the City's current
48 Master Thoroughfare Plan, staff has identified several additional adjustments to local roadways
49 that should be adopted to account for current and future roadways.

50
51 Mr. Miller presented a slide show and explained they are looking into adding a road from La
52 Jolla Point Dr. to Turtle Cove, which will be a minor collector. Also will be removing Breezy Hill
53 Road which is up north adjacent to the Breezy Hill subdivision, as well as change Clem Road
54 from a minor four lane undivided roadway to a minor collector, extend Breezy Hill One to Anna
55 Cade Road, extend Breezy Hill One to John King Blvd, realign Breezy Hill Road, extending
56 FM1141 and removing Technology Way, removing a section between Tubbs Road and Sids
57 Road, changing the Solner Lane from an M4U to a minor collector, realigning Data Drive,
58 changing County Line Road and Renee Drive from an M4U to a minor collector, and removing
59 sections from County Line Road, changing north FM3549 to a minor four lane undivided to a
60 TXDOT 4D, changing North County Lane and Panhandle Drive from a minor to a minor four lane
61 undivided roadway, changing SH205 from a TXDOT 6D to a minor four lane undivided modified

62 roadway. Mr. Miller went on to explain that staff is also looking at changing, realigning the
63 proposed outer loop, as well as removing Memorial Drive and extending Highland Blvd,
64 removing Industrial Blvd. north of the Airport Road, and extending Airport Road as an M4U to
65 SH66. The TXDOT changes that are being made, that were handed down from the County affect
66 all of the City's TXDOT roadways which are SH205, Hwy 66, FM549, FM2549, and FM552.

67
68 Mr. Miller further explained that with regard to the downtown area staff is also proposing that a
69 new roadway cross section be adopted for the area between East Fork Drive and the SH-205
70 couplet in the downtown area. This new roadway cross section is identified as a M4U-M lane,
71 undivided roadway, modified, which will consist of 85-feet of right-of-way; one 16-foot reversible
72 lane; two, 10½-foot parkways; and, two, one-foot curbs. Staff has also taken this amendment as
73 an opportunity to address various changes and updates within Appendix 'D', Thoroughfare
74 Cross Sections, of the Comprehensive Plan.

75
76 Mr. Miller went on to explain that this being a Comp Plan Amendment a Public Hearing is
77 required and is being addressed as such this evening, and according to the City's Home Rule
78 Charter the Commission is required to make a recommendation to the City Council.

79
80 Chairman Renfro asked for questions of Commissioners for staff.

81
82 Commissioner Trowbridge asked if a reversible lane was painted or had any type of dividers. Mr.
83 Miller explained it is an undivided lane down the middle of the roadway which allows both left
84 hand turning.

85
86 Commissioner Lyons asked how changes to roadways are decided. Mr. Miller stated the
87 changes are coming to the Commission from staff. The County changes have been going
88 through a process with the North Central Texas Council of Government, which has held a
89 consortium over the last three years, and there has been a public process through the County
90 level already. Essentially those were handed down to staff, and the City was asked to conform to
91 those changes. Changes that do not include TXDOT are coming from staff and are intended to
92 accommodate the City's future growth and any traffic concerns at buildout.

93
94 Commissioner Fishman asked for clarification of what is taking place on SH205, is it going to be
95 widened, or what the plan for that is. Mr. Miller stated on the current master thoroughfare plan it
96 is a TXDOT six lane roadway, the proposed changes will decrease the future cross section down
97 to four lanes with the goal for of providing a transition zone that will help the retail areas
98 adjacent to the roadway, and slowing traffic as it enters the downtown area.

99
100 Chairman Renfro opened the public hearing and asked anyone who wished to speak to come
101 forward. There being no one indicating such, Chairman Renfro closed the public hearing and
102 brought the item back to the Commission for discussion.

103
104 Commissioner Lyons made motion to approve the item with staff recommendations.
105 Commissioner McCutcheon seconded the motion, which passed by a vote of 7-0.

106
107
108 4. Z2015-030

109 Hold a public hearing to discuss and consider a City initiated request for the approval of a zoning
110 amendment to Planned Development District 75 (PD-75) being *Ordinance No. 09-37*, containing
111 329.53-acres of land, identified as the Lake Rockwall Estates Subdivision, City of Rockwall, Rockwall
112 County, Texas, zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land
113 uses, being situated east of Tubbs Road and north of County Line Road, and take any action
114 necessary.

115
116 Planning Director Ryan Miller gave brief explanation stating that on October 14, 2015, the City
117 Council directed staff to amend Planned Development District 75 for the purpose of removing the
118 language that related to allowing Council to approve land uses without a public hearing. Mr.
119 Miller explained that there is a clause in the current zoning ordinance that states that Council can
120 approve certain land uses through what is called a special request. That process would allow
121 them to approve for example a commercial development without having a zoning process.
122 Therefore, Council has directed staff to change that language in the code. Specifically the current
123 code states that such special requests may include, but not necessarily be limited to, the use of
124 building materials not otherwise allowed, authorization of specific land uses not otherwise

125 allowed, or other requests submitted for consideration. Council has directed staff to remove the
126 authorization of specific land uses not otherwise allowed, and what that means going forward is
127 that anyone wishing to change the zoning from a Single Family Land Use designation would be
128 required to go through a whole zoning process, which would require a public hearing, which is
129 not a requirement under the current ordinance. As directed, staff prepared an ordinance
130 reflecting the requested changes. In addition, staff took this opportunity to clear up some
131 inconsistencies within the ordinance and update the concept plan. Mr. Miller added that the only
132 thing that is being changed is the ability for Council to approve zoning without having a public
133 hearing.
134

135 Mr. Miller further explained that on November 20, 2015, staff mailed 1,541 notices in English and
136 Spanish to property owners and residents within 500-feet of the subject property, as well as also
137 emailed notices to the Lynden Park, Fox Chase and Rainbow Lakes Homeowner's Associations,
138 which are the only HOA's located within 1,500 feet of the subject property. Additionally a posted
139 sign was placed along County Line Road, and advertised the public hearings in the Rockwall
140 Harold Banner. Mr. Miller advised there were nine responses received, for which three were in
141 opposition and six were in favor, however, two of the opposition responses appeared to be in
142 favor of the request based on the content contained in the returned notices
143

144 Mr. Miller advised the Commission Planning staff member Laura Morales would be available for
145 interpreting should anyone wish to come forward to speak as well as to translate item.
146

147 Ms. Morales briefed the public of the item in Spanish.
148

149 Chairman Renfro asked for questions of Commission for staff.
150

151 Commissioner Logan asked for clarification. Specifically if the change is essentially going to
152 make the rules more stringent for land use changes. Mr. Miller stated that is correct.
153

154 Commissioner McCutcheon asked for clarification if this is enacted it will not affect the one time
155 mobile home replacement. Mr. Miller stated those requirements will remain unchanged.
156

157 Chairman Renfro opened the public hearing and asked if anyone wished to speak to come
158 forward.
159

160 Anthony Lozano
161 601 Bass Rd.
162 Rockwall, TX
163

164 Mr. Lozano came forth and asked for better clarification of item. Mr. Miller briefly explained the
165 item, and how it would not affect existing properties in Lake Rockwall Estates, but the only
166 change being that a public hearing process would take place should any change in land use
167 request be brought to the City.
168

169 Shannon Nerren
170 401 Forest Trace
171 Rockwall, TX
172

173 Mr. Nerren came forward and stated he owned property in the affected area, at 599 Trout Street,
174 and is in favor of the proposal.
175

176 Chairman Renfro closed the public hearing and brought the item back to the Commission for
177 discussion.
178

179 Commissioner McCutcheon made motion to approve item with staff recommendations.
180 Commissioner Lyons seconded the motion, which passed by a vote of 7-0.
181
182

183 5. Z2015-031

184 Hold a public hearing to discuss and consider a request by John and Lenny James on behalf of the
185 owner Rockway Partners for the approval of a Specific Use Permit (SUP) for a carwash on a 0.688-acre
186 parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall

187 County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District,
188 located at the northwest corner of La Jolla Pointe Drive and Ridge Road [FM-740], and take any action
189 necessary.
190

191 Planning Director, Ryan Miller, explained the agenda item stating that the applicant's John and
192 Lenny James are requesting a Specific Use Permit for the purpose of constructing an automated,
193 self-service carwash on the subject property which is located at the northwest corner of Ridge
194 Road and La Jolla Point. Mr. Miller explained that typically, a self-service or auto detail carwash
195 in a Commercial District would be permitted by-right; however, the Scenic Overlay requires that
196 car washes receive a Specific Use Permit and also the Unified Development Code states that car
197 washes on major thoroughfares shall not face their entrances onto a public street and on corner
198 entrances and exists to the car wash shall not directly face any public street. On corner sites, car
199 wash entrances or exits shall not open toward the street with the highest traffic volume, also that
200 the car wash shall be set back a minimum of 50-feet from any street frontage.
201

202 Mr. Miller further stated that in this case, the proposed carwash does meet the 50 foot setback
203 requirements, however; the building will be oriented so that the entrance of the carwash will face
204 onto Ridge Road which is the street with the highest traffic volumes. If approved the
205 Commission would be granting a variance to the requirement that the front of the bay wouldn't
206 face the street with the high traffic volumes. With the exception of the proposed building
207 orientation the applicant's request conforms to all applicable requirements; however, granting a
208 Specific Use Permit is a discretionary act to the City Council. If approved the applicant will be
209 required to submit a site plan and replat conforming to all applicable requirements.
210

211 Mr. Miller went on to show the concept plan and clarified that it is not a site plan. The cars would
212 enter the carwash from La Jolla Point Drive and would generally circulate towards Ridge Road in
213 an east/west fashion.
214

215 Mr. Miller also stated that on November 20, 2015, staff mailed 21 notices to property owners and
216 residents within 500-feet of the subject property and also emailed notices to the Lakeside Village
217 and Turtle Cove Homeowner's Associations. Additionally, staff posted a sign at the northwest
218 corner of the intersection of La Jolla Pointe Drive and Ridge Road and advertised the public
219 hearings in the Rockwall Harold Banner. Staff has received three responses in opposition to the
220 applicant's request.
221

222 Mr. Miller advised the Commission the recommendations were provided in their packets, and that
223 applicants and staff are available for questions.
224

225 Chairman Renfro asked for questions of Commission for staff.
226

227 Commissioner Trowbridge asked the intent of the Scenic Overlay. Mr. Miller stated when it
228 originally was drafted in the early 80's, it included requirements that were intended to preserve
229 the scenic nature of Ridge Road and the intent of the SUP was to ensure that bay doors from
230 uses like gas stations with auto mechanics and car washes would not be visible from the
231 roadway. The Scenic Overlay does have additional requirements in addition to the zoning, and
232 the zoning in this case is commercial.
233

234 Commissioner Logan asked for clarification of the definition of commercial when it appears a
235 carwash is more industrial and most of the businesses along there are restaurants and doctors'
236 offices, are those generically considered commercial. Mr. Miller stated there are certain zoning
237 districts throughout the City that allow different uses and those uses are typically allowed in
238 several district. A carwash is allowed in a commercial district as well as a light industrial district,
239 it is a use, and the district itself is what drives whether or not it is allowed in a certain area.
240

241 Chairman Renfro asked a question concerning protection of the Scenic Overlay. Is the intent to
242 preserve the image of Ridge Road, and would this request be in contradiction of the original
243 intent of the Scenic Overlay. Mr. Miller stated it is not a contradiction but a discretionary item. It
244 is taking a use that is allowed in a commercial district and is giving the Commission the
245 discretion to review it on a case by case basis, and send a recommendation of approve or deny
246 forward to the City Council.
247

248 Chairman Renfro asked what the purpose is of having a Scenic Overlay District. Mr. Miller stated
249 the Scenic Overlay District is to set a development tone for the area, typically within an Overlay

250 District what is dealt with is building materials, and landscaping standards, and generally have
251 more stringent standards. In this case, the Planning and Zoning Commission is being allowed to
252 have discretionary oversight on certain land uses that are specified within this district.
253

254 Commissioner Trowbridge had question of location, and if the subject area is one, if not the last,
255 corner of vacant land coming up form I30. Mr. Miller stated Ridge Road is one of the older
256 districts and has mainly been developed.
257

258 Chairman Renfro opened up the public hearing and asked the applicant to come forth and speak.
259

260 John James
261 2283 Lafayette Landing
262 Heath, TX
263

264 Mr. James came forward and explained that essentially this is a newer type of carwash that has a
265 self- driven tunnel and a very modern and appealing look from Ridge. The entrance faces La
266 Jolla because of the way the land is oriented, and the only way the carwash could be built is to
267 have it at an east/west direction. The cars will enter facing Ridge and exit on the opposite side.
268

269 Chairman Renfro asked if there was any example of what the car wash look would like, and what
270 architectural look it would have. Mr. Miller stated at this time the only thing that is being looked
271 at is the use.
272

273 Chairman McCutcheon had question of why the applicant is looking at this area because of the
274 variance request. Mr. James stated he looked at areas that would be convenient for people.
275

276 Mr. James provided a power point of proposal.
277

278 Commissioner Trowbridge had concern that the location would be one of few lots left in this area
279 and although he likes the idea, is concerned of how it will blend in with adjoining properties. Mr.
280 James stated it will have modern look and feels it will add to the area.
281

282 Commissioner Lyons asked if there was a picture available for what it would look like from Ridge
283 Road. Mr. James stated the exit and entrance will look very similar. Commissioner Lyons stated
284 concern of location fitting the existing buildings.
285

286 Chairman Renfro opened up the public hearing and asked for anyone wanting to speak to come
287 forward.
288

289 Richard Brooks
290 (No address given)
291

292 Mr. Brooks came forth and stated he is a doctor in the office next door and does not want a car
293 wash to be allowed. He is opposed because he feels this request does not fit the look of
294 Rockwall. He also expressed concern that it will be located on the side of the wing of his
295 building that sleeps three to four patients, and the added traffic and noise will interfere with his
296 practice. He feels the Overlay District should maintain the integrity of when he moved into his
297 building twenty two years ago.
298

299 Derrick Anderson
300 218 Cullins Rd.
301 Rockwall, TX
302

303 Mr. Anderson stated he feels the oppositions to the case are unfounded because there is a gas
304 station on the corner of Ridge Rd and IH30. He generally expressed he is in favor if it is done
305 properly and feels it would blend well at the location and there is a need for a car wash especially
306 in this area.
307

308 Chairman Renfro closed the public hearing and asked the applicant to come forth for rebuttal.
309 Mr. James stated there will be no activity in the evenings. He also stated there should not be an
310 issue with parking due to vehicles not being there longer than ten minutes.
311

312 Commissioner Trowbridge asked the applicant how much lower the site would be from Ridge
313 Road as you drive by. Mr. James stated it should be leveled out and will be about a 40-50 percent
314 drop.

315
316 Commissioner Logan asked if there would be a retaining wall due to drop. Mr. Miller stated at this
317 phase in the process no site plan is required at this time.

318
319 Commissioner McCutcheon stated concern of how it will look due to orientation of the building.
320 He expressed concern of it being next to a medical building and the entrance being in front of
321 Ridge Road and feels it will add traffic.

322
323 Chairman Renfro closed the public hearing and made motion to deny the request. Commissioner
324 Jusko seconded the motion, which passed by a vote of 6-1, with Commissioner Lyons
325 dissenting.

326
327
328 6. Z2015-032

329 Hold a public hearing to discuss and consider a request by Lloyd Waldrop of Rockwall Gold & Silver on
330 behalf of the owner Donna Pritchard for the approval of an renewal of Specific Use Permit (SUP) No. S-
331 115 (*Ordinance No. 13-46*) allowing a pawn shop on a portion of a 0.423-acre parcel of land identified
332 as Lot 1, Block 1 of the Garland Federal Savings & Loan Addition, City of Rockwall, Rockwall County,
333 Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District,
334 address as Suite 1 of 1901 S. Goliad Street, and take any action necessary.

335
336 Senior Planner, David Gonzales, gave brief explanation of request stating the applicant, Lloyd
337 Waldrop of Rockwall Gold & Silver, is requesting to renew their existing Specific Use Permit
338 which was originally granted two years ago, in order to continue the operation of his pawnshop.
339 The applicant is requesting the SUP for a period of five years and allowing for the SUP to be
340 extended rather than expire every five years. What the applicant is requesting at this time is to
341 allow for the SUP to continue after a five year period, at which point it would be examined by the
342 Planning and Zoning Commission as well as City Council. The current ordinance has not
343 changed, but only the language is being added to indicate if item is approved, that applicant
344 would have to come before Council ninety days prior to the expiration date to see if Council
345 warrants the request to extend the SUP.

346
347 Mr. Gonzales, added that the applicant's current site plan indicating the boundary of the
348 proposed Pawnshop has not changed and has been resubmitted, a letter from the property
349 owner granting permission to allow for the renewal of the Pawnshop, and a letter from the
350 applicant requesting approval of the SUP for your review and consideration.

351
352 Mr. Gonzales further advised that staff mailed thirty-four notices to property owners within 500
353 feet of the subject property and posted a sign on the property. Staff had received one notice in
354 "opposition" to the zoning change and one in "favor" but cannot count that one due to it having
355 no name or address.

356
357 Mr. Gonzales went on to explain that this is a discretionary approval request and should it be
358 forwarded to City Council with an approval, staff does have recommendations for consideration.

359
360 Chairman Renfro asked for clarification of renewal from a one year renewal to a five year does it
361 remove the enforceability of the SUP. Mr. Gonzales explained that the SUP is enforceable at any
362 time, should any violation occur that goes against the SUP. Mr. Gonzales went on to explain that
363 most of the SUP's do not expire, however, since this was the first Pawnshop coming into this
364 area that required an SUP, Council wanted to re-evaluate it after the two year period, which is
365 essentially what is being done at this time.

366
367 Chairman Trowbridge asked for specific clarification from current ordinance to what is being
368 proposed. Mr. Gonzales stated that the current SUP S115 Ordinance 13-46, has expired and no
369 longer exists. This process is for a new ordinance and the only thing that is being changed in
370 that ordinance is the language that will allow for an extension after a five year period as per the
371 applicants request. Since this is a discretionary act, if the Commission so chooses it can make
372 recommendation for it to be every two, five or ten year, it is discretionary to the Commission.
373 The applicant is requesting every five year with the ability for it to automatically renew, where he
374 comes before Council as opposed to going through a public hearing process, however

375 enforceability is still intact.

376
377 Chairman Renfro asked applicant to come forth and speak.

378
379
380 Lloyd Waldrop
381 3021 Lakeside Dr.
382 Rockwall, TX
383

384 Mr. Waldrop came forth and stated at the time the SUP was granted two years ago he was not
385 aware it would be necessary to go through the public hearing process through Planning and
386 Zoning again, but just to City Council. He met with Mayor Pruitt prior to the meeting and stated
387 he was told to ask for a five year extension therefore that is how the five year extension request
388 came about. Mr. Waldrop also spoke of compliments he has received from the community of his
389 pawnshop being unlike the typical pawnshop and that is something he strives to maintain. He
390 stated he understands the terms of the SUP and will not allow any outside storage, anything that
391 will deteriorate the look of the business.
392

393 Chairman Renfro asked for questions for applicants from the Commission.

394
395 Commissioner McCutcheon asked if there was any plan to increase the square footage of the
396 building. Mr. Waldrop stated he has been leasing that building so long he does not foresee any
397 addition to it at this time.
398

399 Commissioner McCutcheon also asked what percentage of the business are gun sales. Mr.
400 Waldrop stated it is about five to ten percent of sales currently.
401

402 Commissioner McCutcheon asked how he felt about asking for a three year extension instead of
403 five. Mr. Waldrop stated he preferred to have it set at a five year period. Commissioner
404 McCutcheon asked staff should they recommend a three year, could that still allow for Council
405 to approve the five year extension. Mr. Gonzales clarified that Commission is only forwarding a
406 recommendation but the decision will fall onto Council.
407

408 Commissioner Fishman asked if there was any plan to change anything on the exterior, to add
409 any type of signage. Mr. Waldrop stated he doesn't plan on adding/changing signage but does
410 plan to continue to add landscaping and stone to make it look nicer.
411

412 Chairman Renfro opened up the public hearing and asked anyone to come forth and speak.

413
414 Clint Olden
415 216 Lakeview Dr.
416 Rockwall, TX
417

418 Mr. Olden came forward and stated he is a longtime friend of Mr. Waldrop and appreciates what
419 he has given back to the community. He stated he believes approving it for the long term is in
420 the best interest of Rockwall.
421

422 John Taylor
423 598 Deverson Dr.
424 Rockwall, TX
425

426 Mr. Taylor came forth and stated he owns a business similar to Mr. Waldrop's, Taylor Loan
427 Silver Exchange, and considered a Pawnshop himself some time back, but when looking
428 through the regulations for a Pawnshop, it has to be light industrial zoning. His concern is even
429 though it looks like he is on a retail space how is it allowed for him to run a pawnshop when it is
430 not zoned for such.

431 Mr. Gonzales stated that essentially with a pawnshop the State Code states you cannot regulate
432 a pawnshop out of a City, but must put them in particular zone. Rockwall by right allows a
433 pawnshop to run out of light industrial zone, however, it is also allowed with a Specific Use
434 Permit in to be in a Commercial District. Mr. Gonzales further explained Mr. Taylor could also
435 request a Specific Use Permit within the Commercial District where his business resides,
436 although it would be necessary to check with the Texas pawnshop act to verify what distances

437 and such are required.

438
439 Chairman Renfro closed the public hearing and brought the item back to the Commission for
440 discussion.

441
442 Commissioner Trowbridge asked for clarification of the second five year extension that is being
443 requested without having to go through the zoning process. Mr. Miller explained that it is not
444 unusual for reviews to be put on Specific Use Permit's; it is giving Council the right to review
445 the SUP after a certain amount of time to ensure there are no issues. If any issues are brought
446 up, Council would then direct staff to bring that case back forward through the zoning process.
447 Essentially the breakdown would be for a review by City Council at five years, and at their
448 discretion add at that point how many years they feel fit after that, given that there are no
449 infractions to the SUP prior to it coming forward for review.

450
451 General discussion took place concerning five year extension versus a three year extension.
452

453 Commissioner Fishman expressed the Commission is essentially simply providing
454 administrative ease for Mr. Waldrop, if there were to be any type of violation, or anything that is
455 deemed it necessary for the Commission to step in, then it would be addressed prior to the five
456 year mark. Ms. Fishman expressed that applicant has proven himself throughout the initial first
457 two years, and feels she is for approving the five year extension.

458
459 Commissioner Trowbridge made motion to approve the item with staff recommendations.
460 Commissioner McCutcheon seconded the motion, which passed by a vote of 7-0.

461
462 Chairman Renfro called a five minute recess at 7:50 p.m.

463
464 Chairman Renfro called the meeting back to order at 7:56 p.m.

465
466 7. Z2015-033
467 Hold a public hearing to discuss and consider a request by Stephen B. North for the approval of a
468 Specific Use Permit (SUP) for an accessory building not meeting the standards stipulated by the Unified
469 Development Code on a 0.23-acre parcel of land identified as Lot 14, Block F, Harlan Park Addition,
470 Phase 1, City of Rockwall, Rockwall County, Texas, zoned Single Family 10 (SF-10) District, situated
471 within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 513 Windsor Way, and take
472 any action necessary.
473

474 Senior Planner, David Gonzales, gave explanation of request, stating that the applicant, Mr.
475 North, is requesting a Specific Use Permit for an accessory building that will be placed in his
476 back yard but exceeds the size requirements and does not meet the exterior cladding standards
477 of the Single-Family 10 Residential District. Under the standards of the Unified Development
478 Code, the accessory building shall be accessory to a residential use and located on the same lot.
479 By right, in the SF-10 district, no more than two accessory buildings shall be allowed which are
480 up to 225 sq. ft. in area and 15 ft. or less in height, provided the exterior cladding contains only
481 materials found on the main structure. Accessory buildings not meeting these standards require
482 approval of an SUP.

483
484 Mr. Gonzales added that the proposed accessory building will be an 18' X 16' structure with its
485 exterior comprised of Hardy Board Siding with a composition roof and shingles that match the
486 primary structure. The accessory building will be used for storage purposes. Mr. North has
487 provided a color prospective that indicates a porch overhang. The accessory building will have
488 an overall height of 11-ft 8-in. and does not exceed the height standard of 15-ft. established in the
489 UDC.

490
491 Mr. Gonzales added that staff mailed seventy-two notices to property owners within 500 feet of
492 the subject property and posted a sign on the property. Also, staff received two notices "in favor
493 of" and one notice "opposed to" the zoning change requested.

494
495 Mr. Gonzales advised the Commission the recommendations were provided in their packets, and
496 that applicants and staff are available for questions.
497

498 Chairman Renfro asked applicant to come forth and speak.
499

500 Steven North
501 513 Windsor Way
502 Rockwall, TX
503

504 Mr. North came forward and gave brief explanation of request stating that it will be a 16'x14' 224
505 square feet building with a small 4' porch that his wife desires to have strictly for aesthetic
506 reasons. This small four foot porch will allow his wife to add some decorative plants out front.
507 It will be made of hardy board siding, will be set on a permanent slab and it will not interfere with
508 any utility easements. Mr. North added that he believes the notice received in opposition is more
509 of a misunderstanding from one of the neighbors believing it would be an accessory building
510 where a business would be run out of it. He stated once the neighbors understood it was only a
511 storage building they were fine with the request.
512

513 Chairman Renfro asked what the intent of the building would be. Mr. North stated plainly put it is
514 to store his wife's year out decorations that have outgrown storage in his attic.
515

516 Commissioner Trowbridge asked if there is a fence around the yard. Mr. North stated it will be
517 behind a 7' fence.
518

519 Commissioner Lyons asked if the roof would match the home. Mr. North stated it would be
520 composition roof the same as the home.
521

522 Chairman Renfro opened the public hearing and asked if anyone wished to speak to come
523 forward.
524

525 John Caramanica
526 503 Windsor Way
527 Rockwall, TX
528

529 Mr. Caramanica came forward and stated he has lived in his home for twenty-five years and his
530 initial concern when notice was received that the purpose of the building was going to be for
531 running a business out of it. Once that was clarified that it was for storage purposes only, he is
532 not opposed to it.
533

534 Curtis Stovall
535 7130 O'Connell
536 Rockwall, TX
537

538 Mr. Stovall came forward and stated initially he was opposed because he thought it was meant
539 to run a business, but now that it has been clarified he is now in favor.
540

541 Chairman Renfro closed the public hearing and brought it back to the Commission for
542 discussion.
543

544 Commissioner Lyons made motion to pass the item with staff recommendations. Commissioner
545 McCutcheon seconded the motion, which passed by a vote of 7-0.
546

547 8. Z2015-034

548 Hold a public hearing to discuss and consider a request by Pat Atkins of Saddle Star Land
549 Development Inc. on behalf of the owner Randa Hance of R&R Hance Investment LP for the approval
550 of a zoning change from an Agricultural (AG) District to a Planned Development District for Single
551 Family 8.4 (SF-8.4) District land uses for a 45.318-acre tract of land identified as Tract 2-03 of the P. B.
552 Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG)
553 District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side
554 of John King Boulevard south of FM-552, and take any action necessary.
555

556 Planning Director, Ryan Miller, gave explanation of case stating the applicant has submitted an
557 application requesting to rezone a 45.318-acre tract of land from an Agricultural District to a
558 Planned Development District. This is currently adjacent to our city limits, on the north and east
559 side of the subject property with the remaining of the east side adjacent to Planned Development

560 District 77, which was the Gideon tract. This property also fronts onto John King Blvd. between
561 Featherstone and Quail Run and is currently zoned AG and was annexed into the city in March of
562 1998.

563
564 Mr. Miller further explained that the applicant is requesting to build 113 single family homes on
565 this property, which is a residential density of 2.49 units per acre; however the applicants overall
566 plan is to entitle this particular piece of property and will have two options for the two properties
567 north of subject property that are currently in the ETJ. The applicants plan is to receive
568 entitlement here, and if approved, bring those two properties in for voluntary annexation and
569 extend the zoning to cover those two properties for a much larger subdivision. Applicant is also
570 wrapping case Z2015-035 with this case and creating a larger subdivision and would be Phase I
571 and II, for which the applicant will further explain when called forward.

572
573 Mr. Miller added that the current request is for 113, 70' x 125' single family lots and incorporated
574 within the development will be 6.73-acres of open space, which includes a 3.64-acre
575 neighborhood park. In addition, the applicant is proposing to incorporate a ten foot walking trail
576 and trail rest area along John King Boulevard and is similar to what was done in the Breezy Hill
577 Subdivision along John King Blvd. and will also be adjacent to Rockwall Downes and is in
578 conformance with the John King Boulevard Design Concept Plan contained in the
579 Comprehensive Plan.

580
581 Mr. Miller further stated that these lots will be front entry product that won't be alley fed, currently
582 there is an alley requirement; however many of the Planned Development Districts that have
583 come into the City have requested a waiver to the alley requirement. Applicant is meeting the
584 front entry requirement in terms of jay-swing drives and will also have a front entry product
585 where the garage will be set twenty feet behind the front facade which meets the Unified
586 Development Code.

587
588 Mr. Miller also noted when looking at the Comprehensive Plan, when staff saw original plan,
589 several recommendations were made to the applicant of changes that could be made to bring the
590 plan into better conformance with the Comprehensive Plan. The first recommendation was that
591 he incorporate a Boulevard which he had done, it was also recommended that he provide more
592 connectivity by removing some of the cul-de-sacs which he also has changed. It was also
593 recommended that he front more homes onto the open space areas which he has created a 3.6
594 acre park to be a linear park adjacent to the boulevard and is fronting several of the homes onto
595 that which creates a more desirable product that holds value longer according to the
596 Comprehensive Plan.

597
598 Mr. Miller went on to explain that the Future Land Use Map, contained within the Comprehensive
599 Plan, designates the subject property for Low Density Residential land uses. According to the
600 Comprehensive Plan, low density residential is defined as less than two units per acre; however,
601 a density up to two and one-half units per gross acre may be allowed within a residential Planned
602 Development District that includes the dedication and/or development of additional amenities
603 exceeding the minimum standards for residential Planned Developments. The additional
604 amenities can be Parks and Open Space, Golf Course, Neighborhood Amenity/Recreation Center,
605 Integration of Schools into the Community Fabric, Development of Trails and Parks in
606 Floodplains, and the Development of Municipal Parks and Recreation Facilities. Additionally, the
607 Planned Development District standards contained within the Unified Development Code require
608 a minimum of 20% of the gross land area be dedicated to open space. In this case, the concept
609 plan depicts a residential density of 2.49 units per acre, which is less than the maximum 2.5 units
610 per acre permitted by the Low Density Residential land use designation; however, the concept
611 plan is only showing a provision of 6.73-acres of open space. Staff has calculated that the
612 concept plan would need additional 2.33-acres to satisfy the minimum requirements.

613
614 The applicant has indicated that once the two northern tracts are brought into the City, and
615 brought into this concept plan, it will meet the 20% open space; however today that doesn't meet
616 that request. Mr. Miller added again that applicant is adding additional amenity by providing the
617 City the ten foot walking trail along John King Blvd. which is a guideline not a requirement.
618 However even though request does meet the majority of the Comprehensive Plan requirements it
619 doesn't meet the open space requirements and that will be a discretionary call for both the

620 Planning and Zoning Commission as well as City Council with regard to the amount of open
621 space being provided as well as the density being proposed.
622

623 Mr. Miller also added that on November 20, 2015, staff mailed three notices to property owners
624 and residents within 500-feet of the subject property. Staff also emailed notices to the Stoney
625 Hollow and Stone Creek Homeowner's Associations, which are the only HOA's located within
626 1,500 feet of the subject property. Also, staff posted a sign along John King Boulevard, and
627 advertised the public hearings in the Rockwall Harold Banner. No notices were received back in
628 favor or in opposition.
629

630 Mr. Miller stated both himself and applicant were available for questions.
631

632 Chairman Renfro asked Commission for questions for staff.
633

634 Commissioner Lyons asked if the open space requirement is 20% if they are at 2.5 acres per
635 unit. Mr. Miller stated it is 20% period, with relation to Planned Development Districts. The Comp
636 Plan as well as the PD Ordinance standards both state that 20% of open space should be
637 provided in Developments. Commissioner Lyons asked that if in this development in question it
638 is only at 13%, is what developer proposing is to make up for that with the northern
639 development with extra open space. Mr. Miller stated that is correct, the applicant's original plan
640 would be that with the northern properties it would meet the requirement, but at this time those
641 are not being considered.
642

643 Chairman Renfro asked Ms. Amy Williams, with the Engineering Department concerning
644 drainage in this area. Ms. Williams stated drainage is okay although they will be required to
645 detain as there is mandatory detention in that basin. There will be a detention system somewhere
646 in that subdivision, preferably in the open area. Ms. Williams added that it is a dry detention
647 system, and there will not be any impoundment of water, but there will be a pond somewhere on
648 that site, but will likely be a depression on the ground that will be hardly seen that can be used as
649 an amenity if needed.
650

651 Chairman Renfro asked if 70's was common for this area. Mr. Miller stated the adjacent
652 subdivision was a combination of 80's and 100's which was the Gideon property that was directly
653 east of that and that was at the beginning of 2015 when that case heard. Chairman Renfro asked
654 if this area was being converted to smaller frontage. Mr. Miller stated applicant is proposing to
655 bring forward a planned development that shows 70's and a density of 2.49 units per acre and
656 low density per the Comp Plan is 2 and a half units with increased amenity.
657

658 Chairman Renfro asked applicant to come forth and speak.
659

660 Pat Atkins
661 Saddle Star Development
662 3076 Hays Lane
663 Rockwall, TX
664

665 Mr. Atkins came forward and gave slide show presentation of request which included an aerial of
666 area that Mr. Atkins stated would give a dynamic of what is happening in the northern quadrant
667 and will allow a visual of his proposal.
668

669
670
671 Mr. Atkins explained the first phase will involve the 45 acre tract, additional land to the north will
672 be brought in along with future rights for purchasing the property to the south for future
673 residential of the Hances property. Mr. Atkins also provided a PowerPoint that depicted what the
674 proposal involved that went along with Mr. Miller's explanation of proposal.
675

676 Mr. Chairman asked Commission for questions for applicant and staff.

677

678 Commissioner Trowbridge asked if 14% was the park area, how many lots would be required to
679 not be developed to meet the 20% open space requirement. Mr. Miller stated it would be two
680 acres worth about 8400 for each lot. Mr. Atkins added that the next step coming forward would be
681 once the process of this piece that is within the city limit is a continuation to the north and will
682 have utilization of the existing pond in that area and the open area with the club house facility
683 with the pool which will be a good open space use.

684

685 Commissioner Jusko asked if there will be a water fountain on the trail. Mr. Atkins stated there
686 would be.

687

688 Commissioner Logan asked if the north piece is annexed and if it is sold by Mrs. Hance only at
689 that time can the requirements of open space of the south property can be met, what is the plan
690 to move forward if that were not to take place. Mr. Atkins stated they do have control of that
691 property and if this proposal does not move forward in the manner they feel it should and this
692 request which they feel is consistent and reasonable, the property to the north will not be
693 annexed.

694

695 Mr. Atkins added that the key with the open space, with the direction of staff which is an
696 important guideline, is to make it usable and visible and is not confined. What they are doing in
697 this plan is to utilize areas where everyone has access and is not confined or controlled, it might
698 not equal 20% some of the time but as they continue to expand toward the north, which is the
699 next step, with the utilization of that open space, that requirement will be met.

700

701 Commissioner Lyons asked if applicant has ownership of property of the north currently why it is
702 not on tonight's agenda. Mr. Atkins stated it is an annexation and timing issue.

703 Mr. Miller clarified that Mr. Atkins does not want to annex the property unless he receives the
704 entitlement on subject property. Once it is annexed it is his intent to annex his property, zoning
705 cannot be done on property outside of the city limits.

706

707 Commissioner Trowbridge asked what original proposal was. Mr. Miller stated his original
708 concept plan included property that is currently not part of the city limits so he has had to make
709 this property work independently, but his concept plan will be modified once property to the
710 north is brought in.

711

712 Chairman Renfro had concern of being exposed due to the 20% open space requirement not
713 being met. Mr. Miller offered what can be done is for Commission to ask Mr. Atkins to modify the
714 concept plan to show 20% open space or make that a recommendation to City Council that he
715 provide 20% open space on this, with the understanding that they could amend that once
716 property to the north is brought in.

717

718 Chairman Renfro stated he was looking for commitment open space requirement would be met
719 on subject property should annexation of the north not happen. Mr. Atkins added that was fair
720 request as he does not plan to annex his north property should proposal not be approved.

721

722 Mr. Miller added recommendation should then be that the applicant meet the 20% open space and
723 applicant provide an updated concept plan showing conformance to the Planning and Zoning
724 Commission's recommendations, if applicant so chooses.

725

726

727

728 Chairman Renfro asked staff what their thoughts concerning recommendations should be. Mr.
729 Miller advised Commission there were two possible options if they want the 20% open space
730 requirement met, one would be to make a recommendation to City Council as part of a
731 recommendation to approve if he meets the 20% open space requirement, or option two, ask
732 applicant to modify the concept plan and continue the public hearing and bring it back to the

733 Commission on the following schedule meeting to be approved in that manner. If applicant
734 wishes to do that, otherwise Commission can move the recommendation forward.

735
736 General discussion took place concerning how to move forward with not meeting the open space
737 requirement with this request and it meeting the requirement with the annexed property.

738
739 Chairman Renfro opened the public hearing and asked if anyone wished to speak to come
740 forward, there being no one indicating such Chairman Renfro closed the public hearing and
741 brought item back to Commission for discussion.

742
743 Commissioner Lyons made a motion to approve the item with staff recommendations and on the
744 account that Pat Atkins with Saddle Star Development will meet 20% open space as
745 recommendation to City Council. Commissioner Jusko seconded the motion, which passed by a
746 vote of 7-0.

747
748
749 9. Z2015-035

750 Hold a public hearing to discuss and consider a request by Pat Atkins of Saddle Star Land
751 Development Inc. on behalf of the owner Larry Hance for the approval of a zoning change from an
752 Agricultural (AG) District to a Planned Development District for Single Family 8.4 (SF-8.4) District land
753 uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City
754 of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-
755 Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King
756 Boulevard, and take any action necessary.

757
758 Senior Planner, David Gonzales, stated Mr. Miller had outlined most of the information that
759 pertains to the south of this property, there are a lot of similarities in the ordinance that this item
760 lays out similar to those of the south side, but stated he wanted to point out the differences
761 between this development and what is happening in the South. The subject property, which was
762 annexed into the City on February 4, 2008, is located at the northwest corner of John King
763 Boulevard, north of FM 552 and is currently vacant land, zoned Agricultural District. This
764 development is different than the development to the south where this one it is the intent of the
765 development to provide 109 single-family residential lots that are to be a minimum of 10,000 sq.
766 ft.in areas; however, the development does not include a neighborhood park, rather a trail
767 system meanders through the floodplain area and is to be the developments primary amenity.
768 The applicant has stated that the neighborhood park to be located within the South Saddle Star
769 Estates Addition will be available to this development.

770
771 Mr. Gonzales added that the biggest difference between the south property and subject property
772 is that the concept plan shows the inclusion of 5.61-acres of net open space, the majority of
773 which is situated within a 100-year floodplain, which transects the property from the north to the
774 south. Additionally, the applicant has also agreed to provide a corner enhancement that will
775 incorporate a seat wall and additional landscaping at the corner of the intersection of John King
776 Boulevard and FM-552. Also, these have been included as development requirements within the
777 Planned Development District Ordinance. In addition, the applicant has also indicated that a
778 minimum of a 50-foot landscape buffer will be provided along John King Blvd, and a minimum of
779 a ten foot meandering sidewalk will be constructed within this landscape buffer.

780
781
782 Mr. Gonzales further stated that as far as amenities on subject property generally within a PD
783 they have to be within 800 feet and in this case there is a double amenity, applicant plans on
784 using the pool area that was shown in the south for this location, but as an additional amenity
785 not only is there the John King 50foot buffer where there will be a trail system installed, he will
786 also have a trail system by the floodplain and that would become an additional amenity for this
787 property.

788
789 Mr. Gonzales went on to explain that according to the Future Land Use Map contained within the
790 Comprehensive Plan designates the subject property as *Medium Density Residential* land uses.
791 According to the Comprehensive Plan, the Medium Density Residential designation is generally
792 defined as single family development consisting of 2 to 3 units per acre, but generally about 3
793 units per acre. In this case, the applicant is proposing a density of 2.446 units per gross acre,

794 which is consistent with the Medium Density Residential designation and therefore is in
795 conformance with the Comprehensive Plan and the Future Land Use Map designation. The
796 proposed zoning does appear to conform to the majority of the Comprehensive Plan's policies
797 and guidelines with the exception of the proposed open space requirement. The applicant is
798 proposing a total 5.61 acres of open space which is primarily flood plain. It should be noted that
799 if the floodplain were calculated at 100%, as opposed to 50%, the development would meet the
800 minimum 20% requirement. With this being said, the proposed open space standard is a
801 discretionary decision for the City Council.
802

803 Mr. Gonzales added that on November 20, 2015, staff mailed twenty-four notices to property
804 owners and residents within 500-feet of the subject property and also emailed notices to the
805 Stoney Hollow and Stone Creek Homeowner's Associations, which are the only HOA's located
806 within 1,500 feet of the subject property. Additionally, staff posted a sign at the corner of John
807 King Boulevard and FM552 and advertised the public hearings in the Rockwall Harold Banner.
808 No responses were received by staff.
809

810 Chairman Renfro asked Commission for questions for staff.
811

812 Chairman Renfro asked engineering staff member Amy Williams if there were any drainage
813 concerns. Ms. Williams stated the floodplain has not been studied therefore a flood study will be
814 required to be done and per the city ordinance it is not allowed to increase the water surface or
815 the flow off of their property. They are not required to detain, but if the flood study shows it they
816 will be required to detain, and they cannot detain in the floodplain.
817

818 Chairman Renfro asked applicant to come forward.
819

820 Pat Atkins
821 2076 Hays Lane
822 Rockwall, TX
823

824 Mr. Atkins came forward and presented slide show as well as power point detailing the
825 proposal.
826

827 Chairman Renfro had concern as to how drainage would be handled from Ms. Williams's
828 concern with water detention if flood study shows it needs to be detained.

829 Mr. Atkins stated the creek will be studied in detail, as it has only been studied up to FM552,
830 there is floodplain designation and a detailed study will be provided that will show the specifics.
831

832 Commissioner Logan asked for clarification of floodplain being assessed at fifty percent open
833 space because it is not usable as park like space and cannot be modified, other than the trails
834 that are shown, therefore the 12% is what is accurate number of open space. Mr. Gonzales
835 stated that was correct.
836

837 Mr. Atkins added that he has met with the homeowners to the west, and a commitment was
838 made that for the western quadrant where those lots are located to make them 3200 foot
839 minimum, and has agreed to make that modification to the ordinance.
840

841 Commissioner McCutcheon had concerns of dead ends within the neighborhood and asked for
842 the fire department's thoughts on that. Fire Marshal, Ariana Hargrove, stated the developer has
843 already agreed to fire sprinkle these homes.
844

845 Chairman Renfro opened the public hearing and asked for anyone wishing to speak to come
846 forward.
847

848 Caroline Nuytten
849 304 Wooded Trail
850 Rockwall, TX
851

852 Ms. Newton came forward and stated her and her husband live on the western side of Hidden
853 Valley, the fifth lot. She has met with Mr. Atkins and feels he has been very nice to them and has
854 discussed the proposed development. She stated she appreciates the larger lots on the back of
855 the property, but also wants the transition lots along Hidden Valley to be larger because their
lots are between two and half and five acres, and if they do not they will end up with two or three

856 houses in their backyard which they have not had since moving into their home in 1987. She
857 feels this would be a big change for them; they are willing to accept change but would like a
858 transition area. Also the floodplain concerns her and wants to make sure that it be studied; she
859 recalled when the middle school was added there was an issue with erosion. Additional homes
860 will create additional runoff will be cause issue with current homeowners. She also stated she
861 was concerned with the additional traffic this proposal will generate.

862
863 **Jonas Adams**
864 **303 Woodbridge Trail**
865 **Rockwall, TX**
866

867 Mr. Adams came forward and stated his concern was also with the floodplain for his neighbors
868 down by the ravine as well as with the additional traffic this will create. He stated they are on a
869 blind hill and with no current plans for that road to be widened he feels it will be a safety hazard
870 to have more traffic coming up that hill. Mr. Adams also voiced concerns with the size of the lots
871 and would like to see transition lots. He also stated he is appreciative of the developer taking
872 the time to meet with them and listening to their concerns.

873
874 Chairman Renfro asked applicant to come forward for rebuttal.

875
876 Mr. Atkins came forward and stated he understands the concern with homeowners that have
877 been in the area for many years wanting larger lots, he has agreed to make the larger lots on the
878 west side, but as far as transition size it would not be economically feasible.

879
880 Chairman Renfro asked what the amenities would consist of. Mr. Atkins stated as part of the
881 master association the amenities will consist of the amenities center, pool and open space
882 would be located in the center property with those living in the north and south area having
883 access and permission to utilize it. It will be accessible by pedestrians from the north and south
884 portions as well. Mr. Atkins clarified that the creek that runs through will be accompanied by an
885 adjacent trail, and appropriate fencing will be worked out along the creek as well.

886
887 Chairman Renfro asked engineering staff member Amy Williams if there was a concern of traffic
888 flow from an engineering stand point. Ms. Williams stated they will have to do a TIA for FM552
889 per TXDOT requirements, there shouldn't be a problem with John King Blvd. FM552 will be going
890 up in size to a four lane divided roadway and that is the reason for the 79 feet extra right-a-way
891 that they gave in the front end and that will be a divided highway, and that may be an issue in
892 the future. Mr. Atkins added they will line up and follow what the State tells them to do on future
893 intersections as they come into FM552.

894
895 Chairman Renfro added he understood the original intent of the city as it pertains to the John
896 King bypass was to divert the commercial traffic around the downtown, but since that never
897 took place and homes are now being built there, his concern is not so much on John King but
898 rather on the other roadways and highways and the burden that will be put on there. Chairman
899 Renfro asked staff to discuss time frame involved with roadways being built.

900 Mr. Miller stated tonight the Master Thoroughfare Plan was looked at, and the County has been
901 looking at theirs, and those are based on future land use designations, and that is how it is
902 looked at how the city is going to need at built out, and that is what is driving staff's
903 recommendation to the Commission on the Master Thoroughfare Plan. Mr. Miller further
904 explained this property was taken into account for that and what TXDOT is telling staff is that
905 FM552 will be a four lane and that is what is needed to account for future development.
906 Essentially they are counting for this development in the future based on the City's Comp Plan
907 and based on the way the City projects the City to develop.

908
909 Chairman Renfro asked if there was a time frame. Engineering staff member, Amy Williams,
910 stated it is still being looked at, TXDOT has indicated it is being looked to move up into the next
911 five year bracket with the Proposition 7 that has recently come through, there is a chance it will
912 come faster than originally thought.

913
914 Commissioner Lyons asked distance between south and north developments. Mr. Atkins stated
915 once his property is annexed in, it is approximately a quarter of a mile.

916
917 Commissioner Logan had concern of the open space for the development in its entirety since
918 they are fairly low from the requirement. Mr. Atkins stated what he takes into consideration is

919 the usability and the use of the open space and not so much the exact 20% number. The intent
920 of the floodplain is to create plenty of trail systems and he feels that has been accomplished in
921 the revision of the plan that shows access to it.

922
923 Commissioner Logan asked staff what flexibility was provided to the developer as far as not
924 meeting the 20%, is there a range as to flexibility given. Mr. Gonzales stated that is strictly up to
925 the Commission and City Council to determine that, but will really be based on the property
926 itself and the viability of the property and what the developer can do as well.

927
928 Commissioner Lyons stated he would like to see something for this specific neighborhood such
929 as a small amenity center or a park.

930
931 Mr. Miller added that although a neighborhood park is required in every district that is eleven
932 acres, in this case Breezy Hills has provided the entire neighborhood park, therefore this
933 property would have to pay cash in lieu of land and equipment fees to the Parks Department to
934 contribute towards the land that was acquired for that park and also equipment for that park.

935
936 Commissioner McCutcheon stated he feels this is a vast improvement from previous proposals
937 and feels the lack of a park or amenity center should not be a concern in approval.

938
939 Chairman Renfro closed the public hearing and brought the item back to the Commission for
940 discussion.

941
942 General discussion took place concerning requirement of open space and amenities.

943
944 Commissioner Lyons made motion to approve the item with staff recommendations and on
945 account of an addition of 20 percent of open space as recommendation to City Council.
946 Commissioner Jusko seconded the motion, which passed by a vote of 7-0.

947
948
949 V. ACTION ITEMS
950

951 10. SP2015-018
952 Discuss and consider a request by Michael Liang of the Dimension Group on behalf of Jeffery Baird of
953 RaceTrac for the approval of an amended site plan for a retail store with gasoline sales on a 2.46-acre
954 parcel of land identified as Lots 1R & 2R of the Woods at Rockwall Addition, City of Rockwall, Rockwall
955 County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District,
956 located at the southeast corner of the intersection of Ridge Road and Yellow Jacket Lane, and take any
957 action necessary.

958
959 Senior Planner, David Gonzales, gave explanation of request stating Race track's site plan was
960 approved in December 2013 and they have come back because they are amending the elevations
961 to the property as well as the site plan itself that were previously approved. They are reducing
962 the size of the building and changing the elevations enough to where it was felt it needed to be
963 reviewed by ARB as well as Planning and Zoning.

964
965 Mr. Gonzales stated that on November 24, 2015, the Architectural Review Board did review the
966 proposed building elevations for the site. The board expressed concern with the roof elements
967 and the use of EIFS and Trex Board as secondary materials on the elevations presented. The
968 ARB recommended the applicant use a pitched roof element as was previously approved. The
969 ARB also recommended the applicant incorporate stucco rather than EIFS and Hardy Board
970 siding rather than the Trex Board, which would provide 100% masonry construction. The ARB
971 did also meet this evening and have approved the elevations as submitted.

972
973 Mr. Gonzalez added that the applicant is requesting a variance in the materials. The materials that
974 they are using are going to be Trex Board which is a composite material that will be used. The
975 variance is to allow for exceeding the 10% secondary materials requirement for the elevations as
976 combined the EIFS and Trex Board siding would exceed the 10% for secondary materials and
977 that is the reason for the variance request.

978
979 Mr. Gonzales advised the applicant is present and available for questions.
980

981 Jeffrey Baird
982 RaceTrack Petroleum
983 (No address given)
984

985 Mr. Baird came forward and stated they are requesting a variance for materials as at this time
986 they are at 14% for secondary materials. He has met with ARB and discussed the Trex Board
987 material that they are using and the closest material to the Trex Board would be Hardy Board.
988 The Hardy Board goes for about 50cents a foot whereas the Trex Board has a twenty-five year
989 lifetime guarantee, colorfast guarantee, will not wear or fade eco-friendly. Mr. Baird went on to
990 explain that advantages of Trex Board over Hardy Board. Mr. Baird added that behind all of the
991 TrexBoard will be brick, the TrexBoard will have gaps in-between and will allow brick to be seen
992 which will give it a shadow effect that will allow it to have that masonry effect.
993

994 Chairman Renfro asked for questions from Commission for the applicant.
995

996 Chairman Renfro asked what the cons of the Trex Board were. Mr. Baird stated the con would be
997 that it is very expensive.
998

999 Commissioner McCutcheon made motion to approve the item with staff recommendations
1000 including the variance. Commissioner Lyons seconded the motion which passed by a vote of 7-0.
1001

1002 11. SP2015-024

1003 Discuss and consider a request by Greg Gerbig of Pacheco Koch, LLC on behalf of the owner James
1004 Benton of Goliad Express, LLC for the approval of a site plan for a car wash on a 1.055-acre parcel of
1005 land identified as Lot 7 of the Rockwall Business Park East Addition, City of Rockwall, Rockwall County,
1006 Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District,
1007 addressed as 2360 S. Goliad Street, and take any action necessary.
1008

1009 Senior Planner, David Gonzales, gave explanation of item stating that the applicant is
1010 requesting approval of a Site Plan for the purpose of constructing a 4,878 sq. ft. Car Wash
1011 facility. The 1.055-acre parcel is zoned Commercial District, is within the SH-205 Overlay.
1012 The proposed *Car Wash* facility is a use permitted by right, with certain conditions for front
1013 setback and entrance and exits regarding the tunnel orientation. The site will incorporate a total
1014 of twenty-four parking spaces and have two points of access available from the adjacent
1015 properties by way of a 24-ft Fire lane and Public Access Easement.
1016

1017 The submitted site plan, building elevations, landscape plan, treescape plan, and photometric
1018 plan are in substantial compliance and conform to the technical requirements; however they did
1019 meet with ARB two weeks ago and reviewed the proposed building elevations for the site.
1020 General discussion concerning the agenda item took place between the Board Members and
1021 city staff. The board expressed concern with the lack of horizontal articulation for the east
1022 facing elevation. To address these concerns the board recommended that the applicant include
1023 horizontal projections and elements present on the west side of the building or to "flip" the
1024 building in order to meet the ordinance requirements.
1025

1026 Chairman Renfro asked applicant to come forward.
1027

1028 James Benton
1029 3005 Justin Rd.
1030 Flower Mound, TX
1031

1032 Mr. Benton came forward and stated he was available for questions.
1033

1034 Commissioner Trowbridge asked if he was aware there is a car wash in the vicinity of proposed
1035 site. Mr. Benton stated he has been in that car wash and there model is different than the full
1036 service model, it is an exterior model with an automated pay system.
1037

1038 Commissioner Jusko asked if the option for full service would be available. Mr. Benton stated
1039 there would not be an option for that.
1040

1041 Commissioner Logan asked where the vacuum area would be located. Mr. Benton stated they
1042 would be located under a canopy along the east side along an existing parking landscape buffer

and SH205 and it will be screened, and won't be visible from traffic.

Commissioner Lyons made motion to approve the item with staff recommendations. Commissioner Fishman seconded the motion, which passed by a vote of 7-0.

12. P2015-041

Discuss and consider a request by Tony Rangel of Rangel Land Surveying on behalf of the owner Shawn Valk of Platinum Storage, LLC for the approval of a replat for Lots 2 & 3, Block A, Platinum Storage Addition being a 5.549-acre parcel of land currently identified as Lot 1, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located east of Townsend Drive and north of SH-276, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of request stating that this case consists of a request to subdivide an existing 5.549-acre parcel of land into two parcels of land creating a 2.857-acre parcel and a 2.692-acre parcel. This originally came before the Commission under an SUP for Platinum Storage at that time they provided a zoning exhibit that showed the intent of subdividing the property at a future date into two different developments. Platinum Storage went through site plan and platted it as one property and since then the City has released the building permit. Since then they have also submitted this replat which shows the subdivision of the property. Typically replats that meet all the technical requirements would go through the consent agenda however in this case they are creating a lot that doesn't have frontage and according to Section 38-1 of Chapter 38, Subdivisions, of the Municipal Code of Ordinance. In this case, the replat is proposing to subdivide an existing parcel that meets the frontage requirements into two parcels of land; one of which will meet the frontage requirements and one of which will not meet the frontage requirements. By approving this replat the City Council will be granting a variance to the platting requirements. It should be noted that both the exhibit approved with the Specific Use Permit and the site plan depicted the proposed subdivision of the lots in the same manner as the replat.

Mr. Miller went on to explain that both parcels of land are currently accessible from a cross access easement that extends from T. L. Townsend Drive, through the subject properties, and through the Costco Wholesale Center's property to SH-276. This will remain unchanged if Lot 3 develops. Also the surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

Mr. Miller stated he is available for questions and the applicant is present and is available for questions as well.

Chairman Renfro asked staff if the site plan does meet all the requirements. Mr. Miller stated it does meet all the requirements with the exception of not meeting the frontage requirement, and that is what pending approval this evening is. If the plat is approved as shown it will go forward to Council for final approval. Chairman Renfro asked if that would be a variance, Mr. Miller stated technically it was a variance.

Chairman Renfro asked for questions or discussion.

Commissioner McCutcheon made motion to approve the item with staff recommendations and the variance. Commissioner Lyons seconded the motion, which passed by a vote of 7-0.

VI. DISCUSSION ITEMS

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

Planning Director, Ryan Miller, stated there were no cases taken to the City Council. No further discussion took place concerning this item.

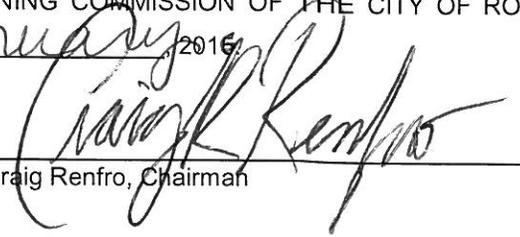
VII. ADJOURNMENT

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Meeting adjourned at 10:04 p.m.

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

Texas, this 12 day of January, 2016.



Craig Renfro, Chairman

Attest: 

Laura Morales