

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**January 15, 2019**  
**6:00 P.M.**

I. CALL TO ORDER

Chairman Lyons called the meeting to order at 6:00 p.m. The Commissioners present at the meeting were, Jerry Welch, Eric Chodun, Annie Fishman, Tracey Logan, and John Womble. Absent from the meeting was Commissioner Mark Moeller. Staff members present were Planning Director, Ryan Miller, Planning Manager, David Gonzales, Senior Planer Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers, Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the November 27, 2018 Planning and Zoning Commission meeting.

2. Approval of Minutes for the December 11, 2018 Planning and Zoning Commission meeting.

3. P2018-047

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH West Pods, LTD for the approval of a preliminary plat for Breezy Hill, Phase XII containing 35 single-family residential lots on 44.525-acres of land identified as a portion of Tract 7-1 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, located west of the intersection of John King Boulevard and Cozy View Drive, and take any action necessary.

**Commissioner Welch made a motion to approve the consent agenda. Commissioner Chodun seconded the motion which passed by a vote of 6-0 with Commissioner Moeller absent.**

III. APPOINTMENTS

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

**Architectural Review representative gave a brief explanation concerning agenda items that were discussed at the Architectural Review Board meeting.**

**Chairman Lyons indicated agenda item #8 would be moved up on the agenda.**

IV. PUBLIC HEARING ITEMS

5. Z2018-055

Hold a public hearing to discuss and consider a request by Kyle Jenkins of the Jenkins Organization on behalf of Michael Swiercinsky of 7.1 Ridge, LLC for the approval of a Specific Use Permit (SUP) for a *Mini-Warehouse* facility on a 2.595-acre tract of land being a portion of Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located southwest of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

**Senior Planner, Korey Brooks, gave a brief explanation and background of the request. The applicant is requesting approval of a Specific Use Permit to allow a mini-warehouse and the proposed mini-warehouse will be three stories, 126,600 square feet, and contain 800 climate-controlled units. According to the applicant, the mini-warehouse will be constructed to resemble an office building, and is intended to blend in with the surrounding buildings. The facility will be accessible from 6 AM to 10 PM. The majority of the units will be accessed from internal corridors**

63 and any exterior doors will be limited to the rear building elevation. The applicant has also stated  
64 that the existing tree line will be preserved to provide a natural buffer from the residential  
65 properties to the northwest.  
66

67 Mr. Brooks further indicated that when looking at the requirements contained in the Unified  
68 Development Code, it is important to note that these requirements were drafted with the intent of  
69 regulating campus style mini-warehouse facilities. Campus style mini-warehouse facilities  
70 typically incorporate multiple buildings that are generally one story in height, and have non-  
71 climate controlled storage units accessible from the exterior of the building. Due to the mini-  
72 warehouse requirements, the applicant is seeking variances to the number of units per acre, the  
73 maximum number of stories, the pitched roof requirement, and to allow direct access from Ridge  
74 Road. The facility proposed by the applicant is a compact design, which allows more units in a  
75 smaller footprint. Although the proposed building is three stories, the proposed building is 34-  
76 feet in height, which conforms to the maximum height requirement of 36-feet. Additionally, only  
77 two stories will be visible from Ridge Road. The proposed facility is intended to have the  
78 appearance of an office building with all units being climate controlled and accessible from the  
79 interior of the building. Specifically, the proposed structure is three stories in height in which  
80 only two stories are visible from Ridge Road and utilizes a flat roof design with a parapet more  
81 typical of an office or commercial development. Since these do not meet the mini-warehouse  
82 requirements, variances are required. The proposed driveway shown on the concept plan will  
83 require permission from TxDOT as well as a traffic impact analysis at the time of site plan. In  
84 addition, the applicant is proposing to limit the hours of operation from 6:00 AM to 10 PM, which  
85 is consistent to a non-residential land use. The mini-warehouse land use is considered to be a  
86 lower-intensity land use that does not generate high volumes of traffic, 15-20 visitors per day  
87 according to the applicant). With that being said, the three requirements not in compliance with  
88 the Unified Development Code do not appear to negatively impact the surrounding developments.  
89 Additionally, the proposed design of the facility provides for easier redevelopment opportunities  
90 than the traditional campus style mini-warehouse facilities should the use transition in the future.  
91 Approval of the applicant's request is a discretionary decision for the City Council, pending a  
92 recommendation from the Planning and Zoning Commission. Should this request be approved,  
93 the applicant will be required to submit a site plan, landscape plan, photometric plan, and building  
94 elevations to the Architectural Review Board and the Planning and Zoning Commission.  
95

96 Mr. Brooks went on to note that on December 28, 2018, staff sent 77 notices to property owners  
97 and residents within 500-feet of the subject property and notified the Lakeside Village and Turtle  
98 Cove Homeowner's Associations which are the only HOA's/Neighborhood Associations within  
99 1,500-feet of the subject property. Staff received two notices against this case.

100  
101 Mr. Brooks advised the Commission the applicant was present and available for questions.  
102

103 Commissioner Welch asked if the units would be available to be accessed by someone renting  
104 one after 10 o'clock when the facility closes. Mr. Brooks indicated they would not be accessible  
105 after closing hours.  
106

107 Chairman Lyons opened up the public hearing and asked the applicant to come forward.  
108

109 Maxwell Fisher  
110 900 Jackson Street  
111 Dallas, TX  
112

113 Mr. Fisher came forward and indicated he represents The Jenkins Organization. He provided a  
114 lengthy power point presentation which detailed the request. He provided renderings of what the  
115 proposed facility will look like and stressed what they are proposing is not your typical storage  
116 facility but instead will look like an office building.  
117

118 Commissioner Logan asked for clarification as to what was "buried" concept that was mentioned  
119 in the power point was that referring to it being at a lower elevation or a basement. Mr. Fisher  
120 explained that technically it would be a basement. If you were to be at the left corner in the first  
121 floor, it is underground in the self-storage building making that front left corner measure 16 feet  
122 in height.  
123

124 Chairman Lyons asked if anyone wished to speak to come forward and do so.

125 Bob Walker  
126 309 Featherstone  
127 Rockwall, TX  
128

129 Mr. Walker came forward and commented that with the renderings that are being  
130 proposed it appears to be a nice looking upscale building and with the location safety should not  
131 be a concern. He also commented that another plus is that they will not have any outside storage  
132 such as boats and such. He generally shared being in favor of the request.  
133

134 Sergio Bento  
135 2002 S. Lakeshore Drive  
136 Rockwall, TX  
137

138 Mr. Bento came forward and shared his strong opposition for the request. He commented that the  
139 he believes he will see this building and the lights at his property regardless of the railroad  
140 between them. He shared that he was a member of a five member team for the City of Arlington  
141 Economic Development through the Arlington Chamber of Commerce. He spoke of his past  
142 experience pertaining to the old Cowboy stadium in Arlington and the impact it had on the city.  
143 He urged the Commission to maintain Rockwall as the “wow” city it is and not become what some  
144 surrounding cities have become.  
145

146 Clark Staggs  
147 1601 Seascape  
148 Rockwall, TX  
149

150 Mr. Staggs came forward and generally expressed being in favor of the request. He shared that  
151 with the topography of the site he feels it would be a good use.  
152

153 Suelane Calloway  
154 517 Sellers Court  
155 Rockwall, TX  
156

157 Ms. Calloway came forward and commented that although the renderings that are being proposed  
158 look impressive it is not the right location for such a facility. She generally expressed being in  
159 opposition of the request.  
160

161 Mike Portele  
162 1944 S. Lakeshore Drive  
163 Rockwall, TX  
164

165 Mr. Portele came forward and generally expressed not being in favor of the request and shared  
166 the same concerns his neighbor Mr. Bento shared concerning being able to see the building and  
167 lights from his property.  
168

169 Chairman Lyons asked the applicant to come forward for rebuttal.  
170

171 Mr. Fisher came forward and shared that the concept plan for building renderings they are  
172 providing will be what they will build with the approval of the Architectural Review Board. With  
173 regards to the traffic they don't feel that will be an issue what they for see is an average of 15-30  
174 trips per day which would not generate much traffic. In regards to economic development  
175 although the development will not be creating many jobs however it is an efficient use with only  
176 taking up 2.6 acres and will create a huge tax number. Mr. Fisher further noted that the site line  
177 that they did shows trees and the berm will be sufficient separation. He indicated he was available  
178 for questions.  
179

180 Chairman Lyons closed the public hearing and brought the item back to the Commission for  
181 discussion or action.  
182

183 Commissioner Welch asked in regards to the fencing which originally was to be rod iron. Mr.  
184 Fisher indicated that typically because there are storage units in the back they will provide rod  
185 iron fencing along the back of the building.  
186

187 Commissioner Moeller generally expressed being in favor of the request. He commented that the  
188 renderings provided show a good looking building not a typical storage facility should the words  
189 "storage" be removed it would look like an office building with.  
190

191 Chairman Lyons generally expressed being in favor of the request commenting that the  
192 Architectural Review Board would ensure the renderings provided would be what would be  
193 delivered.  
194

195 Commissioner Chodun expressed concern with the amount of storage buildings already within  
196 the City. Commissioner Logan shared the same concerns Commissioner Chodun expressed.  
197

198 Commissioner Chodun made a motion to deny Z2018-055. Commissioner Logan seconded the  
199 motion which passed by a vote of 5-2 with Chairman Lyons and Commissioner Moeller dissenting.  
200

201 6. Z2018-056

202 Hold a public hearing to discuss and consider a request by Tom Jones on behalf of Shanon Thomas of  
203 Rockwall Friendship Baptist Church for the approval of a zoning change from an Agricultural (AG) District  
204 to a Commercial (C) District for a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey,  
205 Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated  
206 within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east of the intersection of Justin  
207 Road and John King Boulevard, and take any action necessary.  
208

209 Senior Planner, Korey Brooks, advised the Commission that the applicant has requested to  
210 postpone the case. On December 14<sup>th</sup> the applicant requested a change of zoning on the subject  
211 property from Agricultural to Commercial. At the same time the Comprehensive Plan was being  
212 approved and the Comprehensive Plan designates that property as Technology or Light Industrial  
213 and in order to zone in conformance with the Comprehensive Plan the applicant has requested to  
214 postpone in order to allow staff to re-notify the change in zoning from Agricultural to Light  
215 Industrial as Light Industrial allows a church by right. Mr. Brooks noted that new notifications  
216 were sent out and no action would be necessary from the Commission.  
217

218 7. Z2018-057

219 Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development  
220 Company, LLC for the approval of an amendment to Planned Development District 59 (PD-59) for the  
221 purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses being a  
222 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall,  
223 Rockwall County, Texas, zoned Planned Development District 52 (PD-52) and Planned Development  
224 District 59 (PD-59), located between W. Washington Street and T. L. Townsend Drive, and take any action  
225 necessary.  
226

227 Senior Planner, Korey Brooks, provided an explanation and background of the request. The  
228 applicant is requesting the approval of an amendment to Planned Development District 59 to  
229 incorporate the subject property and designate it for Residential-Office District land uses. On  
230 October 18, 2004, the City Council passed Ordinance No. 04-59, establishing Planned  
231 Development District 59 as the Park Place Subdivision. In its current configuration, Park Place  
232 consists of the following Phases: [1] Phase 1, which is zoned for Neighborhood Services District  
233 land uses; [2] Phase 2, which is zoned for Single-Family 7 District land uses; and [3] Phase 3,  
234 which is zoned for Single-Family 7 and Residential-Office District land uses. The applicant is  
235 proposing to establish Phase 4 by incorporating the subject property for Residential-Office  
236 District land uses and removing the Residential-Office District land uses from Phase 3 which  
237 Phase 3 will only allow SF-7 land uses. A concept plan has been submitted showing that the new  
238 Phase will be adjacent to the western boundary of Phase 3 and will consist of five additional lots  
239 accessible via Park Place Boulevard and one of the lots currently exists in Phase 3. The applicant  
240 has submitted a concept plan and development standards for the existing and proposed Phases  
241 of the Park Place Subdivision. The characteristics and development standards for each phase.  
242 Phases 2 & 3 are existing and both phases allow single-family land uses; however, Phase 3 also  
243 allows Residential-Office District, either live/work, land uses. The applicant is proposing to remove  
244 the Residential-Office District land uses from Phase 3, and transition it to Phase 4 which means  
245 that Phase 3 will be subject to the Single-Family 7 District land uses. The proposed Phase 4 will  
246 contain approximately five residential-office units and will be designed to a residential scale in  
247 which the buildings will be designed to look like the existing homes within Park Place. Since the  
248 phase will have residential adjacency, the applicant is proposing to prohibit certain uses within

249 Phase 4 such as assisted living facility, landfill, transit passenger facility and allow other uses  
250 such as general store larger than 2,000 square feet, hair salon, office building more than 5,000  
251 square feet with a Specific Use Permit. This phase will be subject to the Residential-Office District  
252 land uses with the exception of the uses outlined in the draft ordinance. The Future Land Use Plan  
253 adopted with the OurHometown Vision 2040 Comprehensive Plan designates the subject property  
254 for Medium-Density Residential land uses, which is characterized as developments containing  
255 greater than 2½ units-per-acre, but not higher than three units-per-acre unless an increased  
256 amenity is provided, in which event 3½ units-per-acre can be allowed. Should this request be  
257 approved, the designation would need to be changed to Live/Work land uses, which is  
258 characterized as low-intensity office/retail land uses that are similar in scale and scope to the  
259 adjacent residential properties. Although this does not conform to the Future Land Use Plan, given  
260 the subject property's current zoning of Heavy Commercial District, this request will bring the  
261 property closer to conformance with the Future Land Use Plan and the change of designation has  
262 been made a condition of approval.

263  
264 Mr. Brooks further noted that in looking at the applicant's request, the live/work units provide a  
265 transition from the single-family residential land uses east of the subject property to the light  
266 industrial and heavy commercial land uses to the west of the subject property. The incorporation  
267 of the subject property as residential-office units seems to be appropriate given its proximity to  
268 the adjacent railroad, does not appear to negatively affect the adjacent properties, and will not  
269 preclude the properties from being single-family units. The request is discretionary to the City  
270 Council, pending a recommendation from the Planning and Zoning Commission.

271  
272 Mr. Brooks advised the Commission that the applicant was present and available for questions.

273  
274 Chairman Lyons opened up the public hearing and asked the applicant to come forward.

275  
276 Bill Bricker  
277 505 West Way Drive  
278 Rockwall, TX

279  
280 Mr. Bricker came forward and provided additional comments pertaining to the request. He shared  
281 that they feel the proposed request and what is being proposed is the best fit and respectfully  
282 asked for approval from the Commission.

283  
284 Chairman Lyons asked if anyone wished to speak to come forward and do so.

285  
286 Todd Abbott  
287 619 Renfro  
288 Rockwall, TX

289  
290 Mr. Abbott came forward and asked if the zoning in area 3 allowed for Residential Office currently.  
291 Mr. Brooks indicated it currently allows for Single Family 7 or Residential Office. Mr. Abbott  
292 indicated he was not aware of that and is against any RO in Park Place but with knowing it is  
293 allowed now, he generally expressed being in favor of the request as it is being presented as it is  
294 the "lesser of two evils".

295  
296 Debbi Remington  
297 607 Renfro Street  
298 Rockwall, TX

299  
300 Ms. Remington came forward and expressed not being in favor of any Residential Office feels it  
301 should all stay single family. She expressed concern with the amount of traffic it will generate and  
302 affect their street she generally expressed not being in favor of the request.

303  
304 Chairman Lyons asked if anyone else wished to speak to come forward and do so there not being  
305 anyone indicating such Chairman Lyons closed the public hearing and asked the applicant to  
306 come forward for rebuttal. He added that all necessary steps have been made to ensure the  
307 development is properly designed for flood control and water coming off the property will remain  
308 as it was.

310 Mr. Bricker came forward and addressed the comment Mr. Abbott made, he indicated that if no  
311 change is made Commercial can be developed he feels they are improving the area with the  
312 proposed plan.  
313

314 Chairman Lyons brought the item back to the Commission for discussion or action.  
315

316 Commissioner Moeller made a motion to approve Z2018-057 with staff recommendations.  
317 Commissioner Logan seconded the motion which passed by a vote of 7-0.  
318

319 Chairman Lyons called a recess at 7:37 p.m.  
320

321 Chairman Lyons called the meeting back to order at 7:48 p.m.  
322  
323

324 8. Z2018-058

325 Hold a public hearing to discuss and consider a request by Tim McCallum of He Wines She Dines, LLC  
326 on behalf of Buffalo Creek Business Park, LTD for the approval of a Specific Use Permit (SUP) for a *Craft*  
327 *Winery and Commercial Amusement/Recreation (Outdoor)* on a 7.2-acre tract of land identified as Tracts  
328 20-01 & 20-7 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned  
329 Commercial (C) District, addressed as 203 County Line Road, and take any action necessary.  
330

331 Planning Manager, David Gonzales, provided a brief explanation of the request. The applicant  
332 submitted a request for a Specific Use Permit to allow a Craft Winery and Commercial  
333 Amusement/Recreation Outdoor facility to be located within a Commercial District. Currently, the  
334 subject property is being operated as a warehouse and shipping facility for the applicant's wine  
335 club with no retail sales. The applicant has indicated that they would like the opportunity to  
336 expand this use to a Craft Winery for the purpose of allowing wine to be mixed, produced and sold  
337 on-site. With this request, the applicant has submitted a floor plan showing the proposed Craft  
338 Winery layout, which will be situated in a 1,250 square foot building. Of this area, 500 square feet  
339 of the building, 40% of total square feet will be dedicated for the retail sales and tasting component  
340 of the on-site manufactured product. The remaining 750 square feet will be used for wine display  
341 racks, an overhead storage area, blending tanks, and wine barrels. Additionally, the applicant has  
342 provided a concept plan for the Commercial Amusement/Recreation outdoor venue, which will be  
343 located outdoors in front of the facility. The applicant has indicated that this area will be used on  
344 a limited and infrequent basis. In addition, Mr. McCallum has submitted a letter indicating that the  
345 use of the outdoor venue will only take place on a scheduled basis, Thursday through Monday  
346 ,nights, weekends, and occasionally on Mondays and holidays. The outdoor venue will include a  
347 seating area, space for food vendors, and space for live music such as an acoustic guitar.  
348

349 Mr. Gonzales indicated that according to the Unified Development Code, both the Craft Winery  
350 and Commercial Amusement/Recreation Outdoor land uses require approval of a Specific Use  
351 Permit in a Commercial District. Additionally, the UDC, defines a Craft Winery as being a small  
352 scale manufacturing and retail operation that is subject to the following conditions: (1) the total  
353 building area being the area under roof is less than 12,000 square feet, and (2) the total floor area  
354 dedicated to the direct sale of the on-site manufactured product does not exceed a maximum of  
355 40% of the total floor area. In addition the applicant's letter outlining the proposed business plan,  
356 a concept plan depicts the outdoor venue, a floor plan for the Craft Winery, and a draft ordinance  
357 containing regulations for the proposed land uses. The applicant's request does appear to be in  
358 conformance with these requirements; however, the approval of a Specific Use Permit is a  
359 discretionary decision for the City Council pending a recommendation from the Planning and  
360 Zoning Commission.  
361

362 Mr. Gonzales further noted that on January 2, 2019, staff mailed 63 notices to property owners and  
363 residents within 500-feet of the subject property and did not send a neighborhood notification as  
364 there were no Home Owners Associations participating in the Neighborhood Notification Program  
365 within 1500-feet of the subject property. Staff received one email notice in opposition of the  
366 request.  
367

368 Mr. Gonzales advised the Commission the applicant was present and available for questions as  
369 well as staff.  
370

371 Chairman Lyons opened up the public hearing and asked the applicant to come forward.

372 Tim McCallum  
373 5140 Standing Oak  
374 Rockwall, TX  
375

376 Mr. McCallum came forward and shared a brief explanation and background of the request. He  
377 shared that they operated at the subject property for approximately two years and have a winery  
378 license, federal production license and a federal import license which allows them to import wines.  
379 He and his wife began the He Wines She Dines as a food/winery blog several years ago after their  
380 son and daughter graduated high school, they traveled tasting different wines and places to eat  
381 and blogging about it and fairly quickly were being followed by thousands of followers. After  
382 receiving feedback from the blog they decided to start a wine club and then learned they would  
383 need a Federal Winery License and a State Winery License which they obtained and then began  
384 working with producers around the world. Mr. McCallum went on to share that by right currently  
385 they have the ability to have a tasting room to sell wines by the bottle or glass and with a special  
386 event permit can host events with food trucks four times a year. They would like to have more  
387 flexibility than that and therefore that is why they are bringing their request for the SUP forward.  
388

389 Commissioner Logan asked what the total amount of people they would expect to attend events.  
390 Mr. McCallum shared that the space is approximately 500 square feet which would fit 20-30 people  
391 and they're not looking to host big events.  
392

393 Commissioner Fishman asked for additional detail on the hours of operation. Mr. McCallum  
394 indicated the hours would be from 11am through midnight no later. Also, they are not open to the  
395 public unless they host a special event.  
396

397 Chairman Lyons asked if anyone wished to speak to come forward and do so there being no one  
398 indicating such Chairman Lyons closed the public hearing and brought the item back to the  
399 Commission for discussion or action.  
400

401 Commissioner Chodun expressed concern with the location, generally is not in favor feels  
402 granting the Special Even Permits with an allotted time frame is better suited because there is  
403 some control.  
404

405 Commissioner Fishman asked if there would be expiration be put on the Specific Use Permit. Mr.  
406 Gonzales indicated a time limit would not be associated with the SUP however expiration should  
407 he cease to do business it would expire after one year.  
408

409 Commissioner Welch expressed generally being in favor of the request.  
410

411 (Commissioner Moeller arrived at the meeting at 6:23 p.m.)  
412

413 Commissioner Womble asked should this business move out would the SUP be transferable to  
414 the next person or does it expire with their business. Mr. Gonzales indicated it goes with the land,  
415 should Mr. McCallum sell the business to someone else and continue the same use the SUP would  
416 be attached to the land and therefore continue.  
417

418 Chairman Lyons indicated agreeing with the concerns Commissioner Chodun expressed and  
419 generally is not in favor of the request.  
420

421 Commissioner Moeller and Logan generally expressed being in favor of the request.  
422

423 General discussion took place between the Commission in regards to the hours of operation and  
424 the location.  
425

426 Commissioner Welch made a motion to approve Z2018-058 with staff recommendations.  
427 Commissioner Womble seconded the motion which passed by a vote of 5-2 with Chairman Lyons  
428 and Commissioner Chodun dissenting.  
429

430  
431 9. Z2018-059

432 Hold a public hearing to discuss and consider a request by Heather Cullins for the approval of a zoning  
433 change from a Single-Family Estate 2.0 (SFE-2.0) District to Single Family Estate 1.5 (SFE-1.5) District

434 on a 3.03-acre tract of land identified as Tract 1-01 of the T. Dean Survey, Abstract No. 69, City of  
435 Rockwall, Rockwall County, Texas, zoned Single-Family Estate 2.0 (SFE-2.0) District, addressed as 1085  
436 Dalton Road, and take any action necessary.  
437

438 Senior Planner, Corey Brooks, provided a brief explanation and background of the request. The  
439 applicant is requesting a change in zoning from a Single-Family Estate 2.0 District to a Single-  
440 Family Estate 1.5 District for the purpose of subdividing the subject property. The subject  
441 property was annexed in 1983 and was part of a larger tract of land. In 2018, the previous property  
442 owner requested to rezone the subject property from an Agricultural District to a Single-Family  
443 Estate 2.0 District and platted the tract of land. As part of this case, the previous property owner  
444 stated the purpose of platting the property was to create two lots to construct a single-family home  
445 on Lot 1. The applicant purchased the subject property, Lot 1, in 2018 for the purpose of  
446 constructing a single-family home. According to the applicant, after purchasing the subject  
447 property, another property was discovered and the plan to construct a single-family home on the  
448 subject property was abandoned. The applicant as also stated there have been inquiries about  
449 purchasing the subject property; however, the size of the lot was too large, and potential buyers  
450 only wanted half or a portion of the lot. Based on this, the applicant is requesting to re-zone the  
451 subject property with the intent of subdividing the tract of land into two 1½-acre lots. Currently,  
452 floodplain traverses the property and should any improvements impact the floodplain, a flood  
453 study could be required. According to the Unified Development Code, the Single-Family Estate 1.5  
454 District is the "...proper zoning classification for rural, estate lots that are a minimum of 1½-acres.  
455 Since the subject property is 3.03-acres, it conforms to the requirements of the Single-Family  
456 Estate 1.5 District development standards. The Future Land Use Plan designates the subject  
457 property for Low Density Residential land uses, which is defined as developments with two units  
458 per acre or less. The applicant's request is in conformance with this designation and will not  
459 require any changes to the Future Land Use Map. Approval of the zoning change is discretionary  
460 for the City Council, pending a recommendation by the Planning and Zoning Commission.  
461

462 Mr. Brooks further noted that on December 28, 2018, staff mailed 68 notices to property owners  
463 and residents within 500-feet of the subject property and also notified the Promenade Harbor and  
464 the Shores/Ray Hubbard Homeowner's Association. In addition staff also advertised the public  
465 hearings in the Rockwall Harold Banner. Staff received one email against the request.  
466

467 Chairman Lyons opened up the public hearing and asked the applicant to come forward.  
468

469 Kenneth Cullins  
470 3114 Stoney Hollow  
471 Rockwall, TX  
472

473 Mr. Cullins came forward and indicated Mr. Brooks summarized the request well. He added that  
474 they had full intention of building on the property however while they were under contract another  
475 property came on the market that they felt better suited their needs. He provided a picture that  
476 showed that there would be no encroachment to the flood plain as they have done their due  
477 diligence in regards to that.  
478

479 Chairman Lyons asked if anyone wished to speak to come forward and do so.  
480

481 David Hodgdon  
482 1085 Dalton Road  
483 Rockwall, TX  
484

485 Mr. Hodgdon came forward and shared that he owns the property south and west of the subject  
486 property and sold this property to the Cullin's. He generally expressed his strong opposition to  
487 the request of the applicants request to rezone and for the property to be subdivided into two  
488 separate lots.  
489

490 David Hodgdon Jr.  
491 1085 Dalton Road  
492 Rockwall, TX  
493



494 Mr. Hodgdon Jr. came forward and expressed being in opposition of the request he feels it will  
495 cause flooding problems to whoever builds there. He urged the Commission to not approve the  
496 request.  
497

498 Chairman Lyons closed the public hearing and asked the applicant to come forward for rebuttal.  
499

500 Commissioner Chodun asked Engineering staff concerning the flooding comment that was  
501 brought up. City Engineer, Amy Williams, indicated that per the approved flood study by the City's  
502 consultants in 2006 and the brand new study that was done in 2018 that is the high and dry area.  
503 The bottom of the slabs of the houses built will have to be two feet above the elevations that are  
504 in all of those zones. Therefore there will be plenty of room for two high and dry houses to be  
505 built.  
506

507 Mr. Cullins came forward for rebuttal and indicated an engineer they have been working with as  
508 well as an architect were present and would be adding additional comments.  
509

510 Thomas Caffarel  
511 Cardinal Strategies  
512 2309 Shorehaven Circle  
513 Lewisville, TX  
514

515 Mr. Caffarel came forward and shared he was retained by the Cullin's to do an evaluation for flood  
516 purposes, and just as Engineering staff indicated, they are in a high and dry area and that is based  
517 on a fully developed watershed condition per the City criteria.  
518

519 Petra Phillips  
520 1604 St. Claire  
521 Rockwall, TX  
522

523 Ms. Phillips came forward and indicated good size homes could be built on the two lots  
524 approximately 3,500 foot house, give or take, on each lot would easily fit with plenty of greenspace  
525 surrounding it not including the floodplain.  
526

527 Chairman Lyons brought the item back to the Commission for discussion or motion.  
528

529 Commissioner Welch made a motion to approve Z2018-059 with staff recommendations.  
530 Commissioner Moeller seconded the motion which passed by a vote of 7-0.  
531

## 532 V. ACTION ITEMS 533

### 534 10. SP2018-042 535

536 Discuss and consider a request by Jeff Carol of Carol Architects, Inc. on behalf of Terry Morgan of Z06  
537 Properties, LLC for the approval of a site plan for an office/warehouse building on a 5.690-acre tract of  
538 land identified as Lot 3, Block D, Rockwall Technology Park Addition, City of Rockwall, Rockwall County,  
539 Texas, zoned Light Industrial (LI) District, located at the northeast corner of the intersection of Discovery  
540 Boulevard and Innovation Drive, and take any action necessary.  
541

542 Planning Manager, David Gonzales, provided a brief explanation and background of the request.  
543 On February 19, 2001, the City Council approved a site plan for a proposed 52,370 square foot  
544 warehouse/manufacturing facility on the subject property. On December 21, 2018, the applicant  
545 submitted an application requesting the approval of an amended site plan for the purpose of  
546 expanding the facility by incorporating an additional 35,980 square foot to the east side of the  
547 building. The purpose of the expansion is to add additional office/warehouse space which will  
548 increase the overall square footage of the building to 88,350 square. According to the Unified  
549 Development Code, a manufacturing/office facility is permitted by-right in a Light Industrial  
550 District. The subject property has two existing points of ingress and egress, one along Innovation  
551 Drive and one along Discovery Boulevard. Based on the site plan, the development will connect  
552 to the existing drives by extending a 24-foot drive aisle which is also a Fire Lane, Public Access  
553 and Utility Easement along the eastern side of the subject property. The proposed development  
554 will incorporate an additional 95 parking spaces with the expansion, and will bring the total parking  
555 count up to 193 parking spaces which meets the requirements for parking. Mr. Gonzales indicated

556 that with the exception of the variances being requested the submitted site plan, landscape plan,  
557 treescape plan, and building elevations generally conform to the technical requirements  
558 contained within the UDC for a property located within a Light Industrial District. Mr. Gonzales  
559 then went over the variances that are being requested to the building materials and the  
560 articulation. The Architectural Board recommended approval of the site plan with modifications  
561 to the south building. Additionally he applicant has submitted a letter indicating all trees being  
562 removed from the site are primarily Cedar trees that are less than 11-caliper inches DBH, and are  
563 considered non-protected trees; however one Oak tree measuring four caliper inches will be  
564 removed. The applicant will satisfy the mitigation balance by providing eight 3½-inch caliper  
565 trees, 28-inches to the site.  
566

567 Mr. Gonzales advised the Commission that the exceptions being requested are discretionary  
568 decisions for the Planning and Zoning Commission and only require approval by a simple majority  
569 vote. He indicated that the applicant was present and available for questions as well as staff.  
570

571 Chairman Lyons asked the applicant to come forward.  
572

573 Jeff Carol  
574 750 E. IH-30  
575 Rockwall, TX  
576

577 Mr. Carroll came forward and shared that they will follow the Architectural Review Boards  
578 recommendations and indicated he was available for questions.  
579

580 Chairman Lyons brought the item back to the Commission for discussion or action.  
581

582 Commissioner Chodun made a motion to approve SP2018-042 with both staff's and the  
583 Architectural Review Boards recommendations. Commissioner Womble seconded the motion  
584 which passed by a vote of 7-0.  
585

586 11. SP2018-043

587 Discuss and consider a request by Kevin Hickman of PegasusAblon on behalf of Rockwall Rental  
588 Properties, LP for the approval of a site plan for a 375-unit condominium building on a 6.2-acre tract of  
589 land identified as Lot 9, Block A, Harbor-Rockwall Addition and Tract 16 of the M. J. Barksdale Survey,  
590 Abstract No. 11, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-  
591 32), situated within the IH-30 (IH-30) Overlay District, located at the southwest corner of the intersection  
592 of the IH-30 frontage road and Lakefront Trail, and take any action necessary.  
593

594 Planning Manager, David Gonzales, provided a brief explanation and background pertaining to the  
595 request. On June 17, 2013, the City Council approved Ordinance No. 13-16, which allocated 399  
596 urban residential units (condominiums) to a concept plan that showed two condominium  
597 buildings being constructed on the subject property one adjacent to Lakefront Trail consisting of  
598 349-units and one adjacent to the Harbor Fountain consisting of 50-units. This approval was later  
599 amended on December 18, 2017, when the City Council approved Ordinance No. 17-64. The new  
600 amendment allocated an additional 51-units to the previously entitled 399-units, bringing the total  
601 number of entitled units to 450 urban residential units. This PD Development Plan establishes  
602 provisions for the construction of two condominium buildings. In conformance to this PD  
603 Development Plan, the applicant has submitted a site plan requesting approval for a 375-unit  
604 condominium development that will be adjacent to Lakefront Trail. This will be the first of two  
605 buildings and, based on the conditions of Ordinance No. 17-64, will be required to obtain a building  
606 permit by June 1, 2019. Should the site plan be approved, the development will still be required  
607 to have civil engineering plans and a final plat approved prior to the issuance of a building permit.  
608 Should a building permit not be issued by June 1, 2019, staff will provide a report to the Planning  
609 and Zoning Commission and City Council indicating the progress of the development, and after  
610 review the Planning and Zoning Commission and City Council may, after proper notice, initiate  
611 public hearings for the revocation of the additional 26 urban residential units.  
612

613 Mr. Gonzales further noted that the proposed five story condominium building will be located  
614 within the Harbor Residential Subdistrict and will be comprised of a total of 335,224 square feet.  
615 Off-street parking for future residents will be provided via a parking garage that is integrated into  
616 the design of the building, and is accessible from Lakefront Trail and the IH-30 Frontage Road.  
617 The on-site parking garage will provide a total of 548 parking spaces. The development will also

618 include 34 public parking spaces along Lakefront Trail, bringing the total number of parking  
619 spaces to 584. This exceeds the required 563 parking spaces by 21 parking spaces. Additionally,  
620 the applicant is showing a two level public parking garage consisting of 180 parking spaces. The  
621 public parking garage will be located along Lakefront Trail, southeast of and adjacent to the 50-  
622 foot pedestrian walkway. The applicant has indicated that this parking garage will be constructed  
623 prior to the condominium building. The proposed pedestrian walkway, located in between the  
624 public parking garage and the condominium building, will incorporate all of the streetscape  
625 elements required by PD-32, and provide an upgraded pavestone paver, decorative trees with up-  
626 lighting, assorted plantings, pedestrian benches, and pedestrian scaled lighting features. In  
627 addition, the plan shows that units facing onto the walkway will have stoops allowing direct access  
628 to the pedestrian path. The pedestrian walkway is intended to provide access to the Harbor  
629 Fountain and the potential future public park site from the 180 space public parking garage being  
630 constructed with this project.

631  
632 Mr. Gonzales went on to share that according to Planned Development District 32 the subject  
633 property is located within the Harbor Residential Subdistrict, which allows Urban Residential,  
634 Condominium Units Only, as a by-right land use. Based on the submitted site plan package, site  
635 plan, landscape/streetscape plan, treescape plan, photometric plan, and building elevations, the  
636 proposed case is in conformance with the requirements stipulated by Ordinance No. 17-22,  
637 Resolution No. 10-40, and the UDC with the exception of the waiver being requested. Mr. Gonzales  
638 provided information in regards to the waiver request. Additionally, The Treescape Plan submitted  
639 by the applicant indicates a total of 724 caliper inches will be removed from the subject property  
640 as a result of this development. As a note, primary protected trees are any tree that has a diameter  
641 of four inch caliper DBH or greater, with the exception of Bois d’Arc, Willow, Cottonwood, Locust,  
642 and Chinaberry. Hackberry and Cedar trees that have a DBH of 11 caliper inches through 25  
643 caliper inches are considered to be secondary protected trees and are mitigated at a rate of ½ inch  
644 per one inch DBH. Hackberry and Cedar trees less than 11 caliper inches are considered to be  
645 non-protected trees. This site has a majority of Hackberry trees less than 11-inches DBH that are  
646 not protected. Additionally, the applicant is removing five trees that are greater than 25 caliper  
647 inches, [1] 32-inch Sycamore; Tree No. 32, [2] 30-inch Elm; Tree No. 34, [3] 26-inch Pecan; Tree  
648 No. 36, [4] 32-inch Elm;– Tree No. 41, and [5] 32-inch Elm; Tree No. 44. These trees are considered  
649 to be feature trees and are mitigated for twice the number of inches being removed. The total  
650 mitigation balance due for this project is 437-inches. Based on the Landscape Plan, the applicant  
651 intends to offset the mitigation balance by providing 527-inches to the site and this will satisfy the  
652 mitigation required for the development. Additionally, a Traffic Impact Analysis is required for all  
653 development projects in the Harbor District. On December 5, 2018, Kimley-Horn and Associates,  
654 Inc. submitted a TIA on behalf of the applicant. On January 4, 2019 the City’s traffic consultant  
655 provided comments back to the applicant. A revised TIA addressing the City’s comments is  
656 required for the approval of this case, and this has been added to the conditions of approval.

657  
658 Mr. Gonzales advised the Commission that the Architectural Review Board met and recommended  
659 approval. He indicated the applicant was present and available for questions.

660  
661 Chairman Lyons asked the applicant to come forward.

662  
663 James Zigler  
664 6205 Wichita Trail  
665 Flower Mound, TX  
666

667 Mr. Zigler came forward and indicated Mr. Gonzales covered the request well. He indicated he  
668 was available for questions and asked for the Commission’s consideration for approval.

669  
670 Chairman Lyons brought the item back to the Commission for discussion or action.

671  
672 Commissioner Welch asked if there would be any retail at the bottom or would it all be residential  
673 that would be condos. Mr. Zigler indicated it would be all residential and would be condos.

674  
675 Commissioner Chodun asked the size that they would range from. Mr. Gonzales indicated they  
676 would be approximately 590 square feet to 1,300 square feet.

677  
678 Commissioner Womble asked if there would be an additional parking garage. Mr. Zigler indicated  
679 that off to the end of the property there is existing surface parking that has been dedicated for the

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Harbor retail when that it was built and they would be replacing that. They will be building a two level garage by the Cinemark expansion.

Commissioner Moeller asked if the public garage would be built first. Mr. Ziggler indicated that it would be being built first.

Commissioner Welch made a motion to approve SP2018-043 with staff recommendations. Commissioner Womble seconded the motion which passed by a vote of 7-0.

VI. DISCUSSION ITEMS

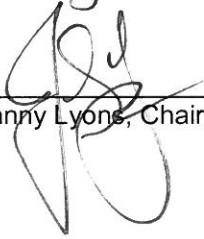
12. Director's report of post City Council meeting outcomes for development cases.

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

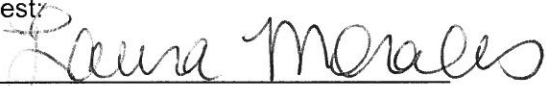
VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 8:30 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 24 day of February, 2019.

  
\_\_\_\_\_  
Johnny Lyons, Chairman

Attest:

  
\_\_\_\_\_  
Laura Morales, Planning Coordinator