

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
December 29, 2015
6:00 P.M.

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:00 p.m. Present were Commissioners John McCutcheon, Patrick Trowbridge, Tracey Logan, Mike Jusko and Johnny Lyons. Absent were Commissioner Annie Fishman. Also present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, and Planning Coordinator, Laura Morales.

II. ACTION ITEMS

1. P2015-043

Discuss and consider a request by Chris Cuny, P.E. of FC Cuny Corporation for the approval of a reinstatement request for the preliminary plat for Fontanna Ranch Addition in accordance with Section 38-8(f) of the Subdivision Ordinance contained in the Municipal Code of Ordinances, and being an 83.30-acre tract of land, zoned Planned Development District 64 (PD-64), generally located south of SH-276 and east of FM-549, originally approved by City Council on January 3, 2006, and take any action necessary.

Planning Director, Ryan Miller, gave brief explanation of item stating applicant is requesting reinstatement of a preliminary plat specifically for the Phase II of the Fontanna Ranch Addition. Originally came through as Phase I and II and it included 144 lots on approximately 84 acres. The Phase II portion would be the balance that is currently vacant today and is about 47 single family lots on eighteen and a half acres. According to the city subdivision regulations, a preliminary plat expires after one year after approval if a final plat for the entire area has not been submitted.

In this case the preliminary was approved on January 3, 2006 and was followed up by a site plan and a master plat approved on December 13, 2005. They did go through with the final plat for Phase I of the Fontanna Ranch Subdivision was approved August 21, 2006. Phase I is already completely built. There was no action on Phase II as this was around the time when the market started to turn, and this officially expired on August 21, 2007. In this case the applicants request does generally conform to the criteria and additionally the Planned Development District itself did tie down a concept plan that did show Phase II generally developing in the manner that was proposed in the preliminary plat so by reinstating this Commission would simply be allowing them to finish this subdivision out.

Mr. Miller added that changes on the Master Thoroughfare Plan do affect this area and the applicant has stated a willingness to incorporate those changes into Phase II. What will happen is a roadway that originally was set to end within the subdivision will now extend through that property and connect over to Rochelle Rd. it will simply provide another point of entry for the residents.

Mr. Miller further noted that the request does meet all the criteria stipulated by the Unified Development Code for renewal and staff is available for any questions.

Chairman Renfro asked for questions from Commission.

Chairman Trowbridge asked if the changes between when it originally expired and when it didn't, have those already been incorporated into this plan. Mr. Miller stated they would be in the final plat stages since there was a change being done to the Master Thoroughfare Plan and applicant was willing to incorporate those changes into their final plat but the preliminary plat will be reinstated as is.

61 Commissioner McCutcheon made motion to approve the item with staff recommendations.
62 Commissioner Lyons seconded the motion, which passed by a vote of 6-0, with Commissioner
63 Fishman absent.
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66 2. MIS2015-010

67 Discuss and consider a request by Scott Lewis of C. Scott Lewis Homes, Inc. for the approval of a tree
68 mitigation plan in conjunction with an approved site plan for a warehouse facility on a 1.095-acre parcel
69 of land identified as Lot 4, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned
70 Planned Development District 46 (PD-46), situated within the SH-276 Overlay (SH-276 OV) District,
71 located on the south side of Springer Road, east of the intersection of Springer Road and Corporate
72 Crossing [FM-3549], and take any action necessary.
73

74 Planning Director, Ryan Miller, gave brief explanation of item stating that this case originally was
75 a site plan that was looked at in 2014, specifically under case P2014-017 and also was looked at
76 in August of 2014 at that time they were proposing to keep all the trees on the property. Since
77 then they have had to adjust the parking lot, and that will affect some of the tree mitigation,
78 therefore staff has asked them to bring forward a tree mitigation plan to account for the trees
79 being removed. Specifically they will be removing ten trees, which total 94 inches, in this case
80 they are American and Cedar Elm which requires a mitigation of inch per inch they will be
81 required to provide 94 inches on the property or pay \$125 an inch for up to 20% of the total
82 mitigation. Alternatively they could also provide the trees to the City's tree fund through the
83 Parks Department and those would be planted throughout the City.
84

85 Mr. Miller added that the approval of any treescape plan is discretionary of the Planning and
86 Zoning Commission.
87

88 Chairman Renfro asked the applicant to come forth and speak.
89

90 Michael Mershawn
91 Mershawn Architects
92 2313 Ridge Road
93 Rockwall, TX
94

95 Applicant came forward stated he did not have too much to add from what Mr. Miller explained.
96 He stated they are willing to mitigate trees and move forward with the project.
97

98 Chairman Renfro asked what part was to be mitigated. Applicant stated a plan will be turned in
99 depicting what will be mitigated and what will be donated to the Parks Department.
100

101 Chairman Renfro asked for questions for staff.
102

103 Commissioner Logan asked if it was up to applicant to pick what option was better suited for
104 them. Mr. Miller stated that it was up to the applicant to pick any of the options, and it is his
105 understanding that what applicant would like to do is plant as many trees as they can on the
106 site, and then use the 20% credit to pay for any additional trees that are required, but the goal is
107 to get to a zero balance and the easiest way for them to accomplish that would be to plant as
108 many trees as possible.
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110 Chairman Renfro called for action on the item. Commissioner McCutcheon made motion to
111 approve the item with staff recommendations. Commissioner Lyons seconded the motion, which
112 passed by a vote of 6-0, with Commissioner Fishman absent.
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115 III. DISCUSSION ITEMS
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117 3. Z2015-036

118 Hold a public hearing to discuss and consider a request by Harry Chapman of Noble RE, LLC on behalf
119 of the owners Robert & Patrick Hughes and Sandra Ferguson for the approval of a zoning amendment
120 to Planned Development District 32 (PD-32) [Ordinance No. 10-21] for the purpose of allowing a
121 *Financial Institution with a Drive-Through* within the *Ridge Road Retail Subdistrict*, being a 1.1755-acre
122 portion of a larger ~78.89-acre area of land identified as the *Harbor District*, being zoned Planned

123 Development District 32 (PD-32), situated within the Scenic Overlay (SOV) District, located at the
124 northwest corner of Cemetery Road and Ridge Road [FM-740], with the greater Harbor District being
125 generally located south of IH-30 and west of Horizon Road [FM-3097], and take any action necessary.
126

127 Planning Director, Ryan Miller, gave brief description of item stating applicant is looking to open
128 PD32 for the purpose of allowing a financial institution with a drive thru in the Ridge Road Retail
129 District. The Ridge Road District is only composed of one property it is the property that acts as
130 the entryway to the Harbor District off of Ridge Road. The property is adjacent to Cemetery
131 Road and Ridge Road. Mr. Miller added the reason applicants are making this request is to have
132 the ability to construct a banking facility with an ITE, which is an Interactive Teller which is more
133 advanced than the typical teller machine in that somebody is onscreen assisting. Mr. Miller
134 added currently the ability to have a drive thru is not allowed in all of PD32 therefore the only
135 path applicant can pursue to get this use is to open Planned Development 32 entirely to change
136 the use.
137

138 Mr. Miller added that it is a requirement to send notifications to all properties within the PD
139 letting them know there is going to be a change to the Planned Development District. Also along
140 with this property applicant is showing the proposed relocation of Cemetery Road which
141 effectively will act as the entryway to the Harbor District in the future. They will have to site plan
142 this property if the zoning is approved.
143

144 Mr. Miller stated he was available for questions.
145

146 Commissioner McCutcheon stated he understood why applicants wanted request there but
147 questioned why it has to be approved for the entire PD and why this piece would be the point of
148 entry to the Harbor District, feels this piece does not fit with the surroundings why is it included.
149 Mr. Miller stated what this piece allows is for traffic to circulate back towards Ridge Road in the
150 future, looking at the interior sub district that is northwest of the rest of this piece that is going
151 to be primarily residential as well as the residential sub district which will include garden homes
152 that will allow future residents to have an access point thru Ridge Road. When that entry point is
153 built, it will be looked into to add a four way stop.
154

155 Commissioner McCutcheon asked if case is approved will it be wide open for drive thru for the
156 rest of the District or will it still be a case by case basis. Mr. Miller stated the way it is written
157 now it is to allow only a financial institution with a drive thru use in that particular sub district,
158 but the Zoning is open therefore the Commission does have the ability to send
159 recommendations forward concerning that.
160

161 Commissioner Trowbridge asked what are the uses along Ridge Road that would neighbor this
162 site. Mr. Miller stated that for the most part Ridge Road is a commercial corridor there is
163 currently a lot of offices which is allowed by right in the commercial district and also allows
164 retail uses. When PD-32 was constructed they wanted this property to match this corridor
165 therefore most of the uses chosen for this property that are allowed currently are the same as
166 the uses allowed along Ridge Road. The use that is being requested is currently allowed at other
167 properties along Ridge Road.
168

169 Chairman Renfro asked if it is approved, would it open for all other banks to come in and request
170 the same. Mr. Miller stated not the way the Ordinance is currently worded, it would only allow it
171 within this sub district, and the only property within this sub district is subject property
172 therefore limiting it to just this property, unless Commission makes recommendation to Council
173 for it to be considered in all districts.
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175 Chairman Renfro noted applicant is not present.
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177 4. Z2015-037

178 Hold a public hearing to discuss and consider a request by Arthur F. Beck of BSM Engineers, Inc. on
179 behalf of the First United Methodist Church for the approval of a Specific Use Permit (SUP) for a
180 structure that exceeds the maximum height requirements for a 8.2983-acre parcel of land identified as
181 Lot 7, Block 1, First United Methodist Church Addition, City of Rockwall, Rockwall County, Texas, zoned
182 Commercial (C) District, addressed as 1200 E. Yellow Jacket Lane, and take any action necessary.
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184 Planning Director, Ryan Miller, stated representative for applicant is present to discuss request.

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Greg Humphries
603 Sunset Hill Dr.
Rockwall, TX

Mr. Humphries came forward and stated they are requesting a steeple for the church. He understands the height restrictions within the area are allowed but an SUP is required.

Mr. Chairman asked for questions for applicant from staff.

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

5. Z2015-038

Hold a public hearing to discuss and consider a request by Scott and Leslie Milder for the approval of a zoning amendment to *Ordinance No. 07-29* for the purpose of allowing a *Banquet Facility* land use to be a permitted use through a Specific Use Permit (SUP) for all properties within Planned Development District 50 (PD-50), being 21.266-acres of land in the S.S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, and generally located along N. Goliad Street [*SH-205*] north of Interurban Street, and take any action necessary.

Scott Milder
830 Shores Blvd.
Rockwall, TX

Mr. Milder came forward and stated he and his wife were intending to open Our House. Previously, a perspective tenant went through a rezoning case in the Summer of 2014 to open up American Trooper as a retail store; however the partnership fell through shortly after the SUP was approved. Currently, Mr. Milder is looking to open a banquet facility. As part of this process Mr. Milder stated that he approached the Planning Department about the use and was under the impression that it was permitted; therefore, he began the process of rehabilitating the existing structure. Upon going through the inspection process, staff approached him about the use and wanted to make sure that the proper zoning was in place before issuing a CO. Mr. Milder went on to explain that although the request does state a Banquet facility the language of that is somewhat misleading as they do not plan on hosting any banquets since it is a small venue, rather it will be for such uses as board meetings for charities, bridal or baby showers, any number of small events that are listed in their letter of intent. They plan on being very respectful of the neighbors and plan on building an 8-foot fence around the property and do not intend on having any loud music and all events will be required to not exceed the maximum capacity of forty-nine people.

Mr. Miller added a few procedural points stating that the first step in this process will be to amend the entire PD as well as add a use to the PD which will allow all property owners this the banquet facility use. It is being called a banquet facility or event venue because it is more descriptive of what Mr. Milder is requesting. This will be a two stage zoning process, if this request is approved for the entire district it will only allow this use through a Specific Use Permit which can be reviewed in a case by case basis. Specific Use Permits allow putting operational restraints based on building adjacency or anything to do with the use that would need to be regulated. Once this case is approved Mr. Milder would come back with a Specific Use Permit request and set up the parameters from which he would operate, that would refine what he is doing in his property.

Commissioner Trowbridge asked what parking will consist of. Mr. Milder stated they just finished building a parking lot and there are eight spaces. They do have verbal agreements with the neighbor of the north and south to share parking during the day when it is not too busy, and in exchange share it in the evenings. Mr. Miller added that the parking requirement for an event venue is one per one hundred, and Mr. Milder has already discussed extending the parking area.

247 There being no further questions staff indicated the case will return to the Commission for
248 action at the next scheduled meeting.

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251 6. Z2015-039

252 Hold a public hearing to discuss and consider a request by Dayne Ram of ADR Designs, LLC on behalf
253 of the owner Majestic Cast, Inc. for the approval of a Specific Use Permit (SUP) for a *Residence Hotel*
254 on a 2.003-acre parcel of land identified as Lot 4, Block A, Wal-Mart Super Center Addition, City of
255 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay
256 (OV) District, located on the east side of White Hills Drive south of Ridge Road [FM-740], and take any
257 action necessary.

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259 Chairman Renfro asked applicant to come forth and speak.

260
261 Douglas Bradley
262 519 W. Main St.
263 Denison, TX
264

265 Mr. Bradley came forward and stated he understands there has been some concern as to why a
266 residence hotel was being brought to the City. He stated it is Hilton owned and the Hilton
267 product as the highest in quality and is intended to attract business people, it is not intended for
268 transient use. It is environment conscious brand, if you're looking to stay with family and friends
269 the convenience of refrigerators adds to the home feel. Lifestyle brand that is only approved for
270 affluent areas and its sophisticated environment is meant to attract to professionals it is the first
271 of its kind in twenty years from the Hilton brand. Mr. Bradley provided a power point of proposed
272 concept plan.

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274 Chairman Renfro asked for questions from Commission.

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276 Commissioner Trowbridge asked if there are any other extended stays in Rockwall. Mr. Miller
277 stated there is an extended stay at the corner of SH205 and IH30.

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279 Commissioner Trowbridge asked what the typical rate would be. Applicant stated for one
280 bedroom suite it would typically be \$3000 for 30 days.

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282 Commissioner McCutcheon asked how it fits to this particular area. Applicant stated there is a
283 need for this type of.

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285 Commissioner McCutcheon asked if there was a policy for maximum stay. Mr. Bradley stated
286 they do not, but feels people that are doing bad things don't tend to stay long on these types of
287 properties.

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289 There being no further questions staff indicated the case will return to the Commission for
290 action at the next scheduled meeting.

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293 7. P2015-042

294 Discuss and consider a request by Greg Helsel of Spiars Engineering on behalf of the owner Will
295 Shaddock of Master Developers-SNB, LLC for the approval of a final plat for Phase 1 of the Preserve
296 Subdivision, containing 132 single-family residential lots on a 52.545-acre tract of land identified as
297 Phase 3 of the North Shore Addition and Tract 26-1 of the J. H. B. Jones Survey, Abstract No. 124, City
298 of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single Family
299 10 (SF-10) District land uses, located at the southeast corner of the intersection of Highland Drive and
300 East Fork Drive, and take any action necessary.

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302 Planning Director, Ryan Miller, gave brief

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304 There being no further questions staff indicated the case will return to the Commission for
305 action at the next scheduled meeting.

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307 8. Director's Report of post Council meeting outcomes of Planning & Zoning cases.
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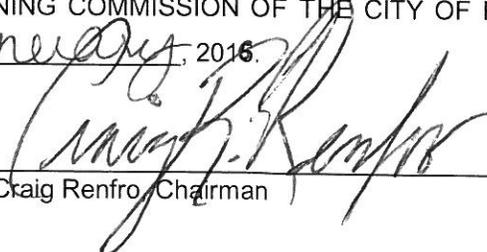
- ✓ MIS2015-003: Amendments to the Master Thoroughfare Plan [Approved]
- ✓ Z2015-030: Amendments to PD-75 (1st Reading) [Approved]
- ✓ Z2015-031: SUP for a Carwash @ La Jolla Pointe Drive and Ridge Road (1st Reading) [Approved]
- ✓ Z2015-032: Renewal of SUP-115 for a Pawnshop (1st Reading) [Approved]
- ✓ Z2015-033: SUP @ 513 Windsor Way (1st Reading) [Approved]
- ✓ Z2015-034: Zoning Change for PD -- Saddle Star South (1st Reading) [Approved]
- ✓ Z2015-035: Zoning Change for PD -- Saddle Star North (1st Reading) [Approved]
- ✓ SP2015-018: Material Variance for a RaceTrac Gas Station [Approved]
- ✓ P2015-041: Lots 2 & 3, Block A, Platinum Storage Addition [Approved]

Planning Director Ryan Miller provided a brief update about the outcome of the above referenced case at the City Council meeting. The Commission did not have any questions concerning this agenda item.

IV. ADJOURNMENT

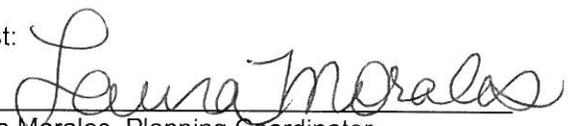
Meeting adjourned at 7:06 p.m.

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, Planning Coordinator