

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
May 10, 2016
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, Johnny Logan, Tracy Logan, Sandra Whitley and Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant Engineer, Amy Williams and Civil Engineer, Jeremy White.

II. CONSENT AGENDA

1. Approval of Minutes for the April 26, 2016 Planning and Zoning Commission meeting.

2. P2016-016

Discuss and consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of the owner Robert John Crowell of Crowell Development Corporation for the approval of a final plat for Wanda Ridge Estates, Phase 2 containing 45 single-family residential lots on 79.7111-acres identified as Tract 17-3 (4.679-acres), Tract 19 (61.658-acres), and Tract 42-01 (13.374-acres) of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, situated in the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located north of the intersection of Wanda Lane and FM-548, and take any action necessary.

Chairman Renfro made motion to approve the consent agenda. Commissioner McCutcheon seconded the motion, which passed by a vote of 7-0.

III. APPOINTMENTS

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

ARB representative came forward and gave brief explanation of recommendation pertaining to the items on the agenda that required architectural review those which were discussed at the previous meeting. Changes were addressed by the applicants.

No discussion took place concerning this agenda item.

IV. PUBLIC HEARING ITEMS

4. Z2016-012

Hold a public hearing to discuss and consider a request by Jim Evans of CEI Engineering Associates, inc. on behalf of Bob Hubbard of EZ Mart Stores, Inc. for the approval of a Specific Use Permit (SUP) to allow a retail store with more than two (2) gasoline dispensers on a 0.918-acre parcel of land identified as Lot 1, Block A, Mr. M Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 2901 Ridge Road and take any action necessary.

Planner, Korey Brooks, gave explanation of the request stating that the applicant is requesting the approval of a Specific Use Permit to allow a retail store with more than two gasoline dispensers on a 0.918-acre parcel of land located at the southeast corner of Ridge Road and Horizon Road. This property is currently zoned Planned Development District 9 for General Retail District land uses. According to the Section 1.1, Use of Land and Buildings, of Article IV, Permissible Uses, of the Unified Development Code a retail store with more than two gasoline dispensers requires a Specific Use Permit in a General Retail District.

63 Mr. Brooks went on to state that as part of the Specific Use Permit submittal the applicant has
64 submitted a conceptual site plan showing that there will be no changes to the traffic pattern
65 adjacent to major streets; however, the applicant will be adding cross access to the properties to
66 the south to facilitate the flow of traffic through the shopping center. Additionally, the current
67 use of the property--a retail store with two gasoline dispensers or a gas station--will not change.
68 Currently there is an existing 2,264 sq. ft. EZ-Mart store with two gasoline dispensers and a
69 canopy located on site. The applicant is proposing to replace the existing store, pumps, tanks,
70 and canopy with an 804 sq. ft. kiosk, eight gasoline dispensers, new tanks, and a new canopy. It
71 should be noted that this Kroger gas station will be located less than 1,000-feet away from an
72 existing Kroger grocery store and gas station. With the exception of the proposed additional
73 gas pumps, the applicant's request conforms to all applicable requirements; however, granting a
74 Specific Use Permit is a discretionary act to the City Council. If approved, the applicant will be
75 required to submit a site plan and replat conforming to all applicable requirements.

76
77 Mr. Brooks also added that on April, 26, 2016 staff sent 38 notices to property owners/residents
78 within 500-feet of the subject property. Staff also mailed notices to Lago Vista HOA, which is the
79 only HOA/Neighborhood association that is within 1,500-feet and participation in the notification
80 program. Additionally, staff posted a sign on the subject property and staff has not received any
81 notices returned.

82
83 Chairman Renfro asked for questions for staff from Commission.

84
85 Commissioner McCutcheon asked if any responses from mailed notices were received. Mr.
86 Brooks stated none were received for or against.

87
88 Chairman Renfro asked the applicant to come forth and speak.

89
90 Jeremy Lee
91 3030 LBJ Freeway
92 Dallas, TX
93

94 Mr. Lee came forward and stated they have addressed staffs comments and is available for
95 questions.

96
97 Chairman Renfro expressed concern with the gap between the store and the parking spaces
98 issue from Ridge to Horizon, asked applicant if there was a possibility to increase the striping to
99 the crosswalk. Applicant stated it was feasible to add the additional striping to the cross walk to
100 eight feet.

101
102 Commissioner Lyons asked if there are any other grocery stores that also have two separate fuel
103 stations so close together. Applicant stated Kroger does, they are currently thriving and it works
104 to add another one. Commissioner Lyons also asked how many pumps are existing and how
105 many are being requested. Mr. Brooks clarified that currently there are two pumps and they are
106 requesting eight.

107
108 Commissioner McCutcheon asked

109
110 Chairman Renfro opened the public hearing and asked anyone who wished to come forward and
111 speak to do so. There being no one indicating such, Chairman Renfro closed the public hearing.

112
113 Commissioner Trowbridge made motion to approve the item with staff recommendations.
114 Commissioner Lyons seconded the motion. Chairman Renfro asked to amend the motion to
115 include to the increase cross walk striping. Both Commissioner Trowbridge and Commissioner
116 Lyons accepted the amendment. The motion passed by a vote of 7-0.

117
118
119
120 5. Z2016-013

121 Hold a public hearing to discuss and consider a request by Garrett Lust of Pointe Land & Development,
122 LLC on behalf of Marven Wu of West Union Investment, Co. for the approval of a zoning change from
123 an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land
124 uses on a 81.49-acre parcel of land identified as Tract 16 of the J. A. Ramsey Survey, Abstract No. 186,

125 City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on Rochell Road
126 south of the intersection of Rochell Road the SH-276, and take any action necessary.
127

128 Senior Planner, David Gonzales, started by advising the Commission that they have a new staff
129 report due to some changes that were done after consulting with applicant earlier in the day, he
130 went on to give explanation of request stating that, the applicant submitted an application
131 requesting to rezone an 81.49-acre tract of land from an Agricultural District to a Planned
132 Development District for a single-family, residential subdivision that will consist of 204 single-
133 family lots. The subject property, which was annexed into the City on October 4, 2010 by
134 Ordinance No. 10-27, is located south of the intersection of Rochell Road and SH-276, adjacent
135 to Timber Creek Estates Subdivision. The property is currently vacant land that is zoned
136 Agricultural District. According to the concept plan, it is the intent of the development to provide
137 204 single-family residential lots that are to be a minimum of 8,125 sq. ft. in area. The
138 development will provide an approximately nine acre public park located at the southern portion
139 of the development. In addition, the Concept Plan shows the inclusion of 18.97-acres of net
140 open space, or 23.3% exceeding the minimum 20% requirement. Staff has included these as
141 development requirements within the Planned Development District Ordinance. In addition, the
142 applicant has also indicated that a minimum of a 15-foot landscape buffer will be provided along
143 Rochell Road. A minimum 10-ft landscape buffer along the proposed minor collector street
144 (Street H) is required, with large canopy trees planted along the perimeter of each roadway at 50-
145 ft intervals. However, the applicant is seeking a waiver to this requirement for Street H due to
146 the amenities provided for in the 9-acre public park. The applicant will also include a minimum
147 of a five foot sidewalk that will be constructed within the rights-of-way. The Code does allow for
148 a waiver through a recommendation from the Planning and Zoning Commission and City
149 Council.
150

151 Mr. Gonzales further stated that the Future Land Use Map contained within the Comprehensive
152 Plan designates the subject property as Low Density Residential land uses. According to the
153 Comprehensive Plan, the Low Density Residential designation is generally defined as single
154 family development consisting of less than 2 units per acre; however, a density up to 2.5 units
155 per gross acre may be allowed within a Planned Development district that includes the
156 dedication and/or development of additional amenities that exceed the minimum standards for
157 residential Planned Developments. These amenities may include but not limited to parks and
158 open space, neighborhood amenity centers, development of trails and parks in flood plains,
159 municipal parks and/or recreation facilities. In this case, the applicant is proposing a density of
160 2.50 units per gross acre and is proposing an approximately nine acre public park incorporating
161 an eight foot concrete hike and bike trail system, a playground area, plaza, picnic area, covered
162 pavilion, and other features as depicted on the Park Concept Plan. This will be the
163 developments primary amenity. Request did go before the Parks Board on May 3, 2016 and
164 based on what the applicant provided, the Park Board did approve with certain stipulations that
165 need to be met in order for the City to accept it as for as maintenance.
166

167 Mr. Gonzales went on to explain there are no alleys, and according to the Engineering
168 Department's Standards of Design and Construction Manual, and within the Comp Plan as well
169 an applicant can request to have the alley requirement waived because the will be offer front
170 entry and J-Swing garages. Ninety percent of the product will have front entry garages and ten
171 percent will have the J-swing. But according to the Unified Development Code, Article VI,
172 Section 4 Residential Parking, Sec. 4.1., A, a single-family parking garages must be located at
173 least 20 feet behind the front building facade for front entry garages, but applicant is requesting
174 to have those up to the front façade of the house.
175

176 Also, the proposed zoning does appear to conform to the majority of the Comprehensive Plan's
177 policies and guidelines with the exception of the required proximity of residential lots less than
178 12,000 sq. ft. to a neighborhood oriented park or open space. The Comprehensive Plan's policy
179 requires the lots to be no further than 800-ft from a public park or open space in order to benefit
180 from a property value premium an approximation of no more than 24 lots located in the North
181 West quadrant of the development are not within the 800-ft. minimum distance requirement.
182 With this being said, the proposed Concept Plan is a discretionary decision for the City Council.
183

184 Mr. Gonzales added that on April 29, 2016, staff mailed 102 notices to property owners and
185 residents within 500-feet of the subject property. Staff also emailed notices to the Timber Creek
186 and Fontana Ranch Homeowner's Associations (HOA's), which are the only HOA's located

187 within 1,500 feet of the subject property. Additionally, staff posted a sign adjacent to the subject
188 property along Rochell Road and advertised the public hearings in the Rockwall Harold Banner.
189 Staff has received one notice not in favor of the request.

190
191 Mr. Gonzales also noted that with the waivers, those are built into the ordinance not unless
192 otherwise instructed.

193
194 Chairman Renfro asked for questions for staff from the Commission.

195
196 Commissioner Logan asked for clarification of what percentage detention ponds are rated at as
197 far as open space. Mr. Gonzales stated the detention ponds in this case are not considered
198 floodplain; therefore they do count for one hundred percent open space. The applicant is
199 providing twenty three percent open space which is exceeding the necessary twenty percent
200 requirement. If it were a floodplain it would be counted as half of that as open space.

201
202 Commissioner Trowbridge asked if detention pond is in the quadrant where the lots are not
203 meeting the 800 feet to a park or open space requirement. Mr. Gonzales explained using the
204 shown map where it would be located but added that they may meet the requirement but at this
205 point it is not known.

206
207 Commissioner Lyons asked for clarification of what applicant is requesting concerning the front
208 facing garages if it will be in line with the house. Mr. Gonzales stated that they would be flush to
209 the front facade of the house.

210
211 Commissioner Lyons also asked how are adjacent subdivisions set up and are there any current
212 subdivisions with the front entry look. Mr. Gonzales stated that Timber Creek Estates are
213 primarily alleys, but those that have front entry are j-swing garages. Concerning other
214 subdivisions that are set up similar to request, Mr. Gonzales deferred that question to Planning
215 Director Ryan Miller. Mr. Miller stated that the most recent approval for flush front entry garages
216 is Discovery Lakes; however there was a percentage that was built into that ordinance that
217 required a certain number of j-swing to allow the front entry. There are also a couple of other
218 subdivisions, 2 in PD-10, Townsend Village and Rockwall Downs that have flush front entry
219 garages but that was the result of a settlement that was done in 2004. Stone Creek also has a
220 portion also has front entry on their 50 foot lots and that to was tied to a settlement but also on a
221 50 foot lot it is difficult to do a j-swing drive.

222
223 Commissioner Lyons also asked if notifications were also sent to the residents of the County
224 that are nearby. Mr. Gonzales stated it is not a requirement to notify outside the city limits.

225
226 Commissioner Fishman asked if point of access met the fire code. Mr. Miller stated the fire
227 department did review the concept plan and it does meet fire requirements it provides two points
228 of entry.

229
230 Chairman asked what percentage were 80 foot lots. Mr. Gonzales stated there are 30 making it a
231 less than 15 percent. Chairman Renfro asked reason for applicant not doing j-swing on all the 80
232 foot lots. Mr. Gonzales stated that would be better answered by the applicant.

233
234 Chairman Renfro opened the public hearing and asked the applicant to come forward.

235
236 Garrett Lust
237 6860 North Dallas Parkway
238 Dallas, TX

239
240 Mr. Lust came forward and gave brief explanation of request, advised the Commission that they
241 have addressed all of staffs comments as far as feedback. Feels this PD will offer a desirable
242 community and will be a nice addition that will fit Rockwall. They will be improving the section of
243 Rochell Road that is adjacent to their property boundary, adding the minor thoroughfare, as well
244 as bring in the nine and a half district park. Concerning the j-swing garages, the mentality with
245 that and the percentage of 90 and 10 that is just a minimum percentage, want to establish that at
246 least 10 percent will be j-swing the desire is to let the homebuyer determine the overall layout
247 and let the market determine the actual amount of the j-swings. For sizing the 65 foot lots will fit
248 a j-swing product, try and push for the most front entry possible specifically because home

249 builders and home buyers desire the front entry layout. Concerning the 10 foot buffer being
250 waved, they feel they are providing a nine and a half acre landscape buffer; the only thing that
251 would change is having one canopy tree every 50 feet along the road.
252

253
254 Chairman Renfro if homebuyer would know to ask for a j-swing garage versus a front entry
255 garage. Mr. Lust stated it was due to popularity in past communities it was more desirable, more
256 affordable and more popular to the home buyer since it is a more efficient layout.
257

258 Commissioner Whitley asked for further detail concerning the improvements that will be done to
259 Rochell Road. Mr. Lust explained the road is improved to the property line or Timber Creek
260 Estates, it is half of the major thoroughfare that is set in the thoroughfare plan the plan is to
261 improve to their property line.
262

263 Mr. Lust added that concerning the lot mix, it is currently only a concept plan and not set in
264 stone only wanted to establish the minimum of 80 foot lots.
265

266 Chairman Renfro stated it is a public hearing and asked anyone who wished to speak to come
267 forward and do so.
268

269 Janice Navotny
270 3581 Rochelle Road
271 Rockwall, TX
272

273 Ms. Navotny came forward and stated she lives in the County and her home is across the street
274 wants to know how big and what value these houses will have. She stated she is in opposition
275 of request, does not like front entry because that causes more cars parking on the street and
276 feels that this request is a bad fit for this area. She would like the road be built before the homes
277 are built.

278 Mr. Gonzales advised Ms. Navotny that it would be required for the road to be built before homes
279 are built.
280

281 Phillip Nott
282 3855 Chestnut Trail
283 Rockwall, TX
284

285 Mr. Nott came forward in opposition of request. Has concern of whether or not there will there be
286 a traffic light at Rochelle and 276 and has there been a traffic study done because by adding that
287 development it is going to add to the already heavy traffic on 276. Mr. Nott also had question
288 concerning the buffer zone.
289

290 Mr. Miller stated a stop light has been requested at Rochelle and 276, and that is handled thru TX
291 Dot, they require warrant studies and they are in the process of doing that and will get back to
292 the City. In terms of the buffer zone it is the notification area for the case all properties are
293 notified within the city limit that are within 500 feet from the subject property.
294

295
296 Chairman Renfro asked if there was anyone else who wished to speak, there being no one
297 indicating such Chairman Renfro closed the public hearing and asked the applicant to come for
298 rebuttal.
299

300 Mr. Lust came forward and stated concerning what the size of homes, they are not locked in
301 home size at this time but stated it will a substantial home, they anticipate all will be two story
302 and will have \$350-450k estimated price range.
303

304 Mr. Gonzales added that according to the ordinance the minimum standard for the smaller lots
305 the 65x125 is 1400 square feet and for the bigger lot the minimum standard is 1800 square feet.
306

307 Mr. Lust added that they anticipate all the homes will be larger than the minimum.
308
309

310 Chairman Renfro expressed concern for the front entry garage, having that all along a street with
311 no setback, it loses the vertical articulation asked if the applicant would be willing to increase
312 the percentage of j-swings. Mr. Lust stated they are willing and open to what the City suggests
313 as far as increasing the percentage.
314

315 Neil Heckle
316 (No address given)
317

318 Mr. Heckle came forward and stated he is the owner of Point Land Development. He stated they
319 are willing to go to 20-25 percent, but they need flexibility for builders.
320

321 Commissioner Whitley stated she understood applicant that is looking for most liberal for
322 builders but the Commission has an obligation to the community, concerned with what
323 guarantee product being proposed won't be the minimum when it comes in. Mr. Heckle stated a
324 possible solution would be to work on a layered effect; to say that a certain percentage minimal
325 is 1400 but no more than a certain percentage can be below 1600 to try and give the City some
326 assurance. Something of the sort can be worked out and discussed.
327

328 Mr. Miller stated applicant is offering a layered effect and it may be opportune to table the item
329 and bring it back with those solutions that are an option the Commission can consider.
330

331 Chairman Renfro added he is in agreement with that option as the applicant is willing to work
332 with the City.
333

334 Chairman Renfro made a motion to continue the Public Hearing for the next Planning and Zoning
335 that will take place May 31, 2016. Commissioner Lyons seconded the motion, which passed by a
336 vote of 7-0.
337

338
339 6. Z2016-014

340 Hold a public hearing to discuss and consider a request by Noah Flabiano of the Skorburg Company on
341 behalf of the owner Lakeside Church of Christ of Rockwall for the approval of a zoning change from an
342 Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land
343 uses on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall
344 Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG)
345 District and located on the north side of Airport Road, west of the intersection of Airport Road and
346 FM3549, and take any action necessary.
347

348 Planning Director, Ryan Miller, gave brief explanation the application, stating that the applicant
349 is requesting to rezone a 29.541-acre tract of land from an Agricultural District to a Planned
350 Development District for a single-family, residential subdivision that will consist of 45 single-
351 family residential lots. Mr. Miller advised the Commission that the case memo before them
352 shows 42 lots but there was some last minute changes to the concept plan. The property which
353 was annexed into the City on March 16, 1998 and is located on the north side of Airport Road,
354 west of the intersection of Airport Road and FM-3549. Directly north is the Rolling Meadows
355 subdivision which consists of 18 homes on about 80 acres and is zoned Single Family-4.0
356 meaning they have a minimum of four acre lots. Directly south of the property is Airport Road
357 and three agricultural parcels of land with one single family residence. Directly west of the
358 subject property is the Amity and Indian subdivisions which contain 22 and 20 single family
359 homes and are zoned Single Family 10 District. Directly east of the subject property is Lakeside
360 Church of Christ of Rockwall, which is situated on a 16.0 acre parcel of land. Additionally, there
361 are several residential properties on various tracts of land.
362

363 Along with the application, the applicant has submitted a concept plan and development
364 standards for the proposed residential subdivision. The concept plan shows the layout of the
365 subdivision, which will have two access points off Airport Road. In addition, the development
366 will stub out access to the church property to the east for a possible future connection point to
367 FM-3549. According to the concept plan, the development will consist of 45, 80' x 100' lots, and
368 have a gross residential density of 1.2 units per acre. The subdivision will incorporate greater
369 than 20 percent, approximately seven and a half acres, open space that will be situated in the
370 center of the development.
371

372 Mr. Miller went on to add that the applicant is proposing to utilize a rural street cross section that
373 will have a 50-foot right-of-way and be composed of 28-feet of pavement leading into an eleven
374 foot bar ditch/drainage area with a 3:1 minimum slope, followed by a 7½-foot utility easement
375 adjacent to the right-of-way. This is the same street cross section that was incorporated in the
376 Breezy Hill Subdivision. In addition, the applicant has consented to the same 40-foot front yard
377 building setback that was approved for the Breezy Hill Subdivision. It should also be noted that
378 the proposed zoning ordinance incorporates similar anti-monotony standards that were used in
379 Stone Creek and the Breezy Hill subdivision.
380

381 Mr. Miller further stated that as with other cases that have come before the Commission with
382 residential lots since 2008, the applicant is requesting a waiver to the alley requirement, which is
383 pretty typical. That is the only deviation from the standard PD language.
384
385

386 Also, looking at conformance at the Comprehensive plan, the Future Land Use map designates
387 the subject property as being designated for Low Density Residential which is typically
388 designated as two units per acre however there is a density bonus if the applicant provides
389 increased amenity up to two and a half units per acre. In this case they are far below the two
390 units per acre they are at 1.52 units therefore the property is in conformance with the future land
391 use plan. In addition, Resolution No. 07-03 -- approved on January 16, 2016 and codified into the
392 City's Comprehensive Plan as Exhibit 'A' -- outlines the City's residential development policies.
393 The proposed concept plan and development standards submitted by the applicant are generally
394 in conformance with these policies and the greater policies of the Comprehensive Plan. With
395 this being said, the Comprehensive Plan does state that "(w)here residential uses in a Planned
396 Development abut an existing development, the PD lots should be at least the same size as the
397 existing lots or be buffered by open space, trails, walkways, natural screening or a roadway."
398 As a result, staff did recommend to the applicant that they increase the size of the lots adjacent
399 to the Rolling Meadows Estates, which is a Single Family Estates 4.0 District consisting of lots
400 that are a minimum of four acres in size. As an alternative, staff also suggested that a minimum
401 of a ten foot landscape buffer with trees 20-feet on center could be provided adjacent to this area
402 to meet the Comprehensive Plan requirements. At this time, the applicant has not incorporated
403 staff's recommendations.
404

405 Mr. Miller added that on April 29, 2016, staff mailed 72 notices to property owners and residents
406 within 500-feet of the subject property and also emailed notices to the Rolling Meadow Estates
407 Homeowner's Associations, which is the only HOA located within 1,500 feet of the subject
408 property. Additionally, staff posted a sign along Airport Road, and advertised the public
409 hearings in the Rockwall Harold Banner. Staff received three responses in favor of the request
410 and four responses against the request.
411

412 Chairman Renfro asked for questions for staff from the Commission.
413

414 Chairman Renfro opened the public hearing and asked applicant to come forward.
415

416 Noah Fabiano
417 8214 Westchester suite 710
418 Dallas, TX
419

420 Mr. Fabiano came forward and stated that although all are familiar with their developments
421 which include Breezy Hill and Stone Creek he would be providing a brief slide show presentation
422 of the request that provided detail of concept plan, development standards and overall how they
423 will be meeting the future land use requirement as well as lot sizes, amenities and such.
424 Mr. Fabiano added concerning being out of conformance with the screening there is currently
425 red cedars in place and they will be adding more along the existing property line to provide the
426 screening needed.
427

428 Chairman Renfro asked if Windsor would be the only builder they will be using. Mr. Fabiano
429 stated Windsor is going to be one they will use but they may use another, does not want to tie
430 down saying it will only be Windsor because they may use others, it is unclear at this time what
431 other builder they may use but it will be quality builders.
432
433

434 Adam Buzcek
435 8214 Westchester suite 710
436 Dallas, TX
437

438 Mr. Buzcek came forward and stated Windsor will be a builder there may or may not be another
439 builder that is compatible with Windsor quality.
440

441 Chairman Renfro asked if Skorburg oversee the other builders. Mr. Buzcek stated they do.
442

443 Commissioner Lyons asked how much 25 percent is for retention for drainage. Mr. Fabiano
444 stated they cannot drain into the pond, but that will be addressed at the platting stages.
445

446 Mr. Miller added they will be required to provide detention.
447

448 Chairman Renfro opened up the public hearing and asked anyone who wished to speak to come
449 forward and do so.
450

451 Gary Evans
452 2585 Rolling Meadows
453 Rockwall, TX
454

455 Mr. Evans came forward and stated his opposition to the request. Stated developer came to his
456 home earlier in the week with a concept plan showing 42 homes and is upset to find out now
457 they are proposing 45 homes. He has lived in Rockwall 20 years and feels that although he isn't
458 against the property being developed, this builder is not the right fit. Feels his property value will
459 suffer because of it and is asking the Commission to vote against it.
460

461 Donna Orr
462 2625 Rolling Meadows
463 Rockwall, TX
464

465 Ms. Orr stated she agrees with everything Mr. Evans stated. She has been at her home for 17
466 years. She thinks if they have five lots instead of nine they would not lose a lot of money. Ms.
467 Orr also stated she is concerned with the screening as far as maintenance wants there to be a
468 provision for maintenance. Also there is a property line discrepancy between the church's
469 property and hers, and is asking item to be tabled until that is clarified. In the comprehensive
470 plan there is a box that shows that low density is less than two units per acre, not two units per
471 gross acreage and although credit is given for having green areas, but lots behind her house is
472 barely one third of an acre. Ms. Orr went on to say she does not trust this developer and is
473 asking the Commission to vote against it.
474

475 Stella Bennett
476 2705 Rolling Meadows
477 Rockwall, TX
478

479 Ms. Bennett came forward and stated she is in agreement with neighbor comments and is in
480 opposition to the request asking Commission to vote against it.
481

482 Dwight Walker
483 1832 E. FM 552
484 Rockwall, TX
485

486 Mr. Walker came forward and stated he is one of ten elders of the church as well as several
487 others in attendance that own the property and would like to see it sell. He is asking for approval
488 to continue to work with his fellowship and other projects of help that they are involved that help
489 the community.
490

491 Chairman Renfro closed the public hearing and asked the applicant to come forward for rebuttal.
492
493
494

495 Mr. Buzcek came forward and stated there was a mistake in the concept plan that was given to
496 the residents that showed 42 lots it was not supposed to be passed out, the additional 3 lots
497 with the screening they will add will not be seen. They need the 45 lots for the project to be
498 financially feasible. As for the screening maintaining, it will be allotted to be taken care of by the
499 HOA. Concerning asking for SF-10 instead of SF-16 they need the setback flexibility provided by
500 the SF-10.

501
502 Commissioner McCutcheon asked about the boundary dispute one of the residents brought up.
503 Mr. Miller stated that boundary line disputes would be a civil issue and any action taken would
504 not affect that.

505
506 Commissioner Fishman asked if they will be providing any amenities. Mr. Buzcek stated it will be
507 a natural open space are not planning to provide any type of trail or such.

508
509 Commissioner Whitley expressed concern as to what appearance the homes would have. She
510 expressed concern with the amount of neighborhoods that are looking too similar, would like to
511 see more thought given to the appearance to have more character to have more unique look. Mr.
512 Buzek stated as of now they are committing to this PD to be modeled after Breezy Hill and Stone
513 Creek it has been a very successful master plan, if they do bring in another builder it will be one
514 that is compatible with their current product. They have a new series that is what they are
515 showing and has been very popular.

516
517 Commissioner Logan asked if there was swale drainage directed to front of the property is there
518 a city storm drain that ties into or does it come off the back of the property. Mr. Buzek the
519 drainage will have to satisfy the City's engineering department there will be no flow change or
520 concentration. There is not an existing system currently.

521
522 Chairman Renfro expressed concern with the minimum requirement to be 1800 square feet, for
523 this type of subdivision the one story lots that they are proposing, asked if there is a way to
524 tighten that up were there could be some control. Mr. Miller stated it is up to the applicant to
525 define that when the turn in their request. In this case the Single Family 10 requires a minimum
526 of 1800 but the applicant may increase it to fit their product, but that is up to the applicant.

527
528 Chairman Renfro asked Mr. Buzcek what the price point of the homes would be. Mr. Buzcek
529 stated the price point would be \$350-450.

530
531 Commissioner McCutcheon made a motion to approve the request with staff recommendations.
532 Commissioner Logan seconded the motion which passed by a vote of 7-0.

533
534 A break was called at 7:55. Meeting was reconvened at 8:05

535
536 7. Z2016-015

537 Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land
538 Development, LLC on behalf of the owners Gwen Reed and Randa Hance (*R. & R. Hance Investments,*
539 *LP*) for the approval of a zoning amendment to Planned Development District 79 (PD-79) [*Ordinance*
540 *No. 16-07*] for the purpose of amending the concept plan and incorporating 11.121-acres of land into the
541 existing 44.292-acre development creating a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03
542 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned
543 Agricultural (AG) District and Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4)
544 District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the
545 north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

546
547 Planning Director, Ryan Miller, gave explanation of request stating On January 4, 2016, the City
548 Council approved Planned Development District 79, which rezoned the 45.292-acre subject
549 property from an Agricultural District to a Planned Development District for a single-family,
550 residential subdivision that consisted of 113 single-family lots. As part of this case, the
551 applicant indicated that an additional 11.121-acre tract of land situated in the City's
552 Extraterritorial Jurisdiction would be incorporated into the subdivision after the property had
553 been annexed. On May 16, 2016, the City Council is scheduled to approve the voluntary
554 annexation of the 11.121-acre tract of land, which will be designated as an Agricultural District
555 upon annexation. In accordance with the original intent of the request, the applicant has
556 submitted an application requesting to amend Planned Development District 79 to incorporate

557 the newly annexed land into the subdivision. This will increase the number of lots in the
558 subdivision from 113 to 138. Along with the application, the applicant has submitted a revised
559 concept plan showing the layout of the additional 25 single-family lots. All 138 lots will be a
560 minimum of 70' x 125'. The development will maintain the 2.49 units/acre approved with the
561 original PD ordinance. In addition, the applicant will be increasing the percentage of open space
562 from 17% to 22.63%, and will be incorporating an amenities center and community garden area.
563

564 Mr. Miller further stated that as part of the PD amendment, the applicant is requesting to
565 change the garage orientation to allow a minimum of a five foot offset between the front façade
566 of the primary structure and the garage. Currently, the UDC requires a minimum of a 20-foot
567 offset between the front façade of the primary structure and the garage. It should be noted that
568 this same request was approved in the Somerset Park Subdivision, and that the
569 approved/proposed PD ordinance incorporates many of the same components as Planned
570 Development District 63. Specifically, with regard to the permitted encroachment into the front
571 yard building setback, which is intended to provide variation and articulation in the front façade
572 of the proposed houses.
573

574 Also, the proposed zoning change does not change the proposed land use of the property and
575 the applicant's request remains in conformance to the *Low Density Residential* land use
576 designation indicated on the Future Land Use Map of the Comprehensive Plan. Moreover,
577 according to the Comprehensive Plan, Low Density Residential areas are generally defined as
578 less than two units per acre; however, a density up to two-and-one-half units per gross acre may
579 be allowed within a residential Planned Development District. The Unified Development Code
580 expands this statement by stating that additional amenities such as parks, open space, amenity
581 centers, schools, trails that exceed the minimum requirements would qualify a development for
582 a density bonus of up to two-and-one-half units per acre. In this case, the applicant has
583 provided additional open space and single loaded many the lots so that a good portion of
584 properties will face on to an open space. Taking this into consideration and that the applicant's
585 revised concept plan does not change the density from 2.49 units/acre, and increases the open
586 space and amenity in the area; brings the request further into conformance with the
587 Comprehensive Plan.
588

589 Mr. Miller further stated that on April 29, 2016, staff mailed three notices to property owners and
590 residents within 500-feet of the subject property. Staff also emailed notices to the Stoney Hollow
591 and Stone Creek Homeowner's Associations, which are the only HOA's located within 1,500 feet
592 of the subject property. Additionally, staff posted a sign along John King Boulevard, and
593 advertised the public hearings in the Rockwall Harold Banner. No responses were received by
594 staff.
595

596 Chairman Renfro opened the public hearing asked the applicant to come forward.
597

598 Pat Atkins
599 3776 Hays Lane
600 Rockwall, TX
601

602 Mr. Atkins came forward and stated they have been working with two builders that have
603 committed with letters of intent that would be Highland Homes and Guian and he has been
604 working closely with them on the orientation of the garages. The plan that they propose is a mix
605 of the two car swing low garage, three car garages and two car front facing garage. With the
606 front facing garage Mr. Atkins asked to have the setback requirement waived.
607

608 Mr. Miller clarified with Mr. Atkins that his request is to have flushed front facing garages with a
609 commitment of having 50% j-swing and if approved it will have to be made as part of the motion.
610

611 Chairman Renfro asked why the change now. Mr. Atkins stated now that they are in the
612 commitment with the builders and they would like the flexibility, it was decided to make request.
613

614 Commissioner Logan why is it difficult for the builder to meet the five foot setback. Mr. Atkins
615 stated it had to do with the slab and framing.
616
617

618 Chairman Renfro asked if anyone wished to speak to come forward to do so. There being no one
619 indicating such Chairman Renfro closed the public hearing and brought the item back to the
620 Commission for discussion.

621
622 Commissioner Trowbridge made motion to approve the item as modified to reflect a minimum of
623 50% j-swing and not to require the 20 foot setback for the front facing garages. Commissioner
624 McCutcheon seconded the motion, which passed by a vote of 7-0.

625
626
627 8. Z2016-016

628 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
629 amendment to Section 4, *Southside Residential Neighborhood Overlay (SRO) District*, of Article V,
630 *District Development Standards*, of the Unified Development Code, and take any action necessary.

631
632 Planning Director, Ryan Miller, gave brief explanation of item stating On April 4, 2016, the City
633 Council directed staff to initiate a text amendment to Section 4, *Southside Residential*
634 *Neighborhood Overlay District*, of Article V, *District Development Standards*, of the Unified
635 *Development Code* for the purpose of removing the City Council's ability to grant land use
636 without a public process. In addition, under the current ordinance any application for a special
637 request must first be brought to the City Council to initiate the request, then to the Planning and
638 Zoning Commission for a recommendation, and finally returning to the City Council for action.
639 Typically, these requests would be taken directly to the Planning and Zoning Commission for
640 recommendation first prior to being brought before the City Council. As was discussed in the
641 Planning and Zoning Commission Work Session on April 26, 2016, staff has also taken this
642 opportunity to update the purpose statement of the overlay district. These changes are target at
643 better clarifying the purpose and intent of the district.

644
645 Mr. Miller added that in accordance, with Section 4.2 of Article XI, *Zoning Related Applications*,
646 of the UDC staff is bringing the proposed amendments forward to the Planning and Zoning
647 Commission for a recommendation to the City Council. Attached to this case memo is a copy of
648 the current ordinance and a copy of the proposed amendments to the UDC.

649
650 Also staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all
651 applicable state laws and Section 6.1 of Article II, *Authority and Administrative Procedures*, of
652 the UDC. This notice was published in the Rockwall Herald Banner on April 29, 2016.

653
654 Chairman Renfro asked if anyone wished to speak to come forward to do so. There being no one
655 indicating such Chairman Renfro closed the public hearing and brought the item back to the
656 Commission for discussion.

657
658 Commissioner Trowbridge made a motion to approve the item. Commissioner Fishman
659 seconded the motion, which passed by a vote of 7-0.

660
661 9. Z2016-017

662 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
663 amendment to Section 1, *Land Use Schedule*, and Section 2.1.8, *Auto and Marine-Related Use*
664 *Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code for the purpose of
665 changing the requirements for *Used Motor Vehicle Dealerships*, and take any action necessary.

666
667 Planning Director, Ryan Miller, gave explanation of item stating Planning Director, Ryan Miller,
668 stated that on the City Council meeting that took place on March 21, 2016 a perspective
669 applicant came forward and requested that City Council look into changing the current use chart
670 to allow used motor vehicle dealerships in a Light Industrial District thru a Specific Use Permit.
671 The way the ordinance is currently set up used car dealerships are only allowed as an ancillary
672 or accessory use to new auto dealerships, with the thinking that this will provide some controls
673 going forward and it will also provide a certain type of product. This request was tied to a
674 specific used car dealership.

675
676 Mr. Miller further stated that as a result of the request City Council did direct staff to initiate a
677 text amendment with the intent of allowing motor vehicle dealership used thru a specific use
678 permit in a light industrial district. In response to this request staff began the process of drafting
679 an ordinance and ultimately what was decided in the ordinance that allowed the use thru an

680 SUP, however it was restricted in the Overlay Districts. Staff came to this conclusion after
681 having done several studies one of which was a comparison study with several neighboring
682 cities to see what requirements they had. Staff first did comparable cities analysis and looked at
683 their code. What was found is that the majority of the cities that allow the use do so thru a
684 Specific Use Permit, Rockwall currently has the most restrictive ordinance with the exception of
685 Rowlett. The next study done was a location analysis, and it shows Rockwall currently has 11
686 car dealerships, 2 legally non- conforming used dealerships and 9 new dealerships that also
687 have used vehicle sales. They all exist within the IH-30 corridor, which averages to 11 percent of
688 the retail within that corridor.
689

690 Mr. Miller went on to state that past actions were also looked into specifically in 2007 a change
691 was made to the way the City allows New Car Dealerships in the certain Districts that allows
692 them the code was amended to require a Specific Use Permit, whereas before they were allowed
693 by right in the Light Industrial District for the prevention of concentration of these dealerships
694 along the IH30 corridor and also because there was an abundance of Light Industrial Land
695 remaining in that corridor in the undeveloped areas. An ordinance was prepared, essentially it
696 would not accommodate what the applicant is requesting, it would allow for the use in the Light
697 Industrial with an SUP but it would prevent it to go into the Overlay Districts which is similar to
698 what the City of Frisco did with their ordinance.
699

700 Mr. Miller further added that another component that was looked into was the impact on the City
701 sales tax of the specific use and looked into the State tax code which according to section
702 152.001 of the State of Texas Tax Code a retail sale does not include the purchase of new motor
703 vehicles from a licensed dealer franchised to resell that type of vehicle, used motor vehicles by
704 a licensed dealer for resale purposes, and new motor vehicles by a licensed franchise dealer for
705 a lease contract. This means that the City does not collect sales tax on the sale or lease of any
706 new or used automobile. In addition, staff has performed a basic fiscal impact analysis
707 comparing the assessed values of the existing eight Fenton Nissan is currently under
708 construction new/used motor vehicle facilities against the City's commercial/retail land uses,
709 which is the predominate use in the IH-30 Overlay District. The analysis performed by staff
710 shows that the eight new/used motor vehicle facilities have a total land footprint of 62.387-
711 acres adjacent to IH-30, with a total land value of 2M, a total improvement value of 18M, and a
712 total assessed value 40M. This all equals a total \$196,381.00 of property taxes paid to the City
713 per year. The total property value per square foot for this use breaks down to \$14.89/SF.
714 Performing this same analysis on the City's commercial/retail uses (the total property value) per
715 square foot breaks down to \$18.96/SF, or a difference of +\$4.07. This number is assumed to be
716 higher if only the commercial/retail land in the IH-30 Corridor is used, because land value in this
717 area tends to be higher than the land value Citywide. In addition, the retail/commercial uses
718 include sales tax, which would further widen this disparity. It should also be pointed out that
719 these are new motor vehicle facilities and not used motor vehicle facilities, which is what the
720 current ordinance is proposing to allow.
721

722 Mr. Miller stated the final component that was looked at was researching comparable City's, staff
723 observed highway corridors in several neighboring communities where new motor vehicle
724 dealership sites have transitioned into primarily used motor vehicle dealerships. This is an
725 important observation when considering the long-term vision for the City's primary entry and
726 retail corridor.
727

728 Mr. Miller added that it should be noted that staff's proposed ordinance does not accommodate
729 the request made by Echo Park Automotive for the property at 1415 & 1501 E. IH-30, which is
730 located within the IH-30 Overlay District; however, for the reasons stated above and to prevent
731 the proliferation/concentration of automotive uses within the City's overlay districts staff has
732 prepared an ordinance prohibiting the use in many of the City's strategic highway corridors.
733 The Planning and Zoning Commission and City Council retain the discretion to amend or
734 redirect staff should the ordinance not be sufficient to properly regulate the use. The City
735 Council also retains the discretion to refrain from changing the ordinance if they see no public
736 benefit from doing so. Staff has sent out a 15-day notice to the Rockwall Herald Banner and this
737 notice was published in the Rockwall Herald Banner on April 29, 2016.
738
739
740
741

742 With that being said Mr. Miller advised he was available for questions.

743
744 Chairman Renfro asked if it is required for used vehicles to be kept indoors. Mr. Miller stated
745 there is a provision within the ordinance where used automotive sales is allowed but must be
746 strictly indoors.

747
748 Chairman Renfro opened the public hearing and asked the applicant to come forward.

749
750 Maxwell Fisher
751 900 Jackson Street suite 640
752 Dallas TX

753
754 Representative for Echo Park and gave brief explanation of request stating his company has
755 over 100 dealerships new and used in 13 states with approximately 10,000 employees and LEED
756 environmentally sensitive buildings. They are owned by Sonic Automotive and are not a
757 franchise they would be a specialty retail store with modern interiors, high technology. Mr.
758 Fisher feels that with the industry changing, what the proposed open concept will be successful
759 in Rockwall.

760
761 Chairman Renfro noted to applicant slide show presentation was well presented and shows the
762 product is a good product, but expressed concern with changing the code when it was written
763 for a reason, feels this type of product is not a revenue maker.

764
765 Commissioner Trowbridge stated he agreed with Chairman Renfro's comment and feels with
766 Rockwall being a small county and having little available land left every decision has to be well
767 thought out. He went on to ask what size typically would be and how much inventory. Mr. Fisher
768 stated typically 6 acres but it averages on what parcel of land is available and inventory is a
769 couple of hundred and they also offer to look at inventory online. Commissioner Trowbridge
770 asked if there would be any mechanical work provided at the facility. Mr. Fisher stated it would
771 only be minor maintenance.

772
773 Nell Welborn
774 810 Lake Meadows
775 Rockwall, TX

776
777 Mrs. Welborn came forward and stated she feels City leaders had a vision of what Rockwall
778 should be and have been successful making Rockwall what it is now and feels this is due to not
779 saying yes to every request that comes forward. She does not feel this would be beneficial to
780 Rockwall, is in opposition of request.

781
782 Chairman Renfro closed the public hearing and brought the item before the Commission for
783 discussion.

784
785 Chairman Renfro asked for clarification of what of what overall Commission would be making
786 motion for. Mr. Miller advised that Commission can accept the draft ordinance staff has
787 prepared, amend it to make it more restrictive or less restrictive, or leave it the way to leave the
788 ordinance as is.

789
790 Commissioner Lyons stated that his viewpoint is that there are enough used car dealerships, but
791 feels it should be based on individual needs of particular business and on a case by case basis.

792
793 Commissioner McCutcheon in favor of leaving as is expressed concern of once a dealership
794 goes out of business the cost of what's left as far as usable space is not cost effective.

795
796 Chairman Renfro stated he agrees with Commissioner McCutcheon feels it is an overlay district
797 and there is not much land left and with this type of business that does not produce enough
798 revenue would be in favor of keeping ordinance as is.

799
800 Commissioner Whitley asked if no change is made to the existing ordinance could this business
801 be built somewhere else in Rockwall as long as it is not on IH-30.

802
803

804 Mr. Miller stated if no change is made the only way this business could be built in the City of
805 Rockwall would be if they incorporate new automotive sales.

806
807 General discussion took place concerning comparison of other cities that have allowed used car
808 dealerships and how it has affected the look of those cities.

809
810 Commissioner Trowbridge made motion to deny the item. Commissioner McCutcheon seconded
811 the motion which passed by a vote of 6-1, with Commissioner Lyons dissenting.

812
813
814 V. ACTION ITEMS

815
816 10. SP2016-006
817 Discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of Michael
818 James of U. V. Real Estate, LP for the approval of a site plan for an *Auto Body Shop (i.e. Service King*
819 *Collision Repair)* on a 3.2039-acre tract of land described as Tract 7-01 of the J. Lockhart Survey,
820 Abstract No. 134, City of Rockwall, Rockwall County, Texas, located at 1780 E IH-30, zoned Light
821 Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action
822 necessary *[Postponed to the May 31, 2016 Planning and Zoning Work Session Meeting].*

823
824 11. SP2016-007
825 Discuss and consider a request by Bryan M. Burger, PE of Burger Engineering, LLC on behalf of the
826 owner Don Silverman of Rockwall 205-552, LLC for the approval of site plan for a grocery store (*i.e. Aldi*
827 *Food Store)* on a 1.972-acre portion of a larger 9.183-acre tract of land identified as Tract 4-1 of the T.
828 R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned General Retail
829 (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest
830 corner of the intersection of SH-205 [*N. Goliad Street*] and FM-552, and take any action necessary.

831
832 Senior Planner, David Gonzales, gave brief explanation of request stating request is for approval
833 for a site plan for an Aldi Food Store that is located at the corner of N. Goliad and FM 552. The
834 request is for an 18,663 square Aldi facility. It is zoned General Retail and the Goliad retail came
835 before the Commission for this particular tract last month and was approved for a retail facility.
836 The applicant has completed all of staff's recommendations of plan review; however there is one
837 thing that needs to be pointed out, the site plan shows an area for storage of the shopping carts,
838 in the plan review it is listed as a waiver, however after discussion with Mr. Miller it was decided
839 to consider it outside display and therefore the Commission can approve at the site plan level
840 indicating where that will be located.

841
842 Mr. Gonzales went on to state concerning the Architectural Review Board at the last meeting did
843 have comments for the applicant and they did come back with the changes that the Board
844 recommended.

845
846 Chairman Renfro asked for questions from Commission for staff or applicant. No discussion
847 took place concerning this agenda item.

848
849 Commissioner McCutcheon made motion to approve. Commissioner Lyons seconded the
850 motion which passed by a vote of 7-0.

851
852 12. SP2016-008
853 Discuss and consider a request by Vincent Jarrard of Eurthmic Design Group Architects on behalf of the
854 owner Cameron Bagley of Racetrac Petroleum, Inc. for the approval of site plan for a *car wash/auto*
855 *detail facility (i.e. Carmel Carwash)* on a 1.3-acre tract of land identified as Lot 1, Block 1, Crossings
856 Addition (*i.e. 1.004-acres*) and a 0.296-acre portion of Lot 1, Block 1, Rockwall Business Park Addition,
857 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205
858 Overlay (SH-205 OV) District, addressed as 2003 S. Goliad Street, and take any action necessary.

859
860 Planner, Korey Brooks, gave explanation of request stating the applicant is requesting approval
861 of a Site Plan for the purpose of constructing a 7,355 sq. ft. Car Wash facility. The 1.3-acre
862 parcel is zoned Commercial District, is within the SH-205 Overlay District, and is located at 2003
863 N. Goliad Street, just north of the intersection of SH-205 and IH-30. According to the UDC the
864 proposed use which is a car wash facility is a use permitted by right, with certain conditions for
865 front setback and entrance and exits regarding the tunnel orientation, and will not require any

866 additional approvals from the Planning and Zoning Commission. The submitted site plan,
867 landscape plan, and photometric plan conform to the technical requirements contained within
868 the Unified Development Code for properties located in a Commercial District and located within
869 the SH-205 Overlay District. If the applicant platted this property as shown, it would result in the
870 remaining portion of the lot not having frontage on a public street, which is not permitted in any
871 district; therefore the applicant will be required to plat the two lots as one lot unless the City
872 Council approves a variance during the platting process. If additional property is acquired that
873 can be combined with the back portion of the lot to allow it to have frontage on a public street,
874 the property can be replatted without the variance requirement.
875

876 Mr. Brooks further stated that based on what the applicant has submitted staff has identified
877 some exceptions to the masonry requirements. According to the UDC each exterior wall shall
878 consist of 90 percent masonry materials, excluding doors and windows, excluding cast stone
879 and cultured stone, on walls which are visible from a public street or open space, including a
880 minimum of 20 percent natural or quarried stone. The applicant is requesting to use cultured
881 stone instead of natural/quarried stone. This will be the first case, and the one that follows,
882 where an applicant is requesting cultured stone.
883

884
885 Mr. Brooks went on to state that since this was the first case that involved a request for this he
886 would highlight the five standards that have been identified for cultured stone and those are
887 One, that the manufacturing molds should be made from actual stones and each piece should
888 complement each other having the right shape, texture, size, and detail of natural stone. Two,
889 that the overtones of color should be integrated into the stone during the molding process, while
890 the base color of the stone is blended entirely throughout; three, that highly skilled artisans
891 should be utilized to hand paint each piece in order to give each stone depth and variation of
892 color; four, that the use of the highest quality synthetic minerals oxides should be used to infuse
893 the surface with rich, authentic tones; and five, that the manufactured stone product shall have a
894 minimum warranty of 75 years. The cultured stone that the applicant is proposing does not meet
895 the minimum warranty requirement; however, the stone provided by the applicant does carry a
896 50-year warranty. Additionally, this brand of stone, not the style, has been utilized in other parts
897 of the city. With the being said, the approval of an exception to use cultures stone is a
898 discretionary decision for the Planning and Zoning Commission.
899

900 Mr. Brooks also explained that the applicant is requesting a variance to have the tunnels of the
901 car wash face SH-205; however, they will be shielded by the point of sale pavilion, and
902 landscaping will be added to help mitigate for requested variance. ARB has reviewed the
903 elevations and the site plan for this site and at the last meeting made a recommendation for the
904 canopies to be fabricated from metal to match the louvers on the main structure; however the
905 applicant is still requesting to use fabric and after the ARB reviewed a sample of the fabric
906 today, they did recommend approval of that as well as the use of cultured stone.
907

908 Chairman Renfro asked what the material was made of. Mr. Brooks passed a sample of the
909 material that the applicant provided.
910

911 Chairman Renfro asked the applicant to expand further on the request and material.
912

913 Vincent Gerard
914 11700 Preston Road suite 660
915 Dallas, TX
916

917 Mr. Gerard came forward and addressed question concerning the material of the fabric provided
918 cut sheet added that it is flame retardant and does meet all requirements of the International
919 Building Code and comes with a ten year warranty. They will have piled down the landscape that
920 shows on their landscape plan to help screen the overhead doors. Mr. Gerard added that the
921 owner really takes care of the landscaping and produces a really beautiful product.
922

923 Chairman Renfro brought the item back to Commission and asked for discussion, questions, or
924 motions.
925

926 Mr. Miller pointed out that for clarification there needs to be three separate motions, one for the
927 site plan, one for the variance, and one for the special request.

928 Commissioner Lyons made a motion to approve the site plan item. Commissioner Trowbridge
929 seconded the motion which passed by a vote of 7-0.

930
931 Commissioner Lyons made a motion to approve the variances for the item. Commissioner
932 Trowbridge seconded the motion which passed by a vote of 7-0.

933
934 Commissioner Lyons made a motion to approve the item with the special request.
935 Commissioner Trowbridge seconded the motion which passed by a vote of 7-0.

936
937
938 13. SP2016-009

939 Discuss and consider a request by Eric Morff of Cole on behalf of the owner 2804 Ridge, LLC for the
940 approval of site plan for a *restaurant with drive-through (i.e. Panera Bread)* on a 0.93-acre parcel of
941 land identified as Lot 2 of the Road Runner Addition, City of Rockwall, Rockwall County, Texas, zoned
942 Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV)
943 Districts, addressed as 2804 S. Goliad Street, and take any action necessary.

944
945 Senior Planner David Gonzales gave brief explanation or request stating Panera Bread is
946 requesting approval of a site plan for a 43,000 square foot facility with a drive-thru which is
947 located at 2804 S. Goliad what used to be the old Valero gas station. The site plan meets the
948 technical requirements for the landscape plan, building elevations, and treescape plan; however
949 currently waiting on photometric plan to clarify some points, and that will be a condition of
950 approval. As far as site plan is concerned there are two variance requests one being as the
951 previous case a special request to use cultured stone and will provide a sample for the
952 Commission to review as well as color renderings.

953
954 Mr. Gonzales further stated ARB did approve a recommendation after seeing a color rendering. It
955 does meet the five criteria that Mr. Brooks went over in the previous case. Concerning the
956 vertical articulation and the pitch roof standards those are the two variances that will be
957 required. Any building that is less than 6,000 square feet in an Overlay District requires a pitched
958 roof and although they do show vertical articulation it doesn't quite meet the letter of the
959 ordinance. Those two variances will go to City Council for final resolution; however it does
960 require a recommendation from the Planning and Zoning Commission. The recommendation on
961 the cultured stone requires only vote from the Commission.

962
963 Mr. Gonzales added that for clarification purposes there would need to be three motions, one for
964 the site plan, one for the variances, and one for the special request. Mr. Gonzales added that a
965 representative of Panera was available as well as staff for any questions.

966
967 Chairman Renfro asked for the site plan to be put on the screen had a question of the flow on
968 one circumstance.

969
970 Justin Knepper
971 3630 Gyer Road
972 St. Louis, MO

973
974 Chairman Renfro asked for the site plan to be put on the screen had a question of the flow on
975 one circumstance, if going south on Ridge and turning right into the parking lot and want to go
976 straight, going on Goliad and turning right into the parking lot to park in one of the front row
977 parking spaces, but those are taken, it would be impossible to turn right at that point because it
978 would mean going the wrong way to circle back therefore would be forced to leave the parking
979 lot and go out to the access road and loop around again. Seems there is an error in how that
980 was drawn up, if the parking spaces were angled in the opposite direction that would prevent
981 from having to leave and loop around again should there be no parking available.

982
983 General discussion took place concerning what changes would need to be made to the site plan
984 to correct that error.

985
986 Chairman Renfro made a motion to approve the site plan with the revision to the parking lot
987 striping and staff recommendations. Commissioner Lyons seconded the motion which passed
988 by a vote of 7-0.

990 Chairman Renfro made motion to approve the variances with staff recommendations.
991 Commissioner Lyons seconded the motion which passed by a vote of 7-0.
992

993 Chairman Renfro made motion to accept the special request to allow for the cultured stone.
994 Commissioner Lyons seconded the motion, which passed by a vote of 7-0.
995
996

997 14. SP2016-010

998 Discuss and consider a request by Glen Cox for the approval of site plan for an *office building* on a
999 2.60-acre tract of land identified as Lot 1, Block A, Corrigan Law Office Addition [0.31-acres] and Lot 8,
1000 Block A, Municipal Industrial Park Addition [2.29-acres], City of Rockwall, Rockwall County, Texas,
1001 zoned Light Industrial (LI) District, addressed as 805, 815 & 821 T. L. Townsend Drive, and take any
1002 action necessary.
1003

1004 Senior Planner, David Gonzales, gave brief explanation of item stating it originally came in as an
1005 administrative site plan, but as staff was reviewing it was recognized that the parking they had
1006 for the particular site was not adequate for the use, since it is an office building for office use,
1007 therefore the applicant is required to have a shared parking agreement that will provide the
1008 necessary parking for not only the existing building but also for the proposed building and the
1009 future building that will be going in lot 10. The parking agreement would go to City Council for
1010 final resolution.
1011

1012 Chairman Renfro asked for discussion or motion. No discussion took place.
1013

1014 Commissioner Lyons made motion to approve item with staff recommendations. Commissioner
1015 McCutcheon seconded the motion which passed by a vote of 7-0.
1016

1017 15. SP2014-011

1018 Discuss and consider a request by Tom Pritchett on behalf of Channell Commercial Corporation for the
1019 approval of an amended site plan allowing for an alternative landscape plan for an *office and industrial*
1020 *facility* on an 18.763-acre parcel of land being identified as Lot 1, Block A, Channell Subdivision, City of
1021 Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, situated within the SH-205
1022 By-Pass Corridor Overlay (205 BY-OV) District, addressed as 1700 John King Boulevard, and take any
1023 action necessary.
1024

1025 Planning Director, Ryan Miller, gave brief explanation of request stating that in July of 2014 a
1026 landscape plan was approved, but when they went to build it they did not feel the scale was
1027 appropriate to the size of the building they found a new landscape architect and prepared an
1028 alternate plan that they feel will better scale the building and incorporates more trees than
1029 currently. It does not meet the minimum requirements but it does exceed what the previous
1030 landscape plan had. Additionally they are proposing to remove the parking lot trees; however
1031 the ordinance reads that all parking spaces need to be within 80 feet of a tree. The applicant is
1032 proposing to put up a shade like canopy structures with material very similar to what was shown
1033 in a previous case for the car wash, they are proposing to put those in the southern parking
1034 spaces. They are requesting a variance because they can't put those structures and trees in the
1035 landscape medians, but they are exceeding the requirements.
1036

1037 Mr. Miller went on to go through some interesting things that they have added since the last plan
1038 such as an amphitheater, increased the size of the roundabout and created a plaza in front of the
1039 building that has a wall around it and has a large berm leading up to that wall and then sloping
1040 down to the intersection which creates an optical illusion making the building look like it is set
1041 back even further than the fifty foot requirement where the building has been built.
1042

1043 Mr. Miller further explained since it is an alternate landscape plan and it does have variances
1044 that are associated with the Overlay District requirements it does need to be brought forward to
1045 the Planning and Zoning Commission as well as City Council for approval. The plan of putting
1046 this new idea together is to increase the landscape again, creating that optical illusion because
1047 this is their corporate headquarters.
1048

1049 Mr. Miller stated the representative was not present.
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Commissioner Trowbridge asked if the building was 100% occupied by the owner. Mr. Miller stated it is a company that moved from California to Rockwall and will be using the location as their corporate headquarters.

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

VI. DISCUSSION ITEMS

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

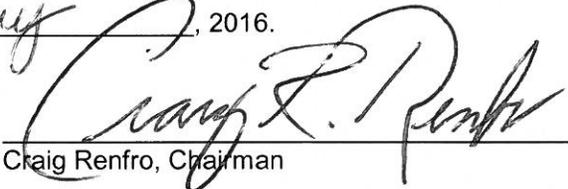
- ✓ P2016-013: Lots 1 & 2, Block A, Mendez Addition [Approved]
- ✓ P2016-014: Lot 1, Block 1, Rockwall-Pine Addition [Approved]
- ✓ P2016-015: Lots 1 & 2, Block A, JBR2 Addition [Approved]
- ✓ P2016-017: Lots 9, 10 & 11, Block A, Municipal Industrial Park Addition [Approved]
- ✓ Z2016-008: SUP for an Accessory Building at 735 David Drive (2nd Reading) [Approved]
- ✓ Z2016-009: SUP for a Minor Automotive Facility at 2225 Ridge Road (2nd Reading) [Approved]
- ✓ Z2016-010: PD Development Plan for Care Now (2nd Reading) [Approved]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting. No discussion took place concerning this agenda item.

VII. ADJOURNMENT

Meeting was adjourned at 10:13 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,
Texas, this 31 day of May, 2016.



Craig Renfro, Chairman

Attest: 

Laura Morales, Planning Coordinator