

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**March 12, 2019**  
**6:00 P.M.**

I. CALL TO ORDER

Vice-Chairman Chodun called the meeting to order at 6:01 p.m. The Commissioners present at the meeting were, Jerry Welch, Annie Fishman, and John Womble. Absent from the meeting were Commissioners Johnny Lyons, Tracey Logan and Mark Moeller. Staff members present were Planning Director, Ryan Miller, Planning Manager, David Gonzales, Senior Planer Korey Brooks, City Engineer, Amy Williams, Civil Engineers, Jeremy White and Sarah Hager.

II. CONSENT AGENDA

1. Approval of Minutes for the *January 29, 2019* Planning and Zoning Commission meeting.
2. Approval of Minutes for the February 12, 2019 Planning and Zoning Commission meeting.

3. P2019-009

Consider a request by Mathias Haubert of Bohler Engineering on behalf of Daniel J. Porter of Dynamic Development for the approval of a replat for Lot 1, Block A, Brakes Plus Addition being a 0.653-acre tract of land currently identified as Lots 1 & 2, Billy Peoples #1 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1902 & 2000 S. Goliad Street [*SH-205*], and take any action necessary.

4. SP2019-005

Consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of CDT Rockwall/2017 LLC for the approval of a site plan for the Saddle Star South Subdivision containing 138 single-family residential lots on a 55.85-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive John King Boulevard, and take any action necessary.

**Commissioner Welch made a motion to approve the consent agenda. Commissioner Fishman seconded the motion which passed by a vote of 4-0 with Commissioners Lyons, Moeller and Logan.**

III. APPOINTMENTS

5. 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.**

IV. PUBLIC HEARING ITEMS

6. Z2019-003

Hold a public hearing to discuss and consider a request by Jeff Bresee of SET Engineers on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) for a *Private Sports Arena, Stadium or Track* on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned

62 Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W.  
63 Yellow Jacket Lane, and take any action necessary.

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65 Senior Planner, Korey Brooks, provided a brief explanation of the request. The applicant is  
66 requesting the approval of a Specific Use Permit for a Private Sports Arena, Stadium, or Track  
67 on the subject property. Currently, the Rockwall Independent School District utilizes this area as  
68 an existing multi-purpose field that serves as a practice facility for various sports. According to  
69 the applicant, in order to protect vehicles and/or patrons of the commercial businesses (Rooms-  
70 To-Go, Heritage Buick-GMC, Texas Roadhouse and the future Marriott Towneplace Suites hotel)  
71 adjacent to the field, the school is requesting to construct a 40-foot fence/netting combination  
72 around the perimeter of the field. The applicant is proposing to replace the existing natural grass  
73 field with artificial turf, to utilize a ten foot tall black vinyl coated chain link fence installed one  
74 foot inside the boundaries of the practice field. The fence will be topped with 30-foot tall black  
75 netting and lights, which will be installed at the top of the poles adjacent to the north and south  
76 boundaries of the field. The proposed field will be serve as a practice field for the school's  
77 sports teams, intramural sports, physical education classes, and some other uses not identified  
78 by the applicant. According to the applicant, the field will be utilized mostly during the day;  
79 however, the applicant intends on the field being utilized, on a limited basis at night. According  
80 to the applicant, this project is a part of the Rockwall Independent School District's bond  
81 program that includes a provision for a practice facility for the softball and baseball team and  
82 granting this request will enable the field to be more functional and meet that purpose.

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84 Mr. Brooks further noted that according to the Unified Development Code the maximum  
85 allowable light intensity measured at the property line of any non-residentially zoned lot shall be  
86 0.2 of one footcandle and goes on to state that for planned shopping centers or other  
87 commercial developments that contain more than one lot, the Planning and Zoning Commission  
88 may consider lighting plans that result in light spillover across common lots within the same  
89 development however; in no case shall light levels exceed 0.2 of one footcandle at the property  
90 lines adjacent to the street and/or along the perimeter of the development. In this case, the  
91 photometric plan submitted by the applicant shows that the light intensity along the east and  
92 west boundaries range from 0.1 FC to 0.3 FC. Along the north and south boundaries where the  
93 lights will be installed, the light intensity range from 0.1 FC to 0.9 FC. This practice field is  
94 located toward the rear of the school away from the property lines adjacent to the street and this  
95 request does not appear to affect the light intensity levels adjacent to the street adjacent to  
96 Yellow Jacket Lane. Since the proposed lighting exceeds the maximum light intensity of 0.2 FC  
97 at the southeast property line approving this request will effectively waive the lighting  
98 requirements with regard to lighting spillover. Additionally, the Unified Development Code  
99 requires that light sources be oriented down and toward the center of the site or shielded so as  
100 not to be visible from the property line. The proposed light fixtures will be oriented toward the  
101 center of the site and partially shielded; however, due to the proposed use combined the height  
102 of the light poles, there is a possibility that the lights will be visible from the property line. Since  
103 this does not meet the requirements of the UDC, approving this request will effectively waive the  
104 lighting requirements with regard to the shielding and orientation of the lights. In this case, the  
105 proposed light fixtures will be mounted on the top of 40-foot tall light poles and oriented toward  
106 the field. Since this exceeds the maximum allowable height of 30-feet, approval of this request  
107 will effectively waive the lighting requirements with regard to the maximum allowable height of  
108 light poles within the IH-30 Overlay District. The Planning and Zoning Commission is tasked with  
109 determining if the existing buildings provide sufficient screening of the adjacent public areas, if  
110 additional screening/landscaping is required, and/or if approval of this request is warranted.  
111 Additionally should this request be approved, staff has recommended to the applicant to provide  
112 a thick vegetative screening along the adjacent property lines outside of the fence, which  
113 consists of a combination of mature trees, bushes, and tall grasses. This will require the  
114 applicants to provide staff with an updated concept plan reflecting the proposed screening.  
115 Additionally, this may require that the proposed fence is shifted inward to accommodate the  
116 additional landscaping.

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118 Mr. Brooks went on to share that on February 22, 2019, staff mailed notifications to 39 property  
119 owners/residents within 500-feet of the subject property and notified the Turtle Cove and  
120 Waterstone Homeowner's. Staff did not receive any notices concerning this case.

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122 Mr. Brooks advised the Commission that the applicant was present and available for questions  
123 as well as staff.

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Vice-Chairman Chodun asked the applicant to come forward.

Tim Lyssy  
1191 TL Townsend Drive  
Rockwall, TX

Mr. Lyssy came forward and indicated he is the project manager for Rockwall ISD and provided a brief explanation of the request. He indicated he was available for questions.

Vice-Chairman Chodun asked if the bond package restricted the use only for the high schools use. Mr. Lyssy indicated that was correct it would be strictly for the high schools practice use. Commissioner Fishman asked what the evening use of the field would involve. Mr. Lyssy indicated that it would vary throughout the year depending on the season and what sports are active.

Commissioner Welch shared that his one concern is with the hotel that will be built adjacent to this where there may be any bleed over from the lighting that may pose a problem. Mr. Brooks indicated that the site plan for the hotel in question shows there will not be any windows on the east and west side that would face the field. Mr. Lyssy added that the lights they will be using are LED lights that will be aiming directly at the field to keep as much of the light on site as possible.

Vice-Chairman opened up the public hearing and asked if anyone wished to speak to come forward and speak.

Bob Wacker  
309 Featherstone Drive  
Rockwall, TX

Mr. Wacker came forward and shared that when he moved to his home he was concerned with lighting and noise that the Williams Middle School football stadium that was located behind him may create, however neither turned out to cause a problem. He feels it will be the same case with this field therefore he is in favor of the request.

Vice-Chairman Chodun asked if there was anyone else that wished to speak to come forward and do so, there being no one indicating such; Vice-Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Welch made a motion to approve Z2019-003 with staff recommendations. Commissioner Womble seconded the motion which passed by a vote of 4-0 with Commissioners Lyons, Logan and Moeller absent.

7. P2019-008

Hold a public hearing to discuss and consider a request by Kevin Osornio on behalf of Jeaniffer Osornio for the approval of a replat for Lots 1 & 2, Block A, N. E. & J.O. Addition being a 0.46-acre parcel of land identified as Lot 2, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Southside Residential Overlay (SOV) District, addressed as 705 Peters Colony, and take any action necessary.

Senior Planner, Korey Brooks, gave a brief explanation of the request. The case is coming before the Commission because it is a residential replat that increases the number of lots. Originally the applicant was proposing to subdivide the tract of land into four different lots, however there were significant infrastructure costs associated with that and therefore the applicant decided to only subdivide into two lots. The case went before the Parks Board to have park fees assessed. Mr. Brooks advised the Commission that the applicant was not present however staff was available for questions.

Vice-Chairman Chodun opened up the public hearing and asked if anyone wished to speak to come forward and do so, there being no one indicating such; Vice-Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

186 Commissioner Womble made a motion to approve P2019-008 with staff recommendations.  
187 Commissioner Welch seconded the motion which passed by a vote of 4-0 with Commissioners  
188 Lyons, Logan and Moeller absent.  
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190 V. ACTION ITEMS  
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192 8. SP2017-025  
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194 Discuss and consider a request by Greg Wallis of Mershaw Architects on behalf of Doug Fox of  
195 Cornerstone Church for the approval of an amended site plan for a church on a six (6) acre parcel of  
196 land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County,  
197 Texas, zoned Commercial (C) District, situated within the 205 By-Pass Overlay (205 BY-OV) District,  
198 addressed as 1565 Airport Road, and take any action necessary.  
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200 Senior Planner, Korey Brooks, provided a brief explanation and background of the case. In 2017  
201 the Architectural Review Board as well as the Planning and Zoning Commission approved a site  
202 plan for a house of worship on the subject property. While reviewing the landscape plan, site  
203 plan, treescape plan and building elevations, staff notified the applicant of the variances  
204 required for the construction of the building as proposed, specifically regarding the screening of  
205 the mechanical equipment on the roof. In response to that, it was asked of the applicant to  
206 provide a parapet wall along the rear of the building to screen the rooftop units. The applicant  
207 then provided revisions that showed a dash line which appeared to be a parapet wall screening  
208 those roof top units and commented that the roof top units would be screened by a six foot  
209 masonry wall. At that time the site plan called out roof top units and staff interpreted that to be  
210 units on the roof and that the masonry wall would be along the rear of the building screening the  
211 roof top units. However, the applicant's intent was to have ground mounted units that are  
212 screened by a wing wall. Currently the building is under construction and it was noticed that  
213 along John King the back of the building does not have parapet and it is visible from John King  
214 and FM-1141 as well as other points along John King. When that was brought to staffs attention,  
215 staff then notified the applicant that the rear of the building is missing parapet. In response the  
216 applicant requested a variance to the architectural standards for the John King Overlay District  
217 and proposed three different considerations.  
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219 Mr. Brooks further noted that the approval of the variance being requested is discretionary to the  
220 Planning and Zoning Commission however, the Commission is not limited to approving the  
221 request as is. Additionally approval of the variance will require a super majority vote of all  
222 members present. After review, the Architectural Review Board recommended that the parapet  
223 be added along the rear of the building. If approval is granted the applicant will be required to  
224 submit new building elevations reflecting changes.  
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226 Mr. Brooks advised the Commission that the applicant was present and available for questions  
227 as well as staff.  
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229 Planning Director, Ryan Miller, added clarification as to the how the super majority vote is  
230 written. He shared that it requires  $\frac{3}{4}$  of the Planning and Zoning Commission present with a  
231 minimum of four voting in the affirmative. In this case it would take approval of all four  
232 Commissioners present.  
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234 Vice-Chairman Chodun asked the applicant to come forward.  
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236 Wayne Mershaw  
237 2313 Ridge Road  
238 Rockwall, TX  
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240 Mr. Mershaw came forward and requested the case be tabled until the next scheduled meeting.  
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242 Vice-Chairman Chodun brought the item back to the Commission for discussion or action.  
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244 Commissioner Welch made a motion to table SP2017-025 until the next scheduled meeting.  
245 Commissioner Fishman seconded the motion which passed by a vote of 4-0 with  
246 Commissioners Lyons, Logan and Moeller absent.  
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248 9. SP2019-004

249 Discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina  
250 Molina of Alvaplast US (SPR Packaging) for the approval of a site plan for a warehouse/manufacturing  
251 facility on a 11.3736-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20, City  
252 of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of  
253 Aluminum Plant Road, and take any action necessary.

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255 Planning Manager, David Gonzales, provided a brief explanation of the request. The applicant is  
256 requesting approval of a site plan for a multi-phase expansion of their existing operation of a  
257 warehouse/manufacturing facility. This site plan is for the first phase construction of an  
258 approximately 78,615 square foot single story warehouse facility which will be constructed of  
259 tilt-up wall that will match their existing building which is located just south of and is adjacent of  
260 the subject property. A warehouse facility in a Light Industrial District is allowed as a by right  
261 land use and other than the exceptions that are being requested the site plan, landscape plan,  
262 treescape plan, and photometric plan are all in general conformance with the technical  
263 requirements that are contained within the Light Industrial District and the Unified Development  
264 Code.

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266 Mr. Gonzales further noted that the treescape plan provided by the applicant indicates all trees  
267 being removed from the site are primarily Hackberry trees, which are considered a non-  
268 protected tree if they are less than 11-caliper inch DBH (i.e. diameter breast height). Hackberry  
269 and Cedar trees that are 11-inch to 25-inch DBH are mitigated at ½ inch for each one inch  
270 removed 50% of the total inches removed. Additionally, there are several Bois-d-arc, Chinaberry,  
271 Willow, Cottonwood, and Locust trees that are considered a non-protected species and will not  
272 require mitigation, regardless of their size. However, the applicant has indicated a total of 7,919-  
273 caliper inches being removed from the entire site. Of the caliper inches being removed, 1,554.25-  
274 inches will require mitigation. The applicant is providing a total of 1,412 caliper inches on site  
275 this will result in total mitigation balance due of 142.25-caliper inches. According to the Unified  
276 Development Code in certain cases, the City Council upon recommendation from the Planning  
277 and Zoning Commission may consider an Alternative Tree Mitigation Settlement Agreement  
278 where, due to hardship, the applicant is unable to meet the requirements of this article or where  
279 it is determined that adherence to the tree mitigation requirements will create a hardship for an  
280 applicant. These funds will be deposited in the City's Tree Mitigation Fund and will be used for  
281 planting trees in the City's parks, medians, street right-of-ways, or other similar areas as  
282 determined by the Parks and Recreation Department. The applicant is requesting an Alternative  
283 Tree Mitigation Settlement Agreement in order to satisfy the balance. If approved by the City  
284 Council, a total amount of \$14,125.00 will be required to be paid into the City's Tree Fund prior to  
285 the release of a Certificate of Occupancy. The applicant has provided additional screening trees  
286 along the western property boundary, adjacent to the Park Place Addition. The purpose of these  
287 plantings are to provide a three layer landscape screening system by providing two rows of  
288 evergreen trees, low lying screening and one row of Live Oak trees along the western property  
289 boundary south of the existing industrial building. North of the building, along the western  
290 property boundary, is an existing tree line that is currently being used as a screening buffer.  
291 These existing evergreens will remain and will be supplemented by a second layer of evergreen  
292 trees that will be planted to fill in gaps that may exist along the existing tree line. This second  
293 layer of evergreen trees will be spaced between Live Oak trees, which will also be incorporated  
294 into the screening buffer. Mr. Gonzales went on to provide the Commission the  
295 recommendations that the Architectural Review Board made after they reviewed the variances  
296 and exceptions the applicant is requesting.

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298 Mr. Gonzales advised the Commission advised the Commission that the applicant was present  
299 and available for questions as well as staff.

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301 Vice-Chairman Chodun asked the applicant to come forward.

302  
303 Bobby Pross  
304 Pross Design Group  
305 5310 Harvest Hill Road. Suite 180  
306 Dallas, TX

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308 Mr. Pross came forward and indicated he was available for questions. The Commission did not  
309 have any questions for the applicant.

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Vice-Chairman Chodun brought the item back to the Commission for discussion or action.

Commissioner Womble made a motion to approve SP2019-004 with staff's conditions and Architectural Review Boards recommendations as well as the request of an Alternative Tree Mitigation Settlement Agreement by the applicant. Commissioner Fishman seconded the motion which passed by a vote of 4-0 with Commissioners Lyons, Logan and Moeller absent.

VI. DISCUSSION ITEMS

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


✓ Z2019-001: Text Amendment to Article IV, Permissible Uses, UDC (*1<sup>st</sup> Reading*) [*Approved*]

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 6:57 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 9 day of April, 2019.

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

Attest:  
  
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Laura Morales, Planning Coordinator