

**MINUTES**  
**PLANNING AND ZONING COMMISSION PUBLIC HEARING**  
City Hall, 385 South Goliad, Rockwall, Texas  
Council Chambers  
February 10, 2015, 6:00 P.M.

**CALL TO ORDER**

Chairman Craig Renfro called the meeting to order at 6:00 p.m. Present were Chairman Craig Renfro and Commissioners Wendi Conley, Tracey Logan, Jonathan Lyons, Mike Jusko, Annie Fishman, and John McCutcheon.

**CONSENT AGENDA**

1. *Approval of Minutes for the August 12, 2014 Planning and Zoning Commission meeting.*
2. *Approval of Minutes for the August 26, 2014 Planning and Zoning Commission meeting.*
3. *Approval of Minutes for the September 9, 2014 Planning and Zoning Commission meeting.*
4. *Approval of Minutes for the September 30, 2014 Planning and Zoning Commission meeting.*
5. *Approval of Minutes for the October 28, 2014 Planning and Zoning Commission meeting.*
6. *Approval of Minutes for the November 11, 2014 Planning and Zoning Commission meeting.*
7. *Approval of Minutes for the November 25, 2014 Planning and Zoning Commission meeting.*
8. *Approval of Minutes for the December 9, 2014 Planning and Zoning Commission meeting.*
9. *Approval of Minutes for the December 30, 2014 Planning and Zoning Commission meeting.*

**10. P2015-003 (Ryan)**

Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a master plat and open space plan for Phases 1 & 2 of the Somerset Park Subdivision, containing 309 single-family residential lots on a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

**11. P2015-004 (Ryan)**

Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a preliminary plat for Phases 1 & 2 of the Somerset Park Subdivision, containing 309 single-family residential lots on a 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

**Commissioner Jusko made a motion to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11). Commissioner Lyons seconded the motion, and the motion passed by a unanimous vote (7 ayes to 0 nays).**

**PUBLIC HEARINGS**

**12. Z2015-001 (David)**

Hold a public hearing to discuss and consider a request by James Jackson of Jackson Automotive for the approval of a Specific Use Permit to allow for automotive vehicles to be stored outside overnight in

conjunction with an existing minor automotive repair garage on a 0.88-acre parcel of land identified as Lot 2B-2, Block A, Panex LTD Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at 608 White Hills Drive, and take any action necessary.

Planning staff, David Gonzales, provided background information regarding this agenda item. He explained that the applicant is requesting consideration of eighteen parking spaces to be allocated for outside, overnight storage in conjunction with an existing automotive repair facility. He explained that the area where cars would be stored would not be visible from IH-30 or Whitehills Drive. The proposed Specific Use Permit would limit car storage to no longer than forty-eight (48) hours. Twenty-three notices were mailed out to adjacent property owners within five hundred (500') feet, and staff has received no notices back at this time.

Chairman Renfro opened the public hearing and asked if the applicant would like to come forth and speak at this time.

Mr. James Jackson  
Jackson Automotive  
608 Whitehills  
Rockwall, TX

Mr. Jackson came forth and explained that he owns this business and has for over twenty years. He explained that he is seeking approval from the city to leave cars outside, overnight in these designated parking spaces. He stated that these vehicles will not be visible to passersby.

Renfro asked if anyone else would like to come forth to speak. There being no one indicating such, Renfro then closed the public hearing.

Commissioner McCutcheon made a motion to approve Z2015-001 with staff recommendations. Commissioner Conley seconded the motion, which passed by a vote of 7 ayes with 0 nays,

**13. Z2015-002 (David)**

Hold a public hearing to discuss and consider a request by Lawrence H. Ringley of Ringley & Associates, Inc. on behalf of Jill Fisher of Steger Dunhill, LLC for the approval of a Specific Use Permit to allow an automobile rental facility on a 0.215-acre portion of a larger 4.218-acre parcel of land identified as Lot 3, Block A, Steger Towne Crossing, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, located at 898 Steger Towne Drive, and take any action necessary.

Mr. Gonzales, Planning staff, explained that the property associated with this request is located next to the existing Sports Authority in the Target shopping center (also known as Steger Town Crossing). If the applicant is granted the SUP, cars for lease would be parked and stored in the rear of the building. No onsite washing of vehicles would take place – only minor cleaning such as vacuuming, which would also take place in the rear of the building. He explained that fifteen notices were sent out to adjacent property owners located within five hundred feet (500') of the property, and no replies have been received back by staff at this time.

Jeff Wagner  
3937 S. 26<sup>th</sup> Avenue  
DFW Airport, Texas

Mr. Wagner came forth and explained that traffic circulating around the facility will be done by actual employees who work at the store (employees will pull cars to and from the back and front of the store for customer pick up and return). He explained that no dedicated parking spaces will be located in front of the suite in the parking lot.

Renfro asked how many vehicles will be located and parked out front on any given day. Mr. Wagner explained that the only vehicles out front will be those belonging to customers. He also indicated that on a typical day, likely only seven or eight rental vehicles will be onsite and available for lease. Commissioner McCutcheon asked how the transition of a vehicle brought around front from the back will take place with the customers. Mr. Wagner indicated that since there will be no designated parking spaces, those vehicles will be handed off via any open parking space near the front of the suite. He explained that the parking lot is never full, so he does not expect that parking will pose a problem. He assured that when cars are handed off for lease to customers, those cars will be parked in an actual space for hand off. He believes that customers dropping vehicles off after leasing will likely park as close to the suite door as possible. He explained that about 10, 12 or 15 leases / returns are expected per day. Commissioner Logan asked if the applicant has worked with the property manager of the shopping center in order to seek some sort of agreement or understanding concerning designated parking spaces. Mr. Wagner explained that staff indicated to him that he should not designate the parking because the property has a shared pool of parking. Mr. Gonzales explained that staff would like to see the parking of vehicles 'for lease' in the rear of the suite. Commissioner Lyons inquired about people dropping off vehicles that may be left in the shopping center parking lot for a period of time (perhaps for several days overnight). Mr. Wanger explained that customers will be told that they are not allowed to park their personal vehicles overnight; however, the company will not be policing this for enforcement. Planning Director Robert LaCroix pointed out that the city is not able to write into the SUP ordinance anything related to designated parking spaces. He explained that the applicant would have to work this out one-on-one with the property owner. Mr. Wagner explained that the hours of operation are expected to be 8AM-6PM Monday thru Friday; Saturday from 8AM-2PM and Sunday from 9AM-6PM. There will be a drop box placed in the rear of the suite for customers dropping vehicles back off after lease; however, the company will not be advertising this as a service and will in fact be encouraging drop off of vehicles, post lease, during normal business hours when the office is actually open.

There being no one else wishing to come forth and speak, Chairman Renfro then closed the public hearing.

Commissioner Lyons made a motion to approve Z2015-002 with staff recommendations and to include a suggestion to the applicant that he work with the property owner to try and have up to four (4) designated parking spaces allotted in front of the suite. Commissioner McCutcheon expressed general concern about the "allotted parking spaces" provision included in Commissioner Lyons' motion. Commissioner Jusko seconded the motion as stated by Commissioner Lyons. Chairman Renfro expressed that he agrees with Commissioner McCutcheon in that he has concerns about the 'designated parking spaces' portion of the motion on the floor as well. He explained that he too would like to encourage vehicles to stay in the rear of the building and not encourage, by allotment of designated parking spaces, parking in the front. Upon calling for the vote, the motion on the floor failed by a vote of 6 against and 1 (Commissioner Lyons) in favor.

Commissioner Lyons made a subsequent motion to approve Z2015-002 with staff recommendations. Commissioner Jusko seconded the motion, which passed by a vote of 7 in favor with 0 against.

14. Z2015-003 (Ryan)

Hold a public hearing to discuss and consider a request by Cole Franklin of the Skorburg Company on behalf of the owner Larry Hance for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 7 (SF-7) and General Retail (GR) District land uses for a 44.56-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the northwest corner of FM-552 and John King Boulevard, and take any action necessary.

**Chairman Renfro indicated the applicant has requested this case be postponed until the next Planning & Zoning Commission meeting (February 24, 2015). Therefore, this item was not discussed nor voted on by the Commission at this time.**

**15. Z2015-004 (Ryan)**

Hold a public hearing to discuss and consider a request by Zack Amick of Gordon Rockwall Investments, LLC on behalf of Keith Young for the purpose of amending Specific Use Permit (SUP) S-107 to allow for a new car dealership on a ten (10) acre tract of land identified as Tract 4-02 and Tract 4 of the N. M. Ballard Survey, Abstract No. 24 and the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Corridor Overlay (IH-30 OV) District, addressed as 1530 E. IH-30, and take any action necessary.

Mr. Miller explained that the applicant was requesting to amend an existing Specific Use Permit (S-107) for the purpose of establishing a new motor vehicle dealership on the subject property. Currently, the SUP allows the applicant to use the property for the outside storage of vehicles, and the lot cannot be used as a sales lot. The applicant is requesting the SUP for the possibility of attracting a new brand, but if not the applicant would like the ability to sell vehicles on the lot in conjunction with the adjacent Hyundai dealership. The applicant is proposing to phase the development in three phases. Storm water and detention will be Phase I, and the paving will be part of Phase II. The actual building will be Phase III of the redevelopment. The SUP will continue to allow the property to be used in conjunction with the existing Hyundai Dealership. It will also allow the applicant flexibility to pursue other brands for franchise. The development will be phased in over a period of three years, and the SUP will be revisited after that three year period. Mr. Miller explained that thirty-three (33) notifications were sent out to adjacent property owners located within five hundred (500') of the subject property; however, no replies have been received back by staff at this time.

Commissioner Logan asked if the driveway frontage will be approved. Mr. LaCroix explained that it is already there – it is existing. He also confirmed that it is currently a paved area.

Chairman Renfro opened the public hearing and called forth the applicant.

Zack Amick  
1957 Stevens Road  
Rockwall, TX

Mr. Amick indicated that he is asking for a phased approach to this project to allow him time to explore and determine what sort of vehicle product (brand) he will end up being sold at this location. He explained that the aerial photo shown in the presentation is actually an old one, and it does not accurately depict exactly what is there on the property currently, as several improvements on the lot have already been made since the time the aerial photo was taken. He explained that this property is currently being utilized for overflow storage of cars associated with the existing Hyundai dealership.

Chairman Renfro asked what may happen if the 'brand' that comes in and wants to sell cars does not like the improvements that have been made. Mr. Amick clarified that Mr.



Young, the owner, is not planning to sell the business. Regardless of the brand that is sold, it will still be Mr. Young who will be the owner/operator of the business.

Renfro asked if anyone else would like to come forth and speak. There being no one indicating such, he then closed the public hearing.

Commissioner McCutcheon made a motion to approve Z2015-004, including staff recommendations. Commissioner Jusko seconded the motion, which passed unanimously of all present (7 ayes to 0 nays).

#### **ACTION ITEMS**

**16. SP2014-034 (Ryan)**

Discuss and consider a request by Cameron Slown of FC Cuny Corporation on behalf of Tom Kirkland of Tekmak Development Company for the approval of waivers to Planned Development District 32 (PD-32) [Ordinance No. 10-21] and variances to the Unified Development Code associated with a site plan for a hotel on a 2.968-acre tract of land identified as Lot 3A, Block A, Shoreline Plaza Addition and Lot 1-1, Block A, Henry Africa Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, located at the southeast corner of the intersection of the IH-30 Frontage Road and Lakefront Trail, and take any action necessary.

Mr. Miller indicated that a couple of meetings ago, an SUP for a hotel was looked at by P&Z and subsequently approved on first reading by the city council. This particular case is concerning approval of a site plan for the hotel on the existing 2.968 acre tract of land. The hotel will ultimately be about 73,000 square feet and four stories tall. The applicant is in conformance with the city's landscape regulations; however, the applicant is requesting some waivers on the building's form and actual placement on the tract of land. The applicant is also asking for waivers on where the parking will actually be situated on the lot. Normally, at this location, the building height would be limited to three (3) stories, but the applicant is proposing to construct a four (4) story hotel building. Therefore, a waiver on the height of the building is being requested. In addition to the waivers, the applicant is seeking variances associated with the masonry and stone requirements. The applicant is asking to utilize *Eldorado Cultured Stone* and *EFIS*, which is the same sort of cultured stone that was utilized on the Trend Tower. The EFIS material the applicant would like to use is the same material that was utilized on the existing Hilton Hotel. Several trees are being proposed in the landscape plan; however, there is an outstanding balance with regard to tree mitigation that must be accounted for. The alternative tree mitigation plan has been included and is detailed in the Commissioners' meeting packet. The Architectural Review Board (ARB) reviewed this project several times, and the ARB's recommendations have been provided to Commissioners as well. Staff had made known to the applicant some outstanding concerns, and the applicant has since submitted a letter in which he agrees to accommodate rectifying those concerns. Commissioner Logan sought and received clarification concerning the tree mitigation and how the 'line of sight' may look, aesthetically, with current and future planned buildings adjacent to this hotel and in this general area. General indication was given that its design will fit in with the other buildings in the immediate area.

Chairman Renfro called the applicant forth to speak if he would like to do so.

Tom Kirkland  
613 Willow Springs  
Heath, TX

Mr. Kirkland came forth and stated that he believes the building looks better at this point than when it was originally proposed. He indicated that a lot of "intentional landscaping" will be placed and maintained on the lot. Also, the parking lot area will need to be broken

up with some landscaping in and among the parking area. Also, there will be a courtyard as part of the hotel, and that area will be heavily landscaped.

Commissioner Logan expressed concern about the applicant's alternative tree mitigation plan request. She indicated that she does not feel comfortable with the applicant trying to get out of having to mitigate for trees in accordance with the city's tree mitigation regulations. Mr. Kirkland explained that he is not trying to get out of paying for trees. It is just that the funding will be utilized to do more extensive landscaping and a wider variety of trees and landscaping on the actual hotel property site. Mr. Miller clarified that the applicant is not 'shorting' the city any inches of trees. It is just that the applicant is asking to provide alternative trees that are not canopy type trees.

Commissioner Lyons moved to approve SP2014-034 with staff recommendations. Commissioner McCutcheon seconded the motion, which passed by a vote of 6 in favor with 1 against (Logan).

**DISCUSSION ITEMS**

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

- ✓ P2015-001: Lots 1, 2 & 3, Block A, Buffalo Crossing Addition [Approved]
- ✓ Z2014-037: SUP for an Indoor Motor Vehicle/Showroom (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2014-038: SUP for General Retail Store within PD-50 (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2014-039: Zoning Change AG to LI (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2014-040: SUP for a Hotel within PD-32 (1<sup>st</sup> Reading) [Approved]

Planning Director Robert LaCroix provided a brief update to the Commissioners concerning the outcomes of the above referenced cases at the City Council level. The Commission neither discussed this item nor took action concerning this agenda item.

**ADJOURNMENT**

Chairman Renfro adjourned the meeting at 7:08 p.m.

**PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ROCKWALL, TEXAS, this 10<sup>th</sup> day of March, 2015.**

  
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Craig Renfro, Chairman

**ATTEST:**

  
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Ryan Miller, Planning Manager