

PLANNING AND ZONING COMMISSION MEETING
January 10, 2006

CALL TO ORDER

The meeting was called to order by Chairman, Phillip Herbst at 6:00 p.m. with the following members present; Greg Burgamy, Mike Lucas, Bill Bricker, Connie Jackson and Michael Hunter. Glen Smith was absent.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, and Chris Spencer.

PUBLIC HEARING ITEMS

Z2005-040

Continue a public hearing and consider a request by Joe and JoAnn Loftis for approval of a change in zoning from (Ag) Agricultural district to (PD) Planned Development district to accommodate a single-family residential development on a 234.70-acre tract known as Tracts 1-1, 2, and 2-1, Abstract 182, J.H. Robnett Survey, located along the south side of SH 276 east of Rochelle Rd, and take any action necessary.

Hampton stated that the public hearing for this item was continued on December 13, 2005 as the original applicant, Jones & Boyd, Inc., withdrew their request. However, the property owners, Mr. and Mrs. Loftis, have requested that the zoning proposal remain active as they work with new consultants and bring forward an amended request. Staff has not received an updated proposal, and would recommend that the Planning Commission continue the public hearing until the February 14, 2006 meeting. Staff will also re-advertise the public hearing in the newspaper and to adjacent property owners given the time delays.

Herbst stated that the public hearing was still open for this item.

Burgamy made a motion to continue the public hearing to the February 14, 2006 meeting.

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

Z2005-041

Hold a public hearing and consider a request by Scott and Andrea Gunderson for approval of a Specific Use Permit (SUP) allowing for an accessory building/detached garage exceeding the maximum size requirement of 1250-sf at their property at 241 Willowcrest Lane, located on Lot 26, Block A, Willowcrest Estates and zoned (SF-E/1.5) Single Family Estate district.

Spencer outlined that the applicant, Mr. Gunderson, is requesting a specific use permit to allow an accessory building/detached garage exceeding the maximum

PLANNING AND ZONING COMMISSION WORKSESSION
January 31, 2006

CALL TO ORDER

The meeting was called to order by chairman, Phillip Herbst at 6:00 p.m. with the following members present; Connie Jackson, Bill Bricker, Glen Smith, Mike Lucas and Greg Burgamy. Michael Hunter was absent.

Staff Present; Robert LaCroix, Michael Hampton, and Chris Spencer.

CONSENT AGENDA ITEMS

Approval of Minutes for December 13, 2005 Planning and Zoning Commission meeting

Approval of Minutes for January 10, 2006 Planning and Zoning Commission meeting

P2006-001

Discuss and consider a request by Sean Flaherty of The Wallace Group, Inc., for approval of a replat of Lots 1 and 4, Block A, Rockwall Crossing Addition, being a 23.454-acre tract zoned (C) Commercial and located along the south side of Interstate 30, and take any action necessary.

The Wallace Group has submitted a replat of Lots 1 and 4, Block A, Rockwall Crossing Addition, in order to adjust several existing easements on the property. The replatted lots are proposed as Lot 6 and Lot 7. The primary purpose of the replat is to accommodate development of two "PBA" buildings on the west and east sides of Lot 6 (current Lot 1) that were approved with the site plan of Phase 1. Prior to filing the replat, the City will require an approval letter from TXU verifying their acceptance of the easement abandonments and locations of all remaining and/or new easements on the lot. Final review and approval by the engineering and fire departments of the City shall be required prior to filing. The replat appears to meet all other requirements of the (C) Commercial district.

Staff Recommends approval of the request with the following conditions:

1. Adherence to engineering and fire department requirements.
2. TXU approval of proposed easement locations and/or abandonments.

P2006-004

Discuss and consider a request by Stacy Standridge of Quail Run Partners, Ltd. for approval of a final plat of Lots 1 and 2, Block 1, Shops at Ridge Creek Addition, being 3.141-acres zoned (PD-3) Planned Development No. 3 District and designated for General Retail uses, and situated at the northwest corner of Ridge Road West and SH 205 (N. Goliad), and take any action necessary.

The subject site is a 3.141-acre tract zoned (PD-3) Planned Development No. 3 District and designated for General Retail uses, and situated at the northwest corner

of Ridge Road West and SH 205 (N. Goliad). Lot 1 is shown to be developed in accordance with the approved site plan while lot 2 will remain undeveloped with the exception of a detention pond. The detention pond located on lot 2 is contained within a detention pond easement to be maintained by the property owner for lot 1. Final review and approval by the engineering and fire departments of the City shall be required prior to filing. The final plat appears to meet all other requirements of the (PD-3) Planned Development district.

Staff Recommends approval of the request with the following conditions:

1. Engineering and Fire Department approval.
2. Approval of TX Dot permit.
3. Compliance with tree mitigation requirements.

Burgamy made a motion to approve the consent agenda items with staff recommendations.

Jackson seconded the motion. The motion passed by a vote of 6 to 0.

Herbst elected to move the following discussion items up the agenda. No action was taken.

SP2006-002

Discuss a request by Matthew King for approval of a site plan for an office development located on Lot 8, Block A, Rockwall Towne Center Phase 4 Addition, being a 1.78-acre tract zoned (C) Commercial district and located along Vigor Way within the (IH-30 OV) IH-30 Overlay District and (SOV) Scenic Overlay District.

P2006-002

Discuss a request by John Burpee for approval of a residential replat of Lots 3 and 4, Block A, The Oaks of Buffalo Way Phase II, being 3.62-acres zoned (PD-51) Planned Development No. 51 District and located at 1865 Broken Lance Ln.

P2006-003

Discuss a request by Norma Morris of Country Day Montessori School for approval of a preliminary plat of Lot 1, Block 1, Country Day School Addition, being 1.10-acres zoned (PD-60) Planned Development No. 60 District and located along the northeast side of Mims Rd southeast of Ralph Hall Pkwy.

Z2006-001

Discuss a city-initiated request for approval of various amendments to the Unified Development Code (Ord. 04-38).

SITE PLANS / PLATS

P2005-011

Discuss and consider a request from Kimley-Horn & Associates for approval of a preliminary plat of Nelson Lake Addition, a 121.2-acre tract comprised of 108 single-family residential lots (104.8-acres) and one lot designated for "NS" Neighborhood Services uses (16.4-acres), located at the southeast corner of FM 1141 and FM 552, currently described as Tract 2, Abstract 88, J.M. Gass Survey, and take any action necessary.

LaCroix presented that the preliminary plat for Nelson Lake lays out 108 single-family residential lots, three (3) open space and/or drainage easements (i.e. lots 20, 55 and 56, Block C), one (1) lot designated for a sewer lift station (i.e. Lot 57, Block C) and one (1) lot designated for future non-residential development (Lot 33, Block A). The subject property was rezoned in April 2005 to accommodate the proposed plan.

Right-of-way and Access

The site is bordered by FM 552 to the north, FM 1141 to the west, N. Country Lane to the south and the City limits to the east. Access for the residential portion of the development is proposed via "Street A" from FM 1141 and via "Street G" from FM 552. Staff received a letter from TXDOT approving in concept the proposed street intersections with these arterials. However, a Traffic Impact Analysis will be required as part of the engineering review prior to TXDOT approval of the final grading permit(s).

A 10-ft ROW dedication is provided along FM 1141 and a 20-ft ROW dedication along FM 552 for the future widening of those arterials. Left-turn lanes and/or deceleration lanes will be required as per Engineering standards and TXDOT requirements. Access to the proposed 16.4-acre (NS) site will be provided subject to TXDOT and City engineering standards, and will be reviewed at the time of final platting and/or site plan approval for that property. No access is proposed to N. Country Lane; however, the developer will be responsible for the dedication of 32.5-ft of Right-of-way and improvement of a minimum 24-ft street section of this road as it abuts the subject tract.

Utilities and Engineering Issues

The subject tract currently is situated within Mt. Zion's water district, and it is believed there are not adequate fire flows or capacity to support the proposed development. However, the developer has agreed to participate in a facilities agreement with the City to acquire the right to serve this area, which will be finalized during engineering review/final platting. Development of this tract will require extensions of water and sewer lines to and along the subject tract, as well as installation of a lift station in the northeastern quadrant (i.e. Lot 57, Block C). The developer has requested approval of waivers to some of the utility requirements for the project, and the City Council will consider these requests via a developer's agreement when they review the preliminary plat at their meeting.

Subdivision Design & Alley Waiver

The developer is proposing a design that incorporates Nelson Lake as a private open space and amenity. Thus, lots are generally backed to the lake in an effort to maximize the lot values and help attract custom home builders, which is not unlike, for instance, the Rainbow Lake development in the southwest part of the City. The development will be subject to review by the Parks Board to consider tie-ins to the City's trail system, cash-in-lieu-of dedication fees, equipment fees, etc.

The proposed layout does not include alleys, and requires approval of a waiver by the Planning Commission and City Council. The Comprehensive Plan states all residential lots 16,000-sf in area or less should be served by an alley. However, the applicant's requested preliminary plat is for minimum 16,000-sf lots (with an average lot size of 19,509-sf). The development pattern for SF-16 and greater has typically eliminated alleys, and staff would support the waiver request.

The Unified Development Code requires a 10-ft buffer along all major arterials and collectors, and staff has typically required that the buffer be a separate tract and included as part of "Block X" which will be maintained by the HOA. Since the January 10, 2006 meeting, the developer has revised the preliminary plat and is proposing a 20-ft landscape easement along N. Country Ln, FM 1141, or FM 552. Because of issues the City has experienced in the past with landscape easements, particularly conflicts between HOAs and property owners regarding maintenance of the landscaping, as well as encroachments into the easements with fences, pools, etc, staff is offering several conditions of approval if the Commission and City Council find the 20-ft easement an acceptable alternative to the 10-ft buffer.

Tree Preservation

The preliminary plat outlines clusters of trees, which are primarily located within the draw running from the southwestern corner of the property into Nelson Lake. Much of this area will be incorporated into the subdivision as drainage and open space areas, but it is unclear at this point to what extent the trees in these areas will be preserved. At the time of final platting, engineering plans – including grading and drainage plans – will have been submitted and approved, allowing the developer and the City to better understand the impact on existing trees. Then, a more detailed tree plan will be required for review and approval by the Commission.

Rob Whittle, owner and developer of Nelson Lake, was present to answer any questions and to request approval of the project. He discussed how the issues from the previous Commission meeting have been addressed.

After extensive discussion, Bricker made a motion to approve the request from Kimley-Horn & Associates for approval of a preliminary plat of Nelson Lake Addition, a 121.2-acre tract comprised of 108 single-family residential lots (104.8-acres) and one lot designated for "NS" Neighborhood Services uses (16.4-acres) with the following conditions:

- 1. Submittal and approval of engineering plans prior to application for final plat.*
- 2. Submittal and approval of final plat.*
- 3. Facilities agreement between developer, City of Rockwall and Mt. Zion for water service.*
- 4. City Council to consider developer's agreement regarding waiver request for required utilities.*

5. *City Council and developer to consider developer's agreement regarding Residential Design Guidelines and Development Standards intended to promote custom home building in this project.*
6. *Engineering Facilities agreement (streets, utilities, etc) to be approved with final plat.*
7. *City Council to waive requirement for alleys.*
8. *Adherence to Parks Board requirements.*
9. *Approval of final treescape plan with final plat.*
10. *Homeowner's Association documents to be submitted prior to or concurrently with final plat, and shall be reviewed for the following:*
 - a. *HOA required to provide maintenance and irrigation to 20-ft landscape easements.*
 - b. *HOA required to maintain and irrigate all other open spaces, drainage easements and common areas.*
 - c. *No rear access drives be allowed to any residential lots backing to the landscape buffers along FM 552, FM 1141 or North Country Lane.*
11. *Approval of landscape plan details by the Planning and Zoning Commission prior to or concurrently with submittal of final plat.*
12. *Landscaping and fencing (tubular steel with brick/stone columns) for the entire residential portion of the property be installed prior to issuance of any building permits. The fencing shall be built 20-ft from the property line.*
13. *Connectivity to the Neighborhood Service area is required, and shall be indicated on the final plat. This may include trails/sidewalks and access easements from the back and interior of the residential portion of the development into the proposed retail/office area.*
14. *The required landscape plan shall be tied to the Homeowner's Association document(s).*

Jackson seconded the motion. The motion was voted and passed by a vote of 5 to 1, with Commissioner Burgamy against.

SP2003-020

Discuss and consider a request from Rob Whittle for approval of the final building elevations for The Harbor Hilton Hotel and Conference Center, located on Lot 2, Block A, The Harbor - Rockwall Addition, a 19.93-acre site zoned (PD-7) Planned Development No. 7 District and situated along the Lake Ray Hubbard shoreline south of I-30 and west of Summer Lee Drive, and take any action necessary.

Hampton stated that with the original approvals of The Harbor project in early 2004, the final details for the planned Hilton Hotel and Conference Center were not available, and were not approved with that phase. Essentially, the site plan, landscape plan and a

conceptual elevation for the hotel was approved. However, at this time, the developer of the project is ready to begin construction on the hotel/convention center.

Included in their submittal for the Planning and Zoning Commission to review are landscape plans and building elevations specific for the Hilton structure. Staff has also attached the original conceptual rendering of the building submitted with Phase 1 for the P&Z to compare. The site and landscape plans for Lot 1 are also included in your packet, though no significant changes are apparent. In fact, much of the landscaping, lighting and parking are currently finished beyond the immediate footprint area of the hotel. The landscape plan for the Hilton itself illustrates a variety of landscape materials around the building, outdoor patio and pool areas, and appears to screen the “mechanical pavilion” where equipment is to be stored on the ground.

The proposed elevations are comprised of a combination of stucco and stone, which constitutes approximately 22% of the façade(s). The colors of the building and roof materials appear to be consistent with the other parts of the development. The parapet height of the structure is shown as 59’4”, and the maximum height measured at the peak of the roof elements is 80’3”.

Staff feels the proposed elevations are inline with the buildings that are existing and/or under construction in Phase 1, and with the conceptual elevations presented for the hotel in the original application for the Harbor, and would recommend approval of the elevations, lighting and landscape details.

Rob Whittle, developer, was present to answer questions and discuss the request.

Harold Evans, engineer for the project, was also available to answer questions.

The Commission discussed several issues with the elevations and landscape plan, including questions about the proposed building materials and screening of the loading areas and service court.

Jackson brought up concerns about the hotel’s design and layout meeting Hilton’s standards. The primary entrance into the conference center was right next to the service court.

Herbst inquired about the lack of handicap accessible spaces near the hotel. Evans pointed out that the overall requirement for accessible spaces was met throughout the Harbor area, and most have been constructed.

Bricker asked if the 80-ft height was in accordance with the original plan. LaCroix stated that the project has always been five stories.

Lucas was uncomfortable approving the plan as presented as this was the first time the Commission has seen these details, and agreed with Jackson’s concerns about the conference center entrance being next to the loading docks.

Herbst asked if the lighting problems brought up by the adjacent neighborhood would be addressed, or if this plan would increase any problems.

The Commission summarized the need for more information by requesting the applicant to bring back elevations for all sides of the building, particularly the Summer Lee side, as well as material samples. Jackson added that cross-sections for the loading area and screening wall(s) would help her make a decision.

Jackson made a motion to table the request until the next meeting on February 14, 2006.

Burgamy seconded the motion. The motion was voted and passed 6 to 0.

ADJOURNMENT

The meeting was adjourned at 9:10 p.m.

size requirement of 1250-sf at their property at 241 Willowcrest Lane, located on Lot 26, Block A, Willowcrest Estates and zoned (SF-E/1.5) Single Family Estate district.

Under Article IV (Permissible Uses) Section 2.1.2(3)(b) of the Unified Development Code an Accessory Building is allowed in SF-E/1.5 provided that the proposed Accessory Building is less than 1,250 square feet in area and less than 15 feet in height, and provided the exterior cladding contains the same materials found on the main structure and generally in the same proportion. The proposed Accessory Building is in compliance with the maximum height and cladding requirements as outlined in Section 2.1.2(3)(b). A Specific Use Permit is required as outlined in Section 2.1.2(6) in the Unified Development Code due to the square footage of the proposed Accessory Building (1,700) exceeding the allowable size for an Accessory Building (1,250) located in the SF-E/1.5 zoning district.

Notices were mailed to thirteen (13) property owners within 200-ft of the request, and at the time of this report no responses had been returned.

Herbst opened the public hearing at 6:08 pm.

Scott Gunderson, applicant, addressed the commission requesting approval and answered questions.

The Commission asked if the building was 2-story, and Mr. Gunderson stated that the second floor indicated on the plan was a storage space similar to an attic.

Herbst closed the public hearing.

Lucas made a motion to approve the request by Scott and Andrea Gunderson for approval of a Specific Use Permit (SUP) allowing for an accessory building/detached garage exceeding the maximum size requirement of 1250-sf at their property at 241 Willowcrest Lane, located on Lot 26, Block A, Willowcrest Estates and zoned (SF-E/1.5) Single Family Estate district, with the following staff conditions:

1. The building will comply with the approved site plan and building elevations, with a minimum side yard setback of 25-feet.
2. The exterior materials of the accessory building must match the materials on the home (i.e. brick).
3. The maximum building size is limited to 1,700 square feet in area.
4. A waiver of fire protection is signed prior to issuance of a building permit.
5. The accessory building is subject to administrative review in the event that the subject property is sold to another party, conveyed in any manner to another party, subdivided, or replatted.
6. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.
7. In the event that the proposed use should lose its status as an accessory building, as per the Unified Development Code, the Specific Use Permit

as granted herein, will cease and the building shall conform to the Unified Development Code by providing the same exterior covering materials as found on the main structure and generally in the same portions.

Bricker seconded the motion. The motion was voted on and passed 6 to 0.

P2005-049

Hold a public hearing and consider a request by Dan Ramsey of Jones & Boyd, Inc. for approval of a residential replat of Lots 8-11, Promenade Harbor II, specifically to provide a 20-ft front yard setback on the subject lots. The subject property is zoned (SF-10) Single Family Residential district.

Hampton stated that the applicant has brought forward a residential replat of Lots 8-11, Promenade Harbor Phase II, to provide a 20-ft front yard setback on the subject lots. This request follows the Planning and Zoning Commission and City Council approval of a special exception to allow for the 20-ft setback given the limited building areas on the lakefront lots. The existing front yards on the lots were originally increased to meet the City's minimum lot width (80-ft) requirement, which is measured at the front building line.

In accordance with state law, notices were sent to five property owners who were located within 200-ft of the subject property within the Promenade Harbor Phase II subdivision. At the time of this report, one response "in favor" had been received.

Herbst opened the public hearing at 6:18 pm.

Jeff Miles of Jones & Boyd, applicant, was present to answer questions.

Herbst closed the public hearing.

Jackson made a motion to approved the request by Dan Ramsey of Jones & Boyd, Inc. for approval of a residential replat of Lots 8-11, Promenade Harbor II, specifically to provide a 20-ft front yard setback on the subject lots. The subject property is zoned (SF-10) Single Family Residential district.

Burgamy seconded the motion. The motion was voted and passed 6 to 0.

SITE PLANS / PLATS

P2005-048

Discuss and consider a request by Jeff Linder of Kimley-Horn and Associates, Inc., for approval of a replat of Lot 4, Block A, Horizon Ridge Addition, being a 0.789-acre tract zoned (PD-9) Planned Development No. 9 district and situated along the southwest side of FM 3097 (Horizon Rd) southeast of FM 740 (Ridge Rd).

Spencer outlined the request stating that the applicant has submitted a request for a replat of Lot 4, Block A, Horizon Ridge Addition, being a 0.789- tract zoned PD-9, Planned Development District and located along the southwest side of FM 3097

(Horizon Rd) southeast of FM 740 (Ridge Rd). A specific use permit and a site plan have both been approved for a Panda Express restaurant with drive-thru service.

The plat indicates abandonment by separate instrument of a 40' mutual access easement and fire lane along the north property line. A 30' mutual access/fire lane easement is be dedicated by this plat along the north property line. The reduction of the access/fire lane easement will allow for construction of the sidewalk and installation of landscaping along the north side of the proposed building.

The development must meet all requirements of the City's fire and engineering departments, but appears to meet all requirements of the Planned Development "PD-9" zoning district and is recommended for approval at this time.

Jeff Linder, from Kimley-Horn and Associates, addressed the commission requesting approval of the request and to answer questions.

Jackson made a motion to approve the request by Jeff Linder of Kimley-Horn and Associates, Inc., for approval of a replat of Lot 4, Block A, Horizon Ridge Addition, being a 0.789-acre tract zoned (PD-9) Planned Development No. 9 district and situated along the southwest side of FM 3097 (Horizon Rd) southeast of FM 740 (Ridge Rd), with the following staff conditions:

1. Engineering and Fire Department approval.
2. The 40' mutual access/fire lane easement must be abandoned with the recording information listed on the replat prior to city signature.
3. In the metes and bounds description correct lot 4 to read "lot 20."

Burgamy seconded the motion. The motion was voted on and passed 6 to 0.

P2004-050

Discuss and consider a request by Eugene Middleton of Winkelmann & Assoc., for approval of an extension, in accordance with Section 24-8 of the City of Rockwall Subdivision Ordinance, for the preliminary plat for Dalton Ranch, being 142 single-family lots on 76.731-acres situated at the southwest corner of FM 1141 and FM 552. The subject tract is zoned (PD-58) Planned Development No. 58 district, and the preliminary plat was approved by City Council on January 18, 2005.

Hampton stated that the City has received a written request from Eugene Middleton, Winkelmann and Associates, Inc., representing the owners, for the Planning and Zoning Commission to consider extension of the preliminary plat for Dalton Ranch, 142 single-family lots on 76.731-acres situated at the southwest corner of FM 1141 and FM 552. The property is zoned (PD-58) Planned Development District No.58.

The preliminary plat was approved by the Commission and City Council in January 2005 and set to expire on January 18, 2005. The applicant is requesting the preliminary plat be extended for an additional year. Section 24-8 (e) Lapse and extension of preliminary plat approval, of the City's subdivision ordinance provides for the procedure and criteria for granting extension of preliminary plats. We have

included a copy of that portion of the Subdivision Ordinance for the Commission to refer to.

Staff recommends that the request for the extension of additional year for this plat be approved.

After some discussion, Jackson made a motion to approved the applicant's request for a one-year extension (i.e. January 18, 2007) for the preliminary plat for Dalton Ranch.

Burgamy seconded the motion. The motion was voted on and passed 6 to 0.

P2005-003

Discuss and consider a request by John Wardell for approval of an extension, in accordance with Section 24-8 of the City of Rockwall Subdivision Ordinance, for the preliminary plat for Renfro Creekside Estates, being three single-family lots on 1.43-acres situated 606 Renfro St, and originally approved by City Council on February 21, 2005.

Hampton stated that the City has received a written request from John Wardell for the Planning and Zoning Commission to consider extension of the preliminary plat for Renfro Creekside Estates, being a three-lot single-family development on 1.5-acres at 606 Renfro Street and zoned (SF-7) Single Family Residential.

The preliminary plat was approved by the Commission and City Council in February, 2005 and set to expire on February 21, 2006. The applicant is requesting the preliminary plat be extended for an additional year. Section 24-8 (e) Lapse and extension of preliminary plat approval, of the City's subdivision ordinance provides for the procedure and criteria for granting extension of preliminary plats.

Mr. Wardell has purchased the property from the original applicant, Joshua Jones, and plans to bring in a final plat within the next year. City staff recommends that the request for the extension of additional year for this plat be approved.

Burgamy made a motion to approve the request by John Wardell for the extension for one year (i.e. February 21, 2007) of the preliminary plat for Renfro Creekside Estates Addition.

Jackson seconded the motion. The motion was voted and passed 6 to 0.

P2005-011

Discuss and consider a request from Kimley-Horn & Associates for approval of a preliminary plat of Nelson Lake Addition, a 121.2-acre tract comprised of 108 single-family residential lots (104.8-acres) and one lot designated for "NS" Neighborhood Services uses (16.4-acres). The subject property is located at the southeast corner of FM 1141 and FM 552, and currently described as Tract 2, Abstract 88, J.M. Gass Survey.

Hampton outlined the request by stating that the preliminary plat for Nelson Lake lays out 108 single-family residential lots, three (3) open space and/or drainage easements (i.e. lots 20, 55 and 56, Block C), one (1) lot designated for a sewer lift station (i.e. Lot 57, Block C) and one (1) lot designated for future non-residential development (Lot 33, Block A). The subject property was rezoned in April 2005 to accommodate the proposed plan.

Right-of-way and Access

The site is bordered by FM 552 to the north, FM 1141 to the west, N. Country Lane to the south and the City limits to the east. Access for the residential portion of the development is proposed via "Street A" from FM 1141 and via "Street G" from FM 552. Staff received a letter from TXDOT approving in concept the proposed street intersections with these arterials. However, a Traffic Impact Analysis will be required as part of the engineering review prior to TXDOT approval of the final grading permit(s).

A 10-ft ROW dedication is provided along FM 1141 and a 20-ft ROW dedication along FM 552 for the future widening of those arterials. Left-turn lanes and/or deceleration lanes will be required as per Engineering standards and TXDOT requirements. Access to the proposed 16.4-acre (NS) site will be provided subject to TXDOT and City engineering standards, and will be reviewed at the time of final platting and/or site plan approval for that property. No access is proposed to N. Country Lane; however, the developer will be responsible for the dedication of 32.5-ft of Right-of-way and improvement of a minimum 24-ft street section of this road as it abuts the subject tract.

Utilities and Engineering Issues

The subject tract currently is situated within Mt. Zion's water district, and it is believed there are not adequate fire flows or capacity to support the proposed development. However, the developer has agreed to participate in a facilities agreement with the City to acquire the right to serve this area, which will be finalized during engineering review/final platting. Development of this tract will require extensions of water and sewer lines to and along the subject tract, as well as installation of a lift station in the northeastern quadrant (i.e. Lot 57, Block C). The developer has requested approval of waivers to some of the utility requirements for the project, and the City Council will consider these requests via a developer's agreement when they review the preliminary plat at their meeting.

Subdivision Design & Alley Waiver

The developer is proposing a design that incorporates Nelson Lake as a private open space and amenity. Thus, lots are generally backed to the lake in an effort to maximize the lot values and help attract custom home builders, which is not unlike, for instance, the Rainbow Lake development in the southwest part of the City. The development will be subject to review by the Parks Board to consider tie-ins to the City's trail system, cash-in-lieu-of dedication fees, equipment fees, etc.

2 The Unified Development Code requires a 10-ft buffer strip along all major arterials
and collectors as defined on the Thoroughfare Plan. At this point, the developer is
4 not indicating any dedicated landscape buffer or easement along N. Country Ln, FM
1141, or FM 552. Staff would recommend that the preliminary plat be amended to
6 include a 10-ft landscape buffer/common area, which shall be a separate tract (i.e.
not an easement) and included as part of "Block X" being maintained by the HOA.
8 Such a change could affect the final layout and dimensions of the proposed lot
configuration, and consequently, staff would recommend that the preliminary plat be
10 tabled by the Commission until the plat is revised to reflect this requirement.
Alternatively, if the Commission feels that a 10-ft landscape easement is sufficient,
12 the preliminary plat could be approved with the condition that the easements are
included on the final plat. However, in the past, the City has experienced issues with
14 landscape easements, particularly conflicts between HOAs and property owners
regarding maintenance of the landscaping, as well as encroachments into the
16 easements with fences, pools, etc. In either scenario, a landscape plan will be
required to be submitted at the time of final plat.

18 The proposed layout does not include alleys, and requires approval of a waiver by
the Planning Commission and City Council. The Comprehensive Plan states all
20 residential lots 16,000-sf in area or less should be served by an alley. However, the
applicant's requested preliminary plat is for minimum 16,000-sf lots (with an
22 average lot size of 19,509-sf). The development pattern for SF-16 and greater has
typically eliminated alleys, and staff would support the waiver request.

24 *Tree Preservation*

26 The preliminary plat outlines clusters of trees, which are primarily located within the
draw running from the southwestern corner of the property into Nelson Lake. Much
28 of this area will be incorporated into the subdivision as drainage and open space
areas, but it is unclear at this point to what extent the trees in these areas will be
30 preserved. At the time of final platting, engineering plans – including grading and
drainage plans – will have been submitted and approved, allowing the developer
32 and the City to better understand the impact on existing trees. Then, a more
detailed tree plan will be required for review and approval by the Commission.

34 RECOMMENDATIONS:

36 *At this time, Staff is recommending tabling the preliminary plat to resolve
outstanding issues, including:*

- 38 1. Minimum 10-ft landscape buffer / common area required along FM 552, FM
1141 and N. Country Lane.

40 *Additionally, with any recommendation by the Planning and Zoning Commission for
approval, Staff would offer the following conditions:*

- 42 1. Submittal and approval of engineering plans prior to application for final plat.
2. Submittal and approval of final plat.
44 3. Facilities agreement between developer, City of Rockwall and Mt. Zion for
water service.

4. City Council to consider developer's agreement regarding waiver request for required utilities.
5. City Council and developer to consider developer's agreement regarding Residential Design Guidelines and Development Standards intended to promote custom home building in this project.
6. Engineering Facilities agreement (streets, utilities, etc) to be approved with final plat.
7. Homeowner's Association documents to be submitted and reviewed with final plat.
8. City Council to waive requirement for alleys.
9. All open spaces, drainage easements and common areas to be maintained by HOA, and shall be indicated on the preliminary plat as a separate "Block X."
10. Minimum 10-ft landscaping easement required along FM 552, FM 1141 and N. Country Lane, to be maintained by the HOA.
11. Approval of landscape plan and treescape plan with final plat.

LaCroix provided additional information regarding the landscaping issue, and indicated that the applicant offered to provide a 20-ft landscape easement along the frontages, and would be willing to tie down a landscape plan and setup the HOA so that maintenance is covered. However, providing the separate landscape buffer tracts would affect the plan and the lot sizes along those roadways would probably not meet the SF-16 district requirements. LaCroix also added that the developer, Mr. Whittle, is agreeable to having some architectural design standards, which staff has been working on for some time; however, as the subdivision is started the developer would serve as the architectural control committee, and would enforce the restrictions himself. In the event that project sells, he would want the standards to be formalized so that the architectural standards continue, or possibly give the City the power at that time to enforce these standards.

Lucas asked when the fencing in these buffers or easements would be put in.

LaCroix stated that the fencing would need to be constructed with the subdivision, and when the City accepts the subdivision, before any building permits are issued, the fencing and landscaping would have to be in.

Lucas asked if we would be setting a precedent by giving an exception to this developer by allowing for an easement, or does the fact that 20-ft is provided instead of 10-ft provide enough basis for considering it. LaCroix believed that because the development is not within a PD, where we'd probably get more landscaping, the exception might be considered valid since the City is trading this requirement for a 20-ft landscape strip instead of 10-ft.

Herbst asked what would happen if a homeowner buys a house and doesn't like the landscaping that is on his lot in this easement, and tears it out. LaCroix offered a solution that perhaps the City could be a party to any changes to the HOA

2 agreements, including the maintenance of landscaping. But it's probably a legal
3 matter.

4 Burgamy stated that the issue was becoming too complicated for him, and had
5 concerns about the use of easements on private property for landscaping. He
6 agreed with Mr. Herbst that he thought some owners might not like the landscaping
7 and wrought iron fences along the roadway, and might try to plant photinias instead,
8 and you would end up with a hodgepodge of landscaping down the roads.

10 Bricker asked if the buffer requirement was communicated to the developer last
11 year. Hampton stated that when the plat was tabled in March 2005, there were
12 basically four conditions that staff recommended be addressed prior to the
13 Commission approving it. One of those conditions was the same exact issue
14 regarding landscape buffers. Another was TXDOT approval for the proposed street
15 locations, which the applicant has addressed. Another condition was that all open
16 spaces and landscape buffers be incorporated into "Block X," which staff feels is a
17 minor change that the applicant can address before turning in a final plat. Finally,
18 the correction of preliminary utility plan as required by City Engineer, which is tied to
19 the developer's agreement regarding utilities and the applicant's waiver requests.

20 Hunter asked why the road in Nelson Lake did not line up with the road in Dalton
21 Ranch. Hampton replied that staff had preferred that these roads align, but if the
22 locations of these roads were acceptable to TXDOT, that would probably work for
23 the engineering department. N. Country Lane will continue (though not shown on
24 the plan) across FM 1141 between the south side of Dalton Ranch and the north
25 side of the future high school tract.

28 Bricker asked about the buffering for the NS tract, both along the street frontage
29 and between that tract and homes. LaCroix stated that would be addressed with
30 development of that tract(s).

32 After some additional discussion, Lucas made a motion to approve the request by
33 Kimley-Horn and Associates, for approval of a preliminary plat of Nelson Lake
34 Addition, a 121.2-acre tract comprised of 108 single-family residential lots (104.8-
35 acres) and one lot designated for "NS" Neighborhood Services uses (16.4-acres),
36 with staff conditions, *except that the 10-ft easement should be a 20-ft easement and*
37 *shown on the preliminary plat prior to the City Council meeting*, and the following
38 additional conditions:

39 12. Landscape plan must be approved by the Planning and Zoning Commission.

40 13. No rear driveways shall be allowed along N. Country Ln, FM 1141 or FM
41 552.

42 14. Landscape and fencing must be in place prior to issuance of any building
43 permits.

44 15. City must be a party to any common areas, including 20-ft landscape
45 easements.

46 16. Addition of a 20-ft landscape easement along designated NS areas.

17. HOA documents must include landscape and fencing requirements, and the maintenance thereof, for all common areas.

Jackson seconded the motion. The motion was voted on and failed by a vote of 3 to 3. Burgamy, Herbst and Bricker against.

Burgamy then made a motion to table the request to allow the applicant time to tie down more of the issues.

Hunter seconded the motion. The motion was voted on and was approved 6 to 0.

AM2006-001

Discuss and consider approval of an ordinance for a city initiated amendment to the City of Rockwall Code of Ordinances – Subdivision Regulations – Chapter 24 – Amending Section 24-10 Miscellaneous Requirements, specifically to add a new Subsection (p), Review of Homeowners Association (HOA) documents.

LaCroix stated that the City Council has directed staff to draft an amendment to the City's Subdivision Ordinance that would allow the City to review all homeowners association or property owners association documents prior to filing. Attached to this report is a draft for an amendment to Section 24-10, Miscellaneous Requirements, to add a new Subsection (p), "Review of Homeowners Association (HOA) Documents." This provision would give the City an opportunity to review the documents to determine any conflicts between the proposed HOA covenants and restrictions and existing City regulations, among them the rules governing use of City right-of-ways and public easements. It also expands on Section 24-10 (o) of the Ordinance, which is used to review common area maintenance within HOA subdivisions, and will give the City an opportunity to ensure that other requirements resulting from the development process are included (e.g. special City-required fencing requirements).

Bricker made a motion to approve the proposed amendment to Section 24-10, Miscellaneous Requirements, of the City's Subdivision Regulations, specifically to add a new Subsection (p) Review of Homeowners Association (HOA) documents, as presented by staff.

Hunter seconded the motion. The motion was voted on and passed 6 to 0.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:07 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION PUBLIC HEARING
February 14, 2006**

CALL TO ORDER

The meeting was called to order by chairman, Phillip Herbst at 6:00 p.m. with the following members present; Connie Jackson, Bill Bricker, Glen Smith, Michael Hunter and Greg Burgamy. Mike Lucas was absent.

Staff Present; Robert LaCroix, Michael Hampton, and Chris Spencer.

PUBLIC HEARING ITEMS

Z2005-040

Continue a public hearing and consider a request by Joe and JoAnn Loftis for approval of a change in zoning from (Ag) Agricultural district to (PD) Planned Development district to accommodate a single-family residential development on a 234.70-acre tract known as Tracts 1-1, 2, and 2-1, Abstract 182, J.H. Robnett Survey, located along the south side of SH 276 east of Rochelle Rd, and take any action necessary.

Herbst stated the public hearing is still open from the January 10, 2006 meeting.

Hampton outlined that a letter has been received by the applicant withdrawing the zoning case. They will likely be submitting a new application at a later date. The public hearing was advertised for the Planning and Zoning Commission meeting, but not for City Council.

Herbst closed the public hearing and stated that no further action was required.

P2006-002

Hold a public hearing and consider a request by John Burpee for approval of a residential replat of Lots 3 and 4, Block A, The Oaks of Buffalo Way Phase II, being 3.62-acres zoned (PD-51) Planned Development No. 51 District and located at 1865 Broken Lance Lane, and take any action necessary.

The applicant, Mr. Burpee, has purchased Lots 3 and 4 in The Oaks of Buffalo Way Phase 2, and is proposing to consolidate the two lots into one. The proposed lot will be known as Lot 5, Block A. The subject property is zoned (PD-51) Planned Development No. 51 District, and is subject to the (SF-E/1.5) Single Family Estate zoning requirements. The proposed replat conforms to the zoning requirements of the SF-E/1.5 district. An existing 10-ft utility easement is shown to be abandoned (or relocated?) per this plat, and prior to filing an approval letter from Oncor and/or other appropriate utility providers shall be provided to the City.

In accordance with State Law, three (3) notices were sent to property owners within the subdivision and within 200-ft of the proposed residential replat. At the time of this report, two (2) responses "in favor" had been received.

Staff Recommends approval of the request with the following conditions:

1. Approval by Oncor and/or other utility companies for abandonment or relocation of existing 10-ft easement.

Herbst opened the public hearing.

Bill Houser, representing the owner, was available to answer questions.

Herbst closed the public hearing.

Jackson made a motion to approve the request by John Burpee for approval of a residential replat of Lots 3 and 4, Block A, The Oaks of Buffalo Way Phase II, being 3.62-acres zoned (PD-51) Planned Development No. 51 District and located at 1865 Broken Lance Lane, with staff conditions.

Smith seconded the motion. The motion passed by a vote of 6 to 0.

SITE PLANS / PLATS

SP2006-002

Discuss a request by Matthew King for approval of a site plan for an office development located on Lot 8, Block A, Rockwall Towne Center Phase 4 Addition, being a 1.78-acre tract zoned (C) Commercial district and located along Vigor Way within the (IH-30 OV) IH-30 Overlay District and (SOV) Scenic Overlay District.

Spencer presented that a site plan for an office development located on Lot 8, Block A, Rockwall Towne Center Phase 4 Addition, being a 1.78-acre tract zoned (C) Commercial district and located along Vigor Way within the (IH-30 OV) IH-30 Overlay District and (SOV) Scenic Overlay District has been submitted by Matthew King for approval. The proposed site plan shows three (3) separate office buildings with a square footage of 4,200 each. The applicant has provided 60 parking spaces, including four (4) handicap accessible, which provides some flexibility for a combination of medical office and professional office. The site will be accessed from the private mutual access easement known as Vigor Way by two proposed drives.

The submitted photometric plan is shown to be in compliance with the City of Rockwall lighting standards. However, the proposed cut-sheet shows a tear-drop style fixture. The Unified Development Code requires a full or partial cut-off luminaire with a maximum 1-inch reveal. The proposed pole mounted height of 18-feet is in compliance with the approved lighting standards.

Approximately 25% of the site is landscaped, which exceeds the minimum 15% requirement for this part of the "C" Commercial zoning district. The applicant has

proposed to plant ten (10) Red Oaks and five (5) Forest Pansy Red Buds. In addition the applicant is proposing twelve (12) ornamental trees along the rear of buildings 2 & 3 in an effort to meet the requirements of the I-30 Overlay. Due to the constraints of the topography and proposed retaining wall staff is recommending the ornamental trees with the stipulation that they be evergreen. There are no existing trees on the site that qualify as a "protected" or "feature" tree. In addition to the proposed landscaping additional shrubs may be required to screen the a/c units for buildings 2 & 3. Staff feels that additional screening in the form of ornamental wrought iron fencing may be required to adequately screen the a/c units at the rear of building 1.

The applicant has building material samples to present to the Commission. The building has a maximum height of 29'3" and is comprised of natural stone on three (3) sides and brick and natural stone on the rear. The applicant has added a natural stone water table and a brick soldier course to the rear of the building in an effort to meet the requirements of the I-30 Overlay. The building is highly articulated both vertically and horizontally on all sides and was recommended for approval by the Architectural Review Board at the work session.

Staff Recommends approval of the request with the following conditions:

1. Approval of engineering plans.
2. Approval of replat.
3. Light fixture be full or partial cut-off luminaire.
4. The ornamental trees located at the rear of buildings 2 & 3 be switched to evergreen.
5. Additional shrubs be planted to screen the a/c units at the rear of buildings 2 & 3.
6. Additional screening in the form of ornamental wrought iron fencing to adequately screen the a/c units at the rear of building 1.

Bricker asked for clarification on the light ordinance, and wanted to confirmed that the lighting levels complied with our requirements at the property line. He saw an advantage in having decorative lamps.

Matt King, applicant and architect, was present to answer questions. He stated the lighting was intended to add character and was a higher quality light.

LaCroix suggested, if the Commission recommends that a variance be approved, staff will research whether or not that is sufficient or whether the Council needs to make the final determination.

The Commission and applicant then discussed the building materials that were proposed for the building. Bricker and Herbst inquired if another set of windows could be added to rear elevations to help bring the buildings into compliance with the four-side architecture requirements.

Bricker made a motion to approve the request by Matthew King for approval of a site plan for an office development located on Lot 8, Block A, Rockwall Towne Center Phase 4 Addition, with staff conditions and the following additional conditions:

- 1. Move a/c from the rear of building #1 and relocate to the units to southwest side of building #1.*
- 2. Add windows to elevations #4 (rear facade) of building #1.*
- 3. Recommend variance to the lighting ordinance to allow the proposed decorative fixtures, if applicable.*

Burgamy seconded the motion. The motion passed by a vote of 6 to 0.

P2006-003

Discuss a request by Norma Morris of Country Day Montessori School for approval of a preliminary plat of Lot 1, Block 1, Country Day School Addition, being 1.10-acres zoned (PD-60) Planned Development No. 60 District and located along the northeast side of Mims Rd southeast of Ralph Hall Pkwy.

Hampton stated that the applicant, Norma Morris, has submitted a preliminary plat application for Lot 1, Block 1, Country Day School Addition. The subject property is 1.14-acres; however, with a 35-ft right-of-way dedication for the construction of Mims Rd, staff has calculated the net lot size to be 0.939-acre. The subject property is zoned (PD-60) Planned Development No. 60 district, except for the far northwest portion beyond the "old property line" which is zoned (PD-54) Planned Development No. 54 district. This portion is proposed to be used as parking and a future firelane/access connection to the office/retail tracts in PD-54 to the north. As required in PD-60, a 20-ft landscape buffer is shown along Mims Rd.

The proposed use is a pre-school / daycare facility, which is allowed in PD-60. The PD-60 ordinance requires the property to comply with the (RO) Residential-Office area requirements. The proposed preliminary plat shows the required 25-ft front yard, 20-ft side yard adjacent to residential and 10-ft side yard adjacent to non-residential, all of which the proposed development complies with. However, the building is shown to encroach into the required 30-ft rear yard setback required in the (RO) Residential Office district. The applicant is requesting at this time for the Planning and Zoning Commission and City Council to consider approval of a special exception to the rear yard requirements on this tract. Article X, Planned Developments, gives the P&Z and Council the authority to approve such a request.

The Residential-Office designation was recommended by staff during zoning of the subject property to ensure that development on the tract - which was uncertain at the time - did not negatively impact the future Flagstone neighborhood. With the setbacks in the RO district, plus the 35-ft ROW dedication and required 20-ft landscape buffer, it is proving difficult to develop this tract. It should be noted that the PD-60 ordinance further restricts this development by limiting construction to a single-story. Future site plan approval, including Architectural Review, will be

required to help ensure the proposed development does not negatively impact the neighborhood. The applicant is also working closely with the developer of Flagstone to ensure both projects complement each other. Finally, a preliminary tree report by the applicant's arborist indicates that two (2) Pecan trees are the only healthy protected trees on site, and staff feels the proposed design may allow these trees to be preserved. Given these conditions and the low intensity institutional use that is proposed, Staff feels the variance could be considered if the applicant is willing to screen the property from the residential lots in Flagstone with a wrought iron fence and landscaping.

Staff Recommends approval of the request with the following conditions:

1. Submittal and approval of engineering plans prior to final plat.
2. Submittal and approval of final plat.
3. Adherence to all fire department requirements.
4. Submittal and approval of treescape plan with final plat and/or site plan.
5. Planning and Zoning Commission and City Council to approve applicant's special exception request for rear yard setback.
6. A 6-ft wrought-iron or tubular steel fence shall be installed along the property lines adjacent to residential, supplemented by evergreen landscaping, which shall be reviewed at the time of site plan submittal.

Norma Morris, applicant, was present to answer questions.

Herbst asked if the new plat included a dumpster location. Morris stated the dumpster was left off by mistake, but could be located in the back parking area. One or two spaces could be removed as this is extra parking.

Jackson made a motion to approve the request by Norma Morris of Country Day Montessori School for approval of a preliminary plat of Lot 1, Block 1, Country Day School Addition, with staff conditions and the additional condition that up to two parking spaces on the northeast portion of the site be replaced with a dumpster.

Smith seconded the motion. The motion passed by a vote of 6 to 0.

SP2003-020

Discuss and consider a request from Rob Whittle for approval of the final building elevations for The Harbor Hilton Hotel and Conference Center, located on Lot 2, Block A, The Harbor - Rockwall Addition, a 19.93-acre site zoned (PD-7) Planned Development No. 7 District and situated along the Lake Ray Hubbard shoreline south of I-30 and west of Summer Lee Drive, and take any action necessary.

LaCroix outlined that since the last meeting, the applicant has submitted additional details on the building elevations, as well as more information on the dumpster and loading area locations. The applicant has not yet submitted building material samples or selected the exact color of stone, but has indicated it will be real stone.

Harold Evans, engineer on the project, was present to answer any questions.

Mr. Evans presented the Commission with a new proposal for the loading area screening wall, which is higher (15'8") and includes a roof element similar to other roof elements in the project. The view drawings illustrate that the screening should completely block from view any trucks in this area when looking from Summer Lee.

Jackson stated concerns about the lack of a dock for any 18-wheelers unloading in the area. She asked if the hotel has received a variance from Hilton for not having a dock. All hotels she has worked with professionally want a dock.

Burgamy stated if they want to unload it by hand, that is fine, although he doesn't think it is a good idea. He is concerned that they will want to come back later and build a dock.

Bricker asked if real stone is to be used on the hotel, why was cultured stone being used on other buildings or signs.

Mike Whittle, from Whittle Development, stated that stone would be used on the first story approximately 20-ft tall. The construction itself is a CMU block wall, with a stucco finish. No EIFS is to be used on the structural walls. The stone hasn't been picked yet, but should be within 30 days. The same roofing tile seen in the Harbor will be used on the hotel.

Jackson reiterated that she did not see how the service area was going to work, and was not comfortable with the layout.

After additional discussion, Burgamy made a motion to approve the request from Rob Whittle for approval of the final building elevations for The Harbor Hilton Hotel and Conference Center, located on Lot 2, Block A, The Harbor - Rockwall Addition, with the following conditions:

- 1. Use of 15'8" screening wall presented at meeting for service court and dumpster area.*
- 2. Use of quarried stone on elevations.*

Bricker seconded the motion. The motion was voted on and passed by a vote of 5 to 1. Jackson voted against.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous discussion of land use issues.

ADJOURNMENT

The meeting was adjourned at 7:14 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION WORKSESSION
February 28, 2006**

CALL TO ORDER

The meeting was called to order by chairman, Phillip Herbst at 6:00 p.m. with the following members present; Connie Jackson, Bill Bricker, Glen Smith, Michael Hunter, Mike Lucas and Greg Burgamy.

Staff Present; Robert LaCroix, Michael Hampton, and Chris Spencer.

ACTION ITEMS

P2006-007

Discuss and consider a request by Daniel Jameson and Sara McFadin for approval of a final plat of the Jameson Addition, being a 1.50-acre lot zoned (SF-10) Single Family Residential district and located at 909 N. West Street, and take any action necessary.

Hampton stated the applicant has submitted a final plat application for a single, 1.50-acre lot located at 909 N. West Street. The property is vacant, and has never been platted. Staff originally had the applicant submit the plat as a "minor plat" as no infrastructure extensions or dedication of right-of-way or easements were believed to be required. However, after reviewing the plat, it was determined that a small amount of right-of-way dedication was required at the far northwest corner of the property to ensure that a sufficient turning radius can be constructed with the alley improvements required for development of The Preserve to the west and north. The Preserve is an active project currently under review by Engineering staff.

The proposed plat does appear to comply with all requirements of the (SF-10) Single Family Residential district and staff recommends approval.

Staff Recommends approval of the request with the following conditions:

1. If required, waiver of fire protection to be filed prior to building permit.
2. Tie two property corners to city monumentation prior to preparing mylars for filing.

Burgamy made a motion to approve the request by Daniel Jameson and Sara McFadin for approval of a final plat of the Jameson Addition, being a 1.50-acre lot zoned (SF-10) Single Family Residential district and located at 909 N. West Street, with staff conditions.

Jackson seconded the motion. The motion passed by a vote of 7 to 0.

P2004-034

Discuss and consider a request by Brandon Cox of Pogue Engineering & Development Company that the "expired" preliminary plat for Burks Addition

(approved September 20, 2004) be reinstated, in accordance with Section 24-8 of the City of Rockwall Subdivision Ordinance. The subject site is along the west side of N. Goliad (SH 205) north of the future extension of Alamo Rd and is zoned (PD-56) Planned Development No. 56 district, and take any action necessary

Spencer outlined that the City has received a written request from Brandon Cox, Pogue Engineering and Development Company, Inc., representing the owners, for the Planning and Zoning Commission to consider reinstatement of the preliminary plat for Burks Plaza, being 3 non-residential lots on 7.094-acres situated at the southwest corner of Los Altos Drive and SH 205. The property is zoned (PD-56) Planned Development District No.56 for limited General Retail uses.

The preliminary plat was approved by the Commission and City Council in September 2004 and expired on September 20, 2005. The applicant is requesting the preliminary plat be reinstated for an additional year. Section 24-8 (e) Lapse and extension of preliminary plat approval, of the City's subdivision ordinance provides for the procedure and criteria for granting reinstatement of preliminary plats.

City staff recommends that the request for the extension of additional year for this plat be approved.

Jackson made a motion to approve the request by Brandon Cox of Pogue Engineering & Development Company that the "expired" preliminary plat for Burks Addition (approved September 20, 2004) be reinstated, in accordance with Section 24-8 of the City of Rockwall Subdivision Ordinance, until February 28, 2007.

Smith seconded the motion. The motion passed by a vote of 7 to 0.

SP2006-001

Discuss and consider a request by Elizabeth Holser of F & S Partners Architects for approval of building elevations for Phase 2 of the First United Methodist Church, including a request for special exceptions to the Unified Development Code's requirements for building articulation (Article V, Section 4.1 C) and mechanical equipment screening (Article V, Section 1.5), and take any action necessary.

Hampton stated that the City has received an application for site plan approval from First United Methodist Church for the addition of the "Elizabeth Cameron Christian Education Building" on their property. The proposed 39,500-sf structure is located to the north of the existing sanctuary built several years ago. The site plan application can and has been reviewed administratively by staff; however, there are two issues with the project as proposed that require the applicant to seek approval of a special exception from the Planning and Zoning Commission and City Council.

First, the proposed building does not meet the building articulation requirements as set forth in Article V, Section 4.1C of the City's Unified Development Code. Though the building does feature some horizontal elements (e.g. pilasters) that essentially match the existing structure, there are no vertical elements that break up the continuous walls on each façade.

Secondly, staff feels that the screening proposed for the rooftop mechanical units also requires consideration of a special exception. The screening requirements in Article V, Section 4.1D require that ground and roof-mounted “utility equipment and air conditioning units shall be screened utilizing plantings, berms, or walls matching the main structure.”

Elizabeth Holser, the architect for the church, was present to answer questions. She has submitted specifications for the proposed screening, which would match the existing screening on the Phase 1 building. Additionally, several color drawings were submitted for the P&Z and Council to examine, including a site plan showing the building layout as well as the locations of rooftop screening units, color elevations and several photographs with the proposed building shown as it would relate to the existing structures.

After discussion, Lucas made a motion to approve the request by Elizabeth Holser of F & S Partners Architects for approval of building elevations for Phase 2 of the First United Methodist Church, including the requested special exceptions, with the condition that the pilasters shown on the east and west elevations be added to the north and south elevations.

Hunter seconded the motion. The motion passed by a vote of 7 to 0.

P2006-005

Discuss and consider a request by George Schuler of Schuler Development for approval of an amended preliminary plat of Horizon Ridge Center-North, being a 38.16-acre tract zoned (PD-9) Planned Development No. 9 District and located along Horizon Rd (FM 3097) south of Rockwall Parkway and east of Summer Lee Drive, and take any action necessary.

LaCroix outlined that the applicant, George Schuler, has submitted an application for approval of a revised preliminary plat of Horizon Ridge Center-North Addition, being approximately 38.167-acres of land located on the south side of Horizon Road (F.M. 3097) between Rockwall Parkway and the proposed Tubbs Road extension. The proposed preliminary plat indicates 20 lots, with two block designations. Rights-of way dedications are shown on Summer Lee Drive and the proposed extension of Tubbs Road. Development of this property will require improvements to F.M. 3097 which would include turn lanes and deceleration lanes adjacent to the property. The Engineering Department has indicated that a flood study would be required for this property.

In addition to the preliminary plat, the applicant has submitted a concept plan illustrating the possible building locations, parking schemes and circulation patterns and internal/external access points. Lot 2 is proposed for the development of the proposed Presbyterian Hospital of Rockwall. As indicated, the hospital's main entry will be from F.M. 3097 and the building will back to Summer Lee. The applicant for the hospital project will be submitting a detailed site plan of this project to the Planning & Zoning Commission for review and consideration. The proposed lot

design and land uses indicated with this plan are consistent with the allowed Planned Development zoning district requirements for this property. Staff has indicated to the applicant certain design issues associated with the concept plan that will need to be addressed during the site plan and final plat processes. The Staff is recommending approval of this preliminary plat, subject to the following conditions:

1. Approval of the engineering plans prior to submission of the final plat.
2. TXDOT permits required or letter of approval for driveways and turn lanes prior to submission of final plat.
3. Site plan approval required for all development lots.
4. Cross access required for all adjacent lots.
5. Summer Lee Drive and the extension of Tubbs Road may be dedicated by separate instrument if not included in the final plat.

Burgamy asked about the height requirements within the PD-9 district. LaCroix stated that the PD allows up to 120-ft on the north plat, and has for many years, though he does not believe the applicant intends to do that. The south part on the concept plan is at least 60-ft.

Bricker asked about the detention pond shown on the plan. LaCroix stated the intent to centralize the detention area. He believes the pond in the City park area may be expanded by the developer to handle some of the detention.

Pann Sribhen, engineer for the project, was present to answer any questions on the project. The developer has engaged in a drainage study as they are planning to construct a regional drainage system. The developer intends to integrate their drainage work with the City's bond project to improve the lake at Foxchase Park. The drainage study also includes looking at detention areas next to Rainbow Lake and possibly enlarging the capacity of that lake.

Bricker followed up with a question on who would maintain the offsite detention, the City? LaCroix stated that this was an engineering question that he was unprepared to answer at this time. He was not certain of what the City's responsibility will be on the improvements planned for the Foxchase Park, and who would maintain it.

Burgamy asked, based on the color rendering presented at the meeting, if the building was a 2-story building. Sribhen stated that at this time the medical office buildings are proposed as 2-story, and the main hospital would be 1-story.

Herbst asked if the future expansion would be constructed out, or up. Sribhen stated that the ultimate plan is for 4-story.

Jackson asked if Foxchase residents would have an opportunity to say anything. LaCroix stated that the platting and site plan of this site does not include a public hearing; however, the City is in the process of organizing an informational

meeting(s) with the neighborhood. The zoning and height restrictions are in place to allow the use(s), so no public hearing or notice is required.

Lucas asked if the residential adjacency standards will apply. LaCroix stated that because of the vested nature of the PD, these may not apply, even though the developer is providing buffers to minimize any adjacency impacts.

Jackson asked if the plan indicated a helicopter landing pad. The applicant and LaCroix confirmed they are proposing a helipad on the ground. Herbst inquired if this was an approved use. LaCroix stated it was approved as a customary accessory use, as provided in the code and verified with legal staff.

Burgamy stated concerns about the noise generated by the boiler, emergency entrance and other aspects of the back of the hospital adjacent to the neighborhood.

Jackson asked if there were any consideration of moving the hospital closer to Horizon Rd and the office buildings along Summer Lee.

Jim Meara, representing the landowner, was present to answer questions. He discussed the proposed layout and stated that the hospital has been moved in around 300 feet from Summer Lee. He also stated that the emergency protocol will be to turn off sirens while approaching and leaving the site. The helipad use is projected to be two or three times per week.

Burgamy asked what trauma level the hospital would be. Mr. Meara stated it would be trauma level 4. As the hospital grows, it is anticipated that the trauma level will be upgraded. Burgamy stated he agreed with Jackson in that it makes more sense to rotate the hospital or move it to Horizon with the offices along Summer Lee.

Lucas also agreed with Burgamy and Jackson, and even though he understood the physicians' interests in having Horizon Rd frontage, the offices could function equally well along Summer Lee.

Meara stated he understood the concerns but the plans and commitments are in place with the doctors. Obviously, the economic value of pads in the front is greater than pads in the back, and the agreement has been reached with them to maximize their investment so that they can bring a first class project to the City.

Herbst stated that moving the hospital towards the front could encroach on the houses across Horizon, so is that a better solution?

Burgamy suggested that a meeting with the residents should be held, and then the Commission should wait until after that meeting to decide something.

LaCroix stated that the Commission is only reviewing the preliminary plat. A site plan will be reviewed at a later date to look at more details.

Bricker suggested that moving the hospital towards Horizon may gain 150 feet or so, and would that make a practical difference?

Jackson stated she would want to hear from the hospital representatives, as opposed to only the developer and current owner who stands to make money on the sale of the land, and that she would agree with Burgamy in that delaying action seems appropriate at this time.

LaCroix stated that there are timing issues involving the road construction and other infrastructure improvements, which is why the staff brought this as an action item on the agenda.

After further discussion regarding future submittals and the preliminary plat process, Smith made a motion to approve the request by George Schuler of Schuler Development for approval of an amended preliminary plat of Horizon Ridge Center-North, being a 38.16-acre tract zoned (PD-9) Planned Development No. 9 District and located along Horizon Rd (FM 3097) south of Rockwall Parkway and east of Summer Lee Drive, with staff conditions.

Hunter seconded the motion. The motion passed by a vote of 4 to 3. Burgamy, Lucas and Jackson voted against.

P2006-006

Discuss and consider a request by George Schuler of Schuler Development for approval of a preliminary plat of Horizon Ridge Center-South, being a 35.86-acre tract zoned (PD-9) Planned Development No. 9 District and located along the southwest side of Horizon Rd (FM 3097) south of Tubbs Rd, and take any action necessary.

The applicant, George Schuler, has submitted an application for approval of a preliminary plat of Horizon Ridge Center-South Addition, being approximately 35.86-acres of land located on the south side of Horizon Road (F.M. 3097) east of the proposed Tubbs Road extension. The proposed preliminary plat indicates 14 lots. Right-of way dedication is required for Horizon Road (F.M. 3097). Development of this property will require improvements to F.M. 3097 which would include turn lanes and deceleration lanes adjacent to the property. The Engineering Department has indicated that a flood study would be required for this property.

In addition to the preliminary plat, the applicant has submitted a concept plan illustrating the possible building locations, parking schemes and circulation patterns and internal/external access points. The proposed lot design and land uses indicated with this plan are consistent with the allowed Planned Development zoning district requirements for this property. Staff has indicated to the applicant certain design issues associated with the concept plan that will need to be addressed during the site plan and final plat processes. The Staff is recommending approval of this preliminary plat, subject to the following conditions:

1. Approval of the engineering plans prior to submission of the final plat.

2. TXDOT permits required or letter of approval for driveways and turn lanes prior to submission of final plat.
3. Site plan approval required for all development lots.
4. Cross access required for all adjacent lots.
5. Drainage facilities to be dedicated as a drainage easement, and shall be maintained by the property owner's association (i.e. not to be dedicated to City of Rockwall).
6. Provide mutual access/firelane easement to south end of Lot 7, Block C to maintain access for existing home located in City of Heath.

Herbst allowed, at the suggestion of Commissioner Burgamy, for John Scott, 5100 Horizon Rd, Heath, TX, to speak regarding the preliminary plat. Mr. Scott stated his concern is regarding the easement location on the subject property that currently provides access to his property. As shown on the concept plan, access is provided through a series of turns and firelanes and parking areas; he would prefer a straight shot be provided between the proposed building and City sewer facility. Mr. Scott currently has two easements on the subject property into his property in Heath; however, he would prefer to trade those for one, 30-ft easement so that in the future if he develops his tract sufficient concrete and room for utilities would be available.

Herbst suggested that Mr. Scott work with the developer to reach a solution. LaCroix added that the final plat would need to indicate the final easement arrangements, including access to Mr. Scott's property.

Smith made a motion to approve the request by George Schuler of Schuler Development for approval of a preliminary plat of Horizon Ridge Center-South, being a 35.86-acre tract zoned (PD-9) Planned Development No. 9 District and located along the southwest side of Horizon Rd (FM 3097) south of Tubbs Rd, with staff conditions.

Burgamy seconded the motion. The motion passed by a vote of 7 to 0.

ARCHITECTURAL REVIEW BOARD ITEMS

SP2006-005

Discuss and consider a request from Pat Grady of Lakeside Chevrolet Co. for approval of an amended site plan for the expansion of their existing motor vehicle dealership located at 2005 S. Goliad, being a 9.91-acre tract zoned (C) Commercial district and situated within the SH 205 Overlay District and IH-30 Overlay District, and take any action necessary.

Spencer outlined the staff comments on the site plan request. Being a regular worksession item, no action was taken.

SP2006-006

Discuss and consider a request by Mark Piepenbrok from Westwind Building Corp. for approval of an amended site plan and building elevations for Rockwall Chrysler,

Jeep and Dodge, located at 970 E. I-30 on a 6.874-acre tract known as Lot 1, Block A, Rockwall Dodge Addition, zoned (C) Commercial and situated within the IH-30 Overlay District, and take any action necessary.

Spencer stated that the applicant, Mark Piepenbrok, from Westwind Building Corp. has submitted a application for an amended site plan and building elevations for Rockwall Chrysler, Jeep and Dodge, located at 970 E. I-30 on a 6.874-acre tract known as Lot 1, Block A, Rockwall Dodge Addition, zoned (C) Commercial and situated within the IH-30 Overlay District.

The application proposes expansion of the existing showroom (1,803 sq. ft.) at the front of building and the addition of twelve (12) service bays (4,015) located at the rear of the building. The proposed showroom expansion will encompass the concrete area located in-front of the existing building that is currently being used for outside display.

The elevations show the proposed showroom expansion being comprised of natural stone, metal panel, and glazing. The elevations show the proposed service bays being a unicoat finish. Staff recommends that the service bays be a stucco finish.

Staff Recommends approval of the request with the following conditions:

1. The service bays be a stucco finish.
2. Fire sprinkler required for existing and proposed expansion.
3. Fire and Engineering Department approvals.

Jackson made a motion to approve the request by Mark Piepenbrok from Westwind Building Corp. for approval of an amended site plan and building elevations for Rockwall Chrysler, Jeep and Dodge, located at 970 E. I-30, with staff conditions and the following additional conditions:

- 1. Additional ornamental trees to be added to the landscape buffer along I-30. The number and location to be approved by the Director of Planning.*
- 2. Screening of roof top and ground mounted mechanical equipment from city rights-of-way and adjacent properties.*

Bricker seconded the motion. The motion passed by a vote of 7 to 0.

DISCUSSION ITEMS

The following items were discussion only. No action was taken.

Z2006-002

Discuss and consider a request from Billy and Glenda Bradshaw for a Specific Use Permit (SUP) to allow for a temporary portable beverage service facility within the (C) Commercial zoning district, on a 0.25-acre tract located at the northeast corner of SH 205 and Emma Jane (907 S. Goliad).

Z2006-003

Discuss and consider a request by Mike and Paige Brown for approval of a Specific Use Permit (SUP) allowing for a deck/patio within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the take area adjacent to their property at 1160 Crestcove Drive, being Lot 21, Block B, Hillcrest Shores Phase 3 Addition.

SP2006-003

Discuss and consider a request by Michael Goodman for approval of a site plan for his law office to be located at 1008 Ridge Rd, being a 0.331-acre tract currently described as Tract 20, Abstract 255, BJT Lewis Survey, which is zoned (PD-53) Planned Development No. 53 District and designated for (RO) Residential-Office district uses.

P2006-008

Discuss and consider a request by Michael Goodman for approval of a final plat for a 0.331-acre tract located at 1008 Ridge Rd, currently described as Tract 20, Abstract 255, BJT Lewis Survey, which is zoned (PD-53) Planned Development No. 53 District and designated for (RO) Residential-Office district uses.

P2006-009

Discuss and consider a request by Richard Hovas of Tipton Engineering, Inc., for approval of a final plat for Castle Ridge Estates Phase 1, being 53 lots on 23.957-acres, zoned (SF-10) Single Family district and situated west of SH 205 and north of Dalton Road (FM 552).

Z2006-001

Discuss a city-initiated request for approval of various amendments to the Unified Development Code (Ord. 04-38).

ADDITIONAL DISCUSSION ITEMS

Miscellaneous discussion of land use issues.

ADJOURNMENT

The meeting was adjourned at 8:54 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
March 14, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Phillip Herbst at 6:00 p.m. with the following members present; Greg Burgamy, Mike Lucas, Bill Bricker, Connie Jackson, Michael Hunter, and Glen Smith.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, Leslie Ryan, and Kim Whitley.

APPROVAL OF MINUTES FOR JANUARY 31, 2006 MEETING

Jackson made a motion to approve the minutes of the January 31, 2006 meeting.

Burgamy seconded the motion. The motion was voted on and passed 7 to 0.

PUBLIC HEARING ITEMS

Z2006-001

Hold a Public Hearing and consider a city-initiated request to amend the Unified Development Code (Ord. No. 04-38), specifically Article II. Administrative Procedures; Article III. Zoning District and Maps; Article IV. Permissible Uses; Article V. District Development Standards; Article VI. Parking and Loading; Article VII. Environmental Performance; Article VIII. Landscape Standards; Article X. Planned Development Regulations; Article XI. Zoning-Related Applications; and Article XIII. Definitions; and take any action necessary.

Hampton stated that staff has drafted several amendments to the Unified Development Code (Ordinance 04-38) for consideration. He mentioned that these are minor corrections and reconciliations with other City Codes (such as parking design standards established on the Engineering Standards of Design and Construction), and/or reconciliations between two separate sections of the UDC (such as the definition for a "home occupation"). In addition, certain requirements that were intended to be carried over from the previous zoning ordinance have been discovered to be left out (e.g. provisions for "projections into a yard or court").

Staff published notification in the newspaper as required by the Unified Development for proposed amendments, as well as outlined the changes on the department's web page in an effort to increase citizen awareness and encourage public comment.

Herbst opened the public hearing at 6:27 pm.

Herbst asked if anyone wished to speak. There being no response, Herbst closed the public hearing at 6:27 pm.

Smith made a motion to approve the request by the city to amend the Unified Development Code (Ord. No. 04-38), specifically Article II. Administrative Procedures; Article III. Zoning District and Maps; Article IV. Permissible Uses; Article V. District Development Standards; Article VI. Parking and Loading; Article VII. Environmental Performance; Article VIII. Landscape Standards; Article X. Planned Development Regulations; Article XI. Zoning-Related Applications; and Article XIII. Definitions.

Jackson seconded the motion. The motion was voted on and passed 7 to 0.

Z2006-002

Hold a public hearing and consider a request from Billy and Glenda Bradshaw for a Specific Use Permit (SUP) to allow for a temporary portable beverage service facility within the (C) Commercial zoning district, on a 0.25-acre tract located at the northeast corner of SH 205 and Emma Jane (907 S. Goliad), and take any action necessary.

Spencer outlined that the applicant, Mr. Bradshaw, is requesting a specific use permit to allow for a temporary portable beverage service facility within the (C) Commercial zoning district, on a 0.25-acre tract located at the northeast corner of SH 205 and Emma Jane (907 S. Goliad).

Under Section 8.8, Temporary Uses, of the City of Rockwall Unified Development Code, a temporary portable beverage service is allowed with a Specific Use Permit. This will be the fifth consecutive year that the applicant has requested this use at this location.

Notices were mailed to twenty (20) property owners within 200-ft of the request, and at the time of this report no responses had been returned.

Herbst opened the public hearing at 6:31 pm.

Bill Bradshaw, applicant, addressed the commission requesting approval and answered questions.

The Commission asked if the applicant was willing to meet all the recommendations as written by staff and the applicant informed them that he had no problem meeting staff recommendations.

Herbst closed the public hearing at 6:32 pm.

Burgamy made a motion to approve the request Billy and Glenda Bradshaw for a Specific Use Permit (SUP) to allow for a temporary portable beverage service facility within the (C) Commercial zoning district, on a 0.25-acre tract located at the northeast corner of SH 205 and Emma Jane (907 S. Goliad) with the following conditions:

1. The beverage service shall be limited to a snow cone stand for consumption on or near the premises.
2. The time limit of such temporary use shall be April 6, 2006 through September 6, 2006.
3. Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.
4. No additional freestanding signage shall be permitted.
5. The temporary portable structure/trailer shall meet all health and City electrical codes.
6. The temporary facility shall not reduce the number of required parking spaces of any nearby building or use.
7. The temporary facility shall have permanent restrooms for employees available within 300 feet of the portable beverage service facility (no portable restroom facility is allowed).
8. A variance must be approved to allow the temporary facility to be located on a non-all-weather surface.
9. Drive through to be permitted as utilized by the applicant in the past.

Bricker seconded the motion. The motion was voted on and passed 7 to 0.

Z2006-003

Hold a public hearing and consider a request by Mike and Paige Brown for approval of a Specific Use Permit (SUP) allowing for a deck/patio within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the take area adjacent to their property at 1160 Crestcove Drive, being Lot 21, Block B, Hillcrest Shores Phase 3 Addition, and take any action necessary.

Spencer stated that the applicant has brought forward a request for approval of a Specific Use Permit (SUP) allowing for a deck/patio within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the take area adjacent to their property at 1160 Crestcove Drive, being Lot 21, Block B, Hillcrest Shores Phase 3 Addition.

The applicants currently have a lease agreement with the City for the area of the takeline adjacent to 1160 Crestcove Drive. The Takeline Overlay Ordinance requires that a Specific Use Permit be approved for a deck/patio.

In accordance with state law, notices were sent to thirteen (13) property owners who were located within 200-ft of the subject property. At the time of this report, no responses had been received in favor or opposition.

Herbst opened the public hearing at 6:42 pm.

Mike Brown, applicant, was present to answer questions.

Herbst closed the public hearing at 6:53 pm.

Lucas made a motion to approve the request by Mike and Paige Brown for approval of a Specific Use Permit (SUP) allowing for a deck/patio within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the take area adjacent to their property at 1160 Crestcove Drive, being Lot 21, Block B, Hillcrest Shores Phase 3 Addition with the following conditions:

1. The deck area be limited to 1,000 square feet.
2. A deck/patio must be built using water resistant wood and/or native stone.
3. Any railing built on a deck/patio will have a water resistant wood picket with steel tubing railings or water resistant wood.
4. A deck/patio will be limited to twelve (12) inches above the highest elevation at which the deck is located.
5. Earth work construction of a deck/patio must comply with the erosion control standards set in the Interlocal Agreement and Lease.
6. A deck/patio must comply with all other City of Rockwall codes.
7. The deck/patio must meet the required 20 foot side yard setback.

Smith seconded the motion. The motion was voted and passed 7 to 0.

SITE PLANS / PLATS

SP2006-003

Discuss and consider a request by Michael Goodman for approval of a site plan for his law office to be located at 1008 Ridge Rd, being a 0.331-acre tract currently described as Tract 20, Abstract 255, BJT Lewis Survey, which is zoned (PD-53) Planned Development No. 53 District and designated for (RO) Residential-Office district uses.

Hampton outlined the request stating that the applicant has submitted a request for approval of a site plan for his law office to be located at 1008 Ridge Rd, being a 0.331-acre tract currently described as Tract 20, Abstract 255, BJT Lewis Survey, which is zoned (PD-53) Planned Development No. 53 District and designated for (RO) Residential-Office district uses.

The applicant has submitted a site plan for his property at 1008 Ridge Road in order to accommodate the conversion of the existing home into his law office. The subject property is located within PD-53, and designated for (RO) Residential Office uses. In order to facilitate the change in use from residential to professional office, the site plan is required primarily to examine the parking configuration and establish cross access for adjacent properties that will likely evolve into office uses in the future.

Michael Goodman, the applicant, addressed the commission requesting approval of the request and to answer questions.

Lucas made a motion to approve the request by Michael Goodman for approval of a site plan for his law office to be located at 1008 Ridge Rd, being a 0.331-acre tract currently described as Tract 20, Abstract 255, BJT Lewis Survey, which is zoned (PD-53) Planned Development No. 53 District and designated for (RO) Residential-Office district uses, with the following staff conditions:

1. Approval of Final Plat (P2006-008).
2. Approval of Engineering.
3. Owner to construct a 20-foot mutual access drive along the rear of the lot at this time, OR City Council to approve a facilities agreement with final plat outlining that the drive can be constructed at such time that the adjacent property to the north and/or the south redevelops for office use.
4. Staff to administratively approve tree mitigation, if applicable, required for removal of Hackberry trees along rear property line at time of construction of mutual access drive.

Jackson seconded the motion. The motion was voted on and passed 7 to 0.

P2006-008

Discuss and consider a request by Michael Goodman for approval of a final plat for a 0.331-acre tract located at 1008 Ridge Rd, currently described as Tract 20, Abstract 255, BJT Lewis Survey, which is zoned (PD-53) Planned Development No. 53 District and designated for (RO) Residential-Office district uses, and take any action necessary.

Hampton outlined the request stating that the applicant has submitted a final plat for his property located at 1008 Ridge Rd, which is proposed to be known as Lot 1, Block A, Goodman Addition. The property is zoned (PD-53) Planned Development No. 53 District and designated for (RO) Residential-Office district uses. The property has not been platted before, though a right-of-way dedication to TxDOT is indicated for the recent expansion of FM 740.

Jackson made a motion to approve the applicant's request for a final plat for his property located at 1008 Ridge Rd, which is proposed to be known as Lot 1, Block A, Goodman Addition, with the following conditions:

1. Approval of Engineering plans.
2. Indicate front yard building line of 25-feet prior to filing.
3. Indicate rear yard building line of 30-feet prior to filing.

Smith seconded the motion. The motion was voted on and passed 7 to 0.

P2006-009

Discuss and consider a request by Richard Hovas of Tipton Engineering, Inc., for approval of a final plat for Castle Ridge Estates Phase 1, being 53 lots on 23.957-

acres, zoned (SF-10) Single Family district and situated west of SH 205 and north of Dalton Road (FM 552).

Hampton stated that the City has received a written request from Richard Hovas of Tipton Engineering, Inc., for approval of a final plat for Castle Ridge Estates Phase 1, being 53 lots on 23.957-acres, zoned (SF-10) Single Family district and situated west of SH 205 and north of Dalton Road (FM 552).

The plat indicates that 53 single-family residential lots are to be developed on the 23.9235 acre subject property. The tract is zoned (SF-10) Single Family Residential district, requiring a minimum lot size of 10,000 square feet, a minimum lot frontage of 80 feet, a minimum lot depth of 100 feet, and a minimum dwelling unit size of 1500 square feet.

The lot calculation sheet to verify that the lot sizes are 10,000 square feet or more have been submitted, and the final plat appears to conform with all other SF-10 Requirements.

Burgamy made a motion to approve the request by Richard Hovas of Tipton Engineering, Inc., for approval of a final plat for Castle Ridge Estates Phase 1, being 53 lots on 23.957-acres, zoned (SF-10) Single Family district and situated west of SH 205 and north of Dalton Road (FM 552), with the following conditions:

1. Approval of Engineering.
2. Adhere to Parks Board requirements.
3. Mitigation for Phase 1 of tree removal (209 inches) to include 124 inches in open space areas plus two trees planted on each lot by builder.

Lucas seconded the motion. The motion was voted and passed 7 to 0.

SP2006-005

Discuss and consider a request from Pat Grady of Lakeside Chevrolet Co. for approval of an amended site plan for the expansion of their existing motor vehicle dealership located at 2005 S. Goliad, being a 9.91-acre tract zoned (C) Commercial district and situated within the SH 205 Overlay District and IH-30 Overlay District.

Spencer outlined the request by stating that this was a site plan amendment for the expansion of Lakeside Chevrolet motor vehicle dealership located at 2005 S. Goliad, being a 9.91-acre tract zoned (C) Commercial district and situated within the SH 205 Overlay District and IH-30 Overlay District.

The site has frontage on IH-30 and SH 205; it will be accessed via two (2) proposed drives on SH 205 and one (1) on I-30. With the expansion of the site the applicant is removing two (2) drive ways on I-30 and one (1) drive way on SH 205. The applicant is exceeding city standards by proposing to install thirty-nine (39) parking spaces, including two (2) handicap accessible spaces.

At the February 28, 2006 Architectural Review Board meeting, the ARB recommended approval of the site plan amendment subject to submittal and approval of building material samples.

Jackson made a motion to approve the request by Pat Grady of Lakeside Chevrolet Co. for approval of an amended site plan for the expansion of their existing motor vehicle dealership located at 2005 S. Goliad, being a 9.91-acre tract zoned (C) Commercial district and situated within the SH 205 Overlay District and IH-30 Overlay District, with the following conditions:

1. Approval of material samples by ARB and P&Z.
2. Engineering Plan approval.
3. Submittal and approval of replat.
4. Engineering and Fire Department approval.
5. Submittal and approval of landscaping in right-of-way.
6. Future expansion of existing buildings shall require submittal and approval of a site plan amendment application.

Lucas seconded the motion. The motion was voted and passed by a vote of 7 to 0.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:49 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION WORKSESSION
March 28, 2006**

CALL TO ORDER

The meeting was called to order by chairman, Phillip Herbst at 6:00 p.m. with the following members present; Bill Bricker, Mike Lucas, Greg Burgamy and Michael Hunter. Connie Jackson and Glen Smith were absent.

Staff Present; Robert LaCroix, Chris Spencer, Leslie Ryan and Kim Whitley.

CONSENT AGENDA ITEMS

Approval of Minutes for February 14, 2006 Planning and Zoning Commission meeting

Approval of Minutes for February 28, 2006 Planning and Zoning Commission meeting

Approval of Minutes for March 14, 2006 Planning and Zoning Commission meeting

P2006-012

Discuss and consider a request by Terri Webb for approval of a replat of Lot 5, Block A, Rockwall Market Center East, being a 0.554-acre tract zoned (C) Commercial district and located at the southwest corner of IH-30 and Mims Rd, and take any action necessary.

The subject site is a 0.554-acre tract zoned (C) Commercial Zoning District, situated at the southwest corner of Mims Road and Interstate 30. The final plat is being submitted to accommodate the development of a Bahama Buck's. Final Review and approval by the engineering and fire departments of the City shall be required prior to filing. The final plat appears to meet all other requirements of the (C) Commercial Zoning District. A site plan for Bahama Buck's was previously approved by the Planning and Zoning Commission and City Council.

Staff Recommends approval of the request with the following conditions:

1. Engineering and Fire Department approvals.
2. Tie TxDOT monument to coordinates.
3. Correct building setback to 15 feet.
4. Title block corrections.
5. Label recording information for Lot 3.

Burgamy made a motion to approve consent agenda items 2, 3, and 4 with staff recommendations.

Lucas seconded the motion. The motion passed by a vote of 5 to 0.

Burgamy made a motion to approve consent agenda item 1 with staff recommendations.

Bricker seconded the motion. The motion passed by a vote of 4 to 0 with Lucas abstaining.

There being no further action items the commission continued to the work session agenda.

ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
April 11, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Phillip Herbst at 6:00 p.m. with the following members present; Greg Burgamy, Mike Lucas, Bill Bricker, Connie Jackson, and Glen Smith. Michael Hunter was absent.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, Leslie Ryan, and Kim Whitley.

CONSENT AGENDA ITEMS

P2006-011

Discuss and consider a request by Randall Pogue of Pogue Engineering & Development Co. for approval of a final plat of Lot 2, Block A, Burks Addition, being a 1.07-acre tract zoned (PD-56) Planned Development No. 56 district and situated along the west side of SH 205 (N. Goliad) south of Los Altos Drive and north of the future extension of N. Alamo Rd, and take any action necessary.

Randall Pogue of Pogue Engineering & Development Company has submitted a request for approval of a final plat of Lot 2, Block A, Burks Addition, being a 1.07-acre tract zoned (PD-56) Planned Development No. 56 District and situated along the west side of SH 205 (N. Goliad) south of Los Altos Drive and north of the future expansion of N. Alamo Road. The locations for two proposed drives off SH 205 have been approved by TxDOT, although a TxDOT permit is required to examine grading and other engineering issues. The two proposed drives will serve the proposed Lot 2 and the future Lots 1 & 3 via mutual access easements. The proposed Lot 2 meets the minimum area requirements set forth in the (PD-56) Planned Development No. 56 zoning district (i.e. underlying "GR" requirements).

Staff recommends approval of the request with the following conditions:

1. All off-site easements are to be filed with their recording information labeled on the plat prior to City Signature.

SP2006-011

Discuss and consider a request by Randall Pogue of Pogue Engineering & Development Co. for approval of a site plan for American National Bank of Texas, located on the proposed Lot 2, Block A, Burks Addition, being a 1.07-acre tract zoned (PD-56) Planned Development No. 56 district and situated within the North SH 205 Overlay district along the west side of SH 205 (N. Goliad) south of Los Altos Drive and north of the future extension of N. Alamo Rd, and take any action necessary.

Randall Pogue of Pogue Engineering & Development Company has submitted a request for approval of a site plan for American National Bank of Texas, located on the proposed Lot 2, Block A, Burks Addition, being a 1.07-acre tract zoned (PD-56) Planned Development No. 56 District and situated along the west side of SH 205 (N. Goliad) south of Los Altos Drive and north of the future expansion of N. Alamo Road. The site plan for the proposed bank illustrates a layout of one building being 2,594 square feet. The required parking for the intended use is nine spaces, and the applicant is exceeding city requirements by providing twenty-five spaces, including one handicap accessible. The site plan shows five drive-through lanes with the required stacking of six spaces. The site will be accessed via two proposed drives from SH 205.

Staff recommends approval of the request with the following conditions:

1. Adherence to all Engineering and Fire Department standards.
2. Approval and filing of final plat.
3. All lighting shall be a maximum of 0.2-foot candles when measured 3 feet above the property.
4. All roof-tops and ground mounted equipment shall be screened from adjacent properties and city rights-of-way.

P2006-013

Discuss and consider a request from Heritage Christian Academy for approval of a final plat of Heritage Christian Academy Phase Two Addition, being a 11.44-acre tract zoned (MF-14) Multi-family District, (C) Commercial district and (PD-27) Planned Development No. 27 District, and located southwest of S. Goliad St (SH 205) along Damascus Rd, and take any action necessary.

Heritage Christian Academy has submitted a final plat for an 11.44-acre tract to be known as Lots 1, 2 and 3, Heritage Christian Academy Phase Two Addition. The primary purpose of the plat is to formally dedicate Damascus Road, including right-of-way for its future realignment with Justin Drive at the intersection of SH 205. The final plat was required as a condition of approval of the amending PD-27 ordinance (Ord. 04-43) in 2004, which allowed for recreational uses on the vacant property shown as Lot 1 on this plat.

Staff recommends approval of the request with the following conditions:

1. Approval of Engineering.
2. Tie at least two corners of property to City's monument system.
3. Street easement for turn-around required at terminus of Damascus Road.
4. Verification and approval from TxDOT regarding Damascus Road and Justin Road alignment.

SP2006-012

Discuss and consider a request by Dean Whitlock of Rockwall Signal Ridge, LP, for approval of a site plan for 30 condominium units on a 2.93-acre tract being a part of

Lot 3, Block A, Signal Ridge No. 4 Addition, which is zoned (PD-15) Planned Development No. 15 district, and take any action necessary.

Dean Whitlock of Rockwall Signal Ridge, LP, has submitted a request for approval of 30 condominium units (three buildings) on a 2.93-acre tract being a part of Lot 3, Block A, Signal Ridge No. 4 Addition, which is zoned (PD-15) Planned Development No. 15 District. The required parking for the condominium use is 60 spaces, and the applicant is meeting city requirements by providing 60 spaces. The applicant is meeting landscape parking requirements by proposing to install eight 3 inch Live Oak trees. In addition, the applicant is proposing to install Dwarf Yaupon Hollies in three foot flower beds adjacent to all three buildings. All three buildings are being constructed and designed in an effort to match the existing buildings located on site. The site plan was recommended for approval by the Architectural Review Board at the work session.

Staff recommends approval of the request with the following conditions:

1. Engineering Plan Approval.
2. Adherence to all Engineering and Fire Department approvals.

Jackson made a motion to approve consent agenda items #1 and #3.

Burgamy seconded the motion. The motion was voted on and passed 6 to 0.

The Commission discussed some concerns over consent agenda items #2 and #4.

Burgamy made a motion to approve consent agenda item #2.

Smith seconded the motion. The motion was voted on and passed 6 to 0.

Burgamy made a motion to approve consent agenda item #4.

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

ARCHITECTURAL REVIEW BOARD ITEMS

SP2006-009

Discuss and consider a request by Robert Calderon of The Wallace Group, Inc., for approval of a site plan of a retail building located on Lot 1 and Lot 4, Block A, Rockwall Crossing Addition, a 1.64-acre tract zoned (C) Commercial and situated within the (I-30 OV) I-30 Corridor Overlay District, located at 903 Interstate 30, and take any action necessary.

The subject site is a 1.64-acre tract located on Lot 1 and Lot 4, Block A, Rockwall Crossing Addition. The site plan for the proposed retail/restaurant illustrates a layout of one building being 8,000 square feet. The required parking for the intended use is sixty spaces, and the applicant is exceeding city requirements by providing one

hundred spaces, including two handicap accessible. The site plan shows one drive-thru lane located along the east side of the building with the required stacking of six spaces. The site will be accessed via one proposed drive from Interstate 30. Mutual access easements will tie the proposed site into the rest of the already developed Rockwall Crossing.

The landscape plan indicates the site meeting requirements of the 15% site landscaping for the Commercial Zoning district. The landscape buffer along Interstate 30 is shown on the landscape plan to be a minimum 20 foot width with eighteen four inch caliper shade trees and twenty-one eight foot tall ornamental trees exceeding city requirements. The applicant is proposing to install additional shrubs along the west and south sides of the building. The I-30 Overlay requires that a row of trees be planted along the rear façade of the building. The landscape plan will require a variance for the above stated requirement for trees located along the rear façade of the building.

The building elevations propose a 22'8" tall typical structure consisting of cultured stone, glass and split-face cmu. The applicant has submitted elevations that show the proposed building being in the same context as some of the existing buildings already constructed in the Rockwall Crossing development. With the exception of the current proposal, the entire Rockwall Crossing was approved prior to the updating of the Interstate 30 Overlay District and the adoption of the UDC (Unified Development Code). The elevations will require a variance for the 90% masonry requirement (cultured stone is limited to 10%), 20% natural stone, horizontal articulation, vertical articulation, and four architectural elements as defined in the I-30 Overlay. Any variance within the I-30 Overlay requires a super majority vote by the City Council for approval, which includes all the above listed variances with the exception of the variances for articulation. At the Work Session, the Architectural Review Board recommended that the applicant rework the submittal. The photometric plan meets all city standards.

Staff feels that this is a judgment call for the Planning & Zoning Commission. If the Planning & Zoning Commission recommends approval, staff would offer the following conditions:

1. As submitted, it will require a recommendation of approval for the following variances:
 - a. Requirement for a row of trees to be planted along the rear façade of the building (I-30 Overlay Standards)
 - b. Requirements for Vertical Articulation (General Commercial Standards)
 - c. Requirements for Horizontal Articulation (General Commercial Standards)
 - d. Requirements for 90% masonry (I-30 Overlay Standards)
 - e. Requirements for 20% natural stone (I-30 Overlay Standards)
 - f. Requirement for four architectural elements (I-30 Overlay Standards)
2. Screening all roof-top and ground mounted mechanical equipment from adjacent properties and city right-of-way.
3. Every parking space must be located within 80 feet of a large caliper tree.

4. Adherence to all Engineering and Fire Department requirements.
5. Approval of replat.
6. Correction of landscape and site plans to correspond.
7. Fire lanes are to also be access and utility easements.
8. All pole lighting shall have a maximum height of 30' (including pole base).
9. Mutual parking agreement between Lot 1 and Lot 4.

Don Dalton, applicant, was present to answer questions and address the commission.

Lucas made a motion to table this case to the April 25th, 2006 Planning and Zoning Meeting to give the applicant time to address concerns by the ARB and to provide a parking calculation to the Planning and Zoning Commission.

Smith seconded the motion. The motion was voted on and passed 6 to 0.

PUBLIC HEARING ITEMS

Z2006-005

Hold a public hearing and consider a request by Brent Lemmond of Dallas Towboys for approval of a Specific Use Permit (SUP) to allow for a "Towing and Impound Yard" within the (HC) Heavy Commercial district, on property described as Lot 4, Block A, Rockwall 205 Business Park (unrecorded) and located at 291 National Drive, and take any action necessary.

Spencer stated that under the current zoning of (HC) Heavy Commercial the applicant is allowed to operate a "Tow Yard" by right. The SUP is being required for the operation of an "Impound Yard". The applicant is proposing to improve the property with concrete parking and additional trees adjacent to the existing building. The proposed "Towing and Impound Yard" is shown on the site plan to be screened from National Drive by a wood board privacy fence with a sliding gate. At the work session, the Planning & Zoning Commission requested that a live screen located inside the proposed screen fence be placed on all sides of the proposed site. Staff feels that a fast growing screen placed at five feet on center would provide for a thorough screen in a timely manner. Staff feels that the "Towing and Impound Yard", properly screened would not only improve the property, but would improve the entire area.

Staff mailed out thirteen notices to property owners located within 200 feet of the property in question. One notice was returned in favor and none were returned in opposition.

Herbst opened the public hearing.

Brent Lemmond, the applicant, came forward to address the commission and answer any questions.

Lucas made a motion to approve the request by Brent Lemmond of Dallas Towboys for approval of a Specific Use Permit (SUP) to allow for a "Towing and Impound Yard" within the (HC) Heavy Commercial district, on property described as Lot 4, Block A, Rockwall 205 Business Park (unrecorded) and located at 291 National Drive with the following conditions:

1. Adherence to all Engineering and Fire Department requirements.
2. Relocation of dumpster.
3. The dumpster enclosure to be a minimum of 8 feet in height and be of masonry construction.
4. The dumpster gates be metal panel.
5. The four trees adjacent to the building be a minimum of 3 inch caliper shade tree (as defined by the recommended tree list) at the time of planting.
6. All sides of the "impound Yard" be screened with Red Tip Photinias, a minimum of 5 gallons, planted at 5' on center located within the screening fence.
7. All security fencing shall be a minimum of 6 feet in height with two strands of security wire at the top.
8. All impounded vehicles should be limited to a maximum of seventy-five days of on-site storage.
9. Only running/working cars shall be impounded on-site.

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

P2006-010

Hold a public hearing and consider a request by Teresa Dabney for approval of the Dabney Addition, being a residential replat of a part of Lot 1, Block G, Sanger Brothers Addition, a 0.22-acre tract located at 801 and 803 Peters Colony, which is zoned SF-7 District and located within the (SO) Southside Residential Neighborhood Overlay District, and take any action necessary.

Ryan outlined that the proposed replat of the Dabney Addition includes the tract currently identified as a part of Lot 1 of the Sanger Brothers Addition. The purpose of the replat is to accommodate single-family development within the (SF-7) Single Family zoning district and the Southside Residential Neighborhood Overlay District. The submitted plat conforms to the requirements of the (SF-7) Single Family District and the Southside Residential Overlay District. This overlay district allows for a minimum lot size of 5,000 square feet to encourage redevelopment.

The applicant is submitting the residential replat to subdivide Lot 1 into Lots 1 and 2. The applicant is requesting a waiver to street and sidewalk improvements for both Peter's Colony Street and Ross Street.

Notices were mailed to twenty-seven (27) property owners within 200-ft of the request, and at the time of this report no responses had been returned.

Herbst opened the public hearing.

Harold Fetty, a representative of the applicant, addressed the commission requesting approval and answered questions.

Herbst closed the public hearing.

Burgamy made a motion to approve the request by Teresa Dabney for approval of the Dabney Addition, being a residential replat of a part of Lot 1, Block G, Sanger Brothers Addition, a 0.22-acre tract located at 801 and 803 Peters Colony, which is zoned SF-7 District and located within the (SO) Southside Residential Neighborhood Overlay District as recommended by staff with the following condition:

1. The building line can remain 10 feet instead of the required 15 feet.

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

SITE PLANS / PLATS

SP2006-007

Discuss and consider a request by Ross Morris of Country Day Montessori School for approval of a site plan on Lot 1, Block 1, Country Day School Addition, being 1.08-acres zoned (PD-60) Planned Development No. 60 District and located along the northeast side of Mims Rd southeast of Ralph Hall Pkwy, and take any action necessary.

Hampton outlined the request stating that the site plan for the Country Day School indicates an 8, 550 square foot private school and daycare facility located primarily within PD-60 along Mims Road. The north most 28 feet of the site has been purchased by the developer and is zoned PD-54 (underlying zoning of Commercial). An exception was approved by City Council with the preliminary plat allowing for a 10 foot rear setback with this PD development. A 20 foot side yard setback is provided on the south side adjacent to the Flagstone subdivision in accordance with the underlying Residential-Office zoning requirements. Required parking for a daycare this size is 28 spaces, while required parking for a private elementary is presumably less at 1 space per 25 students. The provided parking on the plan is 28, which staff believes will be sufficient for the proposed use. The development will tie into future office/retail development within PD-54 that could help accommodate any special event parking for the school, if needed. The courtyard has been enclosed

with a six foot masonry wall matching the main building to satisfy fire coverage issues.

As required by PD-60, the building elevations were reviewed by the Architectural Review Board and recommended for approval, including an exception to the City's General Commercial District standards concerning a minimum 90% masonry on elevations visible from a street. Approximately 17% of the front façade features wood siding. As opposed to using hardiboard, the ARB felt the proposed materials and colors complemented the use of limestone, brick and standing seam metal roofing. The building is limited to one-story and features a pitched roof per the PD-60 ordinance.

Norma Morris, the applicant, addressed the commission requesting approval of the request and to answer questions.

The commission expressed their concern in having the six foot wall placed behind the playground on the back side of the school.

Jackson made a motion to approve the request by Ross Morris of Country Day Montessori School for approval of a site plan on Lot 1, Block 1, Country Day School Addition, being 1.08-acres zoned (PD-60) Planned Development No. 60 District and located along the northeast side of Mims Rd southeast of Ralph Hall Pkwy, with the following staff conditions:

1. Approval of engineering plans.
2. Adherence to fire department requirements.
3. P&Z and City Council to approve exception to "Article V, Section 4.1, General Commercial District standards" relative to minimum 90% masonry requirement on front façade (17% wood proposed).
4. Free standing monument signage limited to 5-ft in height and 60-SF in area per sign face, as per PD-60 (Ord. No. 05-05).
5. The six foot wall behind the building be removed if it can meet Fire Code standards.
6. The elevation changes as submitted by the applicant be approved and provided for City Council.

Burgamy seconded the motion. The motion was voted on and passed 6 to 0.

SP2006-008

Discuss and consider a request by Tim Thompson of Realty Capital Corporation for approval of a site plan of an office building located on Lot 10R3, Block A, Horizon Ridge Addition, being a 0.5963-acre tract zoned (PD-9) Planned Development No. 9 and designated for (GR) General Retail uses, situated along the south side of Arista Rd east of Ridge Rd, and take any action necessary.

Hampton outlined the request stating that the applicant has submitted a site plan application for the second of three office buildings planned at their development site along Arista Road. The first building, approved in January 2004, has been constructed and sold to a separate party. The proposed building on Lot 10R3, Block A, Horizon Ridge Addition is 7,684 square feet and will look nearly identical to the existing structure. The parking requirement for professional office is 26 parking spaces. The applicant is providing 27 spaces, including one accessible. It should be noted that until such time that the drive aisle and parking areas are constructed with Phase 3, that the medical office use is not supported in either Phase 1 or Phase 2. In the future, shared parking can be accommodated to allow more flexibility in land use throughout the complex; however, this could also impact the ultimate size of the building in Phase 3. The site is accessed via an existing 24 foot drive from Arista Road that also serves the adjacent professional office building to the east.

The revised landscape plan indicates that 24% of the site is landscaped, which exceeds City standards. Building elevations reflect a building that matches the existing building constructed in Phase 1, primarily consisting of cultured stone and a composite shingle roof with standing seam metal elements on each side. This particular lot is not located within the Scenic Overlay district, but was subjected to Architectural Review because of its PD zoning to determine compatibility with surrounding development. The architectural Review Board recommended approval of the buildings, but suggested that the color of the standing seam metal roof should be muted from what exists on Phase 1. Staff does not have an opinion on this issue, and believes the roof colors for Phase 2 (and potentially Phase 3) can be a judgment call for the ARB and Commission. The applicant indicated a new color on their revised submittal, but will be prepared to address at the meeting.

Tim Thompson, the applicant, came forward to answer any questions of the commission.

The commission mentioned that they would like to keep all the roof colors the same so that they didn't look like a mistake. The applicant informed them that he would like to keep all the roof colors the same as well.

Jackson made a motion to approve the applicant's request for a site plan of an office building located on Lot 10R3, Block A, Horizon Ridge Addition, being a 0.5963-acre tract zoned (PD-9) Planned Development No. 9 and designated for (GR) General Retail uses, with the following conditions:

1. Until such time that dumpster is constructed with Phase 3, refuse collection for Phases 1 and 2 shall be performed via private carryout service.
2. Approval of Engineering plans.
3. Adherence to Fire Dept. requirements.
4. The roof tops remain the same as Phase 1.

Burgamy seconded the motion. The motion was voted on and passed 6 to 0.

ADDITIONAL DISCUSSION ITEMS

Founder's Day Festival – April 15, 2006

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:49 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION WORKSESSION
April 25, 2006**

CALL TO ORDER

The meeting was called to order by chairman, Phillip Herbst at 6:00 p.m. with the following members present; Bill Bricker, Mike Lucas, Greg Burgamy, Michael Hunter, Connie Jackson and Glen Smith.

Staff Present; Michael Hampton, Chris Spencer, Leslie Ryan and Kim Whitley.

ARCHITECTURAL REVIEW BOARD ITEMS

SP2005-019

Discuss and consider a request by Karen Blevins of La Madeleine for approval of amended building elevations for the proposed La Madeleine restaurant located on Lot 2, Block A, Rockwall Crossing Addition, and take any action necessary.

This is a proposal for an amendment to the approved elevations of the "La Madeleine Restaurant" which is situated along the IH-30 frontage road. These elevations were approved by the ARB and P&Z in December, 2005, and City Council in January, 2006. The original application as approved by the P&Z and City Council was submitted prior to the amendment of I-30 Overlay District Ordinance. The applicant is proposing to alter the proposed roof line, remove some architectural elements, and alter the approved materials.

Staff feels that this is a judgment call and that the proposal is enough of a change to warrant an approval from the ARB and P&Z. The original condition of approval that a stone water table be installed along the rear elevation has not been met with this submittal.

Jackson made a motion to approve SP2005-019 with the condition that a mural be added on the rear elevation.

Smith seconded the motion. The motion passed by a vote of 6 to 1 with Bricker voting against.

There being no further action items the commission continued to the work session agenda.

ADJOURNMENT

The meeting was adjourned at 8:12 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
May 9, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Phillip Herbst at 6:00 p.m. with the following members present; Greg Burgamy, Mike Lucas, Bill Bricker, Connie Jackson, Glen Smith, and Michael Hunter.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, Leslie Ryan, and Kim Whitley.

CONSENT AGENDA ITEMS

1. **Approval of Minutes** from March 28, 2006 Planning and Zoning Commission meeting
2. **Approval of Minutes** from April 11, 2006 Planning and Zoning Commission meeting
3. **Approval of Minutes** from April 25, 2006 Planning and Zoning Commission meeting
4. **P2006-015**

Discuss and consider a request by Norma Morris of Country Day Montessori School for approval of a final plat of Lot 1, Block 1, Country Day School Addition, being 1.08-acres zoned (PD-60) Planned Development No. 60 district and located along the northeast side of Mims Rd southeast of Ralph Hall Pkwy, and take any action necessary.

Jackson pulled consent agenda #1. Hunter pulled consent agenda item #2.

Jackson made a motion to approve consent agenda items #3 and #4.

Burgamy seconded the motion. The motion was voted on and passed 7 to 0.

Lucas made a motion to approve consent agenda item #1.

Hunter seconded the motion. The motion was voted on and passed 5 to 0 with Smith and Jackson abstaining.

Jackson made a motion to approve consent agenda item #2.

Smith seconded the motion. The motion was voted on and passed 6 to 0 with Hunter abstaining.

PUBLIC HEARING ITEMS

Z2006-006

Hold a public hearing and consider a request by Heath Middleton of Enterprise Rent-A-Car for approval of a Specific Use Permit (SUP) to allow for "Automobile Rental" within the (C) Commercial district on Lot 13B1, Block A, Rockwall Towne Centre Addition, located at 700 E IH-30, and take any action necessary.

Ryan stated that the subject tract (Rockwall Towne Centre, Lot 13B1, Block A) is located at 700 East Interstate 30, and the applicant is requesting a specific use permit for an automobile rental facility for Enterprise Rent-A-Car. The applicant has agreed to a nine parking space maximum usage, with two additional spaces to be allotted for the carport. Parking tabulations from the site plan indicate that there are 99 available parking spaces in the shopping center. The joint use parking table specifies that a total of 77 parking spaces are required for the shopping center. Eleven additional spaces will be used by Enterprise leaving a total of 88 spaces being occupied.

Staff mailed out five notices to property owners located within 200 feet of the property in question. One notice was returned in favor and none were returned in opposition.

Herbst opened the public hearing.

Heath Middleton, applicant, came forward to address the commission and answer any questions.

Pat Grady, owner of Lakeside Chevrolet, came forward to answer questions about Enterprise's operations at his dealership, and offer his support for the request.

Gary Hammer, owner of the subject property, addressed the Commission in favor of the request and stated he has worked with Enterprise on the parking situation as he had initial concerns about interference with the shopping center's other customers, but believes they will be a good tenant.

After further discussion, Jackson made a motion to approve the request by Heath Middleton of Enterprise Rent-A-Car for approval of a Specific Use Permit (SUP) to allow for "Automobile Rental" within the (C) Commercial district on Lot 13B1, Block A, Rockwall Towne Centre Addition, located at 700 E IH-30 with the following conditions:

1. Adherence to all Engineering and Fire Department requirements.
2. Any structural projection, including the carport overhang, cannot extend into the firelane.
3. A total of eleven parking spaces, nine for vehicle storage and two for the carport, is the maximum amount allotted for this site.

4. If the parking agreement is violated or complaints are made by other tenants concerning the amount of parking being used, the City Council reserves the right to review the SUP.

Smith seconded the motion. The motion was voted on and passed 7 to 0.

Z2006-007

Hold a public hearing and consider a request by Salehoun Family Ltd. Ptnr. for approval of a change in zoning from (Ag) Agricultural district to (LI) Light Industrial district, on a 6.0-acre tract currently known as Tract 8, Abstract 134, J. Lockhart Survey, located at 1790 Interstate 30, and take any action necessary.

Hampton outlined that the applicant has requested to rezone the 6.0-acre tract located at 1790 IH-30 from (Ag) Agricultural district to (LI) Light Industrial district. The site features an existing structure which has been most recently utilized as an auto auction facility. The applicant has indicated in their materials the intention to operate a motor vehicle dealership at the site, which is a permitted use in the (LI) Light Industrial district. It is not clear if the applicant intends to build a new facility on the property or improve the existing structure and parking areas. Nevertheless, the change in use will require separate approval of a site plan which shall be subject to Architectural Review given its location in the IH-30 Corridor Overlay district, and any necessary building permits required for the change in use will require the property to be platted.

The property to the west is zoned (LI) Light Industrial and currently developed with a manufactured homes dealer as well as the RV Park-It and mini-storage facilities. Property to the east remains zoned (Ag) Agricultural but is developed with other non-conforming structures and/or uses. Property to the south remains vacant and agriculturally zoned.

The City's future land use map and Comprehensive Plan designate the subject property and the area around it as "Technology/Light Industrial." One of the primary land use policies within the Comprehensive Plan also states that the City "reserve adequate land for industrial uses on or near IH-30." Given these recommendations from the Comprehensive Plan, and given the adjacent zoning and land use, staff recommends that the rezoning request be approved for the subject site. Approval of a site plan for any change in use or redevelopment of the property - including the potential auto dealership - should include measures to bring the site into compliance with current City specifications, including architectural standards, landscaping requirements, screening, engineering and fire protection, etc.

Notices were mailed to five (5) property owners within 200-ft of the subject request, and at the time of this report none had been returned.

Herbst opened the public hearing.

Tim McMahon, engineer and designer for the future dealership, addressed the commission requesting approval and to answer any questions.
Bill Dickason, of Southwest Kia, addressed the commission requesting approval and answered questions.

Herbst closed the public hearing.

Burgamy made a motion to approve the request by Salehoun Family Ltd. Ptnr. for approval of a change in zoning from (Ag) Agricultural district to (LI) Light Industrial district, on a 6.0-acre tract currently known as Tract 8, Abstract 134, J. Lockhart Survey, located at 1790 Interstate 30 as recommended by staff.

Jackson seconded the motion. The motion was voted on and passed 6 to 1 with Lucas in opposition.

Z2006-008

Hold a public hearing and consider a request by Randell Curington of Spring Haven Investments, Inc., for approval of a change in zoning from (Ag) Agricultural district to (PD) Planned Development district to accommodate a single-family residential development on a 234.70-acre tract known as Tracts 1-1, 2, and 2-1, Abstract 182, J.H. Robnett Survey, located along the south side of SH 276 east of Rochelle Rd, and take any action necessary.

Spencer stated that this request follows a zoning request from late last year (i.e. Case # Z2005-040), which was withdrawn by the applicant on February 10, 2006. The proposed zoning request by Randell Curington of Spring Haven Investments, Inc., is a change from (Ag) Agricultural district to (PD) Planned Development district on a 234.70-acre tract known as Tracts 1-1, 2, and 2-1, Abstract 182, J.H. Robnett Survey, located along the south side of SH 276 east of Rochelle Rd. The underlying zoning designation is (SF-8.4) Single-Family Residential district, (SF-16) Single-Family Residential district, and (NS) Neighborhood Service district. The applicant has included development and design standards for consideration with the PD request.

The subject property is designated for low-density residential on the City's Future Land Use Map, with a maximum density of less than 2.0 units per acre, or a maximum of 469 lots on the 234.70-acre site. The concept plan indicates a density of 1.73 units per acre or 399 residential lots with a mixture of lot sizes including 8,400-sf, 12,000-sf, and 16,000-sf on 230.01-acres and a 4.6-acre non-residential Neighborhood Service component. The applicant is proposing a minimum dwelling unit size of 2,000-sf, which is greater than the 1,800-sf set forth in the "SF-16" zoning district. Other "design standards" have been submitted and are included as conditions of the PD to enhance the development of this tract.

Additionally, approximately 57.74-acres (or 25% of the site) is designated as open space or flood plain, including 12.7-acres high and dry open space. The proposal incorporates a mix of three lot types:

- 176 lots = 8,400-sf minimum
- 113 lots = 12,000-sf minimum
- 110 lots = 16,000-sf minimum

The 4.6-acre Neighborhood Service tract is located at the northwest corner of the site, along SH 276. The “NS” is being proposed in an effort to serve the single-family portion of the development with typical neighborhood services. The tract will be subject to the standards for Neighborhood Service district and the standards for the SH 276 Overlay district as outlined in the Unified Development Code. Staff feels that strong consideration should be given to design guidelines that would give the Neighborhood Service tract a residential look.

In reviewing this case with the City’s Comprehensive Plan in mind, the staff has considered two general factors – “Plan Requirements” and “Quality Design Requirements.” Fundamentally, the Comprehensive Plan designates this area for *Single Family Low Density Residential*, which is defined as being less than two (2) units per gross acre. At 1.73 units per gross acre, the plan for Firenza complies with the recommended land use guidelines. Additionally, the Planned Development requirements of the City mandate that 20% of any proposed PD should be reserved for open space – both public and private – and the developer’s plan exceeds this standard.

Additional Comprehensive Plan principles and policies that staff believes are addressed favorably by the developer’s plan include:

- *“Preserve the majority of floodplains to reduce the risk of long term flooding and to provide interconnectivity of residents and workers within the community through a citywide open space and trail system.” (page 2)*
- *“Incorporate floodplains into an interconnected greenway network that preserves floodwater storage while providing trails and natural areas.” (page 4)*
- *“Design neighborhood streets to encourage traffic to travel at less than 30 miles per hour for safety and to encourage more walking, cycling and social interaction.” (page 4)*
- *“Provide for clustering of development that will result in the preservation of flood plains and the conservation of open space and natural areas. For example, if an average density of 2 units per acre is used in some areas and open space and drainage corridors are preserved, then the lots may be 10,000 s.f. as opposed to 20,000 s.f., but there would still be only an average of 2 units per acre and there would be a large shared open space or park.” (page 16)*
- *“Ensure that open space is accessible to all citizens.” (page 16)*
- *“Where residential uses in a Planned Development abut an existing residential development, the PD lots should be at least the same size as the existing lots*

or be buffered by open space, trails, walkways, natural screening or a roadway.” (page 17)

Amenities within the proposal include the 12.7-acre of high and dry open space, a trail system, a series of landscaped pocket park areas that would be maintained by the HOA as private open space, and views / access to Lake. The Planned Development requirements of the City require future submittal and approval of a more specific development plan, at which point more detail could be provided regarding the amenities, including specific trail layouts, street tree and landscape buffer details and specifications for any entry signage. The Parks Board will also review the plan and make specific recommendations to the Council regarding park facilities and the trail system.

Notices were mailed to two (2) property owners within 200-ft of the subject site, including current owners, and at the time of this report one response “in favor” has been returned.

Staff recommends approval of the Planned Development district with the following conditions:

Conditions of Approval:

- 1. Adherence to the Concept/Development Plan, to be attached as Exhibit “B.”*
- 2. A flood-study approved by the City of Rockwall Engineering Department and by Kaufman-Van Zandt-Rockwall Soil and Water Conservation District No. 605*
- 3. Prior to or concurrently with submittal of a master plat for the subject property, a final PD Site Plan shall be required so that the City can review details of the project including, but not limited to, a site/landscape plan(s) for all open space, pocket parks, trail systems, street buffers and entry features. The development plan and preliminary plat shall also be reviewed by the City’s Parks Board.*
- 4. The maximum density for the Planned Development district shall not exceed 1.73 dwelling units per gross acre of land, or 399 units.*
- 5. Correct lot numbering and lot count.*
- 6. Design guidelines to be incorporated into the PD standards providing the Neighborhood Service tract with a residential look consistent with the rest of the Firenza development.*

Development Standards:

- A. All residential and non-residential development located within the PD shall be subject to the SH 276 Overlay Standards*
- B. That development in the area indicated as Area 1 on Exhibit “B”, attached hereto, shall be subject to the permitted uses and area requirements of Article V, Section 4.3 (NS) Neighborhood Service District, of the City of Rockwall Comprehensive Zoning Ordinance (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, with the following additional conditions and restrictions:*

1. *All proposed developments within Area 1 shall be subject to future site plan and Architectural review.*
 2. *Permanent, free standing signage on each platted lot shall be limited to one (1) monument sign not exceeding five (5) feet in height or a maximum of sixty (60) square feet in area. All other signage shall be subject to the standards set forth in the City's Sign Ordinance*
- C. *That development in the area indicated as Area 2 on Exhibit "A", attached hereto, shall be subject to the permitted uses and area requirements of Article V, Section 3.5 (SF-8.4) Single Family Residential District, of the City of Rockwall Unified Development Code (Ord. No. 04-38) as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future, with the following additional conditions and restrictions:*
1. *Minimum lot size – 8,400 square feet*
 2. *Maximum number of lots in Area 3 – 176*
 3. *Minimum square footage per dwelling unit – 2,000 square feet*
 4. *Minimum lot frontage on a public street – 72 feet*
 5. *Minimum lot depth – 100 feet*
 6. *Minimum depth of front yard setback – 20 feet*
 7. *Minimum depth of rear yard setback – 10 feet*
 8. *Minimum side yard setback:*
 - a. *Internal lot – 6 feet*
 - b. *Abutting a street – 15 feet*
 - c. *Abutting an arterial / collector – 20 feet*
 9. *Minimum distance between separate buildings on the same lot or parcel of land – 10 feet*
 10. *Minimum length of driveway pavement from public right-of-way for rear and side yard – 20 feet*
 11. *Maximum building coverage as a percentage of lot area – 45 percent*
 12. *Maximum building height – 36 feet*
 13. *Minimum of two (2) paved off-street parking spaces required for each residence*
- D. *That development in the area indicated as Area 3 on Exhibit "A", attached hereto, shall be subject to the approved concept plan, Exhibit "B", and shall be subject to the permitted uses of Article IV, Permissible Uses and Article V, District Development Standards for Section 3.3 (SF-16) Single-Family Residential District of the City of Rockwall Unified Development Code and the following additional conditions:*
1. *Minimum lot area – 12,000 square feet*
 2. *Maximum number of residential lots – 113*
 3. *Minimum square footage per dwelling unit - 2,250 square feet*
 4. *Minimum lot frontage on a public street – 80 feet*

5. *Minimum lot depth – 100 feet*
 6. *Minimum depth of front yard setback – 20 feet*
 7. *Minimum depth of rear yard setback – 10 feet*
 8. *Minimum width of side yard setback –*
 - a. *Internal lot – 8 feet*
 - b. *Abutting street – 15 feet*
 - c. *Abutting an arterial – 20 feet*
 9. *Minimum distance between separate buildings on the same lot or parcel of land – 10 feet*
 10. *Minimum length of driveway pavement from public right-of-way for rear and side yard – 20 feet*
 11. *Maximum building coverage as a percentage of lot area – 45 percent*
 12. *Maximum building height – 36 feet*
 13. *Minimum of two (2) paved off-street parking spaces required for each residence.*
- E. *That development in the area indicated as Area 4 on Exhibit “A”, attached hereto, shall be subject to the approved concept plan, Exhibit “B”, and shall be subject to the permitted uses of Article IV, Permissible Uses and Article V, District Development Standards for Section 3.3 (SF-16) Single-Family Residential District of the City of Rockwall Unified Development Code and the following additional conditions:*
1. *Minimum lot area – 16,000 square feet*
 2. *Maximum number of residential lots – 110*
 3. *Minimum square footage per dwelling unit - 2,500 square feet*
 4. *Minimum lot frontage on a public street – 90 feet*
 5. *Minimum lot depth – 100 feet*
 6. *Minimum depth of front yard setback – 20 feet*
 7. *Minimum depth of rear yard setback – 10 feet*
 8. *Minimum width of side yard setback –*
 - a. *Internal lot – 8 feet*
 - b. *Abutting street – 15 feet*
 - c. *Abutting an arterial – 20 feet*
 9. *Minimum distance between separate buildings on the same lot or parcel of land – 10 feet*
 10. *Minimum length of driveway pavement from public right-of-way for rear and side yard – 20 feet*
 11. *Maximum building coverage as a percentage of lot area – 45 percent*
 12. *Maximum building height – 36 feet*

13. *Minimum of two (2) paved off-street parking spaces required for each residence.*
- F. That all residential development in the area described herein as Exhibit "A", shall also be subject to the following design standards:*
1. *Exterior Wall Materials*
 - a. *All buildings of 120 square feet or more and over ten feet (10') tall shall have exterior walls constructed of masonry construction. Exterior walls for all buildings of 120 square feet or more and over 10 feet tall, shall be constructed of at least eighty percent (80%) standard masonry construction, excluding windows and doors, unless the wall is on a porch, patio, courtyard, or breezeway, in which event, the wall may be of non-masonry construction. Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement. Buildings with less than 80% masonry construction shall require approval of the Planning and Zoning Commission.*
 - b. *Buildings less than 120 square feet and under 10 feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on painted surface.*
 2. *Garages shall all be a minimum of two-car garages per dwelling unit.*
 3. *There will be no requirement for alleys in Area 3 (SF-12) Single Family and Area 4 (SF-16) Single Family. Garages must be located at least 20 feet behind the front building façade for front entry garages, unless it is a "J-swing" garage where the garage door is perpendicular to the street, or rear-facing. Additionally, all garage doors that face the street shall be limited to 8-ft in width with an intervening column(s) between doors for garages that accommodate two (2) or more vehicles.*
 4. *An anti-monotony restriction shall be developed so as not to allow the same structure in terms of brick color scheme or elevation on either side of the street without at least four (4) intervening lots.*
 5. *All roofs shall be constructed with a minimum pitch of 8:12 over the main body of the structure, including garages. A minimum 4:12 roof pitch is required for all projections or porches not covered in the 8:12 requirement. All roof materials will be a minimum 30 year rated dimensional shingle or other material.*
 6. *All fencing either siding or backing onto any designated open space shall be tubular steel or iron (no wood fences allowed). If a lot contains both a side yard and rear yard that is adjacent to any open space, the side yard fence can be either tubular steel or iron, or constructed with 6-ft high, board-on-board "panel" wood fencing with masonry columns at 45-ft O.C. spacing that begins at the rear property line corner and terminates 10-ft behind the front yard setback.*

7. *All fencing in side yards on corner lots where the side yard setback is in line with a front yard setback shall be contained within the side yard setback.*
8. *Corner lot fencing (adjacent to the street) shall provide masonry columns at 45-ft O.C. spacing that begins at the rear property line corner and terminates no later than 10-ft behind the front setback. A maximum 6-ft high, board-on-board panel fencing or tubular steel/wrought iron shall be allowed between masonry columns along the side and/or rear yard adjacent to the street.*
9. *For any premises located in this Planned Development District, the premise shall have one (1) shade tree located within 15 feet of the front lot line for each fifty (50) feet of lot width or portion thereof, measured along the front lot line. One (1) shade tree shall also be required for each fifty (50) feet or portion thereof along the side property line when adjacent to a street. Trees may be clustered or spaced linearly and need not be placed evenly at 50-foot intervals.*
10. *The required trees and landscaping shall be installed prior to issuance of a Certificate of Occupancy for the premises and shall be maintained in a living and growing condition by the owner of the premises. The required trees shall be a minimum of three-inch (3") caliper measured forty-eight inches (48") above the ground, with a required minimum height of seven feet (7'). If the tree is located on a slope, measurement shall be from the highest side of the slope. The trees shall be selected from the current City of Rockwall approved tree replacement list.*
11. *Greenspace/Open Space*
 - a. *A homeowners' association duly incorporated in the State of Texas shall be incorporated, and each lot/homeowner shall be a mandatory member. This association shall be established to ensure the proper maintenance of all common areas, either public or private, as desired to be maintained by the association. The bylaws of this association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; a clear and distinct definition of the responsibility of each member; and such other provisions as are reasonably deemed appropriate to secure a sound and stable association. The bylaws shall be submitted to the Director of Planning for review and approval prior to construction.*
 - b. *All common areas and dedicated landscape easements and open space areas shall be maintained by a homeowners' association, including area of landscaping in the public right-of-way.*
 - c. *Permanent subdivision identification signage shall be permitted at all major entry points subject to the requirements of the City of Rockwall sign ordinance.*

- d. *There will be a minimum of a 40' landscaped, and irrigated greenbelt along S. H. 276. A 7 foot wall comprised of masonry and wrought iron style fencing set back at least 25 feet from the right-of-way is required in addition to landscaping of the area. At least 10% of the wall shall be a wrought iron style. Such walls adjacent to SH 276 shall be offset by at least 8 feet for at least 16 feet for every 100 feet of length. Additionally, there will be trees planted at random distances from S.H. 276 at a maximum separation of 30'.*
 - e. *Each entry from S.H. 276 will have a median opening with a minimum width of 20' and a minimum length of 100'. Each median will be landscaped with an irrigation system. Additionally, each median will have an entry signage monument.*
 - f. *All linear open space, not dedicated to the City or school, shall be landscaped with pedestrian access. The landscaping may either consist of traditional irrigated landscaping or xeriscaping (xeriscaping shall be designed and installed by a credentialed xeriscape landscape architect). This area will be maintained by the Homeowners Association.*
- G. *No substantial change in development of "PD" shall be permitted except after obtaining approval of the change of such development through amendment of the concept plan in the manner required for changes or amendments to the Unified Development Code.*

Herbst opened the public hearing.

Chris Cuny, a representative of the applicant, addressed the commission requesting approval and answered questions. He stated that he and the representatives from Springhaven Investments had reviewed the PD standards and were in agreement with them. However, they would request that the Commission consider allowing up to a 5% variance or flexibility in the lot mix. They are not asking for more than 399 lots overall, but would desire some flexibility in the number in each lot type as the layout details are finalized during the platting and engineering process.

Lucas suggested that a trail connection be made in the 12,000-sf lot section between Lots 47 and 48 to allow more walkability. The applicant stated this could be accommodated.

Jackson inquired if both entrances from 276 would be landscaped with medians, as stated in the standards, or only the west entrance as shown on the plan. Cuny said the intent would be to landscape both entrances. The goal is to set the tone from the entrances that this is a quality development.

LaCroix added that the City has tried to ensure that at least 80% of all lots within new subdivision proposals are no more than 800-ft from an open space. Looking at

the concept plan, he asked if some open space would be needed in the far northwest and southwest corners of the project to meet this requirement.

Cuny stated he was not aware of this requirement until the meeting, but would estimate that most lots in the subdivision are close to open space and/or the planned trail systems. There are possibly some opportunities to create more access points and trail connections to alleviate this problem if it exists.

Herbst closed the public hearing.

Jackson made a motion to approve the request by Randell Curington of Spring Haven Investments, Inc., for approval of a change in zoning from (Ag) Agricultural district to (PD) Planned Development district to accommodate a single-family residential development on a 234.70-acre tract known as Tracts 1-1, 2, and 2-1, Abstract 182, J.H. Robnett Survey, located along the south side of SH 276 east of Rochelle Rd as recommended by staff and with the following conditions:

1. Provide a trail on lot 48 of Area No. 2 (SF-12,000 sq.-ft.)
2. The allocation of lot types may deviate up to 5% from the lot mix shown on the concept plan, provided that the maximum allowable total dwelling units does not exceed 399 units
3. All lots fronting on the primary north/south arterial shall be a minimum of 12,000 sq.-ft. in size
4. Variance to be approved by City Council for alley requirements.

Smith seconded the motion. The motion was voted on and passed 7 to 0.

Z2006-009

Hold a public hearing and consider a request by Randell Curington of Spring Haven Investments, Inc. for a change in zoning from (Ag) Agricultural district to (PD) Planned Development district on a 27.89-acre tract known as Tract 19, Abstract 186, J.A. Ramsey Survey, located on the east side of F.M. 549 immediately south of (PD-64) Planned Development district No. 64, and take any action necessary.

Hampton outlined that the developers of Fontana Ranch (PD-64) have submitted an application for the 27.9-acre tract located immediately south of their property to rezoned from (Ag) Agricultural district to (PD) Planned Development district. The concept plan indicates the development of 52 single-family residential lots on the property, yielding a gross density of 1.86 units per acre, which meets the guidelines of the City's future land use map and Comprehensive Plan, which designates the subject tract for "low density" (i.e. less than 2 units per acre). The subject tract is currently developed with an ostrich farm, and is bordered to the east and south by residential uses located outside of the City limits. Property to the west across FM 549 remains undeveloped and zoned (Ag) Agricultural district.

The proposed development would connect directly into Fontanna Phases 1 and 2 via two residential streets. No additional access is proposed from FM 549. The

concept plan indicates a minimum of 20% open space as stipulated in the City's Planned Development requirements, and the proposed layout continues the lotting patterns and use of open space approved in Phases 1 and 2. For continuity, staff would recommend incorporation of the same PD standards and area requirements approved in PD-64, including a minimum lot size of 12,000-sf, a minimum dwelling unit size of 2,250-sf, and a variety of anti-monotony, landscaping, fencing and architectural standards intended to promote a high standard of residential development.

Notices were mailed to three (3) property owners within 200-ft of the subject request, and at the time of this report none had been returned.

Staff recommends approval of the zoning change from (Ag) Agricultural district to (PD) Planned Development district with the following PD standards:

- A. That development in the area described herein as Exhibit "A", attached hereto, shall be subject to the approved concept plan, Exhibit "B," and shall be subject to the permitted uses of Article IV, Permissible Uses and Article V, District Development Standards for Section 3.3 (SF-16) Single-Family Residential District of the City of Rockwall Unified Development Code and the following additional conditions:*
- 1. Minimum lot area – 12,000 square feet*
 - 2. Maximum number of residential lots – 52*
 - 3. Maximum number of single-family detached dwelling units per lot – 1*
 - 4. Minimum square footage per dwelling unit - 2,250 square feet*
 - 5. Minimum lot frontage on a public street – 80 feet*
 - 6. Minimum lot depth – 100 feet*
 - 7. Minimum depth of front yard setback – 20 feet*
 - 8. Minimum depth of rear yard setback – 10 feet*
 - 9. Minimum width of side yard setback –*
 - a. Internal lot – 8 feet*
 - b. Abutting street – 15 feet*
 - c. Abutting an arterial – 20 feet*
 - 10. Minimum distance between separate buildings on the same lot or parcel of land – 10 feet*
 - 11. Minimum length of driveway pavement from public right-of-way for rear and side yard – 20 feet*
 - 12. Maximum building coverage as a percentage of lot area – 45 percent*
 - 13. Maximum building height – 36 feet*
 - 14. Minimum of two (2) paved off-street parking spaces required for each residence.*

15. All roofs shall be constructed with a minimum pitch of 6:12 over the main body of the structure, including garages. A minimum 4:12 roof pitch is required for all projections or porches not covered in the 6:12 requirement.

B. That development in the area described herein as Exhibit "A", shall also be subject to the following design standards:

1. Exterior Wall Materials

- a. All buildings of 100 square feet or more and over nine feet (9') tall shall have exterior walls constructed of masonry construction. Exterior walls for all buildings of 100 square feet or more and over 9 feet tall, shall be constructed of at least eighty percent (80%) standard masonry construction, excluding windows and doors, unless the wall is on a porch, patio, courtyard, or breezeway, in which event, the wall may be of non-masonry construction. Hardy Plank or similar cementaceous material may be used for up to 50% of the masonry requirement. Buildings with less than 80% masonry construction shall require approval of the Planning and Zoning Commission.
- b. Buildings less than 100 square feet and under 9 feet in height may be constructed with non-masonry materials, or may be all metal with a baked-on painted surface.

2. Garages shall all be a minimum of two-car garages per dwelling unit.
3. There will be no requirement for alleys. Garages must be located at least 20 feet behind the front building façade for front entry garages, unless it is a "J-swing" garage where the garage door is perpendicular to the street, or rear-facing. Additionally, all garage doors that face a street shall be limited to 8-ft in width with an intervening column(s) between doors for garages that accommodate two or more vehicles.
4. An anti-monotony restriction shall be developed so as not to allow the same structure in terms of brick color scheme or elevation on either side of the street without at least four (4) intervening lots.
5. All fencing either siding or backing onto any designated open space shall be tubular steel or iron (no wood fences allowed). If a lot contains both a side yard and rear yard that is adjacent to any open space, the side yard fence can be either tubular steel or iron, or constructed with maximum 6-ft high, board-on-board "panel" wood fencing with masonry columns at 45-ft O.C. spacing that begins at the rear property line corner and terminates 10-ft behind the front yard setback.
6. All fencing in side yards on corner lots shall not encroach beyond the side yard setback. In situations where the side yard setback is adjacent to and abutting a front yard setback, the side yard fence shall not encroach beyond the adjacent front yard setback. In addition, the corner lot fencing (adjacent to the street) shall provide masonry columns at 45-ft O.C. spacing that begins at the rear property line corner and terminates 10-ft behind the front yard setback. A maximum 6-ft high, board-on-board "panel" wood fencing or

tubular steel / wrought iron shall be allowed between the masonry columns along the side and/or rear yard lot adjacent to a street.

- 7. For any premises located in this Planned Development District, the premise shall have one (1) shade tree located within 15 feet of the front lot line for each fifty (50) feet of lot width or portion thereof, measured along the front lot line. One (1) shade tree shall also be required for each fifty (50) feet or portion thereof along the side property line when adjacent to a street. Trees may be clustered or spaced linearly and need not be placed evenly at 50-foot intervals.*
- 8. The required trees and landscaping shall be installed prior to issuance of a Certificate of Occupancy for the premises and shall be maintained in a living and growing condition by the owner of the premises. The required trees shall be a minimum of three-inch (3") caliper with a required minimum height of seven feet (7'). If the tree is located on a slope, measurement shall be from the highest side of the slope. The trees shall be selected from the current City of Rockwall approved tree replacement list.*
- 9. Greenspace/Open Space*
 - a. A homeowners' association duly incorporated in the State of Texas shall be incorporated, and each lot/homeowner shall be a mandatory member. This association shall be established to ensure the proper maintenance of all common areas, either public or private, as desired to be maintained by the association. The bylaws of this association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; a clear and distinct definition of the responsibility of each member; and such other provisions as are reasonably deemed appropriate to secure a sound and stable association. The bylaws shall be submitted to the Director of Planning for review and approval prior to construction.*
 - b. All common areas and dedicated landscape easements and open space areas shall be maintained by a homeowners' association, including areas of landscaping in the public right-of-way.*
 - c. There will be a minimum of a 20-ft greenbelt along F. M. 549. This greenbelt will be landscaped with an irrigation system, with either decorative iron/metal fencing or split rail style fencing along F.M. 549. Additionally, there will be trees planted at random distances from F.M. 549 at a maximum separation of 30-ft.*
 - d. All linear open space not dedicated to the City shall be landscaped with pedestrian access. The landscaping may either consist of traditional irrigated landscaping or xeriscaping (xeriscaping shall be designed and installed by a credentialed xeriscape landscape architect). This area will be maintained by the Homeowners Association.*

Herbst opened the public hearing.

Chris Cuny, a representative of the applicant, addressed the commission requesting approval and answered questions.

Herbst closed the public hearing.

Smith made a motion to approve the request by Spring Haven Investments, Inc. for a change in zoning from (Ag) Agricultural district to (PD) Planned Development district on a 27.89-acre tract known as Tract 19, Abstract 186, J.A. Ramsey Survey, located on the east side of F.M. 549 immediately south of (PD-64) Planned Development district No. 64 as recommended by staff:

Jackson seconded the motion. The motion was voted on and passed 7 to 0.

SITE PLANS / PLATS

P2006-014

Discuss and consider a request by Amy Miller of Douphrate & Associates, Inc., for approval of a final plat of Lakeview Summit Phase IV Addition, being a 38.056-acre tract zoned (PD-29) Planned Development No. 29 district and situated along the north side of North Lakeshore Drive, and take any action necessary.

Hampton outlined the request stating that the final plat for Lakeview Summit Phase IV shows 97 single family residential lots, one lot (Lot 9A, Block A) intended to provide access to the historic Butler Cemetery, one lot (Lot 22-A, Block A) for a drainage and utility easement, and several landscape buffer tracts that will be maintained by the HOA. Three parking spaces are shown on Lot 9A that are designated for visitors to the cemetery. A variance to the alley requirement was approved by City Council with the preliminary plat for all lots except those in Blocks C, D and E. The lots in Block A that abut the existing alley in The Shores will not access from that alley due to grading issues and the applicant's intention to save trees in this area. The applicant has provided a pedestrian access ROW into the parkland between Lots 37 and 38, Block A. The final plat appears to conform to the approved preliminary plat and meets the minimum requirements of the SF-10 Single Family Residential district that governs this area of PD-29.

The applicant has submitted a draft HOA amendment regarding maintenance of the proposed landscape buffers, medians on Petaluma and the drainage and utility easement (Lot 22-A, Block A). An amendment has already been filed of record regarding the HOA's maintenance of the cemetery parking area (Lot 9A, Block A).

The landscape and screening plan has been amended since the worksession to show wrought iron fencing along N. Lakeshore Dr and Petaluma. The buffer strips along these roads and other common areas are landscaped in accordance with a variety of material. As seen with the preliminary plat, the treescape plan provided by the applicant indicates a significant amount of protected trees on the property (approximately 7,510-inches). A strip of trees along the existing alley along Lots 1-22, Block A will be saved (totaling 361.5-inches). Still, the mitigation requirement for

the removed trees is approximately 6,467.5-inches. City Council approved a 2,160-inch credit in light of the developer's dedication of 5 additional acres of heavily vegetated parkland with Phase 3. The plan notes that 620-inches of trees will be planted in the common areas and 1485-inches will be planted on the lots (five 4.5" trees on corner lots, three 4.5" trees on interior lots). The remaining balance is 2202" of trees, which will be further reduced by credits received from the developer's three transplant weekends and any trees the City Park's department transplanted. Any final, outstanding balance can be paid into the City's tree fund (\$125 per inch) or the developer may arrange to setup a "bank" at a local nursery.

Staff Recommends approval of the request with the following conditions:

1. Final approval by engineering and fire departments.
 - a. Minimum 24-ft street width required on both sides of "split" Petaluma Drive.
 - b. Show right-of-way for Sunnyvale Drive as it intersects Petaluma Drive.
2. Indicate on plat that Lot 22-A, Block A to be maintained by HOA.
3. Update adjacent tract recording information per park dedication with Phase 3 plat.
4. Developer to construct a wrought iron fence with stone columns on all sides of Butler Cemetery.
5. Wrought iron fence to be constructed along entire length of N. Lakeshore and landscape buffer strips on Petaluma Dr (wood fence incorrectly called out behind Lot 9, Block B)
6. Adherence to Parks Board recommendations:
 - a. The developer to construct an 8' wide concrete trail on the north side of N. Lakeshore Drive
 - b. The developer shall pay pro-rata equipment fees in the amount of \$226 per lot for a total of \$22,148.
 - c. The open area on Petaluma Drive to be maintained by the HOA to a Level A.
 - d. The drainage and Utility Easement located at Lombard Drive and Telegraph Drive be maintained by the HOA to a Level C.

Amy Miller, applicant, addressed the commission requesting approval of the request and to answer questions.

Burgamy made a motion to approve the request by Amy Miller of Douphrate & Associates, Inc., for approval of a final plat of Lakeview Summit Phase IV Addition, being a 38.056-acre tract zoned (PD-29) Planned Development No. 29 district and situated along the north side of North Lakeshore Drive, with staff conditions.

Before the motion was voted, Jackson asked if the developer will have to install any signage identifying the cemetery as historic.

Hampton stated that the wrought iron fencing around the cemetery has been agreed to all along by the developer, but to his knowledge signage has never been discussed or required. It is also not certain as to the ownership and maintenance responsibility of the cemetery. Obtaining a historic marker is a specialized process involving time and costs that probably should be initiated by the owner or cemetery group that would want to go through the appropriate procedures.

Herbst suggested that a simple identification sign be required, not necessarily a historic marker.

Jackson asked if Burgamy would amend his motion to include a requirement for ID signage for the cemetery. Burgamy declined to amend the motion.

Bricker seconded the original motion without the signage requirement. The motion was voted on and passed 4 to 3 with Jackson, Lucas and Herbst in opposition.

P2006-016

Discuss and consider a request by Glen and Peg Smith for approval of a final plat of Lots 1 and 2, Block A, Tropical John's Addition, being a 0.66-acre tract zoned (PD-55) Planned Development No. 55 district and (GR) General Retail district, located at the southeast corner of N. Fannin St and Williams St (SH 66), and take any action necessary.

Commissioner Smith left the meeting during discussion of this item stating a conflict of interest.

Hampton outlined the request stating that the applicant has submitted a final plat for two lots to be known as Lots 1 and 2, Block A, Thomas & Smith Addition. The subject property was preliminary platted as the Tropical John's Addition. Lot 1 (0.37-acre) is zoned (PD-55) Planned Development No. 55 district and is the existing Tropical John's plant nursery and landscaping business. Lot 2 (0.29-acre) is zoned (GR) General Retail district and is proposed to accommodate a new restaurant (Smitty's Roadhouse Grill).

With the Tropical John's expansion in late 2003, the proposed Lot 1 was zoned PD-55 (Ord. 03-40). The PD ordinance required that the property be platted and that site plan approval be granted for the parking expansion. Additionally, a variance was granted at that time for gravel, crushed stone or other appropriate paving materials. However, with the proposed restaurant, a shared parking arrangement is proposed. The applicant is proposing to construct a concrete drive and parking area to be used by both the restaurant and existing nursery. A variable width ROW dedication is provided along SH 66 (N. Fannin and Williams) as the ownership currently extends into the roadway.

As stipulated with the approval of the preliminary plat, staff would also require that TXDOT provide a letter stating that the continuous driveway/parking area along the Tropical John's frontage can remain. Otherwise, staff believes this to be a

dangerous configuration and would recommend that the northern half of Lot 1 be closed off for vehicular access (with front fence, more display area, curbing, etc).

A drainage swale along the south property line of Lot 2 has been incorporated into a 7.5-ft easement, with an additional 7.5-ft easement located off-site that must be filed by separate instrument. The property to the south will be leased by the applicant to construct additional parking for the restaurant. A site plan for this parking area can be approved administratively.

Peg Smith, co-owner, and Harold Fetty, surveyor, were at the meeting to answer any questions.

Lucas made a motion to approve the applicant's request for approval of a final plat of Lots 1 and 2, Block A, Tropical John's Addition, being a 0.66-acre tract zoned (PD-55) Planned Development No. 55 district and (GR) General Retail district, located at the southeast corner of N. Fannin St and Williams St (SH 66), with the following conditions:

1. Final approval by engineering and fire department.
2. TXDOT permit(s) required for driveway construction or improvements.
3. Close-off area in front of Tropical John's, or TXDOT approval of continuing existing condition.
4. Dedication of off-site drainage easement by separate instrument prior to filing of final plat.
5. Site plan to be approved administratively for additional parking on leased lot to south of proposed Lot 2.
6. Sidewalk escrow required (\$3.50/sf for 5-ft sidewalk along entire frontage).
7. Shared parking agreement between owners of Lot 1 and 2 to be filed with City and/or County.

Jackson seconded the motion. The motion was voted on and passed 6 to 0 with Smith abstaining.

SP2006-013

Discuss and consider a request by Matthew King for approval of an amended site plan for the Lighthouse Private School located on Lot 1, Block A, Lighthouse Addition, being 2.21-acres zoned "GR" - General Retail Zoning District and located at 951 North Lakeshore Drive, and take any action necessary.

Spencer outlined the request stating that The Lighthouse Private School is located on Lot 1, Block A, Lighthouse Addition, being 2.21-acres zoned "GR" - General Retail Zoning District and situated at 951 North Lakeshore Drive.

The site plan amendment illustrates a layout of one (1) building being 4,400 sq. ft. gym and activities building. The existing thirty-five (35) spaces meet the required

parking for a private elementary school. Along the west property line is an existing masonry wall that separates the existing private school and the alley that serves Northshore Phase 4.

The site plan also shows the relocation of the existing dumpster and enclosure to the northwest corner of the site, the extension of the 24' fire lane along the south side of the existing building and the installation of a new fire hydrant adjacent to the fire lane extension.

The applicant is proposing to plant three (3) 4" caliper Red Oaks along the rear of the proposed gym in an effort to comply with the SH 66 Overlay District.

The applicant has informed staff that the goal of this site plan amendment was to bring the proposed building into architectural harmony with the existing building. The building elevations propose a 35' tall pitched roof structure consisting of cultured stone, glass and stucco. With the proposal by the applicant to try to match the existing building a number of variance will be required:

1. A variance to the standards outlined in Section D(1) Architectural Standards of the SH 66 Overlay Requirements (Requires a 3/4 Council vote for approval) is required for the following items:
 - A. 20% Natural Stone
 - B. More than 50% Cementitious Materials (i.e. stucco)
 - C. Exceeding more than 10% of Secondary Materials (i.e. cultured stone)
2. A variance to the standards outlined in Section D(4) Architectural Standards of the SH 66 Overlay Requirements (Requires a 3/4 Council vote for approval) is required for the following item:
 - A. Lack of Four (4) Architectural Elements incorporated into the building
3. A variance to the standards outlined in Section 4(D)(1) General Commercial Standards of the Commercial district Requirements is required for the following item:
 - A. Lack of Horizontal Articulation

All rooftop and ground mounted mechanical equipment must be screened from all adjacent properties and right of ways. The building elevations have been reviewed and unanimously approved by the Architectural Review Board (ARB).

Staff feels that this is a judgment call for the Planning and Zoning Commission and the City Council and if approved staff would recommend the following conditions:

- 1. Dimension and label existing and proposed fire lane*
- 2. Engineering and Fire Department approval*

If the P&Z and the Council wish to approved the application as submitted it would do so with the following Variances

1. *A variance to the standards outlined in Section D(1) Architectural Standards of the SH 66 Overlay Requirements (Requires a 3/4 Council vote for approval)*
2. *A variance to the standards outlined in Section D(4) Architectural Standards of the SH 66 Overlay Requirements (Requires a 3/4 Council vote for approval)*
3. *A variance to the standards outlined in Section 4(D)(1) General Commercial Standards of the Commercial district Requirements*

Matt King, architect, was present to answer questions.

Lucas stated that while he understood the applicant's purpose of matching their existing building, he believed that at some point new construction or redevelopment in the overlay districts need to comply with today's standards. For example, if someone wanted to redevelop the old Kroger building, he does not think the Commission would approve materials and architecture that matched that existing building.

After further discussion, Bricker made a motion to approve the applicant's request for approval of an amended site plan for the Lighthouse Private School located on Lot 1, Block A, Lighthouse Addition, being 2.21-acres zoned "GR" - General Retail Zoning District and located at 951 North Lakeshore Drive as recommended by staff:

Hunter seconded the motion. The motion was voted on and passed 6 to 1 with Lucas in opposition.

SP2006-014

Discuss and consider a request from Matthew King for approval of an amended site plan for Ridge Road Town Centre, specifically for construction of a drive through canopy for Jefferson Bank, on a 7.64 acre tract zoned "C" - Commercial Zoning District, located on Ridge Road north of Vigor Way (private), and take any action necessary.

Hampton stated that Matthew King, architect, has submitted an application on behalf of Jefferson Bank to amend the site plan for Ridge Road Town Centre, specifically to add a drive-thru canopy structure within the existing parking lot. The applicant is proposing to remove a row of 15 existing spaces situated between Buildings A and B, and replace them with 15 new spaces (7 directly behind Culvers and 8 in the rear of Building A). It does not appear that any existing landscaping would be affected by the new spaces; however, there is an existing landscape island which would be affected by the modifications for the drive-thru canopy and stacking lanes.

The structure itself consists of brick and stone to match the shopping center, and has been amended since the worksession to incorporate at least 20% stone to comply with current Scenic Overlay standards. A lighting detail has been submitted for the proposed canopy lighting, which shall be recessed within the canopy or be fully cut-off to comply with City specifications.

From a technical standpoint, the site plan appears to comply with City standards. However, staff feels it should be noted that the proposed amendment affects some of the original site plan concepts that the Architectural Review Board and Planning and Zoning Commission required during their initial review in late 2002 and early 2003. Attached is a letter from the original architect and applicant (Halff Associates) dated 12/20/2002, listing changes made at that time in response to specific concerns of the Commission regarding walkability within the center and the overall aesthetics (landscaping, building elevations, etc). Staff feels it is a judgment call for the Commission to decide whether the proposed plan maintains the overall concept presented and approved at that time, or if the proposed drive-thru would negatively impact the circulation and/or aesthetics that were worked out in the approved plan.

David Cook of Jefferson Bank and Matt King, architect, came forward to address the Commission and answer any questions that they had. They discussed that they did not plan to have an ATM machine and they discussed the stacking spaces. Mr. Cook also discussed the bank's history in Rockwall and why he thinks this site will work as their new location. They will be moving from their present location on Ralph Hall Pkwy in the Buffington office building.

Extensive discussion followed about concerns of circulation, safety for other customers and employees in the center that would be crossing the drive-thru, and if the layout made sense from a business standpoint for the bank. Bricker stated he felt like there just was not a way that this existing site and lease space could reasonably accommodate a drive-thru bank.

Jackson made a motion to approve a request from Matthew King for approval of an amended site plan for Ridge Road Town Centre, specifically for construction of a drive through canopy for Jefferson Bank, on a 7.64 acre tract zoned "C" - Commercial Zoning District, located on Ridge Road north of Vigor Way (private) with the following staff conditions:

1. Approval by engineering and fire departments.
2. Replace or transplant affected landscaping to maintain minimum parking lot landscaping standards, including replacement of "dead 3-inch Elm tree."

Smith seconded the motion. The motion was voted on and passed 4 to 3 with Lucas, Herbst and Bricker in opposition.

ADDITIONAL DISCUSSION ITEMS

Review and discuss revised plans for Rockwall Crossing Phase II. Staff and the Commission discussed the latest plans for Rockwall Crossing Phase II. The plan still needs a recommendation from the Architectural Review Board. Staff will pass on any comments that the Commission had to the developer as they continue to move forward.

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:01 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION WORKSESSION
May 30, 2006**

CALL TO ORDER

The meeting was called to order by chairman, Phillip Herbst at 6:00 p.m. with the following members present; Bill Bricker, Mike Lucas, Greg Burgamy, Connie Jackson and Michael Hunter. Glen Smith was absent.

Staff Present; Robert LaCroix, Michael Hampton, Chris Spencer, and Leslie Ryan.

PUBLIC HEARING ITEMS

AM2006-002

Hold a public and consider approval of a city initiated amendment to the City of Rockwall Code of Ordinances - Subdivision Regulations - Chapter 24 - Amending the following sections: Section 24-7, Master Plat, subsections (a) and (b); Section 24-8, Preliminary Plats, adding a new subsection (a) and renumbering succeeding subsections; and Section 24-9, Final Plat, subsection (a), and take any action necessary.

Staff has prepared a set of amendments to the Subdivision Ordinance with regards to platting in ETJ (Extraterritorial Jurisdiction). These amendments eliminate the requirement and do not continue to permit the master plat process and the preliminary plat process for property wishing to be subdivided in the ETJ (Extraterritorial Jurisdiction) unless the property owner and the City have executed a development agreement pursuant to Tex. Loc. Gov. Code sec. 212.172. Where a master plat or a preliminary plat are not permitted to be filed, a final plat application shall be prepared in accordance with the conditions of approval and submitted to the City's engineer and planning director for review and transmission to the City's Planning and Zoning Commission.

Herbst opened the public hearing.

Herbst asked if anyone wished to speak. There being no response, Herbst closed the public hearing.

Burgamy made a motion to approve the request with the following condition:

1. Remove the word "for" in Section 24-9(a).

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

P2006-020

Discuss and consider a request from First Baptist Church for approval of a replat of Lot 1, Block A, First Baptist Church Addition, being a 7.52-acre tract zoned (GR) General Retail district, (PD-12) Planned Development district and (SF-7) Single Family district and located at the northwest corner of Goliad (SH 205) and Boydston Drive.

The replat of Lot 1, Block A, First Baptist Church Addition is intended to accommodate a new children's building for the church. Fire lane and utility easements are to be abandoned, reconfigured and dedicated for the areas affected by the proposed building, adjacent to the existing cemetery. The replat for the remaining portion of the site includes the dedication of all other necessary fire lane, access and utility easement. The development must meet all requirements of the City's fire and engineering departments during engineering review (ongoing), but appears to meet all city requirements and is recommended for approval at this time.

The applicant requested that this item be tabled.

Motion made by Burgamy, seconded by Bricker to table this item for an unspecified amount of time. The motion passed 6 to 0.

There being no further action items the commission continued to the work session agenda.

ADJOURNMENT

The meeting was adjourned at 9:00 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
June 13, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Phillip Herbst at 6:00 p.m. with the following members present; Greg Burgamy, Mike Lucas, Bill Bricker, Connie Jackson, Glen Smith, and Michael Hunter.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, Leslie Ryan, and Kim Whitley.

Approval of Minutes from May 9, 2006 Planning and Zoning Commission meeting

Hunter made a motion to approve the May 9th minutes.

Burgamy seconded the motion. The motion was voted on and passed 7 to 0.

Approval of Minutes from May 30, 2006 Planning and Zoning Commission meeting

Jackson made a motion to approve the May 30th minutes.

Burgamy seconded the motion. The motion was voted on and passed 6 to 0 with Smith abstaining.

PUBLIC HEARING ITEMS

Z2006-010

Hold a public hearing and consider a request by Brian Walker for approval of a Specific Use Permit (SUP) allowing for a deck/patio within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the take area adjacent to their property at 1170 Crestcove Drive, being Lot 22, Block B, Hillcrest Shores Phase 3 Addition, and take any action necessary.

Hampton stated that the applicant, Mr. Walker, has made a request for approval of a Specific Use Permit (SUP) allowing for a deck/patio within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the take area adjacent to their property at 1170 Crestcove Drive, being Lot 22, Block B, Hillcrest Shores Phase 3 Addition.

The applicant has entered into a sublease agreement with the City for the takeline area adjacent to their property. The applicant is proposing a 10-ft by 20-ft deck with a 16-ft by 10-ft staircase (total 520-sf). As the Commission and Council might recall from a previous case (Z2006-003) for the Brown property located adjacent to the subject tract, the take area at the Hillcrest Shores Phase 3 subdivision is separated by a significant retaining wall. These 6 to 8 lots are likely the only lots where stairs and/or ramps can be considered in conjunction with a deck because of the grade differential. Due to the unique nature of the site staff feels that strong consideration

should be given to the applicant's request of incorporating the stairs into the deck. Additionally, these lots have the capability of incorporating a small storage building under the deck. As part of the SUP, the applicant is proposing to utilize a roll-top door and a stone/rock wall to create a secure storage space under the deck. The applicant has indicated on their plans that no trees will be cut on the property.

Staff mailed out twelve notices to property owners located within 200 feet of the property in question. One notice was returned in favor and none were returned in opposition.

Herbst opened the public hearing.

Brian Walker, applicant, came forward to address the commission and answer any questions.

Herbst closed the public hearing.

After brief discussion, Smith made a motion to approve the request by Brian Walker for approval of a Specific Use Permit (SUP) allowing for a deck/patio within the Lake Ray Hubbard Takeline Overlay (TL OV) District, in the take area adjacent to their property at 1170 Crestcove Drive, being Lot 22, Block B, Hillcrest Shores Phase 3 Addition as recommended by staff:

5. Deck area shall have a maximum area of 1,000 Sq. Ft, including stairs.
6. Maintain 20' side yard setback on each side of the deck as required by the Takeline Overlay Ordinance.
7. Deck must be anchored into the ground.
8. Deck must be built using water resistant wood and/or native stone.
9. Any railing built on the deck must have a water resistant wood picket with steel tubing railings or water resistant wood.
10. Earth work construction for the deck must comply with the erosion control standards set in the Interlocal Agreement and Lease.
11. The deck must comply with all other City of Rockwall codes.

Jackson seconded the motion. The motion was voted on and passed 7 to 0.

Z2006-011

Hold a public hearing and consider a request by Brent Lemmond of Dallas Towboys for approval of a Specific Use Permit (SUP) to allow for a "Towing and Impound Yard" within the (HC) Heavy Commercial district, on property described as Lot 4, Block A, Rockwall 205 Business Park (unrecorded) and located at 291 National Drive, and take any action necessary.

Ryan outlined that Brent Lemmond of Dallas Towboys has made an application for approval of a Specific Use Permit (SUP) to allow for a "Towing and Impound Yard"

within the (HC) Heavy Commercial district at 291 National Drive. The applicant submitted an SUP application (Z2006-005) earlier this year for this use on the property; however the Council denied the application due to the applicant's absence at the public hearings. The P&Z had recommended approval with the conditions below.

Under the current zoning of (HC) Heavy Commercial the applicant is allowed to operate a "Tow Yard" by right, the SUP is being required for operation of an "Impound Yard".

The applicant is proposing to improve the property with concrete parking and additional trees adjacent to the existing building. The proposed "Towing and Impound Yard" is shown on the site plan to be screened from National drive by a wood board privacy fence with a sliding gate. At the Work Session the Planning and Zoning Commission requested that a live screen located inside the proposed screen fence be placed on all sides of the proposed site. Staff feels that a fast growing screen such as Red Tip Photinias (5 Gallon at the time of planting) placed at 5' on-center would provide for a thorough screen in a timely manner.

Staff feels that the "Towing and Impound Yard", properly screened would not only improve the property, but would improve the entire area. Currently located within the area is a towing company, several unscreened storage facilities, and a construction company.

Staff mailed out thirteen notices to property owners located within 200 feet of the property in question. One notice was returned in favor and none were returned in opposition.

Herbst opened the public hearing.

Brent Lemmond, the applicant, addressed the commission requesting approval and to answer any questions.

Herbst closed the public hearing.

Burgamy made a motion to approve the request by Brent Lemmond of Dallas Towboys for approval of a Specific Use Permit (SUP) to allow for a "Towing and Impound Yard" within the (HC) Heavy Commercial district, on property described as Lot 4, Block A, Rockwall 205 Business Park (unrecorded) and located at 291 National Drive, subject to the following conditions:

5. Adherence to all Engineering and Fire Department requirements.
6. Relocation of dumpster.
7. The dumpster enclosure to be a minimum of 8' in height and be of masonry construction.
8. The dumpster gates be metal panel.

9. The four (4) trees adjacent to the building be a minimum 3" caliper shade tree (as defined by the recommend tree list) at the time of planting.
10. All sides of the "Impound Yard" be screened with Red Tip Photinias, a minimum of 5 gallons, planted at 5' on center located within the screening fence.
11. All security fencing shall be a minimum 6' feet in height with two (2) strands of security wire at the top.
12. All impounded vehicles shall be limited to a maximum of seventy-five (75) days of on-site storage.
13. Only running/working cars shall be impounded on-site.

Jackson seconded the motion. The motion was voted on and passed 7 to 0.

ARCHITECTURAL REVIEW BOARD ITEMS

SP2006-016

Discuss and consider a request by Michael Alturk of MA Engineering for approval of a site plan for the Gateway Convenience Store and Subway, located on Tract 2-2, Abstract 186, J.A. Ramsey Survey, being a 2.0-acre tract zoned (PD-46) Planned Development No. 46 and situated within the SH 276 Corridor Overlay District and FM 549 Corridor Overlay District, and take any action necessary.

Hampton stated that the applicant has submitted a site plan for redevelopment of the site at the northeast corner of FM 549 and SH 276, which has previously been used for automotive tire and battery sales. The proposal is to upgrade the existing structure to bring it into compliance with current City standards and overlay requirements as much as possible without expanding the building to accommodate a convenience store with gasoline sales, along with an accessory Subway restaurant. The site plan proposes to utilize two existing driveways onto FM 549 and SH 276; however, engineering and TXDOT approval is required. Staff has encouraged the applicant to consider cross access drives now or at the time adjacent properties develop, particularly considering the planned roadway improvements for these roadways that could limit access into the subject property. The site plan includes a 20-ft ROW dedication along FM 549, parking areas and firelanes paved to City standards, and landscaping buffers to meet overlay requirements. Adequate parking is provided for the retail use.

The landscape plan shows the required 15-ft buffers along 549 and 276, which are landscaped with 4-inch canopy trees and accent trees accordingly, along with shrubs and berming. The plan also shows approximately 16 4-inch Oak trees along the rear and side yards which meet rear landscaping standards in the Overlay district as well as mitigate for the proposed removal of several Ash trees (staff calculates 36-inches total). It appears that three Ash trees can be saved within the FM 549 landscape buffer.

The building elevations propose to alter the "skin" of the existing metal building to include a minimum 20% stone as well as brick along the front and west facades, which abut SH 276 and FM 549 respectively. Additionally, architectural features and awnings are incorporated along these facades in an effort to comply with vertical articulation standards. Brick is also proposed on the rear and east facades. The elevations also illustrate the 18-ft tall pre-finished metal canopy for the gasoline sales area, as well as the required 8-ft brick dumpster enclosure. It is staff's opinion that the proposed elevations would greatly improve the existing structure, and would recommend approval.

Finally, the lighting plan features fixtures with a maximum mounting height of 20-ft to meet overlay standards. The lighting levels also appear to approach zero-FC if measured at the property lines. There are no residential tracts adjacent to this lot.

Staff recommends approval of the site plan with the following conditions:

5. Submittal and approval of engineering plans.
6. Submittal and approval of a final plat after approval of engineering plans.
7. TXDOT permit(s) required for new or reconstructed driveways.
8. Approval from NTMWD for proposed landscaping within 50-ft easement.
9. Cross access easements to be considered at time of final plat for future expansion and/or connection to adjacent properties.
10. All exterior lighting (including canopy lighting) must be full or partial cut-off fixtures, as defined by the Unified Development Code.
11. All roof or ground-mounted mechanical equipment shall be screened from horizontal view from public right-of-ways and adjacent properties.
12. Adherence to Architectural Review Board recommendations.
 - a. The colors of the proposed EIFS cornice and awnings shall match.
 - b. Stone "water table" shall be continued on rear elevation.

Michael Alturk, applicant, addressed the commission requesting approval of the request and to answer questions.

Jackson made a motion to approve the request by Michael Alturk of MA Engineering for approval of a site plan for the Gateway Convenience Store and Subway, with staff conditions and the following added conditions:

5. The backside of vertical projections on front elevation shall be painted to match the color of proposed brick with a durable paint.
6. Existing ground-mounted mechanical equipment on site to be screened with additional landscaping.

Smith seconded the motion. The motion was voted on and passed 7 to 0.

SITE PLANS/ PLATS

SP2006-009

Discuss and consider a request by Robert Calderon of The Wallace Group, Inc., for approval of a site plan of a retail building located on Lot 4, Block A, Rockwall Crossing Addition, a 1.208-acre tract zoned (C) Commercial and situated within the (I-30 OV) I-30 Corridor Overlay District, located at 903 Interstate 30, and take any action necessary.

Spencer outlined the request stating that the subject site is a 1.64-acre tract located on Lot 1 and Lot 4, Block A, Rockwall Crossing Addition. The site plan for the proposed retail/restaurant illustrates a layout of one (1) building being 7,893 sq. ft. The required parking for the intended use is sixty (60) spaces, and the applicant is exceeding city requirements by providing one-hundred (100) spaces, including two (2) handicap accessible. The site plan shows one (1) drive-thru lane located along the east side of the building with the required stacking of six (6) spaces. The site will be accessed via one (1) proposed drive from I-30. Mutual access easements will tie the proposed site into the rest of the already developed Rockwall Crossing.

The landscape plan indicates the site meeting the requirements of 15% site landscaping for the Commercial Zoning district. The landscape buffer along I-30 is shown on the landscape plan to be a minimum 20-ft in width with eighteen (18) 4" caliper shade trees and sixteen (16) 8' tall ornamental trees exceeding city requirements. The applicant is proposing to install additional shrubs along the west side of the building. The I-30 Overlay requires that a row of trees be planted along the rear facade of the building. As submitted the landscape plan now complies with the above stated requirement for trees located along the rear facade of the building.

The building elevations propose a 22'8" tall typical structure consisting of natural stone, stucco, glass and split-face CMU. The applicant has submitted elevations that show the proposed building meeting all of the I-30 Overlay requirements and still being in the same context as some the existing buildings already constructed in the Rockwall Crossing development. The Architectural Review Board (ARB) recommended approval of the revised elevations by a unanimous vote.

The photometric plan meets all city standards. The maximum height of any pole light located within the I-30 Overlay is 30' (including the base).

Staff Recommends approval of the request with the following conditions:

5. Screening all roof-top and ground mounted mechanical equipment from adjacent properties and city rights-of-way.
6. Adherence to all Engineering and Fire Department requirements.
7. Approval of replat.
8. Fire lanes are to also be access and utility easements.
9. All pole lighting shall have a maximum height of 30' (including pole base).

10. Mutual parking agreement between lot 1 and lot 4.

Don Dalton, the applicant, was at the meeting to address the commission and answer any questions.

Burgamy made a motion to approve the request by Robert Calderon of The Wallace Group, Inc., for approval of a site plan of a retail building located on Lot 4, Block A, Rockwall Crossing Addition, a 1.208-acre tract zoned (C) Commercial and situated within the (I-30 OV) I-30 Corridor Overlay District, located at 903 Interstate 30, as recommended by staff.

Jackson seconded the motion. The motion was voted on and passed 7 to 0.

SP2006-010

Discuss and consider a request by Don Dalton of The Woodmont Company for approval of a site plan for Rockwall Crossing Phase 2, being a 509,000 (+/-) sq ft commercial development located on approximately 45.72-acres currently described as Rockwall Business Park East. The subject property is zoned (PD-14) Planned Development No. 14 district and (C) Commercial district, is situated within the I-30 Corridor Overlay District and SH 205 Corridor Overlay district, and located along the south side of I-30, north side of Ralph Hall Pkwy, west of SH 205 and immediately east of Rockwall Crossing Phase 1.

Hampton outlined the request stating that the subject property is zoned (PD-14) Planned Development No. 14 (Ord. 82-2 and 83-60) and (C) Commercial district, and has been platted as Rockwall Business Park East. However, the site has remained largely underdeveloped. The applicant's site plan includes a proposal for the abandonment and sale of the existing Plaza Drive as well as Mayfair Drive (platted, but never constructed). The existing Country Day School on Plaza Drive will be relocated to their new site on Mims Rd, a site plan for which was recently approved by the Commission and City Council. The proposed retail, office and restaurant development conforms to the underlying zoning of "C" Commercial and "LI" Light Industrial within PD-14.

The latest plans for the proposed Rockwall Crossing Phase 2, or "The Plaza at Rockwall," consists of approximately 508,119-sf of retail, office and restaurant space, including major anchor tenants Best Buy, Ulta, Academy, Staples, JC Penney and Belk. The site is accessed from two proposed drives from the IH-30 service road, one drive from SH 205 and three drives from Ralph Hall Pkwy. Staff has asked the developer to provide cross access from Rockwall Crossing Phase 1, easements for which were provided in two locations within Phase 1. Staff is also working with engineers on the La Madeleine site to obtain an additional point of cross access to improve circulation between the two shopping centers. To this point, the developer has not shown any connections on the Phase 2 site plan to Phase 1, *requiring approval of a variance to the IH-30 Overlay requirements by a ¾ vote of the City Council.* Staff would strongly encourage the Commission and Council to consider cross access between Phases 1 and 2.

The applicant has utilized the City's joint use parking calculations to determine the minimum amount of parking. The calculations have determined that the highest number of parking spaces are needed during the 12pm to 1pm peak hour, during which the required parking is as follows:

Office (17,198-sf) =	52 spaces (90% of 57)
Retail (450,358-sf) =	1,801 spaces (100%)
Restaurant (40,000-sf) =	280 spaces (70% of 400)

Using this calculation, the total parking required is 2,133 spaces, and the applicant is providing 2,172 spaces. Staff has attached the joint use parking worksheet to this report.

The developer has created several revisions of the site plan in efforts to address staff and Planning and Zoning Commission concerns relative to building layout and pedestrian circulation. The northeastern portion of the site features more of a "town-center" type design with a mix of office, retail and restaurant buildings with highly articulated facades and wider sidewalks. Included is the focal point of the development – The Plaza – which resembles an open food court with various restaurants oriented around a water feature and pedestrian courtyard, including multiple areas for outside dining. From the plaza area are sidewalk connections with landscaping and arbor covers that are intended to encourage pedestrian traffic to/from the big-box retail anchors, in front of which are also larger sidewalks with landscaping.

Throughout the site plan review process, general engineering and fire department comments have been forwarded to the applicant. Detailed engineering plans must be submitted and approved prior to approval of a final plat or replat of the property. Engineering and fire review will include approval of firelane and fire hydrant locations, driveway locations and required TXDOT permits, utility issues, turn lanes and deceleration lanes, etc.

The applicant has submitted elevations for all twenty-six buildings along with a detailed list of exterior materials shown throughout the plans. Elevations and building material samples have been presented and approved by the Architectural Review Board. Staff has attached the materials list to this report. The primary materials used throughout are natural stone, integral color CMU, stucco or plaster, and marble tile, with standing seam metal on those structures with a pitched-roof. Samples are also provided for certain architectural elements such as the fabric and metal awnings.

Overall, the development appears to meet the new guidelines for both the IH-30 and/or SH 205 Corridor Overlay district standards, as well as the City's general articulation standards. Each building appears to comply with the minimum 20% natural stone requirement, as well as the minimum 90% primary masonry material requirement. All buildings feature a variety of architectural elements, and the developer has indicated that all roof- and ground-mounted equipment will be

screened in accordance with overlay requirements. Staff would follow-up on previous comments and discussion on this project relative to the following:

- The west (rear) facades of Buildings 2, 3, 4 and 6 (i.e. Best Buy, Staples, Ulta and Academy) does not feature a row of landscaping. However, landscaping has or will be installed in Phase 1 along the common property line at La Madeleine, “PBA East” and the detention area.
- Rear of buildings 9-16 (adjacent to truck stop) are not “finished” on the same side with same details as the other three sides. Given its function as a loading and service side of the building, its proximity to the truck stop and the staff’s recommendation to provide a heavy landscape screen along the property line at this location, the proposed elevations appear reasonable. The applicant has “wrapped” architectural features and storefront windows at the front corner, and staff would suggest that signage and/or murals be utilized on these walls to provide color and finish-out.
- Several of the smaller buildings, particularly within the food court plaza, are less than 6,000-sf and do not propose a pitched roof. However, it is staff’s opinion that these buildings are grouped together and in most cases structurally connected with architectural elements with an intent to maintain a uniform design scheme throughout the shopping center. Staff feels that changing the roof style on these buildings would be a detriment to the overall concept.

The photometric plan submitted for project appears to meet City requirements in that anticipated light levels do not exceed 0.2-FC at the property lines, except in the area along Ralph Hall Pkwy behind Belk (Building 8). The maximum mounting height for all exterior lighting is 30-ft in the IH-30 Overlay district, and all fixtures must be full or partial cut-off as defined in the Unified Development Code.

The subject site features a large number of trees, primarily located along or within two existing creek draws. Because of grading issues, the developer has indicated that all trees are proposed for removal. If all protected trees are in fact removed, the required tree mitigation is 3,703-inches. The calculations provided by the applicant appear to be in conformance with the City’s tree ordinance. The landscape plan includes measures for tree mitigation, including 340, 5-inch trees (or 1700-inches) beyond the landscape requirements. Additionally, the applicant is proposing to increase the size of at least 1002 trees on the landscape plan from the minimum 3-inches to 5-inches to satisfy the remaining 2003-inches of mitigation.

The overall site area of 1,990,231-sf requires a minimum of 15% (or 298,534-sf) of landscape area. The overlay requirements require 40 canopy trees and 53 accent trees along IH-30, and 16 canopy trees and 21 accent trees along SH 205. Additionally, a minimum of 34 trees are required along Ralph Hall Pkwy. All parking areas appear to be landscaped in accordance with the spacing and quantity

requirements set forth in the landscape ordinance. The 77,248-sf of detention area requires a minimum of 103 trees (one per 750-sf).

On 5/30/06 the Architectural Review Board recommended approval of the revised site plan and building elevations for Rockwall Crossing Phase 2, with the condition that color elevations showing rear signage and finish-out be provided to the Board for the JC Penney and Belk buildings for final acceptance and/or comments.

Staff recommends approval of the site plan with the following conditions:

5. Council approval of facilities agreement regarding developer acquisition of ROW for Mayfair Dr and Plaza Dr.
6. Submittal and approval of engineering plans.
7. Submittal and approval of a final plat or replat.
8. Adherence to all fire department requirements.
9. Approval of variance to the IH-30 Corridor Overlay district for cross access by a $\frac{3}{4}$ vote of the City Council.
10. All roof-top and/or ground-mounted mechanical equipment shall be completely screened from horizontal view from public right-of-ways and adjacent properties.
11. Landscape and treescape plans to meet City specifications.

Don Dalton, applicant, came forward to address staff comments and the commissioner's questions.

Extensive discussion followed about concerns of the depth of the parking spaces and what would happen to the walking paths if those spaces were increased to meet the minimum requirement of 20 feet. Commissioner Lucas also discussed interest in making the elevation and signage on the rear of the Belk building match the front elevation of the building.

After further discussion, Jackson made a motion to approve the request by Don Dalton of The Woodmont Company for approval of a site plan for Rockwall Crossing Phase 2, being a 509,000 sq ft commercial development located on approximately 45.72-acres currently described as Rockwall Business Park East, with staff recommendations and the following additional conditions:

5. Cross access to be provided adjacent to the La Madeleine site.
6. Landscape buffer shown along west property line of TA truckstop shall be continued along the south property line of TA truckstop.
7. Rear elevation of Belk building to feature similar architectural elements and signage shown on other two sides of building.
8. Developer to revise site plan using 9'x20' parking spaces, or incorporate one-way angled parking in accordance with City standards.

Lucas seconded the motion. The motion was voted on and passed 7 to 0.

SP2006-004

Discuss and consider a request by Donald Freeman of Perkins + Will for approval of a PD Site Plan for the Presbyterian Hospital of Rockwall, located on a 13.49-acre tract zoned (PD-9) Planned Development No. 9 district and situated west of Horizon Rd (FM 3097), south of Rockwall Pkwy, east of Summer Lee Drive, and north of Tubbs Rd, and take any action necessary.

LaCroix stated that a site plan has been submitted for this property that indicates a 123,915 square foot hospital facility. The one-story portion is to house the support facilities which include the emergency room, operating rooms, x-ray area, offices, etc., while the two-story portion will house the bed tower containing 58 beds. Future plans for the bed tower would expand this section to four stories and increase the beds to 150. The future expansion would increase the total hospital area to 173,793 square feet. Included in the plan is the future construction of two medical office buildings each proposed to be 40,000 square feet in area yielding a total of 80,000 square feet. Future medical office building and hospital parking are indicated on the north side of the property near Rockwall Parkway and on the west side near Summer Lee Drive. The plan also indicated two areas of covered physician parking which will be required to be gated. The parking requirements for this first phase of development are as follows:

New Hospital = 123,915 sq. ft.

1 space per bed	58 beds = 58 spaces
1 space per employee	140 employees = 140 spaces
4 spaces per O.R., etc.	28 rooms = 112 spaces
Total =	310 total spaces required
	335 total spaces provided

Access to the site is being provided at the main campus entry from FM 3097 with an ambulance entrance from Rockwall Parkway and additional access entrances from the future Tubbs Road and Summer Lee Drive. Left turn lanes and deceleration lanes will be required along FM 3097.

A helipad site, originally proposed on the west side of the property near Summer Lee Drive, has been relocated to the front of the building in the proposed parking area. This relocation will provide the maximum distance and screening from the residential neighborhood adjacent to Summer Lee Drive.

The building elevations indicated the building to be 100% masonry construction which consists of brick, CMU veneer, stone masonry veneer, and cast stone sills and coping. The elevations indicate that the facades either meet or exceed the 20% stone standard with the exception of the façade along Summer Lee Drive which indicates 15% stone. Proportionately, the building has an average of over 28% stone. The applicant has also indicated the use of metal wall panels to be used as screening for the roof mounted equipment. This will require a waiver to the

screening requirements for roof mounted equipment. The building elevations indicate that the majority of the building façade are meeting the horizontal articulation requirements of the Commercial District Development Standards; however, the longer spans of wall elevations are not meeting the vertical articulation standards. Therefore, a waiver of the vertical articulation standards is being sought by the applicant. Each of these waivers require a simple majority vote by the City Council for approval.

The applicant has submitted a landscaping plan with the site plan. This plan indicates planting of a variety of trees, shrubs and ground cover. The Planned Development District for this property requires a minimum of 10% overall landscaping. The plan shows landscaping within the parking area, in front and surrounding the entire building complex, and a substantial landscape screening buffer along the Summer Lee frontage. This buffer consists of approximately 89 eastern red cedar, 20 red oaks, 38 ornamental trees (redbud and whitebud) and additional grass and ground cover. This screening buffer will also be elevated 4 feet above the curb line of Summer Lee. Substantial landscaping is also proposed for the entry along FM 3097 to the main entry of the building.

A tree survey and tree plan has been submitted with the site plan. This site has a tremendous amount of cedar trees, many of which do not exceed 11 inches and therefore do not require mitigation. However, the plan does call for the mitigation of 397 inches of trees – including 50% mitigation for cedars and hackberry exceeding 11 inches. The majority, if not all trees, will be removed with one large pecan which is slated to remain.

The applicant has submitted a lighting plan for the site which includes lighting of the parking area with pole lights and surface ground lights. In addition, there will be lighting of entries around the building. The lighting spill over should not exceed 0.2 foot candles at the property line to ensure the light is contained on the property. Some adjustment to this plan may need to occur as the project proceeds. Lowering the height of the pole lights near Summer Lee will help lessen the affect on the adjacent residential neighborhood.

The applicant has submitted a signage site plan indicating a number of free standing directional signs, monument signs and identification wall signs for the emergency entry and ambulance entry. These signs will be reviewed by the Code Enforcement Department for compliance, but should be considered as part of the approval process for the overall site plan. Separate sign permits will be required.

On 5/30/06 the Architectural Review Board discussed the project and voiced concerns that the building appeared "bland" and that the site plan (in particular the parking) was not laid out effectively. However, the building appeared to meet all applicable City codes, except that a variance was sought for the minimum 20% stone requirement (15% provided) for the facade visible from Summer Lee Dr.

Staff recommends approval with the following conditions:

5. Final approval of the engineering plans.
6. Final approval of the Fire Department requirements.
7. Submittal and approval of a final plat.
8. Relocation of the helipad site to front of the building as per the revised plan.
9. That the maximum pole height for lights near or adjacent to Summer Lee Drive be 20 feet.
10. Approval of an exception to the vertical articulation standards on those facades not meeting the standards as per the submitted building elevations.
11. Approval of an exception to allow metal panel screening of roof-mounted equipment as indicated on the submitted building elevations.
12. Approval of an exception to allow less than 20% stone (i.e. 15%) on the west elevation as indicated on the submitted building elevations.

Randy Hood of Perkins + Will, Architect, was present to address staff comments and the commissioner's questions.

The commission discussed the off-site drainage and detention and the expansion of the lake. In addition, they discussed the screening and landscaping of the detention and mechanical yard.

Bricker made a motion to approve the request by Donald Freeman of Perkins + Will for approval of a PD Site Plan for the Presbyterian Hospital of Rockwall, located on a 13.49-acre tract zoned (PD-9) Planned Development No. 9 district as recommended by staff and with the additional conditions:

5. Maximum height of patient/bed tower shall be 4-story, and maximum height of the Ancillary/ER building shall be 1-story except the northeast corner of the building which is designed for 2-story.
6. Delivery times shall be limited to between 7:00 a.m. and 7:00 p.m.
7. Sirens shall be turned off at FM 3097 and Rockwall Parkway.
8. Ambulance entrance shall be limited to Rockwall Parkway.

Smith seconded the motion. The motion was voted on and passed 6 to 1 with Jackson in opposition.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:05 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION WORKSESSION
June 27, 2006**

CALL TO ORDER

The meeting was called to order by chairman, Phillip Herbst at 6:00 p.m. with the following members present; Bill Bricker, Mike Lucas, Greg Burgamy, Connie Jackson, Glen Smith and Michael Hunter.

Staff Present: Robert LaCroix, Michael Hampton, Chris Spencer, and Leslie Ryan.

PUBLIC HEARING ITEMS

SP2006-018

Discuss and consider a request from Blake Kitch of Genesis Design Group for approval of amended building elevations for a proposed CVS Pharmacy to be located on Lot 1R, Block B, Quail Run Retail Addition, located at 2004 N. Goliad (SH 205) and zoned (PD-5) Planned Development No. 5 district, and take any action necessary.

Spencer stated that staff has received an application for amendment to the existing building located at SH 205 and Quail Run Road. The applicant is proposing to amend the approved elevations to reflect the proposed tenant's corporate identity. The changes to the approved elevations are minimal, occurring only to the tower elements located on three (3) sides of the existing building. The tower elements on the existing building are pitched reflecting the old owner's (Eckerd) corporate identity. The new tenant is proposing to remove the pitched element from the existing towers. In addition, the applicant is also proposing to alter the tower on the front façade to reflect more of a store front appearance.

The Planning and Zoning Commission and City Council approved the elevations for the existing building in October of 2003.

Staff recommends approval of the elevation amendments subject to the condition that any changes in the elevations match the existing building in color and materials.

Hunter stated he preferred the existing design of the roof to the proposed changes.

Jackson made a motion to approve the request with staff recommendations and the following condition:

1. The color of all mechanical screening match the proposed roof.

Smith seconded the motion. The motion was voted on and passed 6 to 1 with Hunter against.

There being no further action items the commission continued to the work session.

ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
July 11, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Phillip Herbst at 6:00 p.m. with the following members present; Greg Burgamy, Mike Lucas, Bill Bricker, Glen Smith, and Michael Hunter. Connie Jackson was absent.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, Leslie Ryan, and Kim Whitley.

Approval of Minutes from June 13, 2006 Planning and Zoning Commission meeting

Burgamy made a motion to approve the June 13th minutes.

Lucas seconded the motion. The motion was voted on and passed 6 to 0.

Approval of Minutes from June 27, 2006 Planning and Zoning Commission meeting

Smith made a motion to approve the June 27th minutes.

Burgamy seconded the motion. The motion was voted on and passed 6 to 0.

CONSENT AGENDA ITEMS

1. P2006-020

Discuss and consider a request from First Baptist Church for approval of a replat of Lot 1, Block A, First Baptist Church Addition, being a 7.52-acre tract zoned (GR) General Retail district, (SF-10) Single Family Residential district and (SF-7) Single Family Residential district and located at the northwest corner of Goliad (SH 205) and Boydstun Drive, and take any action necessary.

2. P2006-021

Discuss and consider a request by Randall Curington of Spring Haven Investments, Inc. for approval of a preliminary plat for Fontanna Ranch Phase III, being a 27.89-acre tract zoned (PD-67) Planned Development No. 67 district and located on the east side of FM 549, directly south of Fontanna Ranch Phase I, and take any action necessary.

3. P2006-023

Discuss and consider a request by Sean Flaherty of The Wallace Group, Inc., for approval of a replat of Lot 2, Block A, Rockwall Crossing Addition, being a 1.42-acre tract zoned (C) Commercial and located along the south side of Interstate 30, and take any action necessary.

4. P2006-024

Discuss and consider a request by Kyung Hwan In and Jee Hyung Chung for approval of a final plat for Lot 1, Block A, Yellow Jacket Addition, being a 1.129-acre tract zoned (C) Commercial district and situated at the northeast corner of Ridge Road and Yellow Jacket Lane, and take any action necessary.

5. P2006-025

Discuss and consider a request from Pat Grady of Lakeside Chevrolet Co. for approval of a replat of Lakeside Chevrolet Addition, located at 2005 S. Goliad, being a 8.692-acre tract zoned (C) Commercial district and situated within the SH 205 Overlay District and IH-30 Overlay District, and take any action necessary.

6. SP2006-017

Discuss and consider a request by Stephen Seitz for approval of a site plan for a medical office building located on Lot 15, Block A, Horizon Ridge Addition, being a 0.415-acre tract zoned (PD-9) Planned Development No. 9 district and designated for (GR) General Retail uses, situated along the north side of Ralph Hall Pkwy west of Arista Rd, and take any action necessary.

7. SP2006-021

Discuss and consider a request by David Johnston for approval of a site plan for Value Place Hotel, a proposed 121-room hotel located on Lot 2, Block 1, Newman Center #1 Addition, being 2.158-acres zoned (C) Commercial district and situated within the IH-30 Overlay district, and take any action necessary.

Lucas pulled consent agenda item #7.

Lucas made a motion to approve consent agenda items 1-6.

Burgamy seconded the motion. The motion was voted on and passed 6 to 0.

The commission and the applicant discussed consent agenda item number 7 and the articulation on the east elevation.

Lucas made a motion to approve consent agenda item #7 as recommended by staff and with the following condition:

1. A gable and articulation be added in the middle of the east elevation to match the front (west) elevation.

Hunter seconded the motion. The motion was voted on and passed 6 to 0.

PUBLIC HEARING ITEMS

Z2006-013

Hold a public hearing and consider a request by Brad Forslund of Churchill Residential, Inc., for a change in zoning from (C) Commercial district to (PD) Planned Development district, specifically to accommodate an independent/active senior living community and commercial uses on a 25.45-acre tract known as Tract 18, Abstract No. 255, B.J.T. Lewis Survey, situated along the east side of S. Goliad south of the railroad and north of Justin Dr, and take any action necessary.

Hampton outlined that the applicant has submitted a request to rezone the 25.45-acre tract located along the northeast side of SH 205 immediately southeast of the railroad from (C) Commercial district to (PD) Planned Development district, primarily to accommodate a proposed age-restricted senior housing community on 6.31-acres of the subject property. Other uses shown on the concept plan - assisted living and retail - are presently permitted in the (C) Commercial zoning district. However, independent "age-restricted" senior housing use is not currently allowed within this area, and the applicant has brought forth a proposal for 141 age-restricted units incorporated into a single, 3-story structure.

The surrounding zoning and use includes commercial to the southeast (Advantage self-storage and Justin Dr. office park); commercial and heavy commercial to the north (Rockwall Co. jail and Chub's towing/impound yard, respectively); commercial and SF-7 across the railroad to the northwest; and a cemetery and institutional uses (HCA and the Catholic Church) across SH 205 to the southwest.

The applicant's proposal also includes PD development standards that apply to the property. Staff has worked with the applicant to include comprehensive requirements for open space and landscaping requirements, land use, architectural standards and review, parking standards, lighting and other requirements.

Notices were mailed to 18 property owners within 200-ft of the subject tract, and at the time of this report, one response "in opposition" had been returned. The applicant has also presented their concept to interested groups such as the Waterstone HOA and the Old Towne Shoppes on the Square merchants' association.

Herbst opened the public hearing.

Tony Sisk and Joan Mannett, representatives of the applicant, addressed the commission to request approval, gave a presentation and answered questions.

The commission extensively discussed several issues with the applicant including the building materials, open space and connectivity in the PD, and the potential land uses of the other lots. There was also discussion about the qualifications for residents such as the income cap as well as the discussion on the project's tax credits for its investors.

Mr. Mark Russo, of 402 B South Fannin Street, expressed his opposition to this project.

Mrs. Peg Smith, of 602 Williams Street, expressed her interest in this development and expressed that she was in favor of it.

Herbst closed the public hearing.

Burgamy made a motion to approve the request by Brad Forslund of Churchill Residential, Inc., for a change in zoning from (C) Commercial district to (PD) Planned Development district, specifically to accommodate an independent/active senior living community and commercial uses on a 25.45-acre tract known as Tract 18, Abstract No. 255, B.J.T. Lewis Survey, situated along the east side of S. Goliad

south of the railroad and north of Justin Dr, as recommended by staff and subject to the following condition:

1. All development within the PD, except for the 6.3-acre senior housing tract, shall be required to come back with a PD Development plan for approval by P&Z and Council.

Hunter seconded the motion. The motion was voted on and passed 5 to 1 with Bricker against.

SITE PLANS/ PLATS

SP2003-020

Discuss and consider a request from Rob Whittle for approval of amended building elevations for The Harbor Hilton Hotel and Conference Center, located on Lot 2, Block A, The Harbor - Rockwall Addition, a 19.93-acre site zoned (PD-7) Planned Development No. 7 District and situated along the Lake Ray Hubbard shoreline south of I-30 and west of Summer Lee Drive, and take any action necessary.

LaCroix stated that the Planning Commission approved the proposed Hilton building elevations back in February, 2006. At the time of approval, the proposed elevations were comprised of a combination of stucco and stone, with the stone constituting approximately 22% of the façade(s). The colors of the building and roof materials appeared to be consistent with the other parts of the development. At this time, the applicant has requested changing the type of stucco finish for the facades. The proposal is to use an EIFS system with a stucco finish. The General Commercial District Standards of Unified Development Code state that:

“All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the Building Official) shall be limited to 50% of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first 8 feet above grade on a façade visible from a street or public area.

Exceptions to this requirement may be permitted on a case by case basis by the Council upon submission and approval of elevation drawings of the subject structure, and material samples.”

Exterior walls are required to consist of 90% masonry materials as defined in *Article XIII Definitions – Masonry*, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20% stone. EIFS is not listed as a masonry material under the definition section of the UDC. However, EIFS can be used for the remaining 10% of the building as defined within these standards.

The Planning Commission and City Council did approve the building elevations with the stucco finish exceeding the 50% but the applicant is now requesting to change

the material to an EIFS system with a stucco finish, requiring an additional exception be granted by City Council for approval.

Several representatives of the applicant came forward to address the commission and discuss the EFIS system and how it works and to answer any questions.

Lucas made a motion to approve the request by Rob Whittle for approval of amended building elevations for The Harbor Hilton Hotel and Conference Center, located on Lot 2, Block A, The Harbor - Rockwall Addition, a 19.93-acre site zoned (PD-7) Planned Development No. 7 District and situated along the Lake Ray Hubbard shoreline south of I-30 and west of Summer Lee Drive.

Smith seconded the motion. The motion was voted on and passed 5 to 1 with Burgamy voting against.

SP2005-031

Discuss and consider a request by Peg Smith for approval of amended elevations for Smitty's Roadhouse Grill, located on the proposed Lot 2, Thomas and Smith Addition, being a 0.29-acre tract zoned (GR) General Retail district and located at 308 North Fannin St, and take any action necessary.

LaCroix stated the Planning Commission approved the proposed Smitty's Roadhouse Grill building elevations in December 2005 and the Council subsequently approved a variance for the building elevations (20% stone requirement) in January 2006. At the time of approval, the proposed elevations were comprised of a combination of stucco and brick. At this time, the applicant has requested changing the type of stucco finish for the facades. The proposal is to use an EIFS system rather than the stucco. Only this material change is being requested, the approved building elevations will remain as submitted. The General Commercial District Standards of Unified Development Code state that;

“All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the Building Official) shall be limited to 50% of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first 8 feet above grade on a façade visible from a street or public area.

Exceptions to this requirement may be permitted on a case by case basis by the Council upon submission and approval of elevation drawings of the subject structure, and material samples.”

Exterior walls are required to consist of 90% masonry materials as defined in *Article XIII Definitions – Masonry*, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20% stone. EIFS is not listed as a masonry material under the definition section of the UDC. However, EIFS can be used for the remaining 10% of the building as defined within these standards. As stated above, the applicant did receive a variance to the stone

requirement. The change to an EIFS system requires an additional exception be granted by the City Council.

Lucas made a motion to approve the request by Peg Smith for approval of amended elevations for Smitty's Roadhouse Grill, located on the proposed Lot 2, Thomas and Smith Addition, being a 0.29-acre tract zoned (GR) General Retail district and located at 308 North Fannin St., as recommended by staff.

Hunter seconded the motion. The motion was voted on and passed 4 to 1 with Smith abstaining and Burgamy voting against.

SP2006-023

Discuss and consider a request by Robert A. Howman of Glenn Engineering for approval of a PD Site Plan for Rockwall Elementary School #11 (Dalton Ranch), located on a 11.136-acre site within (PD-58) Planned Development No. 58 district and situated at the southwest corner of FM 1141 and FM 552, and take any action necessary.

Hampton stated that Rockwall Elementary School #11 is located in the proposed Dalton Ranch subdivision, and zoned PD-58. The site plan shows an 11.136-acre lot that is contiguous to a future City park site within the project. Access to the school will be provided from Limestone Way and Chuck Wagon Dr, which will be dedicated and constructed in conjunction with the school and the subdivision. The City's parking requirements for an elementary school are one space for each 25 students, and the applicant is exceeding that by providing 130 spaces, including 6 accessible spaces. Two dumpsters are noted on the site plan, including one "recycling" dumpster. Each must be screened in accordance with City standards.

On the photometric plan, all light levels appear to be 0.2-FC or less at each property line, and submitted cut-sheets indicate the fixtures are full cut-off in accordance with City specifications. Staff would recommend that a maximum of 20-ft height be maintained for all pole and wall-mounted fixtures.

The submitted elevations indicate a one and two-story structure with a maximum height of 33-ft, comprised primarily of brick and plaster. Color elevations and renderings have also been submitted.

A treescape and landscape plan for the project has been submitted. Approximately 740-inches of protected trees are proposed for removal, while the school will be preserving one 34-inch Pecan tree adjacent to FM 1141. The applicant is proposing 124-inches to be planted at this site, and 332-inches to be planted at the Fontanna Ranch site (SP2006-022). If approved by the Commission, this leaves a balance due of 284-inches. RISD is proposing to apply this balance to a future project. A 6-ft ornamental metal fence is proposed as an enclosure of the open space and city park site north of the school, which should tie into the required fencing for Dalton Ranch along FM 1141.

Staff Recommends approval of the request with the following conditions:

1. Submittal and approval of engineering plans.
2. Adherence to fire department requirements.
3. Submittal and approval of final plat(s) for school, park and/or Dalton Ranch Phase 1.

4. Dumpsters, including recycling, to be screened with walls matching the primary structure.
5. All exterior lighting shall have a maximum mounting height of 20-ft.
6. All rooftop and ground mounted mechanical equipment must be screened from all adjacent properties and right of ways.
7. Approval of treescape plan includes 332-inches of required mitigation to be planted at Fontanna Ranch Elementary School site (SP2006-022) and a "balance due" of 284-inches to be planted at a future RISD project (i.e. future Rockwall North high school).

Burgamy made a motion to approve the request by Robert A. Howman of Glenn Engineering for approval of a PD Site Plan for Rockwall Elementary School #11 (Dalton Ranch), located on a 11.136-acre site within (PD-58) Planned Development No. 58 district and situated at the southwest corner of FM 1141 and FM 552, as recommended by staff.

Smith seconded the motion. The motion was voted on and passed 6 to 0.

SP2006-022

Discuss and consider a request by Robert A. Howman of Glenn Engineering for approval of a PD Site Plan for Rockwall Elementary School #12 (Fontanna Ranch), located on a 10.0-acre site within (PD-64) Planned Development No. 64 district and situated on the proposed Fontanna Blvd east of FM 549 and south of SH 276, and take any action necessary.

Hampton stated that Rockwall Elementary School #12 is located in the proposed Fontanna Ranch subdivision, and zoned PD-64. The site plan shows a 9.78-acre lot that is contiguous to the future City park site within the project. Access will be provided from FM 549 via Fontanna Blvd, which will be dedicated and constructed in conjunction with the school. The City's parking requirements for an elementary school are one space for each 25 students, and the applicant is exceeding that by providing 137 spaces, including 6 accessible spaces. Two dumpsters are noted on the site plan, including one "recycling" dumpster. Each must be screened in accordance with City standards.

The submitted elevations indicate a one and two-story structure with a maximum height of 33-ft, comprised primarily of brick and plaster. Color elevations and renderings have also been submitted.

On the photometric plan, all light levels appear to be 0.2-FC or less at each property line, and submitted cut-sheets indicate the fixtures are full cut-off in accordance with City specifications. Staff would recommend that a maximum of 20-ft height be maintained for all pole and wall-mounted fixtures.

The landscape plan provided shows a variety of materials, primarily concentrated along the property lines. The applicant is proposing a wrought-iron style fence along Fontanna Blvd and along the west property line of the park site. Chain link fencing is proposed on the north property line; however, the City requires a solid evergreen landscape screen in conjunction with chain link fencing, unless the fence must be at least 10-ft from the property line. The applicant is proposing that 332-inches of trees planted on this site be counted towards mitigation requirements at the Dalton Ranch

school site (SP2006-023). The City has recommended that additional mitigation trees be planted along the park's west property line, as per the PD-64 requirement.

Staff Recommends approval of the request with the following conditions:

1. Submittal and approval of engineering plans.
2. Adherence to fire department requirements.
3. Dedication and construction of Fontanna Blvd.
4. Submittal and approval of final plat(s) for school, park and Fontanna Ph 1.
5. Dumpsters, including recycling, to be screened with walls matching the primary structure.
6. Landscaping, to be approved by City staff, shall be installed along west property line of park site, which may count towards RISD's tree mitigation requirements from the Dalton Ranch elementary school site (SP2006-023).
7. All exterior lighting shall have a maximum mounting height of 20-ft.
8. All rooftop and ground mounted mechanical equipment must be screened from all adjacent properties and right of ways.
9. Solid landscape screen (e.g. photinias) to be planted along north property line in conjunction with chain-link fence or fence to be moved 10-ft from property line, unless an exception is approved by the Planning Commission and City Council.

Smith made a motion to approve the request by Robert A. Howman of Glenn Engineering for approval of a PD Site Plan for Rockwall Elementary School #12 (Fontanna Ranch), located on a 10.0-acre site within (PD-64) Planned Development No. 64 district and situated on the proposed Fontanna Blvd east of FM 549 and south of SH 276, as recommended by staff.

Burgamy seconded the motion. It was voted on and passed 6 to 0.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:17 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION WORKSESSION
July 25, 2006**

CALL TO ORDER

The meeting was called to order by chairman, Phillip Herbst at 6:00 p.m. with the following members present; Mike Lucas, Greg Burgamy, Connie Jackson, Glen Smith and Michael Hunter. Bill Bricker was absent.

Staff Present: Robert LaCroix, Michael Hampton, Chris Spencer, Leslie Ryan and Kim Whitley.

CONSENT AGENDA ITEMS

P2006-029

Discuss and consider a request from Arthur Beck of BSM Engineers, Inc., for approval of a replat of First United Methodist Church Addition, being 19.56-acres zoned (C) Commercial district and located at 1200 Yellow Jacket Ln, and take any action necessary.

P2006-031

Discuss and consider a request by Amy Miller of Douphrate and Associates for approval of a replat of Lot 1, Block A, Rockwall Dodge Addition, being a 6.874-acre tract zoned (C) Commercial district and located at 970 E. I-30, and take any action necessary.

Lucas made a motion to approve the consent agenda as recommended by staff.

Smith seconded the motion. It was voted on and passed 6 to 0.

SITE PLANS/ PLATS

SP2005-033

Discuss and consider a request by Tim Thompson of Realty Capital Corp. for approval of a PD Site Plan for the Lakes of Somerset, being a 139.354-acre single family development zoned (PD-63) Planned Development No. 63 district and located along the north side of S FM 549, east of SH 205 and west of Lofland Lake, and take any action necessary.

Hampton stated that a PD Site Plan has been submitted for the Lakes of Somerset project, which is zoned PD-63 (Ord. 05-51) and located along the north side of FM 549 just east of SH 205. The site plan includes details for landscaping, screening walls, trails and entry signage. The plan essentially conforms to the approved PD Concept Plan, including the lot breakdown of 8400-sf lots (48), 10,000-sf lots (111) and 12,600-sf lots (117). The site is accessed from FM 549 by a "split" road. Eventually, "Street N" on the site plan will connect to SH 205, while "Street A" is a collector intended to tie into FM 549 to the east and potentially the 205 Bypass to the west. Build-out of these collector roads is contingent on development of the adjacent Lofland property.

The submitted landscape plan illustrates compliance with the PD-63 requirement for street trees along the two collector roads, as well as along FM 549 and the primary entry to the subdivision. A 20-ft buffer is provided along FM 549, which includes a 6-ft wrought-iron fence with 7-ft masonry columns. Elevations are shown for the proposed entry signage which also incorporates a water feature and planters. The Commission requested at the worksession that the developer indicate proposed landscaping and/or amenities within the various open spaces, and the applicant has indicated additional trees within the open space areas, that would supplement existing trees that can be preserved.

The plan also includes the 6-acre public park dedication stipulated in the PD-63 ordinance (Lot 23, Block 2). All other open space shall be private and maintained by the HOA, including Lot 11, Block 2 which is incorrectly shown on the plan as "public park dedication." The City Parks Board reviewed the site plan and staff has included their recommendations as conditions.

Staff Recommends approval of the request with the following conditions:

1. Submittal and approval of master plat.
2. Submittal and approval of preliminary plat.
3. Submittal and approval of engineering plans prior to final plat. Engineering issues include the following:
 - a. Updated flood study will be required to build Lots 12-21, Block 2; Lot 2, Block 4; and the portion of Street "I" that are shown within the fully developed floodplain provided by Nationwide.
 - b. Off-site letters of permission and easements required to grade on north and west side of property.
 - c. TXDOT/Engineering approval of proposed entrance, as well as required turning lanes and/or deceleration lanes on FM 549 and onto SH 205.
 - d. 32.5-ft minimum ROW dedication for Street "A".
4. Submittal and approval of final plat.
5. Submittal and approval of final treescape plan with final plat.
6. Lot 11, Block 2 shall be private open space (remove "public park dedication").
7. Adherence to Parks Board recommendations:
 - a. The trail alignment within the park area be adjusted to provide a loop which will utilize an 8-ft trail to be built approximately 15-ft from the back of curb and then connected at the east end of the park area.
 - b. Minor adjustments to be made in the proposed trail plan to provide more loops.
 - c. All open space, linear open space and neighborhood pocket park areas to be maintained by the developer. The area to be dedicated as a neighborhood park to be maintained by the City.
 - d. The City will collect pro-rata equipment fees in accordance with the Mandatory Park Land Dedication Ordinance.
 - e. Developer to build a multi-use play structure within the area designated as neighborhood pocket park. All structures must be built and remain in

compliance with national standards and the Consumer Product Safety Commission.

- f. Developer will permit the City to utilize water from Lofland Lake for irrigation of the neighborhood park.
- g. Developer to provide a 2-inch water tap and electrical service to park area.
- h. Developer to install irrigation system within 6.2-acre park.

Burgamy made a motion to approve the request with staff recommendations.

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

Discuss and consider a request by Clyde W. Talley of Tallison Construction Co., for approval of a special exception to the side yard setback requirements of the (ZL-5) Zero Lot Line district, specifically on Lots 12 and 13, Block M, Sanger Brothers Addition, located at the southeast corner of S. Alamo Rd and Ross, and take any action necessary.

Hampton outlined that Clyde W. Talley has submitted a request for a special exception to the side yard setback requirements in the (ZL-5) Zero Lot Line district on Lots 12 and 13, Block M, Sanger Brothers Addition. The subject property is located on the southeast corner of S. Alamo Rd and Ross. Mr. Talley has also submitted a residential replat reflecting the request, which will be considered at the 8/8/06 P&Z and 8/21/06 City Council public hearings following the appropriate notifications. Staff has attached a copy of the existing plat for the two lots for reference.

The ZL-5 district requires a minimum 0-ft setback on one side property line, and a minimum 10-ft setback on the other property line, including a minimum 5-ft maintenance easement. Each of the lots on this section of S. Alamo have 50-ft of lot frontage, meeting zoning requirements. However, Mr. Talley's Lot 13, located at the corner, features a 10-ft setback on the non-zero lot line side and 10-ft adjacent to Ross Street, leaving a net buildable width of 30-ft. All other lots have a buildable width of 40-ft. Mr. Talley has expressed that a 30-ft home would be difficult to market. Since he owns both Lot 13 and Lot 12 to the south, Mr. Talley is proposing to reduce the non-zero lot line setback to 5-ft on Lot 13, and increase the minimum zero-lot line side setback on Lot 12 to 5-ft (instead of 0-ft). This maintains the minimum 10-ft separation between structures on the two lots to satisfy building code requirements, and allows the construction of 35-ft wide structures on each lot.

Staff feels that if the exception were approved, it is important to require the replat to ensure that the 5-ft setback is included on the "zero lot line" side of Lot 12.

Burgamy made a motion to approve the request with staff recommendations.

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

There being no further action items the commission continued to the work session.

Towards the end of the worksession, the Planning and Zoning Commission did direct staff to initiate a zoning case on Indian Trail and Amity Lane, from (Ag) Agricultural District to Single Family. Staff will bring a zoning case to the Commission in August or September.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
August 8, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Phillip Herbst at 6:00 p.m. with the following members present; Greg Burgamy, Connie Jackson, Bill Bricker, Glen Smith, and Michael Hunter. Mike Lucas was absent.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, Leslie Ryan, and Kim Whitley.

CONSENT AGENDA ITEMS

1. P2006-019

Discuss and consider a request by Michael Allen of Allen & Ridinger for approval of a replat of a 15.481-acre tract zoned (C) Commercial district and located north of I-30 and south of La Jolla Pointe Drive, being Lots 4-5, Block A, and Lots 1-3, Block B, La Jolla Pointe Addition Phase 2, and Lot 2, Block A, Steak N Shake Addition, and including the proposed abandonment of part of Catalina Drive (a 60-ft right-of-way), and take any action necessary.

2. P2006-026

Discuss and consider a request by Phillip Duncan of Taylor-Duncan Interest, Inc., for approval of a master plat for the Lakes of Somerset, being a 139.354-acre tract zoned (PD-63) Planned Development No. 63 district and located along the north side of S FM 549, east of SH 205 and west of Lofland Lake, and take any action necessary.

3. P2006-027

Discuss and consider a request by Phillip Duncan of Taylor-Duncan Interest, Inc., for approval of a preliminary plat for the Lakes of Somerset, being a 139.354-acre tract zoned (PD-63) Planned Development No. 63 district and located along the north side of S FM 549, east of SH 205 and west of Lofland Lake, and take any action necessary.

4. P2006-030

Discuss and consider a request by David Johnston of Quanah Hospitality Partners for approval of a replat of the Newman Center Addition, being a 3.301-acre tract zoned (C) Commercial district and located along the north side of IH-30 west of SH 205, and take any action necessary.

5. P2006-034

Discuss and consider a request by Randell Curington of Spring Haven Investments, Inc., for approval of a final plat for Fontanna Ranch Phase 1, being a 64.008-acre tract zoned (PD-64) Planned Development No. 64 district and situated along the east side of FM 549 south of Hwy 276, and take any action necessary.

Burgamy made a motion to approve the consent agenda.

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

SITE PLANS/ PLATS

SP2006-024

Discuss and consider a request by Gordon Pulis of Braum's Ice Cream Store for approval of an amended site plan and building elevations for the existing Braum's Restaurant located at 1920 S. Goliad (SH 205), on a 1.30-acre tract known as Lot 1A, Block A, Braum's Addition, zoned (C) Commercial district and situated within the SH 205 Corridor Overlay district, and take any action necessary.

Ryan outlined that Gordon Pulis of Braum's Ice Cream Store has submitted an amended site plan and building elevations for the existing Braum's Restaurant located at 1920 S. Goliad (SH 205), which is zoned (GR) General Retail district and situated within the SH 205 Corridor Overlay district. With the addition, the approximate square footage of the building is 4,993 Sq. Ft. which requires 50 parking spaces and 56 spaces are being proposed, including 8 new spaces. The total lot size is 56,574 square feet and the total landscape and green space coverage is 10,014 square feet, totaling 17.7%. No trees are being added or removed from the site.

On the elevations, a variance is required to the standards outlined in the SH 205 Overlay District for a minimum 20% natural stone. A separate variance is required from the General Commercial Standards of the Unified Development Code regarding building articulation. The applicant has stated the reasons for the variances are for the proposed expansion to complement the existing structure, which features no stone. The Architectural Review Board recommended approval of the elevations, including the requested variances.

Staff recommends approval with the following conditions:

1. City council to approve a variance to the standards outlined in Section D(1), Architectural Standards, of the SH 205 Overlay District requiring a minimum 20% natural stone (Requires a 3/4 Council vote for approval).
2. City Council to approve a variance to General Commercial Standards for building articulation (requiring a simple majority vote).
3. Approval of Engineering.
4. Adherence to Fire dept. requirements.

Burgamy made a motion to approve the request by Gordon Pulis of Braum's Ice Cream Store for approval of an amended site plan and building elevations for the existing Braum's Restaurant located at 1920 S. Goliad (SH 205), on a 1.30-acre tract known as Lot 1A, Block A, Braum's Addition, zoned (C) Commercial district and situated within the SH 205 Corridor Overlay district, as recommended by staff and subject to the following condition:

1. All roof-top mechanical equipment be screened.

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

SP2006-020

Discuss and consider a request by Randell Curington of Spring Haven Investments, Inc., for approval of a PD Site Plan for The Highlands, being a 234.71-acre single family development zoned (PD-66) Planned Development No. 66 district and located along the south side of SH 276 east of Rochelle Rd, and take any action necessary.

Spencer stated that The PD site plan for Highlands indicates 399 residential lots with a mixture of lot sizes including 8,400-sf, 12,000-sf, and 16,000-sf on 230.01-acres and a 4.6-acre non-residential Neighborhood Service component. The subject property is zoned (PD-66) Planned Development No. 66 district (Ord. 06-20), requiring a minimum dwelling unit size of 2,000-sf.

The site plan includes a landscape plan and details for the entry signage, and other amenities. A 100-ft landscape buffer is provided along the subdivision's frontage along SH 276, and features a combination berming, ornamental iron and stone fencing and landscaping. Staff has requested the developer provide a fence detail and a landscape planting list prior to the P&Z Meeting.

Additionally, approximately 57.74-acres (or 25% of the site) is designated as open space or flood plain, including 12.7-acres high and dry open space. As per the approved PD concept plan, a series of open spaces and trails are provided throughout the subdivision to promote pedestrian and recreational activity. The landscape plan indicates the proposed plant list that will be planted throughout the trail and open space network. The plan notes the intent to utilize a "Scottish" style of landscaping. Additionally, the PD ordinance requires the planting of street trees along all streets in the subdivision at a rate of one tree per 50 linear feet, or about two (2) trees per lot located within 15' of the front property line.

Jackson made a motion to approve the request by Randell Curington of Spring Haven Investments, Inc., for approval of a PD Site Plan for The Highlands, being a 234.71-acre single family development zoned (PD-66) Planned Development No. 66 district and located along the south side of SH 276 east of Rochelle Rd, as recommended by staff:

1. Engineering plan approval.
2. Approval of Master Plat.
3. Submittal and approval of Preliminary Plat.
4. Approval of Final Plat.
5. Public park area to be dedicated to the city by lot and block at the time of Phase I final plat.
6. All trails to be a minimum 8' concrete in accordance with city standards.
7. Developer to establish Bermuda turf in public park prior to acceptance.
8. Developer to provide concrete trail from Rochell Road entrance into neighborhood.
9. Developer and/or HOA to maintain all other open space, greenbelts and trails outside the public park to a minimum Maintenance Level D.

10. TxDOT permit required for connections to SH 276.
11. Turn lane improvements on SH 276 and Rochell Road.
12. Approval of flood study by the City of Rockwall Engineering Department and Kaufman SCS.
13. Off-site sanitary sewer improvements and pro-rata.
14. Installation of a 16" water line along SH 276.

Smith seconded the motion. The motion was voted on and passed 6 to 0.

P2006-028

Discuss and consider a request by Randell Curington of Spring Haven Investments, Inc., for approval of a master plat for The Highlands, being a 234.71-acre tract zoned (PD-66) Planned Development No. 66 district and located along the south side of SH 276 east of Rochelle Rd, and take any action necessary.

Spencer stated that the master plat for the Highlands Addition indicates that 399 single-family residential lots are to be developed in three phases on the 234.71-acre subject property. The estimated time of total home build out is November, 2009. The master plat illustrates a mixture of lot sizes including 8,400-sf, 12,000-sf, and 16,000-sf on 230.01-acres and a 4.6-acre non-residential Neighborhood Service component. The subject property is zoned (PD-66) Planned Development No. 66 district (Ord. 06-20), requiring a minimum dwelling unit size of 2,000-sf.

The site is accessed from two new proposed roads (Higland Glen Blvd and Kerry Ln) off SH 276 and one new proposed road (McKenzie) off Rochell. A 100-ft landscape buffer is provided along the subdivision's frontage along SH 276. Within the subdivision is a proposed 12.7-acre public park site. As per the approved PD concept plan, a series of open spaces and trails are provided throughout the subdivision to promote pedestrian and recreational activity.

Staff Recommends approval of the request with the following conditions:

1. Engineering plans submittal and approval required, which shall address several issues including but not limited to:
 - a. Siting and construction of lift station.
 - b. Extension and/or upgrade of existing water and sewer lines along SH 276 and FM 549.
 - c. Acquisition of the right to serve water from Blackland.
 - d. TXDOT approval of street locations, turning lanes, deceleration lanes, etc.
2. Submittal and approval of final plat.
3. Facilities agreement required prior to or concurrently with final plat.
4. Adherence to Fire department requirements.
5. Adherence to Parks Board requirements.
 - a. Equipment fees to be collected at the time of final plat
 - b. A 2" water service will be provided to the park site for future development
 - c. Electrical conduit will be provided to the park site by the developer
 - d. The park will be dedicated to the City during the first phase of the development

- e. The HOA will be responsible for all maintenance in the open/greenbelt areas and maintained to a Level D
- f. A freeze/rain sensor to be installed on all irrigation systems

Smith made a motion to approve the request by Randell Curington of Spring Haven Investments, Inc., for approval of a master plat for The Highlands, being a 234.71-acre tract zoned (PD-66) Planned Development No. 66 district and located along the south side of SH 276 east of Rochelle Rd., as recommended by staff.

Hunter seconded the motion. The motion was voted on and passed 6 to 0.

PUBLIC HEARING ITEMS

P2006-033

Hold a public hearing and consider a request by Clyde W. Talley of Tallison Construction Co., for approval of a residential replat of Lots 12 and 13, Block M, Sanger Brothers Addition, being a 0.29-acre tract zoned (ZL-5) Zero Lot Line district and located at the southeast corner of S. Alamo Rd and Ross, and take any action necessary.

Hampton stated that Clyde Talley has submitted a replat of Lots 12 and 13, Block M, Sanger Brothers Addition in order to adjust the side yard setbacks on the two lots, which are zoned (ZL-5) Zero Lot Line district. The subject property is located on the southeast corner of S. Alamo Rd and Ross.

The ZL-5 district requires a minimum 0-ft setback on one side property line, and a minimum 10-ft setback on the other property line, including a minimum 5-ft maintenance easement. Lot 13, located at the corner, features a 10-ft setback on the non-zero lot line side and 10-ft adjacent to Ross Street, leaving a net buildable width of only 30-ft. All other lots on the block have a buildable width of 40-ft. Mr. Talley has expressed that a 30-ft home would be difficult to market. Since he owns both Lot 13 and Lot 12 to the south, Mr. Talley is proposing to reduce the non-zero lot line setback to 5-ft on Lot 13, and increase the minimum zero-lot line side setback on Lot 12 to 5-ft (instead of 0-ft). This maintains the minimum 10-ft separation between structures on the two lots to satisfy building code requirements, and allows the construction of 35-ft wide structures on each lot.

A special exception related to this case was reviewed and approved by the Planning and Zoning Commission on July 25. The City Council will review the exception at their meeting on August 7.

In accordance with state law, notices of the residential replat were mailed to 16 property owners within 200-ft of the subject property, and at the time of this report two (2) responses "in favor" had been returned.

Herbst opened the public hearing and asked if anyone wished to speak.

Clyde Talley, applicant, was present to answer any questions.

There being no further response, Herbst closed the public hearing.

Jackson made a motion to approve the request by Clyde W. Talley of Tallison Construction Co., for approval of a residential replat of Lots 12 and 13, Block M, Sanger Brothers Addition, being a 0.29-acre tract zoned (ZL-5) Zero Lot Line district and located at the southeast corner of S. Alamo Rd and Ross, as recommended by staff.

Smith seconded the motion. The motion was voted on and passed 6 to 0.

Z2006-014

Hold a public hearing and consider a request by Kelley Winner of Mirror-Mirror Hair Studio for approval of a Specific Use Permit (SUP) to allow for a "Hair Salon" within (PD-50) Planned Development No. 50 district which is designated for (RO) Residential Office uses, specifically on Lot 1, Block A, Conselman Addition, located at 802 N. Goliad (SH 205), and take any action necessary.

Ryan stated that Kelley Winner of Mirror-Mirror Hair Studio has made a request for approval of a Specific Use Permit (SUP) to allow for a "Hair Salon" within (PD-50) Planned Development No. 50 district which is designated for (RO) Residential Office uses. The business has operated in Rockwall for 15 years but is being displaced due to the widening of SH 205. The shop has 13 employees including 9 hair stations, a nail stations, 1 massage room and 2 receptionists. Twenty nine (29) parking spaces have been requested to accommodate the number of employees as well as customers.

An exhibit of the proposed interior layout has been included, and will be attached to the SUP ordinance if approved. There is a small existing shed on the property, but the property owner has already obtained a Certificate of Appropriateness to remove it. The applicant is aware that no on street parking is allowed and is in compliance. A dumpster in the southeast corner of the property, and staff would note that other developments in the downtown area have experienced issues with garbage pick-up on asphalt, even though the PD-50 ordinance allows for it as a paving material. We would recommend to the applicant that concrete be utilized at least in the drive aisles because of the impact that the large trucks will have on asphalt.

The applicant has shown all existing trees on the property, and it appears several trees will be removed; however all appear to be Hackberry Trees. There is a 28" Hackberry that is protected, so mitigation will be covered if some larger caliper trees are planted along the property line or in the front yard. The applicant is proposing red-tipped photinias along the south property line for screening; however, additional tree plantings may be required to address the mitigation requirements.

Eighteen (18) property owner notices were sent out. As of now we have received one (1) back in opposition.

Staff recommends approval with the following conditions:

1. Approval by engineering and fire departments.
2. The hours of operation shall be limited to between 8 a.m. to 8 p.m.
3. No parking will be allowed in the SH205 right of way or in front of the building.

4. Planning and Zoning Commission to review and approve tree plan, if applicable.
5. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.
6. The hair salon use shall conform to the floor plan and site plan attached.

Herbst opened the public hearing.

Kelly Winner, the applicant, came forward to address the commission and answer any questions that they had.

Herbst closed the public hearing.

Discussion followed regarding the appropriateness of the use and whether the salon would generate too much traffic for this district. There was also discussion about lighting the rear parking area for safety.

Jackson made a motion to approve the request by Kelley Winner of Mirror-Mirror Hair Studio for approval of a Specific Use Permit (SUP) to allow for a "Hair Salon" within (PD-50) Planned Development No. 50 district which is designated for (RO) Residential Office uses, specifically on Lot 1, Block A, Conselman Addition, located at 802 N. Goliad (SH 205, as recommended by staff.

Hunter seconded the motion. It was voted on and passed 4 to 2 with Burgamy and Smith voting against.

Z2006-012

Hold a public hearing and consider a request by Todd Thomas of The Fortis Group for an amendment to (PD-3) Planned Development No. 3 district (Ord. No. 96-23), specifically to allow for a condominium and townhouse development on an 18.31-acre tract currently designated for (C) Commercial district uses, located along the southwest side of North Lakeshore Blvd north of Old Alamo Rd, and take any action necessary.

Hampton stated that this is a zoning application to amend PD-3 which is accompanied by a PD Concept Plan for 128 individual town home residential lots and 1 condominium lot containing 30 units. The concept plan has been amended since the Planning and Zoning Commission worksession, at which time the developer was proposing 130 town homes and 45 condominiums. The property is currently zoned (PD-3), Planned Development District No. 3, with the underlying zoning being (C), Commercial District. Ordinance No. 96-23, which is the last revision to PD-3, states that "the commercial tract six as shown in Exhibit B on the south side of North Lakeshore Drive shall comply with the area, use and all other requirements as set forth in the Commercial ("C") zoning district requirements of the Comprehensive Zoning Ordinance as currently adopted or as may hereafter amended."

The surrounding zoning and land use includes existing residential to the north and west (The Shores), proposed single family residential to the south (The Preserve now under construction), an existing elementary school (Hartman Elementary) and existing single family residential (Lakeview Summit) to the east. There are also two

smaller vacant tracts zoned (SF-10) on the southwest and southeast sides of the property.

Density

The property in this request consists of approximately 18.31 acres. The proposal is for 158 dwelling units yielding a density of 8.63 units per acre. The Future Land Use Plan indicates this area to be commercial and medium density single family. The Comprehensive Plan describes density as follows: low density is defined as less than 2 units per (u/a), medium density is 2-3 u/a, and high density is more than 3 u/a.

Further, the Comprehensive Plan includes the following as Land Use Policies:

“A greater variety of housing should be provided in specific areas of the City to accommodate a broad range of individual and family demand, including more urban style housing within walking distance of services...” (pg 11)

“High density residential should be used as a transitional use from commercial (or existing retail) use, or where it will serve as a logical extension of an existing high density development.” (pg 17)

“Existing surrounding conditions such as lot size, house styles and existing development patterns should be considered in conjunction with the current comprehensive plan to determine appropriate zoning.” (pg 17)

“At a minimum, new residential development shall be equal to or better than existing surrounding residential development.” (pg 17)

Other Design and Zoning Elements

The development will be gated, have private roads (private access easements) and be governed and maintained by its own Homeowner's Association. The applicant has stated that the HOA restrictions will stipulate that each town house is allowed no more than two vehicles that are to be parked in the individual garages and the condominium resident will be required to park in designated parking spaces. On-street parking for residents will not be allowed and designated visitor parking will be indicated on the approved Concept Plan. Open spaces, entry features, landscaping and an amenity center are provided in the development and would be maintained by the HOA. Typical building types have been submitted by the applicant, which indicate various articulated facades, which would also be required to comply with the City's masonry standards for residential structures. Staff would recommend that the PD standards include a provision requiring variation and articulation of the front entry garages and garage doors, as shown on the elevations.

With the proposal of 158 dwelling units and the possibility of two vehicles per unit, increased traffic for this area is a concern, particularly at peak times. However, it is unclear whether traffic generated by this development would be more or less than traffic generated by a commercial development on the same tract. With the construction that is underway to construct N. Alamo Rd as an undivided 4-lane arterial from N. Lakeshore Dr to SH 205, traffic congestion could be less of an issue in either scenario. The Staff has recommended the applicant submit a traffic impact analysis (TIA) for this proposal to be reviewed by the Planning Commission and City Council in consideration of this case. The applicant has requested that the TIA be

required at the time of preliminary plat to determine what, if any, additional improvements are necessary from a traffic control standpoint.

Summary

As the applicant has stated, this site has remained dormant for the several years and other developers have tried to develop the property without success. The site presents substantial topographic challenges that will require extreme retaining walls and drainage structures. The property is covered with a number of trees requiring substantial mitigation which also escalates the development cost. Commercial development of the property seems somewhat remote due to these constraints. Integration into the surrounding residential development would appear to be the most logical progression for this property but as the applicant has pointed to, the existing challenges on the property make typical single family development difficult to accomplish. Consideration of higher density residential should only be considered if the type of housing can be comparable to or exceed the quality of the surrounding neighborhoods. The Commission may require more detailed information regarding the building materials, interior finishes, sample floor plans and other amenities in evaluating this request.

Notification

Notices were sent to 22 property owners within 200-ft of the subject tract and at the time of this report staff has received:

- No responses “in favor”
- Four (4) responses “in opposition”
- 13 responses “in opposition” from outside of the 200-ft notice area

At the time of this report, the opposition submitted in response to this application is estimated to be 16.57% of the 200-ft notice area, which is less than 20% and thus would not require a super majority (6/7) vote of the City Council.

If request is approved, staff would offer the following recommendations:

- A. That the property described in Exhibit “A” shall be used for attached residential development and shall be regulated by the approved PD Concept Plan attached herein as Exhibit “B.” The development shall also be subject to approval of a final PD Site Plan and subject to the following area requirements:

Tract 1 (Condominium Tract)

1. Minimum lot area = 1,000-sf
2. Maximum number of lots = 1
3. Maximum number of units per lot = 45
4. Minimum dwelling unit size = 1,400-sf
5. Minimum lot frontage = 60 feet on a public street (i.e. N. Lakeshore Dr)
6. Minimum lot depth = no minimum
7. Minimum building setback from public street = 25 feet
8. Minimum building setback from private street = no minimum
9. Minimum building setback from adjacent single family tracts and/or adjacent elementary school tract = 10 feet

10. Minimum separation between separate buildings = 10-ft, or as shown on the approved concept plan (Exhibit A)
11. Maximum building coverage = 85%
12. Maximum building height = 35-feet to top plate, as measured from finished floor elevation
13. Minimum number of off-street parking spaces = 1.5 spaces per condominium unit (all governed by HOA)

Tract 2 (Town House Tract)

1. Minimum lot area = 1,000-sf
2. Maximum number of lots = 132
3. Maximum number of units per lot = 1
4. Minimum dwelling unit size = 1,800-sf
5. Minimum lot frontage = N/A (all lots shall front on private street)
6. Minimum lot depth = no minimum
7. Minimum building setback from public street = 25 feet
8. Minimum building setback from private street = no minimum
9. Minimum building setback from adjacent single family tracts and/or adjacent elementary school tract = 10 feet
10. Minimum separation between separate buildings = 10-ft, or as shown on the approved concept plan (Exhibit A)
11. Maximum building coverage = 85%
12. Maximum building height = 35-feet to top plate, as measured from finished floor elevation
13. Minimum number of off-street parking spaces = 2 garage spaces per townhouse (all governed by HOA)

B. The residential structures shall be articulated in a manner consistent with the conceptual elevations attached hereto as Exhibit "C", and shall be constructed in accordance with the General Residential Standards of the Unified Development Code (i.e. Article V, Section 3.1), as amended and may be amended in the future. Further, the façade materials utilized for construction shall include brick, natural or manufactured stone, masonry siding, and stucco. Acceptable roofing materials are 30-year grade asphalt shingles, standing seam metal, concrete tiles and/or clay tiles.

1. All front-entry garages shall be inset and feature varying, articulated garage doors as shown on the conceptual elevations attached hereto as Exhibit "C."

C. All open space areas shall be developed in accordance with the PD Concept Plan, Exhibit "A," and shall be maintained by the Homeowner's Association.

D. A minimum 20-ft landscape buffer shall be provided along Lakeshore Drive and Alamo Rd. The buffer shall include landscaping and a screening fence consisting of wrought-iron type fencing with stone columns, the details of which shall be approved at the time of PD Site Plan. Additionally, landscaping shall be

provided along the perimeter of the site, which shall also be reviewed and approved at the time of PD Site Plan.

- E. All development shown on the concept plan, Exhibit "A," shall be subject to engineering and fire department approval, including review and acceptance of proposed private streets, locations of all utilities, drainage, etc.

Herbst opened the public hearing.

Todd Thomas, the applicant, came forward to give a presentation and to address the commission.

The following people came forward to express their opposition and talk to the Commission:

Mr. Harold Solomon of 1635 Shores Blvd
Mr. Sam Nole of 1305 Champion
Richard Krakory of 1345 Shores Circle
Mrs. Sandra Solomon of 1635 Shores Blvd
Mr. Steve Dyke of 1155 Shores Blvd
Mr. Tyler Mankuso of 1705 Forrest Dr
Ms. Kathy Little of 1380 Whitney Lakes Drive
Mr. Rich Thompson of 1180 Ridge Road
Mr. Dave Glad of 2025 Club Lake Circle
Mr. David Silva of 2305 Gold Coast Ct
Mr. Ed Churaldo of 1995 Murifield
Mr. Rick Hurst of 1700 Lake Forest
Ms. Jenny Lettzle of 1425 Club Hill
Mr. Frank Miller of 619 Sunset Hill
Mr. Harold Eavenson of 1330 Shores Circle
Ms. Sheryl Dyke of 1155 Shores Blvd
Ms. Mary Puckett of 1605 Plummer
Mr. Bob Anguish of 1550 Champions
Ms. Karen Smith of 1360 Shored Blvd
Ms. Stephanie Walter-Fleming of 1380 Pebble Hills
Mr. Greg Burroughs of 1360 Champion

In addition, the following people spoke in favor of the project:

Mr. Stephen Howard with Hillwood, also the property owner
Mr. Mike Bernard, who worked with the applicant on another project in the Dallas area.

Mr. Thomas, the applicant, offered clarifications and additional comments based on the feedback provided by the public.

There being no additional responses, Herbst closed the public hearing.

The Commission discussed extensively the location of the project, and whether it was appropriate for higher density housing.

After further discussion, Jackson made a motion to **deny** the request by Todd Thomas of The Fortis Group for an amendment to (PD-3) Planned Development No. 3 district (Ord. No. 96-23), specifically to allow for a condominium and townhouse development on an 18.31-acre tract currently designated for (C) Commercial district uses, located along the southwest side of North Lakeshore Blvd north of Old Alamo Rd.

Hunter seconded the motion. It was voted on and passed 6 to 0.

ADDITIONAL DISCUSSION ITEMS

Staff discussed the status of the North Goliad Historic District, and Sherry Pittman, Mark Russo and Ross Ramsay from the Historic Preservation Advisory Board were present to answer questions and give their perception of the proposal. After some discussion, the Planning Commission directed Staff to call a public hearing on September 12, 2006 to consider the adoption of the North Goliad Historic District, pending the HPAB's approval of the district and guidelines at their August 17th meeting.

Staff also briefly discussed several items that had come in and would be placed on the August 29th agenda for consideration if ready.

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:05 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
August 29, 2006**

CALL TO ORDER

The meeting was called to order by Vice Chairman, Greg Burgamy at 6:00 p.m. with the following members present; Glen Farris, Mike Lucas, Bill Bricker, Connie Jackson, Glen Smith. Michael Hunter showed up late.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, Leslie Ryan, and Kim Whitley.

Election of Planning and Zoning Commission Chairman and Vice Chairman.

Jackson made a motion for Greg Burgamy as Chairman. Smith seconded the motion. It was voted on and passed 6 to 0.

Burgamy made a motion for Bill Bricker as Vice Chairman. Jackson seconded the motion. The motion was voted on and passed 6 to 0.

Approval of Minutes from July 11, 2006 Planning and Zoning Commission meeting

Lucas made a motion to approve the July 11th minutes.

Smith seconded the motion. The motion was voted on and passed 4 to 0 with Farris and Jackson abstaining, and Hunter absent.

Approval of Minutes from July 25, 2006 Planning and Zoning Commission meeting

Smith made a motion to approve the July 25th minutes.

Jackson seconded the motion. The motion was voted on and passed 4 to 0 with Farris and Bricker abstaining, and Hunter absent.

Approval of Minutes from August 8, 2006 Planning and Zoning Commission meeting

Jackson made a motion to approve the August 8th minutes.

Smith seconded the motion. The motion was voted on and passed 4 to 0 with Farris and Lucas abstaining, and Hunter absent.

PUBLIC HEARING ITEMS

Z2006-015

Hold a public hearing and consider a city-initiated request for a change in zoning from (Ag) Agricultural district to (SF-10) Single Family Residential district for all properties located within the Airport Acres Addition (Indian Trail) and the Greenlee Addition (Amity Lane), being approximately 18.89-acres located north of Airport Rd west of FM 549, and take any action necessary.

Hampton stated that the City has initiated rezoning of all properties located within the Airport Acres (unrecorded) and Greenlee subdivisions, both of which were annexed into the City in March 1998. As with all annexed property, the "default" zoning designation is (Ag) Agricultural district, and the subject property has been zoned this way since that time. The majority of the properties in these additions are developed with single family homes on lots ranging from 13,000-sf to 18,730-sf. Based on appraisal district records, there appears to be approximately 6 to 8 vacant lots, most of which are located on Indian Trail in the Airport Acres Addition.

The City is proposing to zone the property in a manner that is consistent with existing development. The (Ag) Agricultural district requires a minimum lot area of one (1) acre, and none of the 41 lots in this area meet this requirement. The proposed (SF-10) Single Family Residential zoning would bring the properties into compliance from a land use standpoint, and could also facilitate new home development on the vacant lots that remain, for which there have been homebuilder inquiries in the past. Additionally, the City has recently completed construction of a lift station and sewer line that these homes are tying into, as well as an asphalt overlay of both Indian Trail and Amity Lane. These improvements are likely to encourage infill development of these lots.

Notices of the proposed zoning change were mailed to 47 property owners inside or within 200-ft of the zoning area, and at the time of this report staff had received one (1) response "opposed" to the request.

Burgamy opened the public hearing and asked if anyone wished to speak. Nobody came forward to address the commission. After brief discussion he closed the public hearing.

Lucas made a motion to approve the city-initiated request for a change in zoning from (Ag) Agricultural district to (SF-10) Single Family Residential district for all properties located within the Airport Acres Addition (Indian Trail) and the Greenlee Addition (Amity Lane), being approximately 18.89-acres located north of Airport Rd west of FM 549 as recommended by staff.

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

SITE PLANS/ PLATS

P2006-032

Discuss and consider a request by Alex Flores of Cascada Custom Homes for approval of a final plat of Lots 16 and 17, Airport Acres Addition, being a 0.86-acre tract zoned (Ag) Agricultural district (proposed SF-10 Single Family Residential) and located along the east side of Indian Trail north of Airport Rd, and take any action necessary.

Hampton outlined that Alex Flores, the owner of two lots within the Airport Acres subdivision, has submitted a final plat for those lots to accommodate construction of two new single family homes. Though identified as part of the Airport Acres Addition on the County tax rolls, a plat for the subdivision was never recorded. Thus, the

right-of-way for Indian Trail was not formally dedicated. A requirement of this plat is to dedicate the portion of the existing 40-ft easement for Indian Trail that is located within the subject tract, or about 12.5-ft. The plat also indicates a 5-ft utility easement along the rear of the properties, as well as the required 20-ft building line.

The City has initiated a zoning case on this and all other properties on Indian Trail and Amity Lane to the east, which were annexed in 1998 but never zoned from (Ag) Agricultural. The proposed zoning is (SF-10) Single Family Residential district. The proposed plat for Lots 16 and 17 complies with the area requirements in the SF-10 district.

Staff Recommends approval of the request with the following conditions:

1. Approval of rezoning to (SF-10) Single Family Residential district by Planning and Zoning Commission and City Council.
2. Approval by engineering and fire departments.
3. Tie two (2) corners of plat to City monuments.

Harold Fetty, the applicant, addressed the commission requesting approval and to answer any questions.

Lucas made a motion to approve the request by Alex Flores of Cascada Custom Homes for approval of a final plat of Lots 16 and 17, Airport Acres Addition, being a 0.86-acre tract zoned (Ag) Agricultural district (proposed SF-10 Single Family Residential) and located along the east side of Indian Trail north of Airport Rd, as recommended by staff.

Smith seconded the motion. The motion was voted on and passed 6 to 0.

P2006-035

Discuss and consider a request by Erik Hauglie of Pacheco Koch Consulting Engineers for approval of a final plat of Rockwall Community Hospital Addition, being 16 lots on 33.201-acres zoned (PD-9) Planned Development No. 9 District and located south of Rockwall Parkway, west of Horizon Road (FM 3097) and east of Summer Lee Drive, and take any action necessary.

Hampton stated that the applicant has submitted a final plat application for Lots 1 through 14, Block A, Rockwall Community Hospital Addition. The 33.201-acre tract is located west of Horizon Rd, south of Rockwall Pkwy and north of the future extension of Tubbs Road. The most recent preliminary plat (known as Horizon Ridge Center-North Addition) was approved by the City in March 2006. The primary purpose of the final plat is to facilitate development of the Presbyterian Hospital on the 13.46-acre Lot 10, Block A. The remaining lots are intended to accommodate future medical office buildings in conjunction with the hospital.

A 5-ft ROW dedication is provided on Horizon Rd. The required right-of-way for the Summer Lee widening and extension of Tubbs to Horizon Road will be dedicated by separate instrument (by a different owner) prior to filing of this final plat.

A treescape plan for this tract was approved by the Commission with the hospital site plan (SP2006-004). However, the one tree preserved at that time, a 32-inch Pecan, is now proposed for removal due to infrastructure and utility requirements. With removal of this tree, the overall required mitigation for the 33-acres would be 479-inches (including 64" for Pecan). The 13-acre hospital site alone provided 544-inches in large trees (not including accent trees, shrubs, etc) on their landscape plan. Staff has calculated that 350-inches of that total is beyond the required landscaping requirements, leaving 129-inches of mitigation remaining. Essentially, the hospital has mitigated for 73% of the removed trees, though developing only 40% of the site. The developer is proposing to distribute the remaining 27%, or 129-inches, on the other lots at the time they are developed. Staff has requested a letter confirming this commitment for the Commission's review.

The proposed lot design indicated with the final plat is consistent with the PD-9 (underlying GR) requirements for this property, and conforms to the approved preliminary plat.

Staff Recommends approval of the request with the following conditions:

1. Approval of engineering.
2. Adherence to fire department requirements.
3. Dedication of Summer Lee Dr and Tubbs Rd by separate instrument required prior to final approval and filing of this final plat.
4. 129-inches of tree outstanding tree mitigation to be distributed among Lots 1-9 and 11-14, Block A, at the time of development of those lots.

Jackson made a motion to approve the request by Erik Hauglie of Pacheco Koch Consulting Engineers for approval of a final plat of Rockwall Community Hospital Addition, being 16 lots on 33.201-acres zoned (PD-9) Planned Development No. 9 District and located south of Rockwall Parkway, west of Horizon Road (FM 3097) and east of Summer Lee Drive, as recommended by staff.

Smith seconded the motion. The motion was voted on and passed 6 to 0.

SP2006-019

Discuss and consider a request by Rockwall RMKP, LP, for approval of a site plan for Hampton Inn, a 62-room hotel located on Lot 4R, Block C, La Jolla Pointe Phase 1 Addition, being 1.751-acres zoned (C) Commercial district and situated within the IH-30 Overlay district, and take any action necessary.

The applicant has submitted a site plan for a Hampton Inn hotel, a proposed 62-room hotel located on Lot 4R, Block C, La Jolla Pointe Phase 1 Addition. The required parking for the intended use is 62 spaces (one per room), and the applicant is providing 67 spaces, including three accessible spaces. The site will be accessed from Catalina Drive and Laguna Drive. Because of the grade differential and a slope easement, cross access into the adjacent Carrabba's site is impractical.

The site plan indicates approximately 34% of the site is open space, which exceeds the 15% City requirement for the Commercial District. As this site has no frontage on IH-30, 10-ft buffers are required along each of the three street frontages, with a

minimum planting of 1 tree per 50 linear feet (or 15 trees for 716 linear feet). The landscape plan shows two, 3-inch caliper Live Oaks and thirteen, 3-inch caliper Cedar Elm trees within the landscape buffers, meeting City standards. 11 Crepe Myrtles and 6 Little Gem Magnolias, plus a large number of shrubs and other plantings, are also included in the buffers. Live Oaks are also provided in the parking lot and a row of Cedar Elms are planted in the rear of the building to comply with IH-30 Overlay standards.

The elevations propose a 3-story building consisting of natural stone, brick and stucco. The provided natural stone percentage is approximately 30% on each facade, and the building appears to comply with all other City requirements for the IH-30 Overlay district and commercial zoning. All rooftop and ground mounted mechanical equipment must be screened from all adjacent properties and right of ways. The building elevations have been reviewed and approved by the Architectural Review Board (ARB).

The photometric plan indicates pole lights with an overall mounting height of 27'6" (including base), which complies with the IH-30 overlay district. The maximum light level shall be 0.2-FC at all property lines, and all fixtures (including wall mounted) shall be full or partial cut-off as specified in the Unified Development Code.

On 6/27/06 the Architectural Review Board recommended approval of the site plan and building elevations subject to review of final building materials.

Staff Recommends approval of the request with the following conditions:

1. Submittal and approval of engineering plans prior to replat.
2. Adherence to fire department requirements.
3. Submittal and approval of replat.
4. All rooftop and ground mounted mechanical equipment must be screened from all adjacent properties and right of ways.
5. All exterior lighting shall be directed downward and be full or partial cut-off as defined by the Unified Development Code. No lighting shall exceed 0.2-FC when measured at the property line.

Kaveen Patel, the applicant, came forward to address the commission and answer any questions.

Jackson made a motion to approve the request by Rockwall RMKP, LP, for approval of a site plan for Hampton Inn, a 62-room hotel located on Lot 4R, Block C, La Jolla Pointe Phase 1 Addition, being 1.751-acres zoned (C) Commercial district and situated within the IH-30 Overlay district, as recommended by staff.

Lucas seconded the motion. The motion was voted on and passed 6 to 0.

ARCHITECTURAL REVIEW BOARD ITEMS

SP2006-025

Discuss and consider a request by David Arterburn of One Stop Food Stores, Inc., for approval of a site plan for Dickey's BBQ, located on a 1.24-acre tract known as

Lots 1R-A and 1R, Block A, Montego Addition, zoned (C) Commercial district and situated within the SH 205 Corridor Overlay district, located at 2012 S. Goliad, and take any action necessary.

Spencer stated that the site plan is for a 2,989-sf drive-thru restaurant on Lot 1R, Block A, Montego Addition. The site will be accessed from SH 205 and the IH-30 service road via the two existing mutual access drives. The required parking for the restaurant is 30 spaces (one per 100-sf), and the applicant is proposing 43 spaces, including two (2) handicap accessible spaces. The additional parking will be used to serve the future building site located north of the proposed Dickey's. The future building site will be subject to the site plan amendment process and will be subject to approval by the ARB and Planning and Zoning Commission.

The photometric plan indicates compliance with the City's lighting ordinance.

Approximately 18% of the site is landscaped, which exceeds the minimum 15% requirement for commercial development. As per the IH-30 and SH 205 overlay requirements, the applicant is proposing a 20-ft landscape buffer along both frontages and adequate canopy trees and accent trees within this buffer. Other landscaping and trees are provided around the building and parking areas to meet landscaping standards. In addition to the trees within the landscape buffer the IH-30 and SH 205 overlays require that a row of trees be planted along the rear of the buildings. Staff is recommending that a row of trees be planted in the landscape island north of the proposed future building and adjacent to the 40' Access and Drainage Easement.

The proposed elevations for the restaurant indicate a maximum height of 19-ft. The building is comprised of natural stone, with cast stone medallions, and synthetic coping (parapet caps). The building far exceeds the 20% natural stone requirements as outlined in the SH 205 and IH-30 overlay. The IH-30 and SH 205 overlay districts also require that any building of less than 6,000-s.f. have a pitched roof system. As designed, the building will require the Planning Commission and City Council to approve a variance allowing for the parapet roof system. Any variance to the IH-30 and SH 205 overlay standards requires a super majority (3/4) council vote for approval.

Staff Recommends approval of the request with the following conditions:

1. Approval by ARB at the August 29, 2006, meeting.
2. A pitched roof system or pitched roof elements be incorporated into the building elevations.
3. A row of 3" caliper trees be planted within the landscape island located north of the future building and adjacent to the 40' Access and Drainage Easement.
4. The subdivision name be corrected to the Montego Addition.
5. The future building site shown on the site plan is subject to site plan approval and the review and approval by the ARB and Planning and Zoning Commission.
6. Engineering plan approval.
7. Adherence to all Engineering and Fire standards.

On 8/29/06 the Architectural Review Board recommended approval of the site plan and elevations, including the requested variance from the pitched roof design standards.

Charles Voight and Gerald Monk, applicants, addressed the commission requesting approval of the request and to answer questions.

Jackson made a motion to approve the request by David Arterburn of One Stop Food Stores, Inc., for approval of a site plan for Dickey's BBQ, located on a 1.24-acre tract known as Lots 1R-A and 1R, Block A, Montego Addition, zoned (C) Commercial district and situated within the SH 205 Corridor Overlay district, located at 2012 S. Goliad, as recommended by staff with the exception of the recommendation regarding the pitched roof system. The commission recommended approval of a variance to the roof design standards.

Farris seconded the motion. The motion was voted on and passed 6 to 0.

SP2006-029

Discuss and consider a request by Richard Ireland of Nudell Architects for approval of amended building elevations for JC Penney, located within the approved "Plaza at Rockwall" shopping center, on a 47-acre (+/-) tract zoned (PD-14) Planned Development No. 14 district and situated within the IH-30 Corridor Overlay District, and take any action necessary.

Hampton stated that the architect for JC Penney has submitted amended elevations for their proposed store in the Plaza at Rockwall development, which was approved earlier this year (SP2006-010). The architect for the overall shopping center included elevations for each building, including JC Penney, and those elevations were considered to be in full compliance with current IH-30 and SH 205 Overlay district standards. Though some of the proposed adjustments can be considered architectural enhancements, staff feels the changes warrant review by the Architectural Review Board and Planning Commission for approval. Additionally, the changes have also resulted in a slight increase in EIFS to over 10% on the north (15.7%) and east (12.5%) facades. This variance will require a 3/4 vote by the City Council for approval.

The applicant has included a letter outlining the proposed changes, and, along with the developer, will be present at the meetings to discuss the proposal and answer questions.

If the request is approved, Staff offers the following conditions:

1. City Council to approve variance to maximum 10% secondary materials (i.e. EIFS) for north and east facades by a 3/4 vote.
2. All rooftop mechanical shall be screened entirely from horizontal view as indicated on the proposed elevations.

Richard Ireland, the applicant, was present to address staff comments and the commissioner's questions.

Lucas made a motion to approve the request by Richard Ireland of Nudell Architects for approval of amended building elevations for JC Penney, located within the approved "Plaza at Rockwall" shopping center, on a 47-acre (+/-) tract zoned (PD-14) Planned Development No. 14 district and situated within the IH-30 Corridor Overlay District as recommended by staff.

Jackson seconded the motion. The motion was voted on and passed 6 to 0.

There being no further action items the commission continued to the work session.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:15 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
September 12, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Greg Burgamy at 6:00 p.m. with the following members present; Glen Farris, Mike Lucas, Bill Bricker, Glen Smith, and Michael Hunter. Commissioner Jackson was absent.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, and Kim Whitley.

CONSENT AGENDA ITEMS

P2006-037

Discuss and consider a request by Eugene Middleton of Winkelmann & Associates for approval of a final plat for Rockwall Elementary School No. 11 (Dalton Ranch, Lots 5 and 6, Block C), being 13.508-acres zoned (PD-58) Planned Development No. 58 district, and located at the southeast corner of FM 1141 and FM 552, and take any action necessary.

P2006-038

Discuss and consider a request by David Booth of D.R. Horton for approval of a final plat for Dalton Ranch, being 142 single-family lots on 63.22-acres zoned (PD-58) Planned Development No. 58 district and located along the south side of FM 552 and west side of FM 1141, and take any action necessary.

SP2006-028

Discuss and consider a request by Mark and Sharon Steele for approval of a site plan for Lot 16, Block A, Steele Addition, being a 0.32-acre tract zoned (PD-50) Planned Development District and located at 906 N. Goliad Street, and take any action necessary.

Lucas pulled consent agenda #2.

Hunter made a motion to approve consent agenda items #1 and #3.

Smith seconded the motion. The motion was voted on and passed 6 to 0.

After brief discussion, Lucas made a motion to approve consent agenda item #2.

Hunter seconded the motion. The motion was voted on and passed 6 to 0.

ARCHITECTURAL REVIEW BOARD ITEMS

SP2006-030

Discuss and consider a request by Robert Siegel of RM Crowe for approval of a site plan for Vista Lago, a proposed commercial development on Lot 1R, Block C, La Jolla Pointe Addition Phase 1, which is zoned (C) Commercial district and situated within the IH-30 Overlay district along the north side of IH-30, east of Village Drive, south of Laguna Drive and west of Catalina Drive, and take any action necessary.

Hampton stated that the applicant has submitted a site plan for a restaurant development, including a Starbucks with drive-thru and a Genghis Grill, located on the proposed Lot 5, Block C, La Jolla Pointe Phase 1 Addition. Offsite fire lanes and utilities are proposed that would eventually serve the adjacent Lot 6, Block C; however, additional details such as building elevations, landscape plan, and photometric plan would be required prior to approval of that building (tentatively shown as a future bank site). The 4,682-sf restaurant requires a minimum of 47 parking spaces, and the developer is proposing 62 spaces, including three accessible. The site will be accessed from two drives off Laguna Drive, as well as from the IH-30 service road via an offsite cross access easement.

The site plan indicates approximately 16% of the site is open space, meeting City requirements. A 25-ft landscape buffer is shown on Lot 6, which has IH-30 frontage, and a landscape plan will be submitted at the time of development of this lot. The subject lot is adjacent to a "surplus" right-of-way area as IH-30 approaches the Village Drive and Laguna Drive intersection. The applicant is showing a 10-ft landscape buffer requirement along this section as well as along Laguna Drive, and trees and shrubs are planted within to meet requirements. However, a 10-ft minimum buffer is not provided continuously adjacent to the "surplus" right-of-way area, requiring approval of a variance. The buffer provided is irregular (ranging from 5-ft to over 40-ft on each end, and staff would recommend the configuration as long as the minimum average width is 10-ft. In certain cases similar to this (e.g. Bahama Bucks), the City has recommended the smaller buffer on private property. Replacement of a parking space(s) with additional landscaped islands may be required to obtain the 10-ft average width?

The landscape plan also shows that only two (2) trees totaling 30-inches are to be removed, when in fact there are 10 to 12 protected trees on the site, all of which are likely to be removed due to grading requirements. Prior to approval of the site plan, staff would recommend that the applicant provide the updated tree mitigation requirements and how the mitigation will be addressed.

The elevations propose a 1-story building, with a majority of it consisting of natural stone and a limited amount of stucco. The building appears to comply with all masonry and articulation requirements for the IH-30 Overlay district and commercial zoning. The mechanical equipment is screened within an interior courtyard on the ground, which is screened with a wrought-iron metal gate.

At their August 29th meeting, the Architectural Review Board had concerns about the elevations, but the applicant brought 3-D renderings of the elevations to better communicate their proposal at the "special" ARB meeting on September 12.

Hampton stated the Board felt the building with its most recent adjustments would be nice and unanimously recommended approval.

The photometric plan indicates pole lights with an overall mounting height of 20-ft, which complies with the IH-30 overlay district. The maximum light level shall be 0.2-FC at all property lines, and all fixtures (including wall mounted) shall be full or partial cut-off as specified in the Unified Development Code.

Staff offered the following conditions for approval:

1. Final approval by engineering and fire departments.
2. Approval and filing of replat (P2006-041).
3. Dumpster to be relocated from current location (which faces Laguna Dr) to the area near Laguna Dr entrance containing two parking spaces (and which would face interior of site).
5. Minimum average width of 10-ft required for landscape buffer adjacent to TXDOT "surplus" right-of-way area.
6. Adherence to Architectural Review Board recommendations.

Robert Siegal and Mike Allen, the applicants, came forward to address the commission and answer any questions.

The Commission discussed the dumpster location and because moving it would create a conflict with the underground detention and negatively impact views, recommended that it should remain in the proposed location.

The landscape buffer issue and landscaping the TXDOT right-of-way was discussed extensively. Lucas stated he had some concerns that TXDOT could remove the trees in that area at a later date, though the applicant offered that expansion of that roadway is unlikely.

After further discussion, Lucas made a motion to approve the request by Robert Siegel of RM Crowe for approval of a site plan for Vista Lago, a proposed commercial development on Lot 1R, Block C, La Jolla Pointe Addition Phase 1, which is zoned (C) Commercial district and situated within the IH-30 Overlay district along the north side of IH-30, east of Village Drive, south of Laguna Drive and west of Catalina Drive as recommended by staff and with the following conditions:

1. The dumpster remains where it is located on the site plan.
2. Reduce parking by four total spaces with each of those being on each end of the landscaped islands.

Hunter seconded the motion. The motion was voted on and passed 6 to 0.

P2006-041

Discuss and consider a request by Robert Siegel of RM Crowe for approval of a replat of Lot 1R, Block C, La Jolla Pointe Addition Phase 1, a 2.09-acre tract zoned (C) Commercial district and situated along the north side of IH-30, east of Village

Drive, south of Laguna Drive and west of Catalina Drive, and take any action necessary.

The applicant has submitted a replat of Lot 1R, Block C, La Jolla Pointe Phase 1 Addition to create two lots for development. A site plan for a restaurant development on the newly proposed Lot 5 has been submitted concurrently with the replat (SP2006-030). The two proposed lots comply with the (C) Commercial district area requirements, including a minimum 200-ft lot frontage and lot depth required for tracts adjacent to IH-30, and the minimum lot size of 1-acre. The site is proposed to have one access from the IH-30 service road, which the applicant indicates currently is a mutual access easement between the subject tract and Lot 2 (i.e. Saltgrass lot). However, in conjunction with the replat the portion of the easement on Lot 2 must be dedicated as a fire lane via a separate instrument. Additional points of access are proposed from Laguna Drive. Finally, the existing detention easement on the rear portion of the lot is proposed to be abandoned with the replat. The site plan for this property includes a treescape plan for the removal of protected trees near and/or within this easement.

Staff Recommends approval of the request with the following conditions:

1. Final approval by engineering and fire departments.
2. Approval of site plan, including treescape plan.
3. Off-site dedication of fire lane on Lot 2, Block C prior to filing of this replat.

Mike Allen, a representative of the applicant, addressed the commission requesting approval and to answer any questions.

Smith made a motion to approve the request by Robert Siegel of RM Crowe for approval of a replat of Lot 1R, Block C, La Jolla Pointe Addition Phase 1, a 2.09-acre tract zoned (C) Commercial district and situated along the north side of IH-30, east of Village Drive, south of Laguna Drive and west of Catalina Drive as recommended by staff.

Bricker seconded the motion. The motion was voted on and passed 6 to 0.

PUBLIC HEARING ITEMS

P2006-039

Hold a public hearing and consider a request by Mark & Sharon Steele for approval of a residential replat of part of Lot 2, Block A, W.D. Austin Addition, to be Lot 16, Block A of the Steele Addition, being a 0.32-acre tract zoned (PD-50) Planned Development District and located at 906 N. Goliad Street, and take any action necessary.

Mark & Sharon Steele have requested for approval of a residential replat of part of Lot 2, Block A of the W.D. Austin Addition, to be Lot 16, Block A of the Steele Addition. The tract is 0.32 of an acre zoned (PD-50) Planned Development District and is located at 906 N. Goliad Street. The final plat is being approved along with the site plan for this property, which is proposed to be a dance studio.

This replat includes a 7.5 ft. Right Of Way dedication for SH 205. The replat also includes dedication of an access easement that will tie into the existing easement on the adjacent property to the north (908 N. Goliad). The planning dept has requested that the applicant obtain a letter from the NTMWD to confirm that paving their 15 ft. easement is allowed. The off site access easement to Heath St. must be dedicated by separate instrument as a public easement.

Staff Recommends approval of the request with the following conditions:

1. Obtain a letter from the NTMWD to confirm that paving their 15 ft. easement is allowed.
2. Dedication of the off site access easement as public access easement to Heath Street by separate instrument required

Burgamy opened the public hearing.

Mark Steele, the applicant, addressed the commission requesting approval and answered questions.

Burgamy asked if anyone else wished to speak. There being no response, he closed the public hearing.

Hunter made a motion to approve the request by Mark & Sharon Steele for approval of a residential replat of part of Lot 2, Block A, W.D. Austin Addition, to be Lot 16, Block A of the Steele Addition, being a 0.32-acre tract zoned (PD-50) Planned Development District and located at 906 N. Goliad Street as recommended by staff.

Farris seconded the motion. The motion was voted on and passed 6 to 0.

Z2006-016

Hold a public hearing and consider a request by Brian A. Ryan for approval of a change in zoning from (SF-7) Single Family Residential district to (GR) General Retail district, on a 1.0-acre tract currently known as B F Boydstun, Block 122, Lot D, and located at 105 Olive Street, and take any action necessary. The subject site is located within the "Old Town Rockwall Historic" district and is identified as a "High Contributing" property.

Spencer outlined that a zoning change application for 105 Olive has been submitted by Brian Ryan requesting a change in zoning from SF-7 to GR. The subject site is located east of the Land Headquarters (zoned GR) and north of the Square (currently zoned GR). The adjacent property to the east is zoned SF-7 and is currently vacant and undeveloped. The subject site is currently located within the "Old Town Rockwall Historic" District and is identified in the historic survey as a "High Contributing" property. The house is one of only two examples in the City of Rockwall of the "Flying Bungalow" style which gained its popularity in the 1920s and 1930s in California.

Mr. Ryan currently owns a project management business and leases office space within the city. The applicant has filed this application in an effort to convert the subject property into a professional office while restoring the property back to its original condition. This property is directly across the street from the northern boundary of the proposed new Downtown Zoning District. The Downtown Plan states that besides the civic uses such as the Courthouse and City Hall, the balance of the District may be developed for office, retail, or residential provided that they adhere to the form-based development standards that ensure their contribution to the pedestrian-oriented character of the Downtown. Staff feels that the rehabilitation and preservation of this historic home to a use that will functionally work with the overall concept of the Downtown District warrants consideration of the GR Zoning District. This zoning provides the flexibility and the incentive for the preservation of this property in addition to being a continuation of similar zoning from the west and the Downtown District to the south.

Staff sent notices to 21 property owners located within 200-ft of the request and at the time of this report we have received five (5) responses "in favor" and no responses "in opposition."

Staff Recommends approval of the request with the following conditions:

1. Adherence to the Residential Adjacency Standards
2. Submittal and approval of Site Plan, Engineering Plans and Final Plat applications.

On August 17, 2006, the Historic Preservation Advisory Board recommended approval of the zoning change by a vote of 6-1 (Ramsay against).

Burgamy opened the public hearing.

Brian Ryan, the applicant, addressed the commission requesting approval and answered questions.

Burgamy closed the public hearing.

Smith made a motion to approve the request by Brian A. Ryan for approval of a change in zoning from (SF-7) Single Family Residential district to (GR) General Retail district, on a 1.0-acre tract currently known as B F Boydston, Block 122, Lot D, and located at 105 Olive Street as recommended by staff:

Hunter seconded the motion. The motion was voted on and passed 6 to 0.

Z2006-017

Hold a public hearing and consider a request by Ed Hurst of Integrity Concepts, LLC, for approval of a change in zoning from (2F) Duplex Residential district to (ZL-5) Zero-Lot Line Residential district on a 0.358-acre tract known as Billy Peoples No. 3 Addition, from (SF-7) Single Family Residential district to (ZL-5) Zero-Lot Line Residential district on a 0.393-acre tract known as B.F. Boydstun, Lot 61B, and from (PD-52) Planned Development No. 52 district to (ZL-5) Zero-Lot Line Residential district on a 1.10-acre tract known as B.F. Boydstun, Lot 71B), and take any action necessary. The subject property comprises approximately 1.85-acres overall and is located at the northwest corner of Boydstun and Clark Street.

Hampton outlined the case stating that Integrity Concepts, who has recently built single family homes in the Southside Overlay district, has assembled three separate tracts located along the north side of Boydstun Rd immediately west of Clark Street. These tracts, totaling approximately 1.85-acres overall, are located outside of the Southside Overlay and are each zoned differently. The 1.10-acre tract at the NW corner of Clark and Boydstun is vacant and partially covered by floodplain. There was at one time a single family home on the property; however, it was zoned (PD-52) in 2002 and is designated for (HC) Heavy Commercial district uses. The 0.393-acre tract to the west (617 Boydstun) is currently zoned (SF-7) Single Family Residential and features an existing home. Finally, the 0.358-acre Billy Peoples #3 Addition is zoned (2F) Duplex Residential and remains vacant.

The applicant's request is to rezone all of this property to (ZL-5) Zero Lot Line Residential District, to accommodate development of seven (7) lots for development. Prior to construction of these lots, engineering plans and a final plat (including treescape plan) would be required. The applicant has indicated to staff that preservation of existing trees will be central to developing quality custom homes similar to what they have already built in the area.

The area is designated for Single Family Residential on the Future Land Use Map of the Comprehensive Plan. Staff feels the request complies with this plan, while also providing a niche housing type on a limited scale that has been expressed as a need by many in the local housing and real estate community. Other similar zero lot-line projects such as the eight (8) lots on S. Alamo and Ross have been successful at creating high quality, infill housing. Additionally, consolidating the subject tracts into a single, uniform zoning district will help avoid the "randomness" of the current zoning configuration (e.g. potential heavy commercial uses next to a single family home).

Staff sent notices to 30 property owners located within 200-ft of the zoning change request and at the time of this report has received one (1) response "in favor" and one (1) response "in opposition."

Hampton stated that the opposing letter from Mr. Brad Lamberth, who owns the property to the west, could not be at the meeting but after discussing the case did not seem to have as much issue. He believed that some of the property the

applicant had assembled was zoned non-residential and was more concerned about setback problems.

Staff Recommends approval of the request with the following conditions:

1. Planning Commission and City Council to approve waiver to the alley requirements. All front entry garages shall adhere to the parking requirements of the Unified Development Code, as may be amended (e.g. "J-swing" or setback 20-ft behind front facade of home).

Burgamy opened the public hearing.

Ed Hurst, the applicant, came forward to address the commission and answer any questions that they had.

Harold Fetty, surveyor, was also present to discuss the deed research he performed to develop the zoning exhibit and answer questions about some of the "unknown" parcels located adjacent to the applicant's property. The last known owner was MH McKoy who received the land in 1917. Mr. Fetty had not been able to locate the current owner or any of McKoy's heirs thus far.

Burgamy closed the public hearing.

Smith made a motion to the request by Ed Hurst of Integrity Concepts, LLC, for approval of a change in zoning from (2F) Duplex Residential district to (ZL-5) Zero-Lot Line Residential district on a 0.358-acre tract known as Billy Peoples No. 3 Addition, from (SF-7) Single Family Residential district to (ZL-5) Zero-Lot Line Residential district on a 0.393-acre tract known as B.F. Boydstun, Lot 61B, and from (PD-52) Planned Development No. 52 district to (ZL-5) Zero-Lot Line Residential district on a 1.10-acre tract known as B.F. Boydstun, Lot 71B.

Hunter seconded the motion. It was voted on and passed 6 to 0.

Z2006-018

Hold a public hearing and consider a request by Kevin Berger for approval of a Specific Use Permit (SUP) to allow for a detached garage exceeding the maximum size requirement on Lot 17, Block A, Saddlebrook Estates #2, being a 1.0-acre tract zoned (SF-16) Single Family Residential district and located at 2364 Saddlebrook Lane, and take any action necessary.

Spencer outlined that Kevin Berger is requesting approval of a Specific Use Permit (SUP) to allow for a detached garage exceeding the maximum size requirement (900 sq. ft.) on Lot 17, Block A, Saddlebrook Estates #2, being a 1.0-acre tract zoned (SF-16) Single Family Residential district and located at 2364 Saddlebrook Lane. The proposed detached garage would consist of a 30-ft. x 40-ft building with a 22-ft deep attached carport. The brick and hardiplank materials being used match those on the existing house. The applicant is requesting the SUP to build one single large accessory building instead of having two to accommodate their needs. Nine

property owner notices were sent out and thus far we have received five (5) back in favor of the project.

Staff Recommends approval of the request with the following conditions:

1. Exterior materials and design must be compatible to the primary structure located on subject site.
2. Max size = 1200 sq. ft.
3. Max height = 15 ft., measured at the midpoint of the pitched roof.
4. A waiver of fire protection is signed prior to issuance of a building permit.
5. The accessory building is subject to administrative review in the event that the property is sold or conveyed in any manner to another party, subdivided, or replatted.
6. Maintain drainage swale between this lot and the adjacent lot 16
7. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

Burgamy opened the public hearing.

Kevin Berger, the applicant, came forward to address the commission and answer any questions.

Burgamy closed the public hearing.

Hunter made a motion to approve the request by Kevin Berger for approval of a Specific Use Permit (SUP) to allow for a detached garage exceeding the maximum size requirement on Lot 17, Block A, Saddlebrook Estates #2, being a 1.0-acre tract zoned (SF-16) Single Family Residential district and located at 2364 Saddlebrook Lane as recommended by staff.

Smith seconded the motion. It was voted on and passed 6 to 0.

H2006-005

Hold a public hearing and consider a city initiated request for the adoption of the North Goliad Historic District, including Design Review Guidelines, and take any action necessary. The area is zoned (PD-50) Planned Development and (GR) General Retail District and is situated along North Goliad, south of Live Oak Street and North of Interurban, containing approximately 21.29 acres of land. A portion of the proposed district is also located within the Old Town Rockwall Historic District.

In June of 2005, the City Council directed staff by a vote of 6-0 to work with the Historic Preservation Advisory Board in the creation of a North Goliad Historic District. Over the past year staff, the Historic Preservation Advisory Board and the HPAB subcommittee have worked on creating and finalizing the proposed guidelines for the District.

All the properties located within the proposed district are currently zoned PD-50 (Planned Development No. 50) or General Retail district. All the properties that are located along the east side of North Goliad are currently within the existing Old

Town Rockwall Historic District and 925 North Goliad is a landmark property. The existing guidelines for the "Old Town Rockwall Historic District" are intended to be residential in nature and do not provide the applicant seeking a Certificate of Appropriateness or the Historic Preservation Advisory Board with the proper direction concerning this type of Historic district.

The North Goliad corridor is continuing to change from a single family area to a professional office district. Staff feels that as the properties convert to non-residential uses, the historic single-family character that identifies the North Goliad corridor should be preserved.

A North Goliad Historic District Town Hall meeting was held on August 3, with citizens, staff and three Board members. Staff sent a copy of the guidelines out to each property owner located within the District prior to the meeting. At the meeting, staff briefly explained the proposed guidelines and then took questions and comments from the audience. The following are a list of concerns raised by those property owners and citizens that were present:

1. Availability and expense of using historic materials instead of existing aluminum siding that many properties currently have.
2. Added step to an already bureaucratic permit process.
3. Concern of residents that still live on North Goliad about more properties converting to non-residential uses.
4. Allowing front-yard parking for non-residential uses.
5. Lower than adequate security lighting levels.
6. Expanding the uses allowed within PD-50 and relaxing the zoning restrictions.

Prior to the HPAB meeting on August 17, 2006 and prior to the P&Z and City Council public hearings for September 12th and September 18th, respectively, staff has sent notices to the property owners located within the proposed district as well as those located within 200' (161 notices overall). At the time of this report we have received seven (7) responses in favor and seven (7) in opposition.

Staff Recommends approval of the request.

Chairman Burgamy opened the public hearing.

Ms. Carol Findley, of 404 N. Goliad (Land Headquarters), came forward to address the Commission. She expressed that the area proposed for the North Goliad Historic District should be promoted more for businesses and commercial property. She is currently within the Historic District and is unsure why the building they are in is considered historic. They do not believe that their property and office building should be part of the North Goliad Historic District. She also expressed that they believe the guidelines are too severe and restrictive and they don't believe in the concept of the North Goliad Historic District.

Commissioner Farris asked Ms. Findley about the date that the house was built. The date she provided conflicted with the date provided in the document.

Mr. Jim Haynes, of 1102 Teakwood, came forward to express his opposition to the North Goliad Historic District if he were within the district. His property was not within the district.

Mr. Robert Cotter came forward to express that he thinks it is in the cities best interest to have a historical area, but he does not think that they should have businesses within those buildings. If businesses will be in that area, then he thinks that new buildings should be built for those.

Ms. Shelby Sanfelward, of 905 Alamo, came forward to express her opposition and her concerns with the city wanting to save the homes within the North Goliad Historic District. She expressed that she did not believe many of those homes were worth saving.

Mr. Dave Alsobrook, of 505 Carriage Trail, informed the commission that he owns three properties within 200 feet of the proposed North Goliad Historic District. He expressed that he is opposed to any type of Historic District going in this neighborhood and that the houses are too old and aren't worth anything.

Ms. Betty Barton, of 406 N. Goliad, addressed the commission to ask what would change with her property that is already located within the Old Town Historic District.

Ms. Shirley Black, of 502 N. Goliad, came forward to express her opposition with the proposed guidelines. She believes that the property should be historic but she thinks the rules and guidelines are too strict.

Ms. Sherry Pitman, Chairperson of Historic Preservation Advisory Board, came forward to address the commission. She pointed out that the houses on the west side of Goliad are subject to the commercial guidelines of the Old Town Historic District currently. She pointed out that there are only two houses out of the forty-two within the district that would be changed by the commercial guidelines. She also discussed the reasoning behind why some of the dates don't match up with what the guidelines show. She informed them that they would research through the county records to verify that the dates on the properties are correct.

Mr. LaCroix clarified the guidelines of the properties on the west side of the street do not include getting a certificate of appropriateness and do not include approving the façade.

Bricker asked Ms. Pitman about the contribution level of the houses and how the contribution level was decided. She explained that the houses can have higher or lower contribution levels depending on the condition that the house is in and what has been done to the house.

Ms. Betty Barton, of 502 N. Goliad, came forward to address the commission and express that she doesn't believe a house is old when it is fifty years old and it is

hard for her to believe it is an antique. In addition, she mentioned that it is hard to understand what is being saved.

Chairman Burgamy asked if anyone else wished to speak. There being no response, he closed the public hearing.

Commissioner Farris expressed his concerns that the dates aren't correct and that the guidelines are too stringent. He also mentioned that he does not believe the timing for the North Goliad Historic District implementation is right with the road widening going on but he does think there needs to be an historic district at some point.

Commissioner Bricker explained that he has several questions and concerns regarding the design guidelines and he is not ready to make a decision on them. He expressed that he believes that some of the guidelines are too intrusive and the guidelines are too hard to read and understand if it is mandatory if the homeowner has the option to follow them or not.

Commissioner Hunter discussed his concerns with how the district would be affected once the road widens. He also explained that he does not think all of the houses are worth preserving and that he would be ok with them being replaced in that same style. In addition, he is concerned that the buildings aren't suitable for office or commercial type uses.

Chairman Burgamy expressed that he thinks that the guidelines are too restrictive.

Commissioner Lucas agreed with the other commissioners and expressed that he believes that the North Goliad Historic District does the opposite of what the city is trying to do with that area by making it harder for it to develop office type uses. Lucas also expressed that just because a house is a certain age doesn't necessarily mean that it is historic in his opinion.

Commissioner Smith explained that he does not want to deny this case because he believes something needs to be done.

The commission and staff discussed what they need to do at this point to have more discussion on this without it being denied. Mr. LaCroix told them that they could refer it back to the Historical Preservation Advisory Board if they wanted it to be discussed further.

Chairman Burgamy called for a five minute recess at 8:45. He reconvened at 8:50 and asked for a motion.

Hunter made a motion to refer the city initiated request for the adoption of the North Goliad Historic District, including Design Review Guidelines, back to the Historic Preservation Advisory Board.

Smith seconded the motion. It was voted on and passed 6 to 0.

SITE PLANS / PLATS

P2006-040

Discuss and consider a request by Sam Canup and Jeorg Whittenberg for approval of a final plat of the Jack Canup Addition, being a 2.02-acre tract zoned (PD-62) Planned Development District and including properties addressed as 902 and 906 S. Goliad Street and 903 S. Alamo Road, and take any action necessary.

Sam Canup and Jeorg Whittenberg are requesting approval of a final plat of the Jack Canup Addition, being a 2.02-acre, 4 lot tract, zoned (PD-62) Planned Development District. Within the PD, Lot 1, Block B is zoned General Retail, Lots 1 and 2, Block A are zoned ZL-5 and Lot 3, Block A is zoned SF-10. The properties included are addressed as 902 and 906 S. Goliad Street and 903 S. Alamo Road.

A street assessment/pro-rata for Bourn Street shall be collected at the time any of the lots are developed or redeveloped. As required in the PD-62 concept plan, the alley right-of-ways are being dedicated at this time, but will not be required for construction until the lots are developed. The front building lines have been corrected and are now consistent at 20 ft for the residential properties and 15 ft for the GR properties to meet the Unified Development Code requirements. However, in conjunction with this final plat, the owner is requesting an exception to the front yard setback adjacent to Bourn for Lot 1, Block B. The required front yard (on each street frontage for corner lots) is 20-ft, and the owner is proposing 15-ft. This would line-up with the 15-ft setback provided along Bourn in Block A, and is also less than the 10-ft required at time of platting for the eight lots immediately north of the subject tract. A similar exception was recently approved for Mr. Talley to the north in order to achieve a 35-ft building pad for the lot adjacent to Ross St. Beyond the requested exception for this setback, the final plat conforms to the Unified Development Code and staff is recommending approval.

Staff Recommends approval of the request with the following conditions:

1. Street Assessment/Pro-Rata due when any lot that fronts on Bourn develops.
2. Show Vol. /Pg. and dimensions for "R.O.W. to the State of Texas" along SH205.
3. Fire Department Hold Harmless agreement shall be filed for record with the County; however if any of the buildings are expanded or additional buildings are constructed all fire requirements shall be applied.
4. Approval by City Council for special exception to allow for 15-ft setback adjacent to Bourn Street on Lot 1, Block B.

Sam Canup, the applicant, addressed the commission requesting approval of the request and to answer questions.

Bricker made a motion to approve the request by Sam Canup and Jeorg Whittenberg for approval of a final plat of the Jack Canup Addition, being a 2.02-acre tract zoned (PD-62) Planned Development District and including properties

addressed as 902 and 906 S. Goliad Street and 903 S. Alamo Road, as recommended by staff.

Farris seconded the motion. The motion was voted on and passed 6 to 0.

SP2006-027

Discuss and consider a request by Steven Reyes of Ramsay Ivy CO., LC., for approval of a site plan for McClintock Office Building, located on a 0.573-acre tract known as Lot 4, Block A, Shoreline Plaza Addition, zoned (C) Commercial district and situated within the IH-30 Overlay district, and located along Lakefront Trail and the future extension of Shoreline Drive, and take any action necessary.

Commissioner Farris left the meeting at 9:00 during discussion of this item stating a conflict of interest.

This site plan request is by Steven Reyes of Ramsay Ivy CO., LC., for approval of a 5,219 sq. ft. office building, known as the McClintock Office Building, located on a 0.573-acre tract, Lot 4, Block A, Shoreline Plaza Addition, zoned (C) Commercial district and situated within the IH-30 Overlay district, and located along Lakefront Trail and the future extension of Shoreline Drive. The site is parked 1 for each 300 square feet, with 17 parking spaces and 2 handicap spaces. The future building site will be subject to the site plan amendment process and will be subject to approval by the ARB and Planning and Zoning Commission. The applicant does not have plans to use a dumpster, but if that were to change the site plan would have to be amended.

The landscape and treescape plans propose to keep the existing large caliper pecan trees along the southwest portion of the property. The lot square footage is 18,703.44 sq. ft., and of that, 57% is landscaped with Asian Jasmine ground cover, 3" Red Oak Trees, and grass.

The lighting plan as proposed conforms to the required lighting standards. There will be two (2) Street lights located on the east side of the property. All proposed lighting is allowed within the Unified Development Code for the Commercial Zoning District.

The elevations meet the zoning requirements for percentage of natural stone. The applicant is seeking a variance for exceeding the 10% limitation on E.I.F.S being used on all four elevations of the building.

The Architectural Review Board is in favor of the project and has recommended approval to the Planning and Zoning Commission.

Staff Recommends approval of the request with the following conditions:

1. Adherence to Engineering and Fire comments.
2. All mechanical equipment shall be screened (ground or roof mounted).
3. Future dumpster pad location will require an amended site plan.
4. No landscape trees shall be within 5' of any utility.

5. That a variance is granted for exceeding the 10% limitation for secondary materials (i.e. EIFS).

Ross Ramsey, the applicant, came forward to address the commission and answer any questions.

Lucas made a motion to approve the request by Steven Reyes of Ramsay Ivy CO., LC., for approval of a site plan for McClintock Office Building, located on a 0.573-acre tract known as Lot 4, Block A, Shoreline Plaza Addition, zoned (C) Commercial district and situated within the IH-30 Overlay district, and located along Lakefront Trail and the future extension of Shoreline Drive, as recommended by staff.

Hunter seconded the motion. The motion was voted on and passed 5 to 0 with Farris abstaining.

Farris returned back to the meeting at 9:08 pm.

SP2006-031

Discuss and consider a request by Brad Forslund of Rockwall Senior Community, LP, for approval of a PD Site Plan for the Evergreen at Rockwall, being a 141-unit age-restricted senior housing development located on a 6.43-acre tract zoned (PD-68) Planned Development No. 68 district (Ord. 06-32), and situated along the east side of S. Goliad (SH 205) south of the railroad and north of Justin Road, and take any action necessary.

The applicant recently received approval of a PD Concept Plan for this proposed senior housing facility. As part of the Planned Development process, the next step is the approval of a PD Site Plan for the development. The PD Site Plan must also be reviewed and approved by City Council, which is a requirement of the PD-68 ordinance.

Site Plan

The property in this request consists of approximately 6.43 acres. The proposal is for 141 dwelling units contained in a unified three (3) story building. A one (1) story community center building is indicated along with a swimming pool and patio area. The total building area is 56,309 square feet. Open space is shown between the wings of the building in addition to an enclosed trash compactor at the rear of the building. Two access drives are indicated from SH 205, one being labeled Option "A," in addition to an off-site 24' access easement at the rear of the building connecting to Townsend Drive being labeled Option "B." As the note indicated on the site plan; access road "A" or "B" will be constructed with the senior living development. Option "B" is preferred by the developer and the City of Rockwall Fire Department, but is contingent on obtaining the off-site easement. The approved parking ratio for the senior housing use is 1.2 spaces per dwelling unit. With 141 units, the required parking is 169 spaces and the site plan indicates 170 spaces. A gated entrance is shown that will access the future assisted living center and lift station facility. The plan also indicates a park/detention area to be constructed as the regional detention facility for the majority of the lots in the proposed

development. A temporary, compacted gravel walking trail is shown that would allow access for residents of the senior housing facility to the park area. The trail portion around the detention pond itself is shown to be a minimum 5' concrete walk.

Landscape Plan

The landscape plan indicates that the applicant is providing 34% of the total area to be landscaped with a variety of trees, shrubs, grass and groundcover. The proposed landscaping is primarily located around the building and in the parking areas. Staff would recommend that the main drive entrance into the site also be landscaped and irrigated on both sides with trees and accent trees irrigated. The lift station facility is indicated to be screened with photinias. The detention pond area is planted with 10 trees and grass. A fencing detail sheet has been submitted with the landscape plan illustrating the fencing, gates, and entry signage.

Tree Plan

The tree plan indicates the removal of 683.5 inches of trees from the 6.43-acre site. The majority of the trees on this property are cedar and hackberry. The landscape tabulations indicate the replacement of 45 trees @ 3 inch caliper yielding 135 inches of mitigation. However, the plan only shows 40 trees total, including those meeting the basic landscaping requirements. The location of the remaining trees needs to be indicated on the plan. The applicant has a mitigation balance of 548.5 inches to replace; however, the plan indicates the applicant is requesting a variance on the balance of the tree mitigation. The Unified Development Code does not allow for variances to the tree mitigation but does allow for arrangements for developers to supply the City with trees for future planting, payment into the tree fund at \$125 per inch, or consideration of other approved methods.

Building Elevations

The building elevations indicate the dwelling unit structure to be three (3) stories. The elevations show a height of 30' to the top plate and average height to the midpoint of the ridge to be 33'. The drawing indicates the materials to include stone, stucco and hardi plank with a composition shingle roof. The buildings are conforming to the approved concept plan elevations that were part of the zoning approval. The community building is shown as one (1) story with materials consisting of 50% stone and 50% hardi plank. The applicant has also included interior floor plans with an equipment list as an example of the typical dwelling unit that will be built.

Lighting Plan

A lighting and photometric plan has been submitted with the site plan. The plan indicates all lighting to be meeting the maximum standard of 0.2 foot candles at the property lines. Cut sheets of the lighting standards have also been submitted that indicate the wall fixtures are not shielded. These lights must be shielded and the light directed downward. The decorative pole lights will also need to be approved by the Planning and Zoning Commission as a variance to the lighting standards due to the fact that they are also not fully cutoff and shining downward.

Staff would recommend approval of the request with the following conditions:

1. Submittal and approval of engineering plans.
2. Adherence to the Fire Department requirements.
3. All lighting shall meet City of Rockwall requirements, and a variance be granted by the Planning and Zoning Commission for the proposed decorative pole lights.
4. With the development of the remaining lots adjacent to the compacted gravel trail, the trail shall be reconstructed as minimum 5' concrete walk.
5. Submittal and approval by the Planning and Zoning Commission of a tree mitigation plan conforming to City requirements prior to approval of the final plat.
6. Adherence to Parks Board recommendation requiring payment of cash-in-lieu of dedication fees and pro-rata equipment fees at the time of final plat, the funds of which shall be used for Neighborhood Park District #21.

Brad Forslund, a representative of the applicant, was present to answer questions.

After brief discussion, Smith made a motion to approve the request by Brad Forslund of Rockwall Senior Community, LP, for approval of a PD Site Plan for the Evergreen at Rockwall, being a 141-unit age-restricted senior housing development located on a 6.43-acre tract zoned (PD-68) Planned Development No. 68 district (Ord. 06-32), and situated along the east side of S. Goliad (SH 205) south of the railroad and north of Justin Road, as recommended by staff and with the following condition:

1. The "temporary" walk be constructed with brick pavers in place of the gravel.

Hunter seconded the motion. The motion was voted on and passed 6 to 0.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:30 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
October 10, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Greg Burgamy at 6:00 p.m. with the following members present; Glen Farris, Mike Lucas, Connie Jackson, and Michael Hunter. Commissioner Smith and Commissioner Bricker were absent.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, Leslie Ryan and Kim Whitley.

PUBLIC HEARING ITEMS

Z2006-019

Hold a public hearing and consider a request by Rhonda Wells for approval of a Specific Use Permit (SUP) to allow for a Carport (Residential) not meeting the standards in Article IV, Section 2.1.2 of the Unified Development Code, on Lot 8, Block K, Stonebridge Meadows Phase 5, located at 711 Stillwater Drive and zoned (SF-10) Single Family Residential district, and take any action necessary.

Ryan outlined that the Wells are requesting approval of a Specific Use Permit (SUP) to allow for a carport on Lot 8, Block K, of Stonebridge Meadows Phase 5. The tract is zoned (SF-10) Single Family Residential district and is located at 711 Stillwater Drive.

A SUP is required for any carport not meeting the standards in Article IV of the Unified Development Code, which states that residential carports must be open on at least two sides and be located at least 20 feet behind the corner of the front facade and meet the garage setback adjacent to an alley. It must also meet the minimum required side yard setback for a detached garage. Carports which are visible from the public street much be constructed of materials matching those of the house. Staff provided a table outlining the applicants requests compared to these requirements.

The applicants are proposing to construct a Pergola type carport from the materials displayed in the Metals USA pamphlet provided.

Twenty one notices have been sent out to property owners within 200 ft., one of which has been returned in favor. The applicants have also submitted a petition from several neighbors in agreement with the proposed structure and materials.

Staff recommends approval based on the following conditions;

1. Adhere to fire and engineering comments.
2. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

Burgamy opened the public hearing at 6:04 pm.

Rhonda Wells, the applicant, addressed the commission requesting approval and answered questions of the Commission.

Burgamy asked if anyone else wished to speak. There being no response, he closed the public hearing at 6:14 pm.

Jackson made a motion to approve the request by Rhonda Wells for approval of a Specific Use Permit (SUP) to allow for a Carport (Residential) not meeting the standards in Article IV, Section 2.1.2 of the Unified Development Code, on Lot 8, Block K, Stonebridge Meadows Phase 5, located at 711 Stillwater Drive and zoned (SF-10) Single Family Residential district, with staff conditions and the following additional condition:

1. The owners must screen the proposed carport structure from Stonebridge Drive with a combination of a lattice trellis adhered to the posts of the proposed carport and evergreen landscaping such as Wisteria vines or shrubs.

Farris seconded the motion. The motion was voted on and passed 5 to 0.

Z2006-020

Hold a public hearing and consider a request by Mark Medcalf and Shannon Balthrop for approval of a change in zoning from (AG) Agriculture district to (C) Commercial district, on a 45.4871-acre tract currently known as Tract 17-5, Abstract 80, William W. Ford Survey and located at the southeast corner of SH 205 and FM 549, and take any action necessary.

Spencer stated that the applicant has requested a change in zoning from (AG) Agriculture district to (C) Commercial district, on a 45.4871-acre tract currently known as Tract 17-5, Abstract 80, William W. Ford Survey and located at the southeast corner of SH 205 and FM 549. The site is bisected by the proposed realignment of the SH 205 and FM 549 Intersection. The portion of the site adjacent to SH 205 shall be subject to the requirements of the SH 205 Corridor Overlay district and Architectural Review. In addition to site plan the subject tract will also be required to submit and obtain approval of Engineering Plans, Master Plat (if phased), Preliminary Plat, Final Plats and building permit.

The property to the north is zoned (PD-63) Planned Development district for single-family homes. The property to the west across SH 205 is zoned (AG) Agriculture with some existing single-family homes. Property to the east is located outside of the city limits but is developed with single-family homes. Property to the south is located outside of the city limits.

The City's future land use map and Comprehensive Plan designate the realigned intersection of SH 205 and FM 549 as (C) Commercial and the remaining portion of the tract as (SF) Single-Family low density.

The Comprehensive Plan (Hometown 2000) addresses Commercial land use as follows:

"In areas where commercial is indicated at the intersection of major roadways in the northern portion of the city, and where zoning and development have not occurred, commercial zoning should not necessarily be allowed on all 4 corners. Zoning should only be allowed where the commercial use is eminent and where it would be planned and integrated with the adjacent residential neighborhoods."

"The amount of retail and the size of the area to be designated for commercial or mixed use development may be large or small depending on the service area it will serve and the style and quality of development."

Staff feels that this is an appropriate land use in accordance with the Comprehensive Plan and will eventually provide services to an area of the city that does not currently have them. The realignment of FM 549 creates two (2) tracts of land which do not appear as viable "low density residential tracts." The floodplain and existing FM 549 along the north property line, which would likely remain as a city street, offer reasonable and logical boundaries between Commercial and surrounding Single-Family uses.

Notices were mailed to eleven (11) property owners within 200-ft of the subject request, and at the time of this report none had been returned.

Staff Recommends approval of the request.

Burgamy opened the public hearing at 6:21 pm.

Todd Winters, engineer representing the applicant, addressed the commission requesting approval and to answer questions.

Mark Medcalf and Shannon Balthrop were also present for questions, but did not address the Commission.

Burgamy closed the public hearing at 6:25 pm.

Hunter made a motion to approve the request by Mark Medcalf and Shannon Balthrop for approval of a change in zoning from (AG) Agriculture district to (C) Commercial district, on a 45.4871-acre tract currently known as Tract 17-5, Abstract 80, William W. Ford Survey and located at the southeast corner of SH 205 and FM 549 as recommended by staff.

Farris seconded the motion. The motion was voted on and passed 5 to 0.

Z2006-021

Hold a public hearing and consider a request by Charles Mills for approval of a change in zoning from (SF-10) Single Family district to (PD-12) Planned Development No. 12 district, on a 0.24-acre tract currently known as the west 100-ft of Lot 5, Block F, Sanger Brothers Addition and located at the northeast corner of Ross and Alamo, and take any action necessary.

Spencer stated that the applicant has submitted a request for approval of a change in zoning from (SF-10) Single Family district to (PD-12) Planned Development No. 12 district, on a 0.24-acre tract currently known as the west 100-ft of Lot 5, Block F, Sanger Brothers Addition and located at the northeast corner of Ross and Alamo.

Currently on the subject site is an existing single-family house that faces Ross Street. The property to the north is zoned (PD-12) Planned Development district with existing single-family homes. The property to the east is zoned (GR) General Retail with existing retail and office (Goliad Place). The property to the south is zoned (ZL-5) Zero Lot Line with some existing single-family homes and some under development. To the west across Alamo Street the property is zoned (SF-10) Single-Family with existing single family homes.

The subject tract will be required to be replatted into two (2) separate lots and provide the 15' of right-of-way dedication for the alley along the rear property lines. The alley will be required to be constructed and accepted prior to the approval of vertical construction for either lot 1 or lot 2. Both lot 1 and lot 2 will face and be addressed from Alamo while only rear entry from the proposed alley will be allowed.

The Comprehensive Plan (Hometown 2000) addresses General residential policies as follows (9. General residential policies pgs. 16 & 17):

"Existing surrounding conditions such as lot size, house styles and existing development patterns should be considered in conjunction with the current comprehensive plan to determine appropriate zoning."

"At a minimum, new residential development shall be equal to or better than existing surrounding residential development."

Staff feels that the Planned Development will provide a uniform streetscape along the east side of Alamo Street while providing a smooth transition in Land Use from the retail/office on Goliad to the single-family on the west side of Alamo.

Staff sent 27 notices to the property owners located within (PD-12) Planned Development and those property owners located within 200 feet. At the time of this report six (6) responses in favor have been returned.

Staff Recommends approval of the request with the following conditions:

1. Adherence to the existing standards and conditions of PD-12.

2. Approval of Engineering Plans.
3. Approval of replat.
4. Construction of the alley extension to Ross.
5. Lots to be rear entry only.
6. Demolition permit is required prior to demo of the existing structure.
7. Water and sewer impact fees will be required for the proposed lot 1 at the time of building permit.

Burgamy opened the public hearing at 6:32 pm.

Dr. Mills, the applicant, came forward to address the commission and answer any questions that they had.

Mrs. Barb Merriman came forward and expressed to the commission that she wanted to see the trees preserved and wanted to make sure the setbacks lined up with all the other lots in that planned development.

Burgamy asked if anyone else wished to speak. There being no response, he closed the public hearing at 6:37 pm.

Jackson made a motion to approve the request by Charles Mills for approval of a change in zoning from (SF-10) Single Family district to (PD-12) Planned Development No. 12 district, on a 0.24-acre tract currently known as the west 100-ft of Lot 5, Block F, Sanger Brothers Addition and located at the northeast corner of Ross and Alamo, as recommended by staff.

Lucas seconded the motion. It was voted on and passed 5 to 0.

SITE PLANS / PLATS

SP2006-032

Discuss and consider a request by Scott Graves of WD Partners for approval of an amended site plan for Travel Centers of America for a parking expansion, located on Lots 1 and 2, Block A, Travel Centers of America Addition, being 13.07-acres zoned (C) Commercial district and located within the IH-30 Corridor Overlay district and SH 205 Corridor Overlay district, and take any action necessary.

Hampton outlined that the site plan application is for a proposed expansion of the truck parking lot at the Travel Centers of America. As discussed at the P&Z worksession on September 26th, IdleAire may be submitting a separate application at a later date for the proposed installation of their facilities at the truck stop.

The parking expansion involves additional detention facilities and paving which must be approved by the engineering department. Staff has recommended that the applicant bring the landscaping into compliance for the detention area and parking lot expansion. With future applications for expansion or additional facilities (such as IdleAire), staff would recommend additional landscaping requirements for the remainder of the site to at least bring the landscape buffers into compliance. The

parking lot expansion must meet all engineering and fire department requirements. A replat is required for this project due to firelane and utility easement reconfigurations, as well as right-of-way requirements for the SH 205 widening. The replat shall be submitted and approved after engineering plans approval.

A landscape plan has been submitted, and at this time the applicant is proposing to plant 31 Cedar Elms within the detention area to meet City requirements. Additionally, Cedar Elms are proposed along the SH 205 frontage of Lot 2 to meet buffer requirements. Staff would also recommend the appropriate planting of accent trees (approximately 10 trees) within the Lot 2 buffer to meet these standards.

Scott Graves, applicant, was present to answer questions.

Staff Recommends approval of the request with the following conditions:

1. Approval of engineering plans.
2. Adherence to fire department requirements.
3. Submittal and approval of replat.
4. Right-of-way dedication required along SH 205.
5. Ten (10) accent trees (i.e. four per 100-ft frontage) shall be required within the buffer along SH 205 frontage on Lot 2 with this parking expansion.
6. Future site plan application(s) on Lot 1 shall require additional landscaping to meet IH-30 and SH 205 Overlay requirements.

Jackson made a motion to approve the request by Scott Graves of WD Partners for approval of an amended site plan for Travel Centers of America for a parking expansion, located on Lots 1 and 2, Block A, Travel Centers of America Addition, being 13.07-acres zoned (C) Commercial and located within the IH-30 Corridor Overlay district and SH 205 Corridor Overlay district, as recommended by staff.

Farris seconded the motion. The motion was voted on and passed 5 to 0.

P2006-043

Discuss and consider a request by Brad Forslund of Churchill Residential, Inc., for approval of a master plat for Eastshore Addition, being 25.55-acres zoned (PD-68) Planned Development No. 68 district (Ord. 06-32), and situated along the east side of S. Goliad (SH 205) south of the railroad and north of Justin Road, and take any necessary action.

Hampton stated that the master plat for the Eastshore Addition is intended to accommodate development of a 25-acre tract including the 141-unit "Evergreen at Rockwall" age-restricted senior housing project. Phase I of the project includes development of Lot 2 for the senior housing facilities, along with off-site utility, detention and access improvements required for the project. The remaining property is indicated to be developed as "Phase II" and completed by October, 2011.

The subject property is zoned (PD-68) Planned Development No. 68 district, which has an underlying zoning designation of (C) Commercial district. The master plat appears to conform with all area requirements specified in the approved PD ordinance.

The development will be accessed from two drives from SH 205, the locations of which have been approved "in concept" by TXDOT. Potentially, a third point of access will be provided from Townsend Drive to the northeast; however, this access is contingent on the developer obtaining an offsite access easement from the adjacent owner.

Staff Recommends approval of the request with the following conditions:

1. Approval of preliminary plat.
2. Submittal and approval of engineering plans.
3. Adherence to fire department requirements.
4. Submittal and approval of final plat(s).
5. Submittal and approval by the Planning and Zoning Commission of a final tree mitigation plan conforming to City requirements prior to or concurrently with approval of the final plat.
6. Adherence to Parks Board recommendation requiring payment of cash-in-lieu of dedication fees and pro-rata equipment fees at the time of final plat, the funds of which shall be used for Neighborhood Park District #21.

Lucas made a motion to approve the request by Brad Forslund of Churchill Residential, Inc., for approval of a master plat for Eastshore Addition, being 25.55-acres zoned (PD-68) Planned Development No. 68 district (Ord. 06-32), and situated along the east side of S. Goliad (SH 205) south of the railroad and north of Justin Road, as recommended by staff.

Jackson seconded the motion. The motion was voted on and passed 5 to 0.

P2006-044

Discuss and consider a request by Brad Forslund of Churchill Residential, Inc., for approval of a preliminary plat for Eastshore Addition, being 25.55-acres zoned (PD-68) Planned Development No. 68 district (Ord. 06-32), and situated along the east side of S. Goliad (SH 205) south of the railroad and north of Justin Road, and take any necessary action.

Hampton stated that the preliminary plat for the Eastshore Addition is intended to accommodate development of a 25-acre tract including the 141-unit "Evergreen at Rockwall" age-restricted senior housing project on the proposed Lot 2 (6.43-acres). The applicant recently received approval of a PD Site Plan for the senior housing facility. No development is proposed on the remaining property at this time; however, included with Phase I are the proposed lift station on Lot 5 and detention pond / park easement on Lot 7, as well as off-site access drives and utility improvements required for the project.

The subject property is zoned (PD-68) Planned Development No. 68 district, which has an underlying zoning designation of (C) Commercial district. The preliminary plat appears to conform to all area requirements specified in the approved PD ordinance.

The development will be accessed from two drives from SH 205, the locations of which have been approved "in concept" by TXDOT. Potentially, a third point of access will be provided from Townsend Drive to the northeast; however, this access is contingent on the developer obtaining an offsite access easement from the adjacent owner.

The latest tree survey and landscape plan indicates the required mitigation of 876.5 inches from the 6.43-acre site, with 261-inches to be planted back in. The applicant has a mitigation balance of 615.5 inches to replace. As discussed with the PD Site Plan, staff is recommending a final tree plan be approved with the final plat which should outline the developer's plan for outstanding mitigation. The City Council stipulated in their approval of the PD Site Plan that at least two (2) tree transplant days will be held prior to construction, with proper notice in the local paper and a sign posted on the property.

Staff Recommends approval of the request with the following conditions:

1. Submittal and approval of engineering plans.
2. Adherence to fire department requirements.
3. Submittal and approval of final plat(s).
4. Submittal and approval by the Planning and Zoning Commission of a final tree mitigation plan conforming to City requirements prior to or concurrently with approval of the final plat.
5. Adherence to Parks Board recommendation requiring payment of cash-in-lieu of dedication fees and pro-rata equipment fees at the time of final plat, the funds of which shall be used for Neighborhood Park District #21.

Brad Forslund, a representative of the applicant, was present to answer questions.

Jackson made a motion to approve the request by Brad Forslund of Churchill Residential, Inc., for approval of a preliminary plat for Eastshore Addition, being 25.55-acres zoned (PD-68) Planned Development No. 68 district (Ord. 06-32), and situated along the east side of S. Goliad (SH 205) south of the railroad and north of Justin Road, as recommended by staff.

Hunter seconded the motion. The motion was voted on and passed 5 to 0.

P2006-045

Discuss and consider a request by Michael Alturk of MA Engineering for approval of a preliminary plat for Subway / Gateway / Health Food Store Addition, being a 2.0-acre tract currently described as Tract 2-2, Abstract 186, J.A. Ramsey Survey, zoned (PD-46) Planned Development No. 46 and located at the northeast corner of FM 549 and SH 276, and take any action necessary.

Hampton stated that the applicant has submitted a preliminary plat for the Gateway Addition, being a proposed gas station, restaurant and health market development located at the northeast corner of FM 549 and SH 276. The site features an existing building previously used for automotive tire and battery sales. A site plan for the development was approved by the City in June 2006, and included significant upgrades to the existing building and landscaping.

The site will be accessed via an existing driveway from FM 549 that will be reconstructed to TXDOT and engineering department standards. Additionally, the existing drive from SH 276 will be removed and a new cross access drive located near the eastern property line of the lot, ensuring access to that undeveloped property in the future. TXDOT has issued preliminary approval "in concept" of the proposed driveway locations. The plat also includes a 20-ft ROW dedication along FM 549, and indicates the NTMWD easement running parallel to this roadway.

The preliminary plat appears to comply with the (PD-46) Planned Development No. 46 district and its underlying (C) Commercial zoning requirements.

Staff Recommends approval of the request with the following conditions:

1. Approval of engineering plans.
2. Adherence to fire department requirements.
3. Submittal and approval of final plat.
4. TXDOT permit(s) required.
5. Approval letter from NTMWD for proposed landscaping within 50-ft easement.

Jackson made a motion to approve the request by Michael Alturk of MA Engineering for approval of a preliminary plat for Subway / Gateway / Health Food Store Addition, being a 2.0-acre tract currently described as Tract 2-2, Abstract 186, J.A. Ramsey Survey, zoned (PD-46) Planned Development No. 46 and located at the northeast corner of FM 549 and SH 276, as recommended by staff.

Hunter seconded the motion. The motion was voted on and passed 5 to 0.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:13 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
November 28, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Greg Burgamy at 6:00 p.m. with the following members present; Glen Farris, Mike Lucas, Bill Bricker, Connie Jackson, Michael Hunter and Glen Smith.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, Kim Whitley and Leslie Ryan.

PUBLIC HEARING ITEMS

Z2006-024

Hold a public hearing and consider a request by Shirley Black for approval of an amendment to the existing Specific Use Permit (Ord. 05-26) allowing for "Antiques / Collectable Sales" within (PD-50) Planned Development No. 50 district, at 502 N. Goliad on Lot 1, Block 1, Black's Collectables Addition, specifically to designate areas for outside display and merchandising, and take any action necessary. (Continued from November 14, 2006)

The applicant, Shirley Black is requesting approval of an amendment to the existing Specific Use Permit (Ord. 05-26) allowing for "Antiques / Collectable Sales" within (PD-50) Planned Development No. 50 district. The property is located at 502 N. Goliad on Lot 1, Block 1 of the Black's Collectables Addition. The purpose of the SUP is to specifically designate areas for outside display and merchandising. The applicant must abide and follow the site plan attached to the SUP.

Twenty two (22) notices were sent out to property owners within 200 feet of the property and as of now one has been returned in opposition.

Staff recommends approval based on the following conditions:

1. Adherence to the approved amended site plan.
2. The display areas are limited to those shown on the site plan.

Burgamy stated that the public hearing was still open from the November 14th meeting.

Shirley Black, the applicant, came forward to address the commission and request approval.

With no others coming forward to speak, the public hearing was closed.

After some discussion, Jackson made a motion to approve the request by Shirley Black for approval of an amendment to the existing Specific Use Permit (Ord. 05-26) allowing for "Antiques / Collectable Sales" within (PD-50) Planned Development

No. 50 district, at 502 N. Goliad on Lot 1, Block 1, Black's Collectables Addition, specifically to designate areas for outside display and merchandising, as recommended by staff and with the following condition:

1. Additional outside display, limited to tables and chairs only, shall be allowed within an 8-ft radius of the large Bois D'Arc tree in the rear parking area.

Hunter seconded the motion. It was voted on and passed 6 to 1 with Bricker voting against.

P2006-056

Discuss and consider a request by Brad Forslund of Churchill Residential, Inc., for approval of a final plat for Eastshore Addition, being 25.55-acres zoned (PD-68) Planned Development No. 68 district (Ord. 06-32), and situated along the east side of S. Goliad (SH 205) south of the railroad and north of Justin Road, and take any necessary action.

Hampton stated that the final plat for the Eastshore Addition is intended to accommodate development of a 25-acre tract including the 141-unit "Evergreen at Rockwall" age-restricted senior housing project on the proposed Lot 3 (6.57-acres). The applicant has previously received approval of a PD Site Plan, and master and preliminary plats for the senior housing facility. No development is proposed on the remaining property at this time; however, the applicant has opted to final plat the entire property including dedication of a lift station easement on Lot 5 and detention pond / park easement on Lot 7.

The development will be accessed from two drives from SH 205, the locations of which have been approved "in concept" by TXDOT. Only the southern most drive will be constructed with the senior housing development. The second drive will be constructed with future development of the remaining property. A gated, emergency-only access will be provided from Townsend Drive to the northeast, for which the applicant will file an offsite agreement with the adjacent property owners.

The subject property is zoned (PD-68) Planned Development No. 68 district, which has an underlying zoning designation of (C) Commercial district. The final plat appears to conform with all area requirements specified in the approved PD ordinance.

The final tree survey and landscape plan indicates the required mitigation of 672-inches from the site at this time (primarily on Lot 3), with 156-inches to be planted back in. The applicant has a mitigation balance of 516 inches to replace. In accordance with the City Council's approval of the PD Site Plan, the owner will hold at least two (2) tree transplant days prior to construction, with proper notice in the local paper and a sign posted on the property. Any transplanted trees will be credited towards the 516-inch mitigation balance. Staff would recommend that any outstanding balance thereafter be mitigated by the applicant establishing an account at a local nursery for the City to acquire trees to plant on City-owned properties and/or right-of-way in the area, or the developer may pay into the tree fund at \$125 per inch (i.e. \$64,500).

Staff Recommends approval of the request with the following conditions:

1. Submittal and approval of engineering plans, including final approval of off-site easements and utilities.
2. Adherence to fire department requirements.
3. Adherence to Parks Board recommendation requiring payment of cash-in-lieu of dedication fees and pro-rata equipment fees at the time of final plat, the funds of which shall be used for Neighborhood Park District #21.
4. Submittal and review of Property Owner's Association and/or maintenance agreement for off-site detention and park area prior to filing of final plat.
5. Add signature lines for City Secretary and City Engineer in City signature block.
6. Developer shall mitigate for remaining 516-inches of tree removal by establishing an account at a local nursery for the City to acquire trees to plant on City-owned properties and/or right-of-way in the area, or the developer may pay into the tree fund at \$125 per inch (i.e. \$64,500).

Brad Forslund, the applicant, came forward to address the commission and to request approval.

Smith made a motion to approve the request by Brad Forslund of Churchill Residential, Inc., for approval of a final plat for Eastshore Addition, being 25.55-acres zoned (PD-68) Planned Development No. 68 district (Ord. 06-32), and situated along the east side of S. Goliad (SH 205) south of the railroad and north of Justin Road, as recommended by staff.

Farris seconded the motion. It was voted on and passed 7, 0.

SP2006-035

Discuss and consider a request by Jeff Taylor of Senior Care Consultants for approval of a PD Site Plan for a Senior Care Health and Rehabilitation facility on the proposed Lot 6, Block A, Horizon Ridge Medical Addition (preliminary platted as Horizon Ridge Center South Addition), being 4.539-acres zoned (PD-9) Planned Development No. 9 District and situated southwest of Horizon Rd and southeast of Tubbs Rd, and take any action necessary.

Hampton addressed the Commission and stated that the applicant had amended their landscape plan and elevations based on the feedback from the Commission on November 14, 2006. The applicant has revised their elevations to include four (4) cupola elements on the building, and has enhanced the main entrance with additional stone on the columns.

On the landscape plan, the applicant has relocated several trees that were located near the building to the rear of the site, which addresses both of the Commission's concerns of screening the proposed use from the Rainbow Lake Estates neighborhood and "thinning out" the clusters of trees around the building for long term health of the landscaping and ground cover. The proposed trees are still shown to be more mature (4 ½ to 5-inches in caliper) at time of planting, which coincides with the Architectural Review Board's recommendations.

Staff Recommends approval of the request with the following conditions:

1. Submittal and approval of engineering plans.
2. Adherence to all fire department requirements.
3. Submittal and approval of final plat after engineering approval.
4. All light fixtures shall be cut-off in accordance with City specifications and lighting levels shall not exceed 0.2-FC when measured at any property line.
5. All mechanical equipment shall be screened entirely from view from adjacent properties and public right-of-ways.

Jeff Taylor, the applicant, came forward to address the commission and to request approval. Mr. Taylor also presented additional drawings and a 3D rendering of the front entrance to better show the articulation and changes to their building.

Bricker made a motion to approve the request by Jeff Taylor of Senior Care Consultants for approval of a PD Site Plan for a Senior Care Health and Rehabilitation facility on the proposed Lot 6, Block A, Horizon Ridge Medical Addition (preliminary platted as Horizon Ridge Center South Addition), being 4.539-acres zoned (PD-9) Planned Development No. 9 District and situated southwest of Horizon Rd and southeast of Tubbs Rd, as recommended by staff and with the following condition:

1. The proposed cupola elements be increased in size from 5'x5' to 8'x8', or to a size that is architecturally appropriate (to be reviewed by staff).

Smith seconded the motion. It was voted on and passed 7 to 0.

SP2006-039

Discuss and consider a request by David Grant of IdleAire Tech. Corp. for approval of an amended site plan for Travel Centers of America to allow for IdleAire facilities at the existing truck stop located at the southwest corner of IH-30 and SH 205, on Lots 1 and 2, Block A, Travel Centers of America Addition, being 13.07-acres zoned (C) Commercial district and located within the IH-30 Overlay district and SH 205 Overlay district, and take any action necessary.

Hampton outlined that the applicant, IdleAire Tech. Corp, desires to install their facilities at the existing Travel Centers of America truck stop at the SW corner of IH-30 and SH 205. The applicant has included a packet of information describing the functionality and form of the proposed facilities, which enable trucks to turn off their engines and instead plug into the IdleAire equipment for heating and A/C, computer access, television, etc. Coupled with recent federal requirements that limit the amount of time long haul trucks can be on the road, and environmental issues that result from trucks that idle for long periods, staff feels the proposed use has some value. Additionally, the NCTCOG has issued a letter to the City in support of the technology, including their administration of a grant through TCEQ intended to improve air quality in the region.

However, the proposed structures associated for the use do not meet the standards for the IH-30 Overlay and/or SH 205 Overlay districts. First, mechanical equipment is not screened entirely from view from adjacent properties or public right-of-way. The applicant has added a green, mesh-type screen to the system based on previous comments from staff and the Planning and Zoning Commission. The proposed structures (steel truss system) also do not meet the masonry standards set forth in the overlay districts. Finally, a proposed 10'x32' equipment center that is manned by an employee to assist customers with operations of the facilities also does not meet overlay standards including masonry exterior requirements and pitched roof design. The applicant has revised previous submittals and proposes to use stucco on the outside of the equipment center.

Recently, an amended site plan for the TA truck stop was approved for the parking lot expansion and drainage improvements, resulting in 124 overall truck parking spaces. Of those 124 spaces, 66 would have access to IdleAire equipment. The remaining 58 would be regular, full-length truck spaces.

The Architectural Review Board, concerned that the proposed structures did not meet Overlay standards, did not offer a recommendation on the proposal at their October 31st meeting. However, the ARB suggested additional landscaping would help screen the facilities if the P&Z and Council approved their installation. Staff and the Commission have also previously stressed landscaping improvements as a trade-off in considering the requested variances. The applicant has submitted a landscape plan in response, which shows the existing landscaping and an additional 12 canopy trees and 25 accent trees to bring both buffers into compliance with Overlay requirements.

If request is approved, Staff offers the following conditions:

1. Submittal and approval of engineering plans (if applicable).
2. Adherence to fire department requirements.
3. Letter of approval from TXU regarding installation of structures over and/or across their existing easement(s), if applicable.

David Grant, the applicant, came forward to address the commission and to request approval.

Christopher Klaus, from the North Central Texas Council of Governments, also addressed the Commission and discussed the NCTCOG's role in regional air quality efforts and their involvement with TCEQ and IdleAire.

After discussion, Hunter made a motion to approve the request by David Grant of IdleAire Tech. Corp. for approval of an amended site plan for Travel Centers of America to allow for IdleAire facilities at the existing truck stop located at the southwest corner of IH-30 and SH 205, on Lots 1 and 2, Block A, Travel Centers of America Addition, being 13.07-acres zoned (C) Commercial district and located within the IH-30 Overlay and SH 205 Overlay districts, as recommended by staff.

Jackson seconded the motion. It was voted on and passed 6 to 1 with Burgamy voting against.

There being no other action items, the commission continued on to the discussion items.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:00 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
December 12, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Greg Burgamy at 6:00 p.m. with the following members present; Glen Farris, Bill Bricker, Glen Smith, and Michael Hunter. Commissioner Jackson and Lucas were absent.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, and Leslie Ryan.

PUBLIC HEARING ITEMS

Z2006-025

Hold a public hearing and consider a request by Tito Fuentes of T-Mobile USA for approval of an amendment to (PD-47) Planned Development No. 47 District (Ord. No. 99-17), specifically to allow for a Commercial Antenna on Lot 1, Block 1, First Christian Church, Disciples of Christ Addition, located at 3375 Ridge Road, and take any action necessary.

Spencer outlined that the applicant, Tito Fuentes of T-Mobile USA, has requested approval of an amendment to (PD-47) Planned Development No. 47 District (Ord. No. 99-17), specifically to allow for a Commercial Antenna on Lot 1, Block 1, First Christian Church, Disciples of Christ Addition, located at 3375 Ridge Road.

The applicant is proposing to install a "stealth" antenna facility with the antenna and all accessory equipment contained in the existing steeple. No outdoor equipment for the antenna facility will be allowed.

The site is zoned Planned Development No. 47 with the underlying zoning of Single Family (SF-10). The City of Rockwall Unified Development Code prohibits any Commercial Antenna regardless of type in the Single Family (SF-10) zoning district.

The applicant has submitted detailed drawings to be attached to and become part of the ordinance amending the existing Planned Development.

Staff sent notices to the property owners located within 200' and at the time of this report no notices have been returned.

Staff Recommends approval of the request with the following conditions:

1. Adherence to Fire Department Standards
2. Building Plan approval by the Building Inspection and Fire Departments
3. All equipment shall be contained inside of the building.
4. The height of the steeple to remain as it currently exists.

Burgamy opened the public hearing.

Tito Fuentes, the applicant, came forward to address the commission and answer any questions.

After no further comment, Burgamy closed the public hearing.

Smith made a motion to approve the request by Tito Fuentes of T-Mobile USA for approval of an amendment to (PD-47) Planned Development No. 47 District (Ord. No. 99-17), specifically to allow for a Commercial Antenna on Lot 1, Block 1, First Christian Church, Disciples of Christ Addition, located at 3375 Ridge Road as recommended by staff.

Farris seconded the motion. The motion was voted on and passed 4 to 0. Michael Hunter arrived after this case.

SITE PLANS / PLATS

SP2006-041

Discuss and consider a request by Mark Pross of Pross Design Group, Inc., for approval of a special exception to the construction materials requirements specified in Article V, Section 5.1, *General Industrial District Standards* of the Unified Development Code, an exception to the parking standards specified in Article VI, *Parking and Loading* of the Unified Development Code, and a waiver to the sidewalk requirements specified in the City's Subdivision Ordinance, in association with an administrative site plan for SPR Packaging, a 55,000-sf industrial development located on a 10.18-acre tract zoned (LI) Light Industrial District and situated at the northwest corner of Industrial Blvd and the future extension of Justin Drive, and take any action necessary.

Hampton stated that staff is currently administratively reviewing the site plan that SPR Packaging has submitted. SPR Packaging is a new industrial business wishing to locate at the northwest corner of the intersection of the extension of Justin Road and the existing Industrial Street. This 10 acre property is zoned LI (Light Industrial) and is vacant. The site plan includes building elevations, lighting, landscaping and other elements generally required for the review process. The applicant is requesting certain waivers to the City's requirements which include the following:

1. Reduction of required parking of 75 spaces to 49 spaces. The applicant has indicated the maximum number of employees to be 40.
2. Deletion of the required City sidewalk. The applicant indicates that there are no other public sidewalks adjacent to existing buildings in the area and they believe that they would rather invest their money on landscaping in front of the building.
3. Elimination of the 20% stone requirement by substituting a cast stone formliner on the wall panels. The applicant has included an elevation

study to indicate the areas that are proposed to receive the cast stone formliner.

The Unified Development Code, Article VI, Parking and Loading, Section 1, Purpose, states that “to protect the environment by promoting trip reduction and efficient land use through an analytic process in which the amount of parking may be limited to what is realistically needed for the uses on the site, thus reducing concrete/asphalt areas, heat islands and air pollution”. This provision allows the Commission to consider a reduction in parking if the use would warrant such a reduction.

Under the City’s Subdivision Ordinance, sidewalk is required for all streets designated on the adopted Master Thoroughfare Plan. All required sidewalks shall be constructed by the builder at the time the lot is developed. The Subdivision Ordinance states that “if, at the time the property is developed, it is determined to be unfeasible to construct the sidewalks as required, the builder shall pay into escrow the estimated cost of said sidewalk. The amount of escrow shall be as determined by the city engineer or his designated representative, and shall be payable prior to construction of any buildings or other improvements. Where in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured, upon recommendation by the city planning and zoning commission, the city council may, in specific cases, at a regular meeting of the city council, and subject to appropriate conditions and safeguards, authorize special exceptions to these regulations in order to permit reasonable development and improvement of property where the literal enforcement of these regulations would result in an unnecessary hardship. Staff is not recommending the waiver of sidewalks or the escrow and would recommend at the minimum the escrow be required.

The Unified Development Code, Article V, Section 5, Industrial Districts, 5.1 General Industrial District Standards under Section A. Construction Materials states the following:

“A. Construction Materials

1. Exterior Walls - Each exterior wall shall consist of 90% masonry materials as defined in *Article XIII Definitions - Masonry*, excluding doors and windows, on walls which are visible from a public street or open space, including a minimum of 20% stone.

All buildings shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast or cultured stone, or a combination of those materials. The use of other cementaceous products (e.g. stucco, Hardy Plank, or other similar materials approved by the Building Official) shall be limited to 50% of the buildings exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco

may not be located in the first 8 feet above grade on a façade visible from a street or public area.

Exceptions to this requirement, including allowing concrete tilt-up walls, may be permitted on a case by case basis by the Council upon submission and approval of elevation drawings of the subject structure, and material samples.”

Allowance of concrete tilt-up walls and waivers to the stone requirements has been considered with large industrial structures such as those within the REDC Park.

Mark Pross, the applicant, addressed the commission requesting approval of the request and to answer questions.

After brief discussion, Farris made a motion to approve the request by Mark Pross of Pross Design Group, Inc., for approval of a special exception to the construction materials requirements specified in Article V, Section 5.1, *General Industrial District Standards* of the Unified Development Code, an exception to the parking standards specified in Article VI, *Parking and Loading* of the Unified Development Code, and a waiver to the sidewalk requirements specified in the City’s Subdivision Ordinance, in association with an administrative site plan for SPR Packaging, a 55,000-sf industrial development located on a 10.18-acre tract zoned (LI) Light Industrial District and situated at the northwest corner of Industrial Blvd and the future extension of Justin Drive as recommended by staff and with the following conditions:

1. Sidewalk must be constructed along on Industrial.
2. Exclude option #1 from consideration for the formliner material.

Smith seconded the motion. The motion was voted on and passed 5 to 0.

ARCHITECTURAL REVIEW BOARD ITEMS

SP2006-038

Discuss and consider a request by Ned Saqer of STM & Associates for approval of a PD Site Plan for Children's Lighthouse, located on the proposed Lot 1, Block D, North Lakeshore Valley Addition, being 1.543-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) and situated along the west side of SH 205 north of Old Quail Run Rd within the North SH 205 Corridor Overlay district, and take any action necessary.

Hunter excused himself due to conflict of interest.

Spencer stated the site plan submitted by the applicant is for a Daycare known as the Children's Lighthouse. The subject site is part of a larger development know as North Lakeshore Valley (NLV). Earlier this year the Planning and Zoning Commission approved an overall site plan for the entire NLV development. Each site plan submitted for all the individual lots contained within the development shall comply with the approved overall site plan.

The site will be accessed via one (1) proposed drive from SH 205 (North Goliad) and through two (2) mutual access drives connecting to the adjacent lot to the south. The overall site plan for the North Lakeshore development shows that the daycare and the lot located along the south property line will connect via mutual access and a continuous fire lane loop. The parking and fire lane/mutual access easements located on the adjacent lot to the south must be approved (site plan and engineering plan) and constructed prior to vertical construction of the proposed daycare.

The proposed daycare is shown to be a 10,000-sq. ft. building requiring thirty-four (34) parking spaces at ratio of one (1) parking space for every 300 sq. ft. The applicant is meeting city requirements by proposing to install thirty-four (34) parking spaces.

Landscape Plan

The applicant is proposing to install six (6) large canopy trees along SH 205 in an effort to comply with the SH 205 Overlay district. In addition to the canopy trees the applicant is required to plant eight (8) 4' high (at the time of planting) ornamental trees along SH 205 as required by the overlay district. A final tree mitigation plan will be required to be approved in conjunction with the final plat. A preliminary tree mitigation plan shows that the applicant is proposing to save 500" of on-site trees including those located along SH 205 and Quail Run. The existing trees adjacent to Quail Run along with six (6) proposed additional large trees and thirty-eight (38) Nellie R Stevens plants will provide the buffer at the rear of the property as required within the planned development. The applicant appears to be meeting all the other requirements of the Unified Development Code and the planned development.

Building Elevations

The proposed building is a 29'7" high single-story building constructed primarily of Limestone, Shell stone and Stucco with a standing seam (Galvalume) metal roof. Staff recommends that the Galvalume standing seam metal roof be replaced with another type of standing seam. All standing seam roofs must be of factory finish with lapped seam construction. The elevations as submitted meet the requirements of the Unified Development code and the planned development.

Photometric Plan

The light levels located adjacent to Quail Run Road are higher than the maximum of 0.2 ft-candles allowed by the planned development. Staff is recommending that the western most pole light be removed, adequately shielded or rotated as to not allow any light spill over along the western property line. All exterior lighting shall be a maximum of 20' in height (including the base) and shall be directed downward with a maximum 1" reveal. In addition to the parking lot lighting the photometric plan needs to show all exterior lighting including wall mount. The remaining portion of the photometric plan appears to meet all other city requirements. Staff has requested lighting cut-sheets from the project architect.

The ARB reviewed the project at the October work session and unanimously tabled the item until the applicant elected to bring it back with the recommended revisions. At their meeting on December 12th, the ARB recommended approval of the revised elevations and site plan.

Staff Recommends approval of the request with the following conditions:

1. Adherence to Fire and Engineering standards.
2. The parking and fire lane/access easements for the proposed lot to the south be approved (site plan and engineering plan) and constructed prior to or at the same time as proposed daycare.
6. All exterior lighting be downward, full or partial cut-off luminare with a maximum reveal of 1".
7. All exterior lighting shall be no greater than 0.2 ft-candles at the property line.
8. The Galvalume standing seam metal roof be replaced with another type of standing seam. All standing seam roofs must be of factory finish with lapped seam construction. The color of the roof shall be gray in accordance with the previously approved site plan for North Lakeshore Valley.

The applicant came forward to address the commission and answer any questions.

Farris made a motion to approve the request by Ned Saquer of STM & Associates for approval of a PD Site Plan for Children's Lighthouse, located on the proposed Lot 1, Block D, North Lakeshore Valley Addition, being 1.543-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) and situated along the west side of SH 205 north of Old Quail Run Rd within the North SH 205 Corridor Overlay district, as recommended by staff.

Smith seconded the motion. The motion was voted on and passed 4-0 with Hunter abstaining.

Hunter returned to the meeting.

SITE PLANS/ PLATS

P2006-058

Discuss and consider a request by Sean Flaherty of The Wallace Group, Inc., for approval of Lots 6-8, Rockwall Business Park East Addition, being a replat of a 45.624-acre tract zoned (PD-14) Planned Development No. 14 district and (C) Commercial district, currently known as Lots 1-4, Rockwall Business Park East Addition and a remainder part of Lot 1, Block A, Rockwall Business Park East Addition, and including the abandonment of Plaza Drive and Mayfair Drive, located south of IH-30, west of SH 205 and north of Ralph Hall Parkway, and take any action necessary.

The applicant has submitted a replat to consolidate 45.624-acres of land for the development of the Plaza at Rockwall commercial development. A site plan for the project was approved by the Planning and Zoning Commission in June 2006, and

several proposed amendments to the plan and building elevations are being considered concurrently with the replat. The replat includes land currently described as Lots 1, 2, 3 and 4 of the Rockwall Business Park East Addition. Additionally, a "remainder" 0.774-acre tract from the original Lot 1, Block A, Rockwall Business Park East subdivision is included in the replat, and is the site of the Country Day Montessori School which will close with the development of the proposed shopping center. Finally, the replat absorbs the previously vacated and abandoned public right-of-ways for Mayfair Drive (never constructed) and Plaza Drive. The replat also indicates abandoned utility, drainage and access easements as necessary.

No right-of-way dedication is required as part of the replat, though the recent dedication of land from the previous land owner (Dallas East) to TXDOT for the SH 205 widening is illustrated. The development will feature access points from IH-30, SH 205 and Ralph Hall Pkwy. The majority of the shopping center will be located on the proposed Lot 6 (43.45-acres), and a site plan has not yet been approved for development on Lots 7 and 8. Cross access is provided between all three lots, as well as at the northwest corner of the site adjacent to Lot 8, Block A, Rockwall Crossing (i.e. La Madeleine restaurant) to ensure connectivity between the two developments.

For clarity, the applicant has submitted several graphical sheets for the replat, including a sheet with typical deed and boundary information as well as separate detail sheets for firelane easements, water line easements, and storm drain / detention pond easements. Prior to final acceptance and filing, all engineering and fire department requirements must be adhered to and shown accordingly on the replat.

In conjunction with the replat submittal and the proposed site plan amendments, the applicant has submitted a final tree mitigation plan. Approval of the site plan in June 2006 included the removal of all trees, and the City's agreement to the mitigation of 3703-inches. However, the final determination of how mitigation would be addressed was not clear and deferred to the replat stage. The applicant has submitted a new landscape and tree mitigation plan, which indicates that approximately 468 "mitigation trees" measuring 5.5-inches in caliper would be planted above and beyond the basic landscaping requirements, providing 2574-inches of mitigation. Additionally, the landscape architect has suggested that 452 of the required landscape trees be increased in size from the minimum 3-inches caliper to 5-inches caliper, or 2-inches "extra" per tree, resulting in 1130 additional inches of mitigation.

Staff would offer the following recommendations if approved:

1. Approval of engineering plans.
2. Adherence to fire department requirements.
3. Tie at least two (2) corners of subject property to City monumentation.

Raymond Poche and Rick Machak, of The Woodmont Company, were present to answer questions.

After extensive discussion on the tree mitigation and landscape plan, Smith made a motion to approve the replat of Lots 6-8, Rockwall Business Park East Addition, being a 45.624-acre tract zoned (PD-14) Planned Development No. 14 district and (C) Commercial district, currently known as Lots 1-4, Rockwall Business Park East Addition and a remainder part of Lot 1, Block A, Rockwall Business Park East Addition, and including the abandonment of Plaza Drive and Mayfair Drive, located south of IH-30, west of SH 205 and north of Ralph Hall Parkway, as recommended by staff and to approve the treescape plan with the stipulation that the developer shall receive a credit towards the remaining 600-inches of mitigation with additional shrubs and accent trees.

Staff shall approve the final landscape plan utilizing a policy that five, 5-gallon shrubs shall equal 1-inch of mitigation, and one, 25-gallon accent tree shall equal 3-inches mitigation.

Hunter seconded the motion. The motion was voted on and passed 5 to 0.

ARCHITECTURAL REVIEW BOARD ITEMS

SP2006-040

Discuss and consider a request by Sean Flaherty of The Wallace Group for approval of an amended site plan and building elevations for the Plaza at Rockwall (aka Rockwall Crossing Phase 2) commercial development, located on a 47-acre (+/-) tract zoned (PD-14) Planned Development No. 14 district and (C) Commercial district, and situated within the IH-30 Corridor Overlay District and SH 205 Corridor Overlay District, and take any action necessary.

A site plan for the Plaza at Rockwall commercial development was approved by the Architectural Review Board and Planning and Zoning Commission in June 2006, and at this time the applicant has submitted several proposed amendments to the plan, primarily to the building elevations, for consideration. Included in the packets are 11"x17" copies of the original plans that have been amended with the current proposal. Staff would summarize the significant changes as follows:

Parking Layout - The applicant had requested with the original site plan a variance to the City's standard parking dimensions for "head-in" parking spaces. However, the City Council denied the variance. Consequently, the applicant has reconfigured the parking lot to incorporate 9'x20' spaces throughout, though the overall design and layout of the parking and building locations remain intact. Additionally, the development remains in compliance with the City's "joint use" parking requirements as previously approved.

Elevations for Buildings 1, 2 and 3 - The primary change is to the east end of Building 1, which was originally approved with a curved architectural element at the east end. The current proposal is to square this side of the building though a vertical articulation element has been added at the corner to match the remainder of

Building 1. Buildings 2 and 3 appear to remain intact from the previous approval, as do building materials and the effective screening of rooftop mechanical units.

Elevations for Building 4 (Staples) -The design of Building 4 and use of materials appears to match what the City reviewed and approved in June 2006.

Elevations for Building 5 (Dick's Sporting Goods) - The significant change to Building 5 is that the tenant has changed from Academy to Dick's Sporting Goods, and consequently, the building size has been reduced from 81,000-sf to 50,000-sf. Otherwise, the design of the structure and use of colors and materials appears to closely resemble what the City reviewed and approved in June 2006. With the reduction of size, an additional building (i.e. "3A") has been added to the south end of Building 3 (i.e. Ulta).

Elevations for Building 6 (JC Penney) - The ARB and P&Z will recall that JC Penney submitted an amended elevation independently and received approval for several minor modifications. The final set, which will be submitted for building permit soon, included one additional change in the color of EIFS from "Wild Cattails" to "Acorn Yellow." JC Penney has submitted an updated color elevation and building material samples illustrating the preferred change, and staff feels the change conforms to the overall color scheme of the development. This elevation will be available at the meeting.

Elevations for Building 8 (Belk) - Representatives from Belk, including their individual architect, have submitted an amended elevation in conjunction with this application. Staff feels the proposed changes have enhanced the two primary entrance sides of the building. The rear side, which faces Ralph Hall Parkway, now features signage and some architectural elements as recommended by the Planning and Zoning Commission in June 2006. Previous elevations showed glass on the higher portions of the vertical elements, but the new proposal is to match other larger box users (e.g. JC Penney, Dicks, etc) by using stucco or EIFS at the top, while increasing the amount of glass on the lower parts of those elements. A significant change for the Architectural Board and Planning and Zoning Commission to consider on Building 8 is the replacement of split-face CMU used throughout the shopping center with brick. The store proposes to maintain the use of stone and accent colors/materials utilized elsewhere, but have introduced the brick material which would be unique.

Elevations for Buildings 25-26 - The changes to these buildings are perhaps the most dramatic, and as the applicant presented at the P&Z worksession, these buildings have evolved from a "boutique" style to more of a typical "box" style. The original design of these buildings resembled the smaller buildings proposed in the "plaza" area (Bldgs 19-22, 9-16, etc). While the new design appears to comply with the essential Overlay standards (articulation, minimum stone and masonry content, etc), staff feels that approval of the change is a judgment call by the ARB and P&Z in determining if the proposal complements the overall design and scheme of the shopping center.

Landscape / Treescape Plans - In conjunction with the replat submittal and the proposed site plan amendments, the applicant has submitted a final tree mitigation plan. Approval of the site plan in June 2006 included the removal of all trees, and the City's agreement to the mitigation of 3703-inches. However, the final determination of how mitigation would be addressed was not clear and deferred to the replat stage. The applicant has submitted a new landscape and tree mitigation plan, which indicates that approximately 468 "mitigation trees" measuring 5.5-inches in caliper would be planted above and beyond the basic landscaping requirements, providing 2574-inches of mitigation. Additionally, the landscape architect has suggested that 452 of the required landscape trees be increased in size from the minimum 3-inches caliper to 5-inches caliper, or 2-inches "extra" per tree, resulting in 1130 additional inches of mitigation.

If request is approved, Staff offers the following conditions:

1. Approval of engineering plans.
2. Adherence to fire department requirements.
3. Approval of replat.
4. Future site plan approval required for Lots 7 and 8 (Bldgs 27, 28).

John Arbogast, from the Architectural Review Board, came forward to address the commission. He informed them that they preferred the boutique style of Buildings 1, 25 and 26 that was presented on the first site plan, especially on the ends of those buildings. Other than those changes they approve of the new site plan.

Raymond Poche and Rick Machack from the Woodmont Company were present to answer questions and request approval.

Bricker made a motion to approve the request by Sean Flaherty of The Wallace Group for approval of an amended site plan and amended building elevations for the Plaza at Rockwall (aka Rockwall Crossing Phase 2) commercial development, located on a 47-acre (+/-) tract zoned (PD-14) Planned Development No. 14 district and (C) Commercial district, and situated within the IH-30 Corridor Overlay District and SH 205 Corridor Overlay District, as recommended by staff and with the following staff recommendations:

1. The elevations for Buildings 1, 25 and 26 will remain as previously approved, or shall be reviewed by the Commission at a later meeting.

Smith seconded the motion. The motion was voted on and passed 5 to 0.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous Discussion of Land Use Issues

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:27 p.m.

**Minutes of
PLANNING AND ZONING COMMISSION MEETING
November 14, 2006**

CALL TO ORDER

The meeting was called to order by Chairman, Greg Burgamy at 6:00 p.m. with the following members present; Glen Farris, Mike Lucas, Bill Bricker, Glen Smith, and Michael Hunter. Commissioner Jackson was absent.

Additionally, the following staff members were present: Robert LaCroix, Michael Hampton, Chris Spencer, Leslie Ryan and Kim Whitley.

Approval of Minutes for September 26, 2006 Planning and Zoning Commission meeting.

Farris made a motion to approve the September 26, 2006 minutes.

Hunter seconded the motion. The motion was voted on and passed 6 to 0.

Approval of Minutes for October 10, 2006 Planning and Zoning Commission meeting.

Hunter made a motion to approve the October 10, 2006 minutes.

Lucas seconded the motion. The motion was voted on and passed 4 to 0 with Bricker and Smith Abstaining.

CONSENT AGENDA ITEMS

P2006-048

Discuss and consider a request by Johnathan McClintock of McClintock Investments for approval of a replat of Lot 4, Block A, Shoreline Plaza Addition, being a 0.574-acre tract zoned (C) Commercial district and located along Lakefront Trail and the future extension of Shoreline Drive, and take any action necessary.

P2006-049

Discuss and consider a request by Robert Richardson of Doug Connally & Associates, Inc., for approval of a replat of Lot 6, Block A, Municipal Industrial Park Addition, being a 1.01-acre tract zoned (LI) Light Industrial District and located along the north side of Whitmore Drive, and take any action necessary.

P2006-050

Discuss and consider a request by Julio Paredes for approval of a final plat of Lot 10, Block A, Airport Acres Addition, being a 0.39-acre tract zoned (SF-10) Single Family Residential district and located on Indian Trail, and take any action necessary.

P2006-051

Discuss and consider a request by Sandra Green of WD Partners for approval of a replat of Lots 1 and 2, Block A, Travel Centers of America Addition, being a 13.069-acre tract zoned (C) Commercial District and located at the southwest corner of IH-30 and SH 205, and take any action necessary.

P2006-054

Discuss and consider a request by Michael Alturk of MA Engineering for approval of a final plat for Subway / Gateway / Health Food Store Addition, being a 2.0-acre tract zoned (PD-46) Planned Development No. 46 and located at the northeast corner of FM 549 and SH 276, and take any action necessary.

P2006-055

Discuss and consider a request by Sean Flaherty of The Wallace Group, Inc., for approval of a replat of Lots 6 and 7, Block A, Rockwall Crossing Addition, a 23.454-acre tract zoned (C) Commercial and situated within the (IH-30 OV) IH-30 Overlay District at 903 Interstate 30, and take any action necessary.

Smith made a motion to approve all consent agenda items with staff conditions.

Lucas seconded the motion. The motion was voted on and passed 6 to 0.

PUBLIC HEARING ITEMS

Z2006-022

Hold a public hearing and consider a request by Brenda Meyers of Sterling Tea for approval of a Specific Use Permit (SUP) allowing for a restaurant less than 2,000-sf in area within (PD-50) Planned Development No. 50 district, specifically on Lot 1, Abate Injury Rehab Center Addition, located at 506 N. Goliad, and take any action necessary.

Spencer outlined that the applicant has submitted a request for approval of a Specific Use Permit (SUP) allowing for a restaurant less than 2,000-sf in area within (PD-50) Planned Development No. 50 district, specifically on Lot 1, Abate Injury Rehab Center Addition, located at 506 N. Goliad. The existing house has approximately 2,324 square feet of floor area. The subject site is located within "PD-50" Planned Development No. 50 which allows for "R-O" Residential Office uses. In addition to being in "PD-50" the subject site is also located within the Rockwall Historic District. Any alterations, additions, or demolition to the exterior of any structure will require an approved Certificate of Appropriateness from the Historic Preservation Advisory Board.

The plan indicates a 24' public access easement to the rear of the property which will provide for future joint access between properties and reduce the number of drives accessing onto SH 205.

With in the Residential-Office (R-O) zoning district a Restaurant, less than 2,000 sq. ft. w/o a drive-thru requires a Specific Use Permit. The current PD-50 requirements

allow for one (1) parking space per 500 square feet of office area and the Unified Development Code requires (1) parking space per every 100 square feet of restaurant area. The site plan indicates eleven (11) proposed spaces at the rear of the property with one (1) handicap space and two (2) additional spaces in the existing detached garage. The applicant has indicated to staff that the maximum floor area for a "Tea Room" (including kitchen) would be 1,000 sq. ft. and the remaining 1,300 sq. ft. would remain as office use. The required parking for the proposed "Tea Room" and office is thirteen (13) spaces.

Two (2) of the required spaces are shown to be temporary as they are located within the access easement at the rear of the property. At such time that either lot adjacent to 506 North Goliad develops the mutual access located at the rear of the property is required to be constructed by the property owner. At the time of construction of the access easement the two (2) temporary parking spaces must be relocated to the area shown on the site plan as temporary turn around.

Staff is recommending that the paving of the 24' access easement and the relocation/improvements for the temporary parking be completed within 45 days of completion of development of either adjacent tract. All parking and access drives located within PD-50 must be constructed of either concrete or asphalt.

A portion of the parking located immediately behind the house is already installed. Prior to issuance of a Certificate of Occupancy for a restaurant the parking lot must be striped in accordance with city standards.

This property is subject to the "Commercial Guidelines" of the Old Town Rockwall Historic District which includes signage restrictions. The house is listed as a "high-contributing structure" according to the survey conducted for the historic district. The Staff feels this proposal is consistent with others that have been granted within PD-50.

As part of this SUP application the owner has requested that the existing attached sign as shown in the attached newspaper photo remain. Currently the sign is not in accordance with the "Commercial Guidelines" for signage of the Old Town Historic District

Staff sent out twenty-six (26) notices to the property owners located within 200' and at the time of this report two (2) in opposition has been received. The two (2) notices received in opposition constitute over 21% of the notice area requiring a super-majority (3/4) vote by the City Council for approval.

Staff Recommends approval of the request with the following conditions:

1. Adherence to Engineering and Fire Department standards.
2. Construction of the mutual access easement from North Goliad to the existing parking within 45 days of final SUP approval (2nd City Council Reading).
3. Striping of the existing parking located in the rear.

4. Paving of the access easement and the relocation/improvements for the temporary parking be completed within 45 days of completion of development of either adjacent tract.
5. The SUP shall be deemed expired if the restaurant use ceases to exist for a period of six (6) months or more.
6. The hours of operation shall be limited to between 7 a.m. to 8 p.m. At the time that the properties on both sides develop the hours of operations shall be changed to 6:30 a.m. to 8:00 p.m.
7. No parking will be allowed in the SH205 right of way or in front of the building.
8. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.
9. The single sided sign ("Sterling Tea") attached to the front porch, shall be hung from the porch by chains without any increase in sign area.

Burgamy opened the public hearing at 6:20 pm.

Brenda Meyers, the applicant, came forward to address the commission and answer any questions.

The Commission discussed the restriction of hours and the attached signage as well as the use in that area.

The public hearing was closed at 6:28 pm.

After further discussion, Hunter made a motion to approve the request by Brenda Meyers of Sterling Tea for approval of a Specific Use Permit (SUP) allowing for a restaurant less than 2,000-sf in area within (PD-50) Planned Development No. 50 district, specifically on Lot 1, Abate Injury Rehab Center Addition, located at 506 N. Goliad as recommended by staff and with the following conditions:

1. The sign be hung from the porch rather than be attached.
2. The hours of business be from 7am to 8pm and that the owners can change that to 6:30 am to 8pm once the abutting properties are business.

Lucas seconded the motion. The motion was voted on and passed 6 to 0.

Z2006-023

Hold a public hearing and consider a request by Columbia Development Company, LLC, for approval of an amendment to (PD-59) Planned Development No. 59 District (Ord. 04-59), located south of Washington, west of Renfro St and north of the railroad, specifically to increase the maximum lot coverage to 60% and to allow for front yard fences, and take any action necessary.

Hampton stated that the owner and developer of Park Place West, Columbia Development Company, has submitted an application to amend (PD-59) Planned Development No. 59 district (Ord. 04-59), which governs the property. Within the PD, the (SF-7) Single Family Residential district is the underlying zoning

designation for the residential portion. Within the SF-7 district, the maximum building coverage is 45%. The applicant is requesting this be increased to 60% to allow potential homebuyers to increase the sizes of their homes, particularly on those lots that are smaller in size. While the average lot size is 7,000-sf in Park Place, there are some lots with as little as 4,200-sf, and the current coverage requirements would limit construction on such lot to about 1,900-sf.

The City's definition for "building coverage" includes parking structures and accessory buildings. It should be noted that the City has previously adopted a maximum 60% building coverage in the Turtle Cove subdivision.

The second request by the applicant is to amend the PD to allow for front yard fences without requiring case-by-case approval by the City Council (as outlined in the Code of Ordinances). Staff would be comfortable with this request given the traditional neighborhood characteristics of the development; however, specific requirements regarding height and materials should be included to ensure compliance with the essential front yard fence rules in the City.

Staff has attached to this report the proposed amendments to PD-59 in the context of the existing ordinance.

Staff mailed notices to 147 property owners located inside the PD-59 boundary and within 200-ft of the property. At the time of this report, two (2) notices had been returned "in favor" and none had been returned "in opposition."

Staff Recommends approval of the request with the following conditions:

1. Front yard fences shall be allowed within PD-59 subject to the following requirements:
 - a. No fence shall be located in a public right-of-way.
 - b. The maximum height for a front yard fence is 42-inches.
 - c. All front yard fences shall be open or "picket-style" fencing constructed of wrought iron or tubular steel, wood or vinyl.

Bill Bricker excused himself due to a conflict of interest.

Burgamy opened the public hearing.

Ross Ramsey, a representative of the applicant, addressed the commission requesting approval and to answer any questions.

The public hearing was closed with no others present to speak.

Hunter made a motion to approve the request by Columbia Development Company, LLC, for approval of an amendment to (PD-59) Planned Development No. 59 District (Ord. 04-59), located south of Washington, west of Renfro St and north of

the railroad, specifically to increase the maximum lot coverage to 60% and to allow for front yard fences, as recommended by staff.

Lucas seconded the motion. The motion was voted on and passed 5 to 0 with Bricker abstaining.

Z2006-024

Hold a public hearing and consider a request by Shirley Black for approval of an amendment to the existing Specific Use Permit (Ord. 05-26) allowing for "Antiques / Collectable Sales" within (PD-50) Planned Development No. 50 district, at 502 N. Goliad on Lot 1, Block 1, Black's Collectables Addition, specifically to designate areas for outside display and merchandising, and take any action necessary.

Ryan addressed the Commission and stated the applicant, Shirley Black is requesting approval of an amendment to the existing Specific Use Permit (Ord. 05-26) allowing for "Antiques / Collectable Sales" within (PD-50) Planned Development No. 50 district. The property is located at 502 N. Goliad on Lot 1, Block 1 of the Black's Collectables Addition. The purpose of the SUP is to specifically designate areas for outside display and merchandising. The applicant must abide and follow the site plan attached to the SUP.

Twenty two (22) notices were sent out to property owners within 200 feet of the property and as of now one has been returned in opposition.

Staff recommends approval based on the following conditions:

1. Adherence to the approved amended site plan.
2. The display areas are limited to those shown on the site plan.

Burgamy opened the public hearing; however, the applicant was not present at the meeting.

Hunter made a motion to continue the public hearing until 11/28/06 for the request by Shirley Black for approval of an amendment to the existing Specific Use Permit (Ord. 05-26) allowing for "Antiques / Collectable Sales" within (PD-50) Planned Development No. 50 district, at 502 N. Goliad on Lot 1, Block 1, Black's Collectables Addition, specifically to designate areas for outside display and merchandising due to the applicant not being present at the meeting.

Smith seconded the motion. The motion was voted on and passed 6 to 0.

SITE PLANS / PLATS

SP2006-035

Discuss and consider a request by Jeff Taylor of Senior Care Consultants for approval of a PD Site Plan for a Senior Care Health and Rehabilitation facility on the proposed Lot 6, Block A, Horizon Ridge Medical Addition (preliminary platted as Horizon Ridge Center South Addition), being 4.539-acres zoned (PD-9) Planned

Development No. 9 District and situated southwest of Horizon Rd and southeast of Tubbs Rd, and take any action necessary.

Hampton stated that the applicant has submitted a site plan application for a nursing home facility located on a 4.54-acre site located in the Horizon Ridge Center-South Addition. A preliminary plat for this addition was approved by the City on 3/6/06. A final plat would be required prior to construction to dedicate the proposed Medical Drive that will provide access to the proposed nursing home from FM 3097. The proposed building is 56,593-sf and will have 136 beds. The parking requirement for the use is one space per six (6) beds, or 23 parking spaces. Additionally, one space is required for each employee during the largest shift, which the applicant has indicated to be 24. 60 spaces, including four (4) handicap accessible, are provided to meet the requirement of 47 spaces.

The landscape plan indicates that 36% of the site is landscaped, which exceeds City standards. Seven (7) trees are shown along Medical Drive and additional plantings are included throughout the property. The parking areas appear to be landscaped in accordance with City specifications. The plan also includes additional plantings as requested by the Architectural Review Board. It should be noted that all trees are indicated to be 4.5 to 5" caliper at time of planting.

The building elevations reflect a building primarily consisting of native Austin stone, brick and a composite shingle roof. There is limited use of vinyl siding on the gables as well as a standing seam element at the front entrance. The dumpster screen detail indicates an enclosure of native stone to match the building. This particular lot is not located within the Scenic Overlay district, but was subject to Architectural Review because of its PD zoning to determine compatibility with surrounding development. The Architectural Review noted that this building would set the tone for the remainder of the undeveloped property, and were not impressed with the overall design, particularly the continuous roof line and lack of vertical relief. However, in lieu of redesigning the building, the Board recommended that additional "grouped" plantings of larger, mature trees be used around the building to break up the monotony of its appearance (see landscape plan). The applicant has also submitted a photo exhibit of other developments they have constructed to further show the articulation and use of materials that may not be easily interpreted from the elevations.

Lighting plans have been submitted with the application and appear to meet all City standards. The light poles will be 22-ft (plus approx. 2-ft base). The maximum allowable light levels at all property lines shall be 0.2-FC, and the plan appears to comply.

Staff Recommends approval of the request with the following conditions:

1. Submittal and approval of engineering plans.
2. Adherence to all fire department requirements.
3. Submittal and approval of final plat after engineering approval.
4. All light fixtures shall be cut-off in accordance with City specifications and lighting levels shall not exceed 0.2-FC when measured at any property line.

5. All mechanical equipment shall be screened entirely from view from adjacent properties and public right-of-ways.

Jeff Taylor, the applicant, addressed the commission requesting approval of the request and to answer questions. Several questions were asked by the Commission regarding the landscaping and building design. Suggested enhancements of the building included adding cupolas to break up the roofline and the addition of more stone at the main entrance.

After extensive discussion, Hunter made a motion to table the request by Jeff Taylor of Senior Care Consultants for approval of a PD Site Plan for a Senior Care Health and Rehabilitation facility on the proposed Lot 6, Block A, Horizon Ridge Medical Addition (preliminary platted as Horizon Ridge Center South Addition), being 4.539-acres zoned (PD-9) Planned Development No. 9 District and situated southwest of Horizon Rd and southeast of Tubbs Road to the next P&Z Meeting on November 28th to allow the applicant to complete the submittal and make revisions as requested by the commission.

Smith seconded the motion. The motion was voted on and passed 6 to 0.

SP2006-036

Discuss and consider a request by Robert Stengele of Isbell Engineering Group, Inc., for approval of a site plan for the Heritage Buick Pontiac GMC motor vehicle dealership, located on Lot 1, Block 1, Chrysler Addition, being 6.0-acres zoned (C) Commercial District and situated at the northwest corner of IH-30 and Kyle Drive within the IH-30 Overlay district, and take any action necessary.

The site plan submitted by the applicant is for an automobile dealership for Heritage Buick Pontiac GMC. The subject site is platted as Lot 1, Block 1, Chrysler Addition, and a Conditional Use Permit (Ord. No. 00-01) was approved for a dealership in 2000. Though never constructed, the CUP entitles the dealership use within the (C) Commercial district. However, the approved site plan has since expired and staff has required a new site plan to review the proposal's compliance with current standards.

The site will be accessed via one proposed drive on IH-30 and two drives on Kyle Drive. The applicant is providing adequate parking for customers and employees, but the majority of the 430 total parking spaces are for new car display and inventory. Ancillary uses proposed as part of the dealership include automobile rental and pre-owned sales, and spaces are dedicated on the site plan for those uses.

Approximately 16.8% of the site is landscaped, meeting City standards. The landscaping shown within the buffer of IH-30 meets Overlay requirements. Ten trees are required along Kyle Drive within the 10-ft buffer, and the applicant is providing 10 Live Oaks. One tree per 750-sf of detention area, or 14 trees, are included. A row of trees are also provided along the rear property line to comply with Overlay standards.

The proposed elevations for the dealership illustrate an articulated building with parapet heights ranging from 22-ft to 36-ft. The building as proposed appears to comply with the City's requirements for building articulation and the IH-30 Overlay district. The building features a minimum 20% of native stone, along with split face CMU, Glazed CMU tile, an aluminum architectural feature at the entrance and EIFS roof screens.

The proposed parking lot lighting is shown to have an overall height of 24 feet, meeting City standards. All fixtures are shown to be full cut-off to comply with lighting standards. The staff feels the plan meets the lighting standards for adjacency to residential areas (i.e. MF development to the northeast); however, there is still some spillover in the front of the lot onto the vacant Commercial land and the Kyle/I-30 intersection. The applicant has submitted an "alternate" plan for the west property line fixtures, which provides lower levels but more fixtures. Staff feels approval of the lighting plan is a judgment call for the Commission.

The Architectural Review Board reviewed the proposed elevations and site plan at their 10/31/06 meeting and recommended approval. The Board did express concern about the 6-ft screening wall, particular as it abuts the Rockwall High School practice fields, and recommended that the wall be increased to 8-ft in height and/or a decorative element be integrated to deter students from climbing over it.

Staff Recommends approval of the request with the following conditions:

1. Submittal and approval of engineering plans.
2. Submittal and approval of replat after engineering plans approval.
3. Adherence to fire department requirements.
4. Variance to cross access requirements to be approved by City Council (3/4 vote required for variance to IH-30 Overlay requirements).
5. All lighting shall comply with City standards, and shall not glare onto adjacent properties or public right-of-way.
6. Dumpster enclosure shall be a minimum 8-ft in height and shall consist of materials matching the primary structure, with an opaque metal gate.
7. Adherence to ARB recommendation regarding minimum 8-ft height of masonry screening wall to deter students from climbing wall from adjacent RISD practice fields.

Robert Stengelle, the applicant, came forward to address the commission and answer any questions.

The commission extensively discussed the lighting standards and spill over lighting onto the nearby multi-family residential community.

Hunter made a motion to approve the request by Robert Stengele of Isbell Engineering Group, Inc., for approval of a site plan for the Heritage Buick Pontiac GMC motor vehicle dealership, located on Lot 1, Block 1, Chrysler Addition, being

6.0-acres zoned (C) Commercial District and situated at the northwest corner of IH-30 and Kyle Drive within the IH-30 Overlay district, as recommended by staff.

Bricker seconded the motion. The motion was voted on and passed 5 to 1 with Farris voting against.

Burgamy called for a five minute break at 8:20 and the meeting reconvened at 8:25.

Hunter excused himself due to conflict of interest.

SP2006-037

Discuss and consider a request by David Kolchalka of Kimley-Horn and Associates for approval of a PD Site Plan, including conceptual elevations and landscaping details, for North Lakeshore Valley, being 49.36-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) located along North Lakeshore Drive and west of SH 205 within the North SH 205 Corridor Overlay district, and take any action necessary.

Spencer outlined the request for approval of a PD Site Plan, including conceptual elevations and landscaping details, for North Lakeshore Valley, being 49.36-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) located along North Lakeshore Drive and west of SH 205 within the North SH 205 Corridor Overlay district has been made by David Kolchalka of Kimley-Horn and Associates.

The "PD" provides for retail/office uses (Lot 1 Block B, Lot 1 Block C, Lot 1 Block D, & Lot 2 Block D) along SH 205. As the property progresses westward, the retail uses transition to office and Senior Housing/Assisted Living (Lot 3, Block B). Continuing to the northwest corner of the site the office uses transition into a proposed church (Lot 4, Block B).

The applicant is proposing to improve only the section of Quail Run that transverses the subject site. The remaining portion of West Quail Run will be preserved and remain in its current state. The proposed improvements will require engineering plan approval and a letter from TX DOT agreeing in concept. In addition a letter from TX DOT will be required for all proposed drives accessing SH 205.

The developer is proposing to have three (3) access drives from North Lakeshore, two (2) access drives from SH 205, six (6) access drives from Pecan Valley/Random Oaks Drive and one (1) access drive from Quail Run. In addition the applicant is proposing to install a gated access drive from Pecan Valley to the existing single-family residences located along the north property line.

The developer will be required to construct an 8' sidewalk along Pecan Valley Drive and Random Oaks Drive in conjunction with the development of the above mentioned roads.

Staff feels that the parking has been designed in such a way to minimize the number of parking spaces and to take full advantage of shared parking. Shared

parking agreements may be required for developments on adjacent lots. Staff is recommending that the eight (8) parking spaces located in Lot 2, Block D, adjacent to Quail Run be removed as they are located in the area reserved for the required buffer/screen.

The Conceptual Elevations are one-story and two-story buildings comprised of natural Limestone and Portland cement plaster. The elevations illustrate numerous architectural features including horizontal and vertical articulation, metal awnings, wrought iron railing for balconies, and detailing on and around doors and window openings. In concept (basic design elements and materials) all development located with PD-65 must comply with the submitted elevations as approved.

On October 31, 2006, the Architectural Review Board recommended approval unanimously of the proposed elevations.

The site details show a water feature/fountain detail, roadway/screening section, concrete trail elevation, monument signage, light standards, and fence detail. All development located within PD-65 must adhere to all the site details approved as part of this site plan application. The roadway/screen section shows the proposed screening that will help buffer the existing residents from Lot 1, Block 1. The proposed screening is also required to be installed along the Quail Run Road at the rear of Lots 1 & 2, Block D. Within the screen a large canopy tree is shown to be planted every 30'.

As each lot develops submittal and approval of a lot specific site plan by the Architectural Review Board and the Planning and Zoning Commission is required.

Staff Recommends approval of the request with the following conditions:

1. Removal of the eight (8) parking spaces located in Lot 2, Block D, adjacent to Quail Run be removed as they are located in the area reserved for the required buffer/screen.
2. Adherence to Engineering and Fire Department standards.
3. Adherence to Park Board recommendation.
4. Construction of 8' sidewalks along Random Oaks Drive and Pecan Valley Drive.

Pieter Kessels of Kimley Horn and Associates, applicant, was present to answer questions.

Smith made a motion to approve the request by David Kolchalka of Kimley-Horn and Associates for approval of a PD Site Plan, including conceptual elevations and landscaping details, for North Lakeshore Valley, being 49.36-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) located along North Lakeshore Drive and west of SH 205 within the North SH 205 Corridor Overlay district, as recommended by staff.

Farris seconded the motion. The motion was voted on and passed 5 to 0 with Hunter abstaining.

P2006-052

Discuss and consider a request by David Kolchalka of Kimley-Horn and Associates for approval of a master plat for North Lakeshore Valley, being 49.36-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) located along North Lakeshore Drive and west of SH 205, and take any action necessary.

Spencer outlined the request by David Kolchalka of Kimley-Horn and Associates for approval of a master plat for North Lakeshore Valley, being 49.36-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) located along North Lakeshore Drive and west of SH 205.

The "PD" provides for retail/office uses (Lot 1 Block B, Lot 1 Block C, Lot 1 Block D, & Lot 2 Block D) along SH 205. As the property progresses westward, the retail uses transition to office and Senior Housing/Assisted Living (Lot 3, Block B). Continuing to the northwest corner of the site the office uses transition into a proposed church (Lot 4, Block B).

The Master plat appears to conform to all area requirements specified in the approved PD ordinance.

The master plat indicates that the lots are to be developed in six (6) phases on the 49.36-acre subject site. The estimated time of Phase 6 completion is January 2011. Lot 2, Block A, is to be developed for open space/common area and detention facilities. Since Lot 2, Block A, will provide on-site detention for Lots 1 & 2, Block D, it must be developed in conjunction or prior to Lot 1. Pecan Valley Drive and Random Oaks Drive are to be installed as adjacent tracts develop except for Lot 4, Block B. Pecan Valley Drive and Random Oaks Drive must be constructed prior to or in conjunction with the development of Lot 4, Block B.

The applicant is proposing to improve only the section of Quail Run that transverses the subject site. The remaining portion of West Quail Run will be preserved and remain in its current state including the existing trees and tree canopy. The proposed improvements will require engineering plan approval. In addition a letter from TX DOT will be required for all proposed drives accessing SH 205.

The developer is proposing to have three (3) access drives from North Lakeshore, two (2) access drives from SH 205, six (6) access drives from Pecan Valley/Random Oaks Drive and one (1) access drive from Quail Run. In addition the applicant is proposing to install a gated access drive from Pecan Valley Drive to the existing single-family residences located along the north property line.

A flood study will be required as part of engineering plan approval prior to submittal of a final plat. In addition to a flood study, a traffic impact analysis may also be required as part of engineering plan approval.

The Parks Board reviewed the master and preliminary plat for this project on Tuesday, November 7, and the recommendations are as follows:

1. Parks to work with developer for placement of 8' concrete trail within the flood plain or as allowed by developer. Trail should have access underneath 205 through squabble creek channel and access to the North side of North Lakeshore drive so as to access the DORBA Mountain biking property adjacent to Tract 1 on the west boundary on preliminary plat.
2. Developer to allow right of entry for design, construction and maintenance of public trail.

Staff Recommends approval of the request with the following conditions:

1. Pecan Valley Drive and Random Oaks Drive must be constructed prior to or in conjunction with the development of Lot 4, Block B.
2. Adherence to Engineering and Fire Department standards.
3. Common Area to be maintained by Property Owner Association, documents for which shall be submitted and reviewed prior to or in conjunction with final plat.
4. Adherence to Park Board Standards.

Pieter Kessels of Kimley Horn and Associates, applicant, was present to answer questions.

Lucas made a motion to approve the request by David Kolchalka of Kimley-Horn and Associates for approval of a master plat for North Lakeshore Valley, being 49.36-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) located along North Lakeshore Drive and west of SH 205, as recommended by staff.

Smith seconded the motion. The motion was voted on and passed 5 to 0 with Hunter abstaining.

P2006-053

Discuss and consider a request by David Kolchalka of Kimley-Horn and Associates for approval of a preliminary plat for North Lakeshore Valley, being 49.36-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) located along North Lakeshore Drive and west of SH 205, and take any action necessary.

Spencer outlined the request by David Kolchalka of Kimley-Horn and Associates for approval of a preliminary plat for North Lakeshore Valley, being 49.36-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) located along North Lakeshore Drive and west of SH 205.

The "PD" provides for retail/office uses (Lot 1 Block B, Lot 1 Block C, Lot 1 Block D, & Lot 2 Block D) along SH 205. As the property progresses westward, the retail uses transition to office and Senior Housing/Assisted Living (Lot 3, Block B).

Continuing to the northwest corner of the site the office uses transition into a proposed church (Lot 4, Block B).

The preliminary plat appears to conform to all area requirements specified in the approved PD ordinance.

Since Lot 2, Block A, will provide on-site detention for Lots 1 & 2, Block D, it must be developed in conjunction or prior to Lot 1. Pecan Valley Drive and Random Oaks Drive are to be installed as adjacent tracts develop except for Lot 4, Block B. Pecan Valley Drive and Random Oaks Drive must be constructed prior to or in conjunction with the development of Lot 4, Block B.

The applicant is proposing to improve only the section of Quail Run that transverses the subject site. The remaining portion of West Quail Run will be preserved and remain in its current state including the existing trees and tree canopy. The proposed improvements will require engineering plan approval. In addition a letter from TX DOT will be required for all proposed drives accessing SH 205.

The developer is proposing to have three (3) access drives from North Lakeshore, two (2) access drives from SH 205, six (6) access drives from Pecan Valley/Random Oaks Drive and one (1) access drive from Quail Run. In addition the applicant is proposing to install a gated access drive from Pecan Valley Drive to the existing single-family residences located along the north property line.

A flood study will be required as part of engineering plan approval prior to submittal of a final plat. In addition to a flood study, a traffic impact analysis may also be required as part of engineering plan approval.

The Parks Board reviewed the preliminary plat for this project on Tuesday, November 7, and the recommendations are as follows:

1. Parks to work with developer for placement of 8' concrete trail within the flood plain or as allowed by developer. Trail should have access underneath 205 through squabble creek channel and access to the North side of North Lakeshore drive so as to access the DORBA Mountain biking property adjacent to Tract 1 on the west boundary on preliminary plat.
2. Developer to allow right of entry for design, construction and maintenance of public trail.

Staff Recommends approval of the request with the following conditions:

1. Pecan Valley Drive and Random Oaks Drive must be constructed prior to or in conjunction with the development of Lot 4, Block B.
2. Adherence to Engineering and Fire Department standards.
3. Common Area to be maintained by Property Owner Association, documents for which shall be submitted and reviewed prior to or in conjunction with final plat.
4. Adherence to Park Board Standards.

5. Include improvements as provided on site plan on approved copy of Preliminary Plat.

Pieter Kessels of Kimley Horn and Associates, applicant, was present to answer questions.

Smith made a motion to approve the request by David Kolchalka of Kimley-Horn and Associates for approval of a preliminary plat for North Lakeshore Valley, being 49.36-acres zoned (PD-65) Planned Development No. 65 district (Ord. 06-02) located along North Lakeshore Drive and west of SH 205, as recommended by staff.

Farris seconded the motion. The motion was voted on and passed 5 to 0 with Hunter abstaining.

ADDITIONAL DISCUSSION ITEMS

Miscellaneous Discussion of Land Use Issues

LaCroix informed the Commission that the Council has scheduled a joint worksession with the Commission on November 29th to discuss proposed updates to the Comprehensive Plan and form-based zoning for Downtown with the City's consultant, Dennis Wilson of Townscape.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:00 p.m.