

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
June 28, 2016
6:00 P.M.

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:00 p.m. Present were, Commissioners Johnny Lyons, Tracy Logan, Patrick Trowbridge, Sandra Whitley and John McCutcheon. Absent was Commissioner Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Korey Brooks, Planning Coordinator, Laura Morales, Assistant City Engineer, Amy Williams and Civil Engineer, Jeremy White.

II. CONSENT AGENDA

1. Approval of Minutes for the June 14, 2016 Planning and Zoning Commission meeting.

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

III. APPOINTMENTS

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

The Architectural Review Board representative, Julian Meyrat, came forward and gave brief summary of recommendations pertaining to the item on the agenda that required architectural review.

IV. ACTION ITEMS

3. SP2016-014

Discuss and consider a request by Ron Valk of Platinum Storage Rockwall, LLC on behalf of Shawn Valk of Platinum Construction for the approval of site plan for a multi-tenant office/warehouse facility on a 2.692-acre parcel of land identified as Lot 3, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located on the west side of T. L. Townsend Drive, south of the intersection of T. L. Townsend Drive and IH-30, and take any action necessary.

Senior Planner, Korey Brooks, gave brief explanation of request stating this case was postponed in the last meeting in order for the applicant to address comments that the Architectural Review Board recommended. The applicant is requesting approval of a Site Plan for the purpose of constructing two office/warehouses builds of which one will be a 9,180 sq. ft. and the other 11,300 sq. ft. According to the Unified Development Code the proposed use, which will be an office/warehouse, is a permitted by right use and therefore will not require any additional approval by the Planning and Zoning Commission. The submitted site plan, landscape plan, and photometric plan all conform to the technical requirements stipulated in the UDC.

Mr. Brooks went on to state that with this site plan the applicant has requested some variances to the four sided architecture and according to the UDC, the Commercial buildings should be architecturally finished on all four sides and incorporate the same materials detailing, and features. The building elevations that the applicant submitted show that the south façade of the building will have loading doors along the entire length of the façade to allow for loading and unloading of materials. Also the applicant is requesting to utilize 2% natural or quarried stone on this elevation versus the 20%, in that the lack of stone and articulation does not meet the four sided architecture requirements and therefore are requesting a variance. Additionally on the south elevation the applicant is requesting to use 14% EIFS and in the UDC is states that it should not be less than 10% EIFS and therefore are also requesting a variance on this as well.

66 All variances pertaining to this case are referring to the south elevation, which the applicant has
67 stated will incorporate loading docks and will not be visible from any major public street. On the
68 north side there are some trees as well as some City owned property that will be shielding the
69 view along Townsend. The variances will require a ³/₄ majority vote by the City Council to be
70 approved since the property is situated in the IH-30 Overlay District.
71

72 Mr. Brooks further stated that the applicant met with the Architectural Review Board last month
73 and they discussed this particular site plan and they requested for more articulation on the
74 building and also suggested that they flip the north building to face the south building this
75 would create a courtyard so that one building is not facing the back of another. The applicant
76 made changes to the vertical structures by increasing the height of all the structures as well as
77 providing some variation in some of the vertical structures to provide more depth to the
78 building. The applicant decided not to make the suggested change of flipping the northern
79 building so that it faces the southern building. The ARB's main concern with that was that the
80 back of one building would be facing the front of the other and preferred the buildings face each
81 other, however since this will be sheltered from public view, the applicant felt that was not a
82 major issue.
83

84 Mr. Brooks advised the Commission the applicant was present and available for questions as
85 well as staff.
86

87 Chairman Renfro asked although it is located in the IH-30 Overlay and it was noted that is it not
88 visible from the freeway and the corridor what happens if a variance is approved within that IH-
89 30 Overlay and another request comes in that the Commission does not want to approve, does
90 by approving this particular one set a precedent that should be of concern or is it determined on
91 a case by case basis. Mr. Brooks stated it is discretionary to the Planning and Zoning
92 Commission and City Council on a case by case basis.
93

94 Commissioner Trowbridge asked pertaining to the buildings facing each other as opposed to
95 ARB's recommendation of the back of one building not facing the front of another. Mr. Brooks
96 stated the southern building will look at the back of the northern building.
97

98 Chairman Renfro asked if there were any further questions for staff or for the applicant. No
99 further questions or discussion took place.
100

101 Commissioner Trowbridge made a motion to approve the item with staff recommendations as
102 well as variances. Commissioner McCutcheon seconded the motion which passed by a vote of
103 6-0, with Commissioner Fishman absent.
104

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106 V. DISCUSSION ITEMS
107

108 4. Z2016-020

109 Hold a public hearing to discuss and consider a request by Sandra Peterson for the approval of a
110 Specific Use Permit (SUP) to allow for a carport that does not meet the minimum setback requirements
111 stipulated by Section 2.1.2, *Residential and Lodging Use Conditions*, of Article IV, *Permissible Uses*, of
112 the Unified Development Code [*Ordinance No. 04-38*] for a 0.231-acre parcel of land identified as Lot
113 10, Block D of Northshore, Phase 2A Addition, City of Rockwall, Rockwall County, Texas, zoned Single
114 Family 10 (SF-10) District, addressed as 509 Sunset Hill Drive, and take any action necessary
115

116 Planner, Corey Brooks, stated the applicant was not present and would present the case on their
117 behalf. He explained that the applicant is requesting to get an SUP for a carport. The subject
118 property is located within an SF-10 District and they are proposing a 20x20 carport on the rear of
119 their home. The carport will be attached to the home and extend off of the current garage. Mr.
120 Brooks went on to explain that the purpose of bringing this request before the Commission is
121 because according to the UDC in a Single Family 10 District the minimum depth of the rear
122 setback should be 10 feet and the applicant is proposing an 8 feet setback instead, therefore
123 need a variance of 2 feet. The carport will face an alley as it is in the rear of the home, and will
124 not be visible from any public street.
125
126

127 Mr. Brooks provided pictures for the Commission to see where approximately what the rear of
128 the building looked like and showed where the carport would be and stated he was available for
129 questions.
130

131 Chairman Renfro asked if it did not meet the minimum setback requirements where would the
132 carports posts be going because according to the pictures it appeared there was new concrete
133 that was poured. Mr. Brooks stated the carport will be 20x20 and believes the posts will be on
134 the four corners of the existing pad, believes the applicant will be removing existing concrete
135 and pave it again. However there is an easement on one side of the driveway and therefore
136 cannot go much further than the shown concrete.
137

138 Planning Director, Ryan Miller, added that a portion of the concrete is situated within the
139 easement therefore the posts will have to be inside that easement, they cannot encroach the
140 easement.
141

142 Commissioner McCutcheon expressed concern and questions as to how it will be placed with
143 the actual driveway encouraged applicant to be present at the next meeting for those questions
144 to be answered.
145

146 Commissioner Lyons asked why not go with an 18 foot instead of 20 and then they would be in
147 compliance because they would have the 5 foot set back. Mr. Miller added that 20x20 is a typical
148 carport size.
149

150 Commissioner Trowbridge asked if what was being waived is the idea that the will extend 2 feet
151 into the 10 foot setback and if that is the single variance that is being requested. Mr. Brooks
152 stated that was correct. Commissioner Trowbridge also asked if there was an HOA within this
153 neighborhood with restrictions. Mr. Brooks stated there was not.
154

155 Chairman Renfro asked if a permit was needed to pour concrete over the easement. Mr. Miller
156 stated that flat work is allowed within the easement however what is not permitted is vertical
157 structures.
158

159 There being no further questions Chairman Renfro indicated the case will return to the
160 Commission for action at the next scheduled meeting.
161

162
163 5. Z2016-021

164 Hold a public hearing to discuss and consider a request by Mike Hogue for the approval of a zoning
165 amendment to Planned Development District 52 (PD-52) for the purpose of allowing townhomes on a
166 2.17-acre tract of land identified as Lot 1, Block 1, Allen Hogue Subdivision (0.7910-acres) and Lots 67
167 & 68, Block B, B. F. Boydston Addition (1.257-acres), City of Rockwall, Rockwall County, Texas, zoned
168 Planned Development District 52 (PD-52) for Heavy Commercial (HC) District land uses, being
169 addressed as 703, 705 & 709 E. Boydston Avenue, and take any action necessary.
170

171 Planning Director stated applicant was present and would be presenting the case.
172

173 Greg Wallace
174 Mershawn Architects
175 2303 Ridge Road
176 Dallas, TX
177

178 Mr. Wallace came forward and gave brief explanation of request and provided pictures of a
179 model that the request is being patterned on from an existing project the client liked. It will be
180 100% masonry, brick and stucco with some clay tile accents. The rear will be two car garages
181 across the back on the first floor and the rear will be all brick construction and some stucco on
182 it. The site plan itself will sit in front of a floodplain area which is heavily treed which will be
183 retained and make a park area there. They will be privately owned townhouses and the project
184 will be fire sprinkled. There will be some visitor parking off of the fire lane in the back as well as
185 the 20 foot approach to each garage. Mr. Wallace went on to state that each unit on the first
186 floor will have a two car garage stair up to the second floor to what will be called a bonus room
187 that can be used as an office, guest bedroom or media room that would serve for a well use for
188 the first floor. The second floor is open concept with a kitchen, dining, and living area as well as
189 a small balcony in the front. The third floor will consist of two bedrooms the master and a

190 second large bedroom both with private bathrooms. The square footage will be 2258 per each
191 unit air conditioned and total square footage is just under 3,000 square feet.

192
193 Mr. Wallace stated he is available for any questions and added that the property at this time is
194 zoned Heavy Commercial with an amendment for metal buildings and therefore feels this
195 proposal will certainly clean up that corner and will provide a much less density than that of a
196 Heavy Commercial use.

197
198 Chairman Renfro asked concerning deed restrictions, what is in place to prevent these
199 townhouses from going investor driven where a group comes in and buys several and then
200 chooses to rent them out or it turn it into an income producing property that may result in
201 ending up with a different design concept than that of which is being proposed.

202
203 Mr. Wallace stated it is early in the project and deed restrictions have not been considered as of
204 yet, but the owner is present and can say whether or not he has given any thought to deed
205 restrictions.

206
207 Mr. Wallace added that the property around the project is going to be maintained by other than
208 the owners of the units, mainly the fire lane and the park area, and will be a quality project.

209
210 Chairman Renfro asked if there is a plan once the project is complete to secure the property
211 from flipping into a rental opportunity.

212
213 General discussion took place concerning the risk of property becoming a multi-family property.

214
215 Chairman Renfro asked the applicant to come forward.

216
217 Michael Hogue
218 1498 Hubbard Drive
219 Forney, TX

220
221 Mr. Hogue came forward and stated he plans to have a Home Owner's Association in place that
222 will make sure, through a contract , that when people buy or rent they are taking care of the
223 property.

224
225 Commissioner Trowbridge asked if the Home Owner's Association would be controlled by
226 residents in the project and/or the owner. Mr. Hogue stated he will be the one controlling the
227 HOA until whoever buys it at which time that person will have to be the one in control because it
228 will be responsible for maintaining the park that will be on site.

229
230 Commissioner Trowbridge asked if the intent is to have a standard HOA that will maintain as
231 new ownership comes in. Mr. Hogue stated that he didn't know how exactly how it will work but
232 it will be to where the property will be taken care of by the HOA.

233
234 Chairman Renfro asked if at the time case comes forward at the Public Hearing could that
235 restriction for an HOA be put into the recommendations. Mr. Miller stated that it is not an
236 enforceable zoning recommendation it would have to be something that the applicant would
237 have to put in their deed restrictions and it is not something this Board can make a
238 recommendation for or require them to do.

239
240 Commissioner Logan asked if request is approved will it be changed to Single Family High
241 Density. Mr. Miller stated it would be changed to a Planned Development District allowing
242 Townhomes, it will be through an ordinance much like is seen in a typical subdivision, however
243 it will be tailored directly to what the applicant is proposing. The applicant is proposing to put
244 them on individual lots however it will be addressed through the PD how those lots will be
245 arranged because they won't have street frontage but staff will be bringing that PD at the Public
246 Hearing.

247
248 Mr. Hogue added that the size of lots on the property are not high density, each lot is going to be
249 over 10,000 feet.

251 Mr. Miller further added that according to the Comprehensive Plan it qualifies as medium density
252 residential, it's not more than 5 units per acre because it is 2.17 acres which is right underneath
253 the high density level which is 5 units per acre or more.

254
255 Commissioner Trowbridge asked if applicant has built a project like this before and where. Mr.
256 Hogue stated he had in a project in Dallas and was larger than what is being proposed.

257
258 Commissioner Trowbridge also asked if the ratio discussed include the surrounding floodplain.
259 Mr. Miller stated yes it is incorporated; density is done on the gross.

260
261 Commissioner Whitley asked staff concerning the list of surrounding home owners, when would
262 notifications of this proposal be sent out to them. Mr. Miller stated those notifications were sent
263 out last Friday and staff has at this time received a couple responses back and the complete list
264 will be brought to the Commission at the Public Hearing.

265
266 Mr. Hogue added that they reached out to home owners in the area of which many expressed
267 they were in favor.

268
269 Mr. Miller pointed out that on the property notification map, the notification areas is larger. This
270 property is already in a Planned Development District which is tied to a zoning concept plan and
271 because of that staff felt that it was necessary to notify not only everybody in the PD but also the
272 typical 500 feet because it is a change to the concept plan which could affect adjacent
273 properties.

274
275 There being no further questions Chairman Renfro indicated the case will return to the
276 Commission for action at the next scheduled meeting.

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

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281 ✓ P2016-020: Final Plat for Fontanna Ranch, Phase II [Approved]
282 ✓ P2016-028: Master Plat and Open Space Plan for the Ridgecrest Estates Subdivision [Approved]
283 ✓ P2016-029: Preliminary Plat for the Ridgecrest Estates Subdivision [Approved]
284 ✓ Z2016-013: Terracina Estates (AG to PD) (2nd Reading) [Approved]
285 ✓ Z2016-017: Text Amendment for Used Motor Vehicle Sales [Approved]
286 ✓ Z2016-018: Amendment to Planned Development District 74 (PD-74) (1st Reading) [Approved]
287 ✓ MIS2016-008: Masonry Exception for 905 N. Alamo Street [Approved]
288 ✓ SP2015-018: Variance to the Material Standards for RaceTrak Site Plan [Approved]
289 ✓ SP2016-012: Variances for Pratt Site Plan [Approved]
290 ✓ SP2016-013: Variance to the Material Standards for CareNow Site Plan [Approved]

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292
293 Planning Director, Ryan Miller, provided a brief update about the outcome of the above
294 referenced case at the City Council meeting.

295
296 Commissioner Trowbridge asked concerning the text amendment, asked for an explanation of
297 what the process is for the unanimous approval to deny and the majority approval within
298 Council for a first reading for text amendments. Mr. Miller explained that with text amendments
299 they require only a simple majority vote, with a lot of the zoning cases that deal with real
300 property the Planning and Zoning Board has the ability to approve a denial recommendation
301 which would kick in a three quarter majority vote. The other way a three quarter majority vote
302 would kick in in those cases is with a 20% protest from adjacent property owners; however text
303 amendments while they are considered zoning cases, the do not have a protest option and
304 therefore are not subject to the three quarter majority vote.

305
306 Commissioner Trowbridge asked if it is actually approved at the first reading or at the second
307 meeting. Mr. Miller stated two readings are required for an ordinance therefore it is not approved
308 until the second reading. Commissioner Trowbridge asked if a Public Hearing takes place at the
309 second reading. Mr. Miller stated no one does not, the Public Hearing happens at the first
310 reading of the ordinance. The second reading is either a consent or action item.

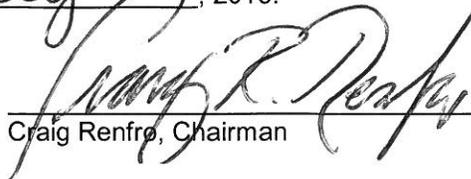
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312 No further discussion took place concerning this agenda item.

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VI. ADJOURNMENT

Chairman Renfro adjourned the meeting at 6:37 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,
Texas, this 24 day of July, 2016.



Craig Renfro, Chairman

Attest:


Laura Morales, Planning Coordinator