

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
March 29, 2016
6:00 P.M.

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:01 p.m. Present were Commissioner John McCutcheon, Patrick Trowbridge, Johnny Lyons, Annie Fishman, Tracy Logan and new Commissioner Sandra Whitley. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks and Planning Coordinator, Laura Morales.

II. CONSENT AGENDA

1. Approval of Minutes for the February 23, 2016 Planning and Zoning Commission meeting.

2. P2016-006 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a preliminary plat for Breezy Hill, Phase VII containing 10 single-family residential lots on 6.802-acres of land identified as Tract 7-10 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of N. John King Boulevard and Cozy View Drive, and take any action necessary.

3. P2016-007

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a preliminary plat for Breezy Hill, Phase VI containing 79 single-family residential lots on 32.020-acre portion of a larger 61.528-acre tract of land identified as Tract 7 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, generally located northeast of the intersection of N. John King Boulevard and Life Springs Drive, and take any action necessary.

Commissioner McCutcheon made motion to pass the consent agenda. Commissioner Fishman seconded the motion, which passed by a vote of 6-0 with Commissioner Whitley abstaining.

III. APPOINTMENTS

4. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

Planning Director, Ryan Miller, stated ARB representative was unable to attend and comments concerning SP2016-005 that was reviewed by the ARB Board will be discussed when item comes up on the agenda.

IV. PUBLIC HEARING ITEMS

5. P2016-009

Hold a public hearing to discuss and consider a request by Michael Hunter of the Rockwall Housing Development Corporation for the approval of a residential replat for Lots 1 & 2, Block H, Lake Rockwall Estates East Addition being a 0.27-acre parcel of land currently identified as Lot 984A of the Rockwall Lake Estates #2 Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single Family-7 (SF-7) District land uses, located at 112 Chris Street, and take any action necessary.

64 Planner, Korey Brooks, gave brief explanation of item and stated applicant is present to answer
65 any questions.

66
67 Chairman Renfro asked applicant to come forth and speak.

68
69 Michael Hunter
70 Rockwall, TX

71
72 Mr. Hunter came forward and gave brief explanation of request stating request stemmed from
73 last year's flood that left two families without a home. The request involves a replat of one lot
74 that will allow be split in two to allow for two homes to be built on it.

75
76 Chairman Renfro opened the public hearing and asked if anyone wished to speak to come
77 forward. There being no one indicating such, Chairman Renfro closed the public hearing and
78 brought the item back to the Commission for discussion.

79
80 Commissioner McCutcheon made motion to approve the item with staff recommendations.
81 Commissioner Lyons seconded the motion which passed by a vote of 7-0.

- 82
83
84 6. Z2016-006 Hold a public hearing to discuss and consider a request by John Cherry for the approval of a
85 Specific Use Permit (SUP) for a carport on a 1.04-acre tract of land identified as Tract 47 of the R.
86 Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-
87 7) District, addressed as 303 Renfro Street, and take any action necessary.

88
89
90 Planner, Korey Brooks, gave brief explanation of item stating The applicant, John Cherry is
91 requesting a Specific Use Permit to allow for a carport that does not meet the minimum garage
92 setback requirements stipulated in Section 4.1.F Carports of Article VI, Parking and Loading, of
93 the Unified Development Code, which states that in single-family or duplex districts, carports
94 must be located at least 20-feet behind the front building facade and be architecturally integrated
95 with the main residential structure. The subject property is zoned Single Family 7 District. The
96 proposed carport will stand approximately 8-feet in total height and will have a building footprint
97 of 32-feet x 20-feet or approximately 640 square feet. The structure will be located on the north
98 side of the building and setback 10-feet from the front façade of the house. The applicant is
99 proposing that the carport to be situated behind a fence so that it is not visible from the street.
100 Additionally, the opening of the carport will be located facing the northern property line. The
101 applicant is also requesting a waiver to the masonry requirement to construct the carport out of
102 a steel building system with a standing seam metal roof as a continuation of back patio cover.
103 Mr. Brooks added that staff mailed 82 notices to property owners within 500-feet of the subject
104 property and also notified the only HOA/Neighborhood Organization that is within 1,500-feet and
105 participating in the notification program, additionally, staff posted a sign on the property and
106 staff did not received any notices for or against.

107
108 Mr. Brooks stated applicant was present to answer any questions.

109
110 Chairman Renfro asked applicant to come forth and speak.

111
112 John Cherry
113 303 Renfro Dr.
114 Rockwall, TX

115
116 Mr. Cherry came forward and gave brief explanation and showed short side presentation and
117 stated when he first purchased the property in 2011 it had two driveways one on the right side of
118 the house one on the left with one having a single carport. Since purchasing the home he has
119 done renovations to the house and he expressed his desire to continue to work on improving it.

120
121 Chairman Renfro asked how high the fence was. Mr. Cherry stated it would be 8 foot high.

122
123 Commissioner Trowbridge asked what the roof would be constructed of. Mr. Cherry stated it
124 would corrugate metal. Commissioner Trowbridge also asked if the roof would be higher or
125 lower than the fence. Mr. Cherry stated it would be a little higher between 8 and 9 feet.

126 Commissioner Logan asked what year house was built. Mr. Cherry stated it was built in 1954.
127 Commissioner Logan made comment on the addition of the carport rather than a garage and
128 appreciates staying with that architectural style.
129

130 Commissioner McCutcheon asked if carport would go along the back of the house much like a
131 patio deck. Mr. Cherry stated it would be.
132

133 Chairman Renfro opened the public hearing, and asked anyone who wished to speak to come
134 forward.
135

136 Jerry Clark
137 401 Renfro
138 Rockwall, TX
139

140 Mr. Clark came forward and stated he has lived in his home 26 years and believes Mr. Cherry has
141 done a great job on the property since having bought it. He is in favor of the request and added
142 that it has been a good addition to the neighborhood.
143

144 Ross Ramsey
145 377 Jordan Farms
146 Rockwall, TX
147

148 Mr. Ramsey came forward and stated that after hearing Mr. Cherry's presentation
149 he is in favor of the request.
150

151 Chairman Renfro closed the public hearing and brought the item back to the Commission for
152 direction.
153

154 Commissioner Lyons made motion to approve the item with staff recommendations.
155 Commissioner Trowbridge seconded the motion, which passed by a vote of 6-0.
156
157

158 7. Z2016-007

159 Hold a public hearing to discuss and consider a request by Scott W. Blackwood for the approval of a
160 zoning change from Agricultural (AG) District to a General Retail (GR) District on a 12.493-acre tract of
161 land identified as Tract 17-14 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall
162 County, Texas, located west of the intersection of SH-205 [S. Goliad Street] and S. FM-549, addressed
163 as 5205 S. FM-549, and take any action necessary.
164

165 Planning Director, Ryan Miller, gave brief explanation of item stating that the intent of the current
166 request is to rezone the property from an Agricultural District to a General Retail District for the
167 purpose of facilitating the sale of the property. According to a letter provided by the applicant,
168 the reason the zoning change is being requested is to facilitate the sale of the property. In
169 addition, the applicant has stated that the property is no longer suitable for residential use due
170 to the adjacent commercial property to the northeast, increasing traffic along FM-549, and the
171 traffic noise generated from FM-549. Currently, the 12.493-acre tract of land is being utilized for
172 residential land uses and has an existing single family home situated on it.
173

174 Mr. Miller went on to explain that according to the purpose statements stipulated in Section 4.4,
175 General Retail District, of Article V, District Development Standards, of the Unified Development
176 Code, the General Retail District is meant to be utilized as a district that buffers residential areas
177 from more intense commercial districts. The UDC goes on to state that this designation is
178 appropriate for properties that are in a close proximity to an intersection or major
179 thoroughfare/arterial and in areas where there is increased water, fire protection, wastewater and
180 drainage capacity; and oriented in a way so that commercial traffic does not flow through
181 residential neighborhoods or create increased traffic congestion/adverse traffic impacts. In this
182 case, the applicant's property is situated directly adjacent to FM-549; west of the intersection of
183 FM-549 and SH-205 and based on the uses permitted within the district should not create a
184 negative impact with regard to traffic circulation in the area. The property does have the ability
185 to provide appropriate fire protection and drainage capacity; however, utilities will need to be
186 extended to the site prior to development. This will include the extension of a 12-inch waterline
187 approximately 1,300-feet to the eastern property line and the potential extension of wastewater

188 lines and the construction of an off-site lift station. Alternatively, the applicant could request a
189 waiver from the City Council to allow the installation of an On-Site Sewage Facility. The applicant
190 has stated the intent of rezoning request is for the purpose of conveying the property and that
191 there is no immediate plans for development.
192

193 Mr. Miller added that with regard to land uses the UDC states the General Retail District, is a light
194 retail zone, and it is intended that limited commercial uses fall in this district. Since the zone will
195 be located close to residential areas, the development standards are stringent and require as
196 high a standard of development as the Residential Office and Neighborhood Services Districts.
197 Also, should the Planning and Zoning Commission and City Council approve the applicant's
198 request, staff has included a condition of approval that would amend the Future Land Use Map
199 to reflect the proposed change in land use from a Low Density Residential designation to a
200 Commercial designation.
201

202 Mr. Miller added that staff mailed 19 notices to property owners and residents within 500-feet of
203 the subject property. Staff also sent a notice to the Oaks of Buffalo Way Homeowner's
204 Associations, which is the only HOA located within 1,500 feet of the subject property. Also staff
205 posted a sign along FM-549, which is the only street frontage adjacent to the subject property as
206 required by the Unified Development Code and did receive three notices back one in favor and
207 two against the request, however the two notices in opposition equal more than twenty percent
208 of the adjacent land area within two hundred feet and according to state and local requirements
209 that necessitates a three quarter majority vote by Planning and Zoning and City Council,
210 meaning a 6-1 vote will be required to approve this case.
211

212 Mr. Miller stated applicant was present to answer any questions.
213

214 Chairman Renfro asked what the reasons were given for the opposition. Mr. Miller stated one in
215 opposition stated the applicant wouldn't grant the adjacent property the ability to have baseball
216 on his property and that is the reason, the other stated it was in opposition due to the area being
217 residential.
218

219 Commissioner Trowbridge asked if request is denied, how long before a request can be brought
220 back to the Commission. Mr. Miller stated if City Council were to deny without prejudice that
221 restricts the applicant from bringing back the exact same request within one year. However the
222 code does allow for the request to be substantially changed which Planning and Zoning would
223 determine if it a substantially different request, if it is different Planning Director can approve it
224 administratively, but if there is any question it does need to be brought before the Planning and
225 Zoning Commission.
226

227 Chairman Renfro asked the applicant to come forth and speak.
228

229 Scott Blackwood
230 5205 S. FM 549
231 Rockwall, TX
232

233 Mr. Blackwood stated since last meeting he has suspended the listing of the subject property
234 with the real estate agent due to lack of interested buyers. In the last year the house had been
235 showed many times and brought the price down but had no offers he feels because of the
236 General Retail zoning that is next to his property. They have since had an offer on the property
237 and have someone under contract now that wants to purchase it as a commercial use and will
238 come before the Commission and Council with their plan.
239

240 Commissioner Trowbridge asked if the person interested in the home is only looking to buy only
241 if the zoning is commercial, is it a commercial contract to purchase the land. Mr. Blackwood
242 stated that they will execute the contract and there will be a period of due diligence in which time
243 they would be doing their own engineering studies, zoning assessments and things of that
244 nature. They will also be working to assemble different parcels of land, but of which he is not
245 being told which ones.
246
247
248

249 Mr. Blackwood added that in their contract they agreed to cooperate with the buyer to bring a
250 zoning application before the City; however since he had already applied he decided to let it run
251 its course.

252
253 Commissioner Trowbridge asked if the zoning did not get changed, has the proposed buyer
254 stated they no longer want to buy. Mr. Blackwood stated if they are unable to get the pieces
255 assembled, and if after their studies and research find that it is not going to be a feasible project
256 for them they do have the ability to withdraw during the due diligence period.

257
258 Chairman Renfro made comment that if the contract is executed but they don't close on the
259 property then there would just be a property whose zoning was changed for no reason.

260
261 Mr. Miller stated that the original reason for the request was to change the zoning to a General
262 Retail Designation to facilitate the sale of the property. This development came after the
263 application was already made; therefor regardless of the sale of the property should the buyer
264 withdraws the application, Mr. Blackwood would still like to pursue the zoning change request to
265 change it to a General Retail Designation.

266
267 Chairman Renfro asked Mr. Miller if eventually the intent was to go all commercial on the
268 properties adjacent to subject property on the corner. Mr. Miller stated the Future Land Use map
269 is what guides the direction of the City and it shows this area currently as Low Density
270 Residential, it is basically a twenty year outlook of development. Since that designation doesn't
271 match with what's being requested if Council approves this request, would have to change the
272 Future Land Use Map to a designation that matches the General Retail District which is a
273 Commercial Designation, therefore they would effectively be approving a Comprehensive Plan
274 amendment, this is the way zoning requests that don't meet the Comprehensive Plan have been
275 done this way in the past, once they're approved the condition is put to automatically change the
276 Comprehensive Plan to bring that into conformance with the zoning change.

277
278 Chairman Renfro expressed concern of re-zoning a hard corner with to an inferior zoning due to
279 property selling or not, and asked why could it not go Commercial zoning now. Mr. Miller
280 advised applicant can bring forward an application for a zoning request, but it is discretionary to
281 The Commission.

282
283 Chairman Renfro opened the public hearing and asked if anyone wished to speak to come
284 forward, there being no one indicating such Chairman Renfro closed the public hearing and
285 brought the item back to the Commission for discussion.

286
287 Commissioner Trowbridge made motion to deny the item. Chairman Renfro seconded the
288 motion.

289
290 Commissioner McCutcheon asked if item was denied and the property sold, could the new
291 property owner come with a new request, and if so would it be tied to the land or tied to the
292 property owner. Mr. Ryan Miller stated it would be tied to the land.

293
294 The motion to deny passed by a vote of 6-1, with Commissioner McCutcheon dissenting.

295
296
297 V. ACTION ITEMS

298
299 8. MIS2016-005
300 Discuss and consider a request by William Laurence for the approval of an exception to the
301 minimum masonry requirements stipulated in Section 3.1, *General Residential District*
302 *Standards*, of Article V, *District Development Standards*, of the Unified Development Code, for
303 a 0.17-acre parcel of land identified as Lot 1, Block 1, St. Mary's Addition, City of Rockwall,
304 Rockwall County, Texas, zoned Single Family 7 (SF-7) District, addressed as 508 St. Mary's
305 Street, and take any action necessary.

306
307 Planner, Corey Brooks, gave brief explanation of request stating that on February 1, 2016, City
308 Council approved an exception to the masonry requirements to allow the primary structure to be
309 re-clad in one hundred percent hardi-board siding. Subsequently, the applicant has found a

310 different product that he feels better suits the historic nature of the home. The applicant would
311 like to modify his original request and instead of using hardi-board as originally requested, the
312 applicant would like to use a lap siding that is made from 100% wood. The applicant feels that
313 using a material such as hardi-board would change the historical look of the home.
314

315 According to Section 3.1, General Residential District Standards, of Article V, District
316 Development Standards, of the Unified Development Code the minimum masonry requirement
317 for exterior walls on structures that are 120 square feet or greater is 80%; with a maximum of
318 50% of this masonry requirement being permitted to be Hardy Plank, stucco or a similar
319 cementaceous material. Additionally, the code states that, exceptions to these requirements
320 may be permitted on a case-by-case basis by the City Council upon submission and approval of
321 elevation drawings of the subject structure, and materials samples. The applicant has
322 previously submitted building elevations and a site plan showing the proposed single-family
323 home after the addition, however, since the request has been modified, a material sample has
324 been provided. Additionally, the applicant has stated in a letter submitted to staff that the
325 purpose of requesting the masonry exception is to match the materials and architectural style of
326 the adjacent properties. Staff should note that all the structures on the adjacent properties
327 utilize one hundred percent vinyl/wood siding or a similar cementaceous lap siding material.
328

329 Mr. Brooks also provided a sample board of material for review and stated applicant was present
330 and is available for further questions.
331

332 Commissioner Logan asked if material was hardiboard or wood. Mr. Brooks stated the original
333 request was for hardiboard but the modified request is for wood. Commissioner Logan asked
334 how did he get vinyl siding get approved initially. Mr. Miller stated that originally when request
335 first came before the Commission, there is an existing home which they are doing a large
336 addition to, and therefore are required to meet the minimum masonry requirements and at that
337 time came forward with the request to do hardiboard to match the adjacent properties. The
338 reason the request is changing is due to the spacing of hardiboard changes the look of the
339 home and their intent is to try and replicate more of the original material by using this wood
340 siding that gives the home more of a historic look.
341

342 Commissioner Whitley asked if the item has gone through the Historical Preservation Advisory
343 Board. Mr. Miller stated it is outside of the boundaries of the Historic District and was not
344 required to go before that Board; however it is close to the neighborhood that does have a more
345 historic look.
346

347 Commissioner Trowbridge asked if material being requested would historic compliant. Mr. Miller
348 stated if it did go through the Board it would still require a masonry exception but they have
349 looked at cases with similar products and approved because the look is more historic.
350

351 Chairman Renfro asked the applicant to come forward.
352

353 William Lawrence
354 508 St. Mary's
355 Rockwall, TX
356

357 Mr. Lawrence came forward and gave brief explanation that when home was purchased three
358 years ago and since that time have gutted it and have redone everything, but due to the addition
359 the spacing the hardiboard will cause does not look right and added that the wood cost about
360 thirty percent more than the hardiboard and feels it will really give the home an authentic 1930's
361 look to the entire house.
362

363 Chairman Renfro asked for questions or discussion.
364

365 Commissioner Fishman made motion to approve the item with staff recommendations.
366 Commissioner Lyons seconded the motion, which passed by a vote of 7-0.
367

368 9. MIS2016-006
369

370 Discuss and consider the approval of a special request by Ulises Martinez Viveros & Rosita Z. Barron
371 for the construction of a manufactured home that does not meet the minimum standards for square

372 footage and materials as set forth in *Exhibit 'C'* of Planned Development District 75 (PD-75) [*Ordinance*
373 *No. 09-37*] on a 0.17-acre parcels of land identified as Lot 838A, Rockwall Lake Estates #2 Addition,
374 City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single
375 Family 7 (SF-7) District land uses, addressed as 120 Blanche Drive, and take any action necessary.
376

377 Senior Planner, David Gonzales, gave brief explanation of the case stating the applicants, Ulises
378 Martinez Viveros & Rosita Z. Barron, have submitted a special request seeking approval for a
379 manufactured home that does not meet the minimum standards of the Single Family Residential
380 District. If approved, the special request would also allow for the home to be less than the
381 minimum square footage of the SF-7 district and for the home to not meet the minimum masonry
382 standard established in the Unified Development Code. The applicant is proposing to place a
383 952 sq. ft. manufactured home on the lot. This represents 148 sq. ft. less than the required
384 minimum of 1,100 sf. Also, the applicant is requesting to use Hardi Plank siding rather than
385 meeting the minimum 80% masonry standard of brick, stone for the home.
386

387 Mr. Gonzales added that according to Section C, Consideration of Special Request, of Exhibit 'C'
388 of PD-75, the City Council may consider special requests on a case-by-case basis for properties
389 located within the Lake Rockwall Estates subdivision pending a recommendation from the
390 Planning and Zoning Commission. The approval of any special request shall preempt any other
391 underlying zoning restrictions stipulated by the zoning ordinance. Additionally, City Council
392 does have the authority to grant a waiver/variance to allow the manufactured home to not meet
393 the minimum standards for square footage and/or not meeting the minimum masonry standard.
394

395 Mr. Gonzales further explained that if the Planning & Zoning Commission and City Council
396 choose to approve the applicant's request staff would offer the conditions that any construction
397 or building allowed by this request must conform to the requirements set forth by the Unified
398 Development Code, the 2009 International Building Code, the Rockwall Municipal Code of
399 Ordinances, city adopted engineering and fire codes and with all other applicable regulatory
400 requirements administered and/or enforced by the state and federal government.
401

402 Mr. Gonzales added that applicant was present and Planning Coordinator, Laura Morales, would
403 be available to translate for the applicants due to language barrier.
404

405 Chairman Renfro asked Commission for any questions for staff before bringing applicant
406 forward.
407

408 Chairman Renfro made comment concerning how strongly exceptions are looked at concerning
409 Lake Rockwall Estates, however Council has made it clear that they are looking to improve the
410 overall area, therefor his question is how does this request lend itself when other home owners
411 are being held to a higher standard, what would this do moving forward would it create an
412 obstacle in accomplishing the overall goal of improving that area. Mr. Gonzales stated an
413 applicant has the ability to request a variance, but with the purpose of the onetime replacement
414 was to allow that within a certain time frame, if it wasn't established then the code says it has to
415 meet the definitions of a single family home. In this case request does not mean minimum size
416 or material requirements. Due to the special request it allows for the preemption of the zoning
417 and that is where the Commission comes in and is able to take a look at the overall request as
418 well as what others have requested in previous cases to see if request is something that would
419 be viable and feasible for this particular lot and it would be considered on a case by case basis.
420

421 Chairman Renfro asked what the one time replacement consist of. Mr. Gonzales stated is to
422 allow for someone to have a manufactured home removed and what it allows for is a home of
423 equal size or larger and a newer than what was there before to be brought in one time. However,
424 if it sits vacant for six months or longer, as in this case, then it loses its non-conforming status
425 and therefore has to conform to the SF-7 standard, however because PD75 allows for the
426 preemption of the zoning, the applicant can make this request.
427

428 Commissioner Trowbridge asked how long trailer has been vacant and if it is within a floodplain.
429 Mr. Gonzales stated the exact time frame of when it was removed is not known, and it is not
430 within the floodplain.
431

432 Mr. Miller added that the structure was removed shortly after annexation which took place in
433 2009.

434 Commissioner Lyons asked if applicants are currently citizens of Rockwall. Mr. Gonzales stated
435 that question would have to be directed to the applicant. Commissioner Lyons also asked for
436 clarification of the onetime replacement would it have to be newer. Mr. Gonzales stated it would
437 it have to be newer than what was previously there, HUD inspected manufactured home 1976 or
438 newer. Commissioner Lyons asked if it was know what was previously there, Mr. Gonzales
439 stated it was not, and therefore that is why in this case it loses its status as such and therefore
440 asking for the special exceptions.

441
442 Ms. Morales asked applicant to go come forward and answer questions, and asked Mr. Viveros
443 concerning Commissioner Lyons earlier question as to where he currently resides. Mr. Viveros
444 stated he does live in Rockwall at 488 Wayne Dr.
445

446 Commissioner Whitley asked for clarification if applicant was replacing the former home with
447 this home within the six month period, would this request still have to be brought before the
448 Commission and City Council. Mr. Gonzales stated it would not, other than the engineered
449 foundation standards having had to be met as well as meeting the masonry standards for a one
450 time replacement.

451
452 Commissioner Trowbridge asked if he owned the lot and will he be purchasing the manufactured
453 home. Mr. Martinez stated he does own the lot and will be purchasing the manufactured home.
454

455 Chairman Renfro asked if there is risk of setting precedence by approving request. Mr. Gonzales
456 stated requests such as these are a case by case basis.
457

458 Commissioner McCutcheon asked if this request is approved, can the applicant in the future
459 request to replace the existing one and want to use the one time replacement. Mr. Gonzales
460 stated the one time replacement no longer applies to this case.
461

462 Chairman Renfro asked for any additional questions for the applicant, there being no further
463 questions, Chairman Renfro asked for discussion or motions from Commission.
464

465 Commissioner Fishman stated she was inclined to approve request.
466

467 Commissioner McCutcheon stated he generally was in favor of request with applicant currently
468 residing in Rockwall, the issue with the size was of some concern, but is in favor as well.
469

470 Commissioner Whitley added she agrees with both Commissioner Fishman and McCutcheon
471 and added she feels in favor of it due to the applicant already being a member of the community
472 of Rockwall.
473

474 Commissioner Lyons stated he is generally in favor and applicant being a resident of Rockwall
475 makes a difference.
476

477 Commissioner Logan expressed concern over the masonry variance.
478

479 Commissioner Trowbridge he agrees with fellow Commissioners opinion of taking into
480 consideration that the applicant is a citizen of Rockwall and is in favor of approval and made
481 motion to approve the item. Commissioner McCutcheon seconded the motion. Commissioner
482 Logan asked for an amendment to motion for a denial of the masonry requirements.
483

484 Commissioner Trowbridge denied the amendment and the motion passed by a vote of 6-1 with
485 Commissioner Logan dissenting.
486

487 Chairman Renfro called for a break at 7: 25 p.m.
488
489

490 10. P2016-011

491 Discuss and consider a request by Pat Atkins of Saddle Star Land Development, LLC on behalf of the
492 owner Larry Hance for the approval of a master plat/open space plan for the Saddle Star North
493 Subdivision containing 108 single-family residential lots on a 44.56-acre tract of land identified as Tract
494 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned
495 Development District 80 (PD-80) for Single Family 8.4 (SF-8.4) District land uses, situated within the

496 SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John
497 King Boulevard, and take any action necessary.

498
499 Chairman Renfro advised items #10 and #11 would be combined but would take action
500 separately.

501
502 Senior Planner, David Gonzales, gave brief explanation of item stating that the Saddle Star
503 Estates North Subdivision is a single phase, master planned community that will be composed
504 of 108 single-family, residential lots on approximately 44.56-acre tract of land. The 108 single-
505 family lots will be broken down into three lot types with 11 lots being allocated to the 8,700 SF
506 lot type, 79 lots being allocated to the 10,000 SF lot type, and 18 lots being allocated to the
507 12,500 SF lot type. Additionally, the plan will consist of 5.61-acres of open space The purpose of
508 the applicant's request is to provide a master plat that will delineate the sequence and timing of
509 the development, and an open space plan that will layout the proposed trails, and amenities for
510 the subdivision. According to the master plat, this development will be completed in one phase
511 that contains a total of 108 single-family residential lots. Additionally, the development will
512 incorporate a total of 5.61-acre, or 12.59% of non-contiguous open space and will be connected
513 via a trail system that runs through the center of the development and along John King
514 Boulevard. The developer's plan will be to construct the trail system and a corner enhancement
515 associated with the John King Design Guidelines as an amenity to the development. Also, on
516 March 15, 2016, the Parks Board reviewed the proposed Master Plat and Open Space Plan and
517 made a recommendation to the plat with the condition that the developer shall be required to pay
518 pro-rata equipment fees in the amount of \$214 per lot for a total of \$23,112 for the Saddle Star
519 Estates North Subdivision and will be due at the time of final plat approval.

520
521 Mr. Gonzales added that If the Planning & Zoning Commission and City Council choose to
522 approve the master plat for the Saddle Star Estates North Subdivision staff recommends the
523 condition of approval to be that the master plat conform to all requirements stipulated by the
524 Planning, Engineering and Fire Departments and that the applicant adhere to the
525 recommendations made by the Parks Board. Also that any construction resulting from the
526 approval of this master plat shall conform to the requirements set forth by the Unified
527 Development Code, the 2009 International Building Code, the Rockwall Municipal Code of
528 Ordinances, city adopted engineering and fire codes and with all other applicable regulatory
529 requirements administered and/or enforced by the state and federal government.

530
531 Mr. Gonzales also went to state that the master plat must be approved first before the
532 preliminary plat.

533
534 Chairman Renfro asked applicant to come forth and speak.

535
536 Pat Atkins
537 3076 Hays Lane
538 Rockwall, TX

539
540 Mr. Atkins came forward and gave a brief explanation of request and added he has received
541 staffs comments and is working with reviews from needed departments to move forward.

542
543 Chairman Renfro asked if open space stayed within recommendations that had been given
544 previously when it came through the Planning Commission. Mr. Gonzales stated the PD allowed
545 for five acres plus of open space and therefore if applicant wants to provide more he can, but he
546 cannot provide any less but yes, he is in compliance with the open space requirement.

547
548 Commissioner Lyons made motion to approve item with staff recommendations. Commissioner
549 McCutcheon seconded the motion, which passed by a vote of 7-0.

550
551
552
553 11. P2016-010

554 Discuss and consider a request by Pat Atkins of Saddle Star Land Development, LLC on behalf of the
555 owner Larry Hance for the approval of a preliminary plat for the Saddle Star North Subdivision
556 containing 108 single-family residential lots on a 44.56-acre tract of land identified as Tract 3 of the T. R.
557 Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development

558 District 80 (PD-80) for Single Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass
559 Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard,
560 and take any action necessary.
561

562
563 **Item was combined with item#10**
564

565 **Commissioner Lyons made motion to pass item with staff recommendations. Commissioner**
566 **McCutcheon seconded the motion which passed by a vote of 7-0.**
567

568
569 VI. DISCUSSION ITEMS
570

571 12. Z2016-008

572 Hold a public hearing to discuss and consider a request by Darrell Simpson on behalf of Sherri
573 Banuelos for the approval of a Specific Use Permit (SUP) to allow an accessory building that does not
574 meet the minimum requirements as stipulated by Article IV, Permissible Uses, of the Unified
575 Development Code for a 1.03-acre tract of land identified as Tract 11-5 of the D. Harr Survey, Abstract
576 No. 102, City of Rockwall, Rockwall County, Texas, zoned Single Family One (SF-1) District, addressed
577 as 735 Davis Drive, and take any action necessary.
578

579 **Chairman Renfro asked the applicant to come forward.**
580

581 **Sherri Banuelos**
582 **735 Davis Drive**
583 **Rockwall, TX**
584

585 **Ms. Banuelos came forward and gave brief explanation of request stating they would like to**
586 **build a work shop at the back of the property that they will also use for storage due to them**
587 **having downgraded to a smaller home and need additional storage area as well as to work on**
588 **home related project. They would also like to make the driveway as gravel.**
589

590 **Chairman Renfro asked for questions from Commission for applicant.**
591

592 **Chairman Renfro asked why this is coming as a public hearing. Mr. Brooks stated it is due to it**
593 **not meeting the minimum requirements.**
594

595 **Commissioner Logan asked as to why masonry requirements were not being able to be met. Ms.**
596 **Banuelos stated it was for financial reasons.**
597

598 **Commissioner Lyons asked if pictures of the back yard can be brought to next meeting. Ms.**
599 **Banuelos stated she would as well as of neighboring houses.**
600

601 **Commissioner McCutcheon asked if there were any other similar accessory buildings in the**
602 **area. Ms. Banuelos stated there is one neighboring them but it is falling apart.**
603

604 **There being no further questions staff indicated the case will return to the Commission for**
605 **action at the next scheduled meeting.**
606

607
608 13. Z2016-009

609 Hold a public hearing to discuss and consider a request by Mohamed Taha for the approval of a
610 Specific Use Permit (SUP) to allow a minor auto repair garage to be established in conjunction with an
611 existing oil/lube change facility located on a 0.2755-acre parcel of land identified as Lot 3, Block B,
612 Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
613 District, situated within the Scenic Overlay (SOV) District, addressed as 2225 Ridge Road, and take any
614 action necessary.
615

616 **Senior Planner, David Gonzales stated applicant and representative were present and available**
617 **for questions.**
618
619

620 Mohamed Taha
621 4713 One Place Dr.
622 Garland, TX
623

624 Mr. Taha came forward and gave brief explanation of request stating he would like to have the
625 storage of vehicles that is considered outside storage for a period of 24-48 hours. Mr. Taha
626 added he had same request a year ago, but failed to attend the last required meeting after
627 Planning Commission approved and is here with same request. It involves parking of vehicles in
628 the back of his shop for cars that are awaiting parts or customers that drop vehicles after hours.
629 Also, Mr. Taha stated he has met with a contractor to have the building remodeled as well as
630 meeting with Mr. Gonzales to go over materials required and such.
631

632 Chairman Renfro asked what the change from last request. Mr. Gonzales stated the difference is
633 they are requesting to amend the site plan to allow seven parking spaces behind the building.
634

635 Chairman Renfro asked if Code Enforcement has been involved since the last request was not
636 approved. Mr. Gonzales stated he believes they have since last request was not approved.
637

638 Commissioner Trowbridge asked if first request included seven parking spaces as well. Mr.
639 Gonzales stated in 2014 they wanted seven spaces for 48 hours and Planning Commission did
640 approve but due to Mr. Taha not attending the City Council and it was not approved they are
641 requesting it once again.
642

643 There being no further questions staff indicated the case will return to the Commission for
644 action at the next scheduled meeting.
645
646

647 14. Z2016-010

648 Hold a public hearing to discuss and consider a request by Grey Stogner of Crestview Real Estate on
649 behalf of the owner Tom R. Briscoe of Briscoe Oil, Inc. for the approval of a PD Development Plan for
650 an urgent care facility on a 1.042-acre tract of land identified as Lots 1 & 2, Block A, Briscoe/Hillcrest
651 Addition and Tract 41-2 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County,
652 Texas, zoned Planned Development District 32 (PD-32), situated within the *Summit Office Subdistrict*
653 and the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of Horizon Road [FM3097]
654 and the IH-30 frontage road, and take any action necessary.
655

656 Senior Planner, David Gonzales, asked applicant to come forward.
657

658 Matt Moore
659 1903 Central Dr.
660 Bedford, TX
661

662 Mr. Moore came forward and gave brief explanation of request which will be for a proposed Care
663 Now.
664

665 Chairman Renfro asked if this request meets the intent of the Harbor District. Mr. Gonzales
666 stated that a PD Development allows for an applicant to come in and amend the PD Concept
667 Plan.
668

669 General discussion took place concerning what the PD ordinances allow.
670

671 Commissioner Trowbridge asked concerning height due to it being next to the Twin Towers. Mr.
672 Moore stated it is a one story building.
673

674 There being no further questions staff indicated the case will return to the Commission for
675 action at the next scheduled meeting.
676
677

678 15. Z2016-011

679 Hold a public hearing to discuss and consider a request by Fred Hazel of Davis Development on behalf
680 of Jim Kirby of Rockway Partners, LLC for the approval of a zoning change from a Commercial (C)
681 District to a Planned Development District for a multi-family apartment complex on a 17.60-acre tract of

682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743

land identified as Lots 6-11, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located east of the intersection of Laguna Drive and La Jolla Pointe Drive, and take any action necessary.

Planning Director, Ryan Miller, asked applicant to come forward.

Jean Babb
1220 Blue Bell

Mr. Babb came forward and gave a brief explanation of request providing a slide show of the project highlights. He stated it is a family owned company founded in 1995. Current Texas markets include Frisco, McKinney Prosper, Allen, Fairview, Carrollton and Fort Worth. 2,111 units completed to date with another 3,728 under construction. They have also developed in twelve states across the country.

Mr. Babb went on to state thru Mayor Pruitt's direction have met with the HOA of Lakeside Village as well as Turtle Cove. 44percent one bedroom, 43 percent two bedroom, and 13percent will be three bedrooms. 15.5 units per acre density. Total parking 476 surface parking. There will be four different building types and will be gated.

Chairman Renfro asked for questions from Commission.

Commissioner Trowbridge asked concerning

Chairman Renfro asked if there was another owner. Mr. Babb stated they have reached out to owner but have not been successful in doing so.

Commissioner Logan had concern of traffic study. Mr. Babb stated that is in process.

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

16. P2016-012

Discuss and consider a request by Worth Williams of Moore Worth Investments, LLC on behalf of Jean Voltz of Arkoma Development LLC for the approval of preliminary plat for Lots 1-4, Block A, Lakeshore Commons Addition being a 4.706-acre tract of land identified as Tract 8-4 of the J. H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, located at the southwest corner of the intersection of SH-205 [N. Goliad Street] and North Lakeshore Drive, situated within the North SH-205 Overlay (N. SH-205 OV) District, and take any action necessary.

Planner Korey stated representative for applicant was present.

Mark Hickman
3094 CR 1024
Farmersville, TX

Mr. Hickman came forward and gave brief explanation of request and stated the plan is to break this tract of land into four tracts. That will house a restaurant and neighborhood type need shops. It is proposed to be a 9400 square foot building with their own underground detention.

Commissioner Trowbridge asked concerning traffic with proposed tenants coming in, is there a traffic study that has been done. Mr. Hickman stated there is a traffic study that supports proposal, and they have been working with staff as well to ensure they do all that is needed.

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

744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806

17. SP2016-005

Discuss and consider a request by Jay Holman & Don Silverman of Rockwall 205-552, LLC for the approval of site plan for a retail building on a 1.231-acre portion of a larger 9.183-acre tract of land identified as Tract 4-1 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of SH-205 [N. Goliad Street] and FM-552, and take any action necessary.

Planner Corey Brooks stated applicant was present and asked him to come forward.

Applicant's representative came forward and gave brief explanation of request that includes a retail building approximately 11,000 square feet. They have received comments from staff and are working with staff to address those.

Mr. Brooks added that this is part of a larger development and this building will set the tone for the development of that area. Applicant and staff met with ARB earlier today and discussed variances that will be required to the back of the building those recommendations were given to applicant and changes will be made and they will submit those changes.

Chairman Renfro asked if it is in conformance with City's plan. Mr. Brooks stated at this time the back of the building does not conform to the natural stone requirements and therefore they will be resubmitting.

Commissioner Trowbridge asked if there any tenants signed as of yet. Mr. Hickman stated there are several interested parties but no one has signed any contract or such.

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

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

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

- ✓ P2016-008: Lot 1, Block A, Children's Lighthouse Addition [Approved]
- ✓ Z2016-001: AG to SF-1 for 735 Davis Drive (2nd Reading) [Approved]
- ✓ Z2016-002: SUP for 453 Cullins Road (2nd Reading) [Approved]
- ✓ Z2016-003: SUP for Service King (1st Reading) [Approved]
- ✓ Z2016-004: SUP for 803 N. Goliad Street (2nd Reading) [Approved]

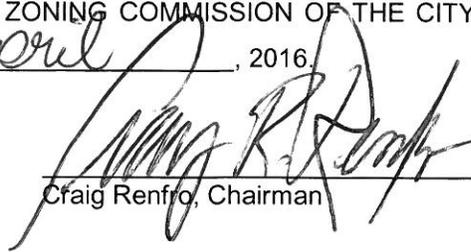
Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced cases at the City Council meeting. The Commission did not have any questions concerning this agenda item.

VII. ADJOURNMENT

The meeting adjourned at 8:49 p.m.

807 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,
808 Texas, this 12 day of April, 2016.

809
810
811
812
813
814
815
816
817
818
819
820



Craig Renfro, Chairman

Attest: Laura Morales
Laura Morales, Planning Coordinator