

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
June 9, 2015
6:00 P.M.

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:02pm. Present were Chairman Renfro, Commissioners Tracey Logan, Jonathan Lyons, Mike Jusko, John McCutcheon, and Amy Fishman. Commissioner Wendi Conley was absent. Staff members present were Director of Planning and Zoning, Robert LaCroix, Planning Manager, Ryan Miller, Senior Planner, David Gonzales, and Planning and Zoning Coordinator, Laura Morales.

II. CONSENT AGENDA

1. Approval of Minutes for the May 26, 2015 Planning and Zoning Commission meeting.

2. P2015-020

Discuss and consider a request by Caprice Michelle of Rockwall Rustic Ranch, LLC for the approval of a replat for Lot 1, Block A, Rockwall Rustic Ranch Addition being a 0.53-acre parcel of land currently identified as Lot B, Block 123, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 406 N. Goliad Street, and take any action necessary. (Rescheduled)

3. P2015-022

Discuss and consider a request by Mike Whittle on behalf of Rockwall Rental Properties, LP for the approval of a replat for Lot 11 & 12, Block 2, Alliance Addition, Phase 2 being a 1.420-acre parcel of land currently identified as Lots 1 & 10, Block 2, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, addressed as 6505 & 6525 FM-3097, and take any action necessary.

Commissioner Logan made motion to approve the consent agenda excluding P2015-020, which will be rescheduled to the following P&Z meeting. Commissioner McCutcheon seconded motion, which passed by a vote of 6-0, with Commissioner Conley absent.

III. PUBLIC HEARINGS

4. Z2015-017

Hold a public hearing to discuss and consider a request by Jonathan Hake of Cross Engineering Consultants, Inc. on behalf of the owner Kenneth R. Smith of K. R. Smith Holdings, LLC for the approval of a Specific Use Permit for *Commercial Amusement/Recreation (Outside)* to allow a baseball training facility to be constructed on a six (6) acre tract of land identified as Tract 4-07 of the N. Butler Survey, Abstract No. 20, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 By-Pass Corridor Overlay (SH-205 BY-OV) District, located on the north side of Airport Road west of the intersection of Airport Road and John King Boulevard, and take any action necessary.

Senior Planner, David Gonzales, gave an explanation of the case explaining that the applicant, Jonathan Hake of Cross Engineering Consultants, Inc., is requesting a Specific Use Permit (SUP) to allow for a Commercial Amusement/Recreation and more specifically a private baseball training facility on a 6.00-acre tract of land that is zoned Commercial District. The property is located at the northwest quadrant of Airport Road and John King Boulevard, across from the Leon Tuttle Athletic Complex. The properties adjacent to this site are non-residentially zoned.

Mr. Gonzales further explained that the applicant has submitted a conceptual site plan indicating an indoor facility, a practice field, and a full sized baseball field that will provide

62 consumer based recreational activities for the general public. The indoor facility will be
63 equipped with batting cages, practice cages, virtual video cages, concessions, arcade games, a
64 workout facility, a meeting room, a pro shop and business office. The baseball field and
65 practice fields will be available for rental, select team use, and tournament play.
66

67 Also, as a part of the SUP request, the applicant provided a photometric plan in order to
68 establish generally acceptable lighting levels for the purpose of containing the spill over
69 lighting and glare for the sports complex. The City's outdoor lighting regulations do not have
70 standards associated with a sports complex in terms of the maximum intensity measured at the
71 property line or for the maximum height of light pole standards. The photometric plan
72 submitted by the applicant establishes an illumination level for the site that is generally not to
73 exceed an average of 50-FC in order to provide the necessary lighting for the ball fields.
74 However, the photometric plan does indicate area's beyond the property line that exceed the
75 City's standard of 0.2-FC for a typical development. The highest reading calculated beyond the
76 property line is 3.8-FC and is located at the center of the north property line and approximately
77 9-ft from this property line. This particular reading drops dramatically to 1.0-FC at
78 approximately 28-ft from the property line and continues to decline reaching 0.2-FC at
79 approximately 120-ft from the property line. The light pole standards to be installed are
80 measured to have a maximum overall height of 50-ft. The site will incorporate a total of nine 9
81 50-ft height light poles for the ball fields (3 – practice field & 6 – main ball field). In comparison,
82 the light poles installed at the Leon Tuttle Athletic Complex have an overall height of 70-ft and
83 have approximately twenty 20 light poles.
84

85 The photometric plan submitted for the lighting of the baseball complex does have merit based
86 on adjustments that may reduce the intensity of the lighting, the proximity to vacant
87 undeveloped property and the Leon Tuttle Athletic Complex; however, a request for an SUP is a
88 discretionary act upon the Planning and Zoning Commission and City Council.
89

90 Mr. Gonzales stated that fifteen notices were mailed to property owners within 500 feet of the
91 subject property and also posted a sign on the property as required by the Unified Development
92 Code. No notices "for" or "against" the zoning change requested were received.
93

94 Mr. Gonzales explained staff's recommendations if the Planning & Zoning Commission should
95 approve the Specific Use Permit, are as follows:
96

- 97 1) That adherence to Engineering and Fire Department standards is required.
- 98
- 99 2) That the lighting levels are generally not to exceed the levels established in the approved
100 photometric plan for this site in order to contain spill over lighting and glare on adjacent
101 properties considered to be acceptable levels, and that the illumination will generally not
102 exceed an average of 50-FC as indicated on such plan.
- 103
- 104 3) That the heights for the lighting pole standards are not to exceed a maximum overall height
105 of 50-ft (includes pole, base, fixtures, etc.).
106
- 107 4) That submittal and approval of a site plan (to include approval of a photometric plan),
108 engineering plans, and final plat are required prior to issuance of a certificate of occupancy.
109
- 110 5) That written clearance from the Federal Aviation Administration (FAA) shall be provided to
111 the City indicating approval of the maximum height for the light pole standards, the
112 maximum intensity regarding glare produced from the lighting, and any other requirement
113 deemed necessary for the safety of air traffic to and from the Rockwall Municipal Airport.
114
- 115 6) That the City Council reserves the right to review the Specific Use Permit (SUP) any time
116 after the effective date of this ordinance.
117

118 Chairman Renfro opened the floor to questions for staff. Commissioner McCutcheon asked for a
119 comparison of light fixtures from the ones being proposed to those at the adjacent Tuttle Field.
120 Mr. Gonzales stated he believes they will be different, but stated what will be used will be flood
121 lighting LED lighting that are used for sports facilities. Chairman Renfro asked regarding the
122

123 photometric plan, asking if the applicant is choosing not to exceed the 50-foot max height, or
124 could they go higher in this district. Mr. Gonzales advised they have submitted plan depicting
125 50-foot poles and that is currently the maximum height allowed.

126
127 Chairman Renfro opened the public hearing and asked the applicant to come forth and speak.

128
129 Kenneth Smith
130 601 Development Drive
131 Plano, TX

132
133 Mr. Smith came forward. Commissioner Logan asked whether or not it would be a grass field.
134 Mr. Smith stated they are currently planning on designing it to be a turf field. Commissioner
135 Jusko had a question regarding the LED lighting and if it could be lowered. The applicant stated
136 that the lighting level would to stay within the 50-foot maximum requirement.

137
138 Chairman Renfro asked if anyone would like to come forth and speak. There being no one
139 indicating such, Chairman Renfro closed the public hearing.

140
141 Commissioner Lyons made motion to approve. Commissioner Jusko seconded motion, which
142 passed by a vote of 6-0, with Commissioner Conley absent.

143
144
145 5. Z2015-018
146 Hold a public hearing to discuss and consider a request by Herman Douglas Utley for the approval of a
147 zoning change from a Single Family Estate 2.0 (SFE-2.0) District to a Single Family Estate 1.5 (SFE-
148 1.5) District for a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract No.
149 13, City of Rockwall, Rockwall County, Texas, zoned Single Family Estate 2.0 (SFE-2.0) District,
150 situated within the SH-205 By-Pass (SH-205 BY OV) District, addressed as 1815 E. Old Quail Run
151 Road, and take any action necessary.

152
153
154 Planning Manager, Ryan Miller, gave presentation of the case explaining that the subject
155 property is a 4.502-acre tract of land identified as Tract 1 of the S. R. Barnes Survey, Abstract
156 No. 13. The applicant, Herman Douglas Utley, is requesting to rezone the property from a Single
157 Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate (SFE 1.5) District for the purpose of
158 subdividing the property into two (2) acre parcels of land. On April 6, 2015, the City Council
159 approved a zoning change for the subject property from an Agricultural (AG) District to a Single
160 Family Estate 2.0 (SFE-2.0) District under *Case Number Z2015-008*. The Single Family Estate 2.0
161 (SFE-2.0) District requires a minimum lot size of two (2) acres or more; however, after
162 accounting for roadway dedication the remaining property was 3.94-acres and would prohibit
163 the Mr. Utley from subdividing the property. Currently, the subject property has an existing
164 single-family home constructed in the southeast corner. According to the applicant's original
165 letter provided with *Case No. Z2015-008*, the existing house will remain on one (1) lot and a new
166 single-family home will be constructed on the remainder lot.

167
168 Chairman Renfro opened the public hearing and asked the applicant to come forth and speak.

169
170 Doug Utley
171 1815 E. Quail Run Road
172 Rockwall, TX 75087

173
174 The applicant came forward and stated he had nothing more to add to Mr. Millers comments. No
175 questions were asked from the Commissioners.

176
177 Chairman Renfro asked if anyone would like to come forth and speak. There being no one
178 indicating such, Chairman Renfro closed the public Hearing.

179
180 Commissioner McCutcheon made motion to approve. Commissioner Lyons seconded motion
181 which passed by a vote of 6-0, with Commissioner Conley absent.

182
183

184 IV. ACTION ITEMS

185
186 6. P2015-021

187 Discuss and consider a request by Jay Bedford of A. J. Bedford Group, Inc. on behalf of the owners G.
188 Kent and Kay Loy Smith for the approval of a final plat for Lots 1-4, Block A, Breezy Hill Estates being a
189 7.873-acre tract of land identified as Lots 10-13, Breezy Hill (Unrecorded), Rockwall County, Texas,
190 situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), located on property currently
191 addressed as 575 Breezy Hill Lane, and take any action necessary.

192
193 Senior Planner, David Gonzales, explained that the objective of this request is to establish a
194 subdivision within the City's Extraterritorial Jurisdiction (ETJ) by platting four (4) lots that
195 combine for a total of 7.873-acres. Although four (4) lots existed prior to this request, they were
196 not recorded as platted lots. The City's Subdivision Ordinance requires all lots or tracts of land
197 within the ETJ to be platted if the lot or tract of land is subdivided into parcels or tracts less
198 than 5-acres. Also, the Subdivision Ordinance requires all lots to have frontage along a public
199 street and is based on the City's zoning code for frontage. The proposed plat indicates Lots 3 &
200 4 does as not having frontage along a public street; therefore, approval of a waiver to this
201 standard is required by City Council in order for the proposed plat to be approved.

202
203 Mr. Gonzales further explained that the property is located in the northeast quadrant of F.M. 552
204 and Breezy Hill Road and is currently addressed as 575 Breezy Hill Lane. If the Planning &
205 Zoning Commission and City Council choose to approve the request for the final plat, staff
206 would recommend that all the technical comments from the Engineering and Fire Departments
207 be addressed prior to the filing of the plat, including the following Planning Comments;

208
209 1. Approval of a waiver by the City Council to the Subdivision Ordinance to allow Lots 3 & 4 (as
210 depicted on the proposed plat) to be platted without frontage on a public street.

211
212 2. Adherence to Engineering and Fire Department standards.

213
214 Mr. Gonzales stated he was open for questions and applicant was present for questions as well.

215
216 Chairman Renfro asked how would a future request for easements or right-of-way with these
217 lots having no frontage be handled. Mr. Gonzales explained that currently there is an access
218 easement providing entrance to the property but do to the subdivision ordinance it does require
219 a waiver.

220
221 Commissioner Lyons asked if addressing would be an issue with regard to the post office and
222 emergency services. Mr. Gonzales advised we do not address in the ETJ, but from a 911
223 standpoint and the post office the county would handle the addressing, but explained there is
224 an access easement.

225
226 Chairman Renfro asked applicant to come forth and speak.

227
228 Kent Smith
229 575 Breezy Hill Road
230 Rockwall TX 75087

231
232 The applicant came forward and gave background on the property and the reason for request.
233 He stated that he originally bought four (4) lots but is now downsizing. He also stated that he
234 has not had any issue with the road; emergency services as well as neighbors have always
235 used the existing access road.

236
237 Commissioner Jusko made motion to approve. Commissioner McCutcheon seconded motion
238 which passed by a vote of 6-0, with Commissioner Conley absent.

239
240
241 7. SP2015-014

242 Discuss and consider a request by Joanne Vuckovic of the Pregnancy Resource Center on behalf of
243 the owner Robert Vernon for the approval of a site plan for an office building on a 0.32-acre tract of land
244 identified as Tract 21 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County,

245 Texas, zoned Planned Development District 53 (PD-53) for Residential-Office (RO) District land uses,
246 situated within the Scenic Overlay (SOV) District, addressed as 1010 Ridge Road, and take any action
247 necessary.
248

249 Senior Planner, David Gonzales, gave explanation of case stating that the applicant is
250 requesting approval of a site plan for the property located at 1010 Ridge Road for the purpose of
251 converting the existing structure to a residential/office use. The property is zoned Planned
252 Development No. 53 (PD-53) for Residential/Office (RO) District land uses. PD-53 allows
253 property owners the ability to convert their properties to low intensity commercial type uses.
254 The property is also subject to the standards of the Scenic Overlay District (SOV) District.
255

256 Mr. Gonzales further stated that the existing home is approximately 908 square feet. The
257 parking requirements in PD-53 allows for one parking space per 300 square feet of floor area for
258 general office uses. Other uses permitted within PD-53 are to adhere to the parking standards
259 established in the UDC. The applicant is proposing thirteen parking spaces for the
260 development. The site will be accessed via cross access and mutual access easements from
261 the adjacent north and south properties. The existing driveway at the front of the property
262 (along Ridge Road) will be removed. Also, the applicant will provide a 20-ft public access
263 easement to the rear of the property in order to provide cross access to the adjacent properties.
264 The applicant is to provide a minimum six foot tall wood fence and/or landscaping along the
265 west property line to provide screening for the adjacent residential properties.
266

267 Mr. Gonzales also explained that should the request be approved, staff would offer the following
268 conditions of approval:
269

- 270 1. Submittal and approval of a replat prior to issuance of a Certificate of Occupancy.
- 271
- 272 2. Submittal and approval of a separate building permit for any exterior signage.
- 273
- 274 3. Any construction or building necessary to complete this Site Plan request must conform to
275 the requirements set forth by the Unified Development Code, the 2009 International Building
276 Code, the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and
277 with all other applicable regulatory requirements administered and/or enforced by the state and
278 federal government.
279

280 Chairman Renfro asked Commissioners if there were any questions for staff. Commissioner
281 McCutcheon asked a question concerning the building to the south and what would be done
282 with it. Mr. Gonzales advised that the building would be removed to put in the access drive,
283 which was part of a facilities agreement with the adjacent owner.
284

285 Commissioner McCutcheon made motion to approve. Commissioner Jusko seconded motion
286 which passed by a vote of 6-0, with Commissioner Conley absent.
287

288
289 V. DISCUSSION ITEMS
290

291 8. Z2015-016 (Ryan)
292 Hold a public hearing to discuss and consider a request by Stacey McVey of Double Eagle Properties
293 on behalf of the owner 308 ON 276 LP for the approval of a zoning change from an Agricultural (AG)
294 District to a Planned Development District for Single Family 10 (SF-10) District and General Retail (GR)
295 District land uses, on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey,
296 Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located
297 at the northeast corner of the intersection of Rochelle Road and SH-276, and take any action
298 necessary.
299

300 Chairman Renfro asked applicant to come forth and speak.

301
302 Craig Carney
303 (No address given)

304
305 Kenny Huff

306 (No address given)

307
308
309 Mr. Carney came forward and stated this proposal is for a 316-acre mixed commercial and
310 residential subdivision. The subdivision would contain 519 lots and will have two ponds used
311 as open space areas for hike, bike and walking trails. Additionally, no boating would be
312 allowed. The concept plan depicted access points to the east of property along Rochell Road.
313 Infrastructure improvements that will be required with this project include street, sewer, water
314 and lift station. Discovery Boulevard will eventually extend to Rochell Road, which is included
315 in the master plan and there will be sidewalk connectivity.

316
317 Mr. Carney also stated that it is there intent to donate land to the Boys and Girls Club for the
318 development of a recreational facility. The nine (9) acre commercial tract of land is planned to be
319 for hotels and neighborhood retail services.

320
321 Planning Manager, Ryan Miller, added a recap of applicant's proposal, and asked the
322 Commission to look over the uses that they are choosing to limit and allow by right. The plan
323 does show increased amenity of open space will be provided.

324
325 Chairman Renfro asked if they are the owners of the property. Mr. Carney stated they are under
326 contract.

327
328 Chairman Renfro asked a question concerning if the 42-acres that they are proposing to donate
329 to the Boys and Girls Club included the two ponds. Mr. Carney stated that the pond itself is not
330 included.

331
332 Commissioner Jusko asked what the Boys and Girls Club have in store for the donated
333 property. Mr. Carney advised they intend to have two (2) state of the art baseball fields with
334 artificial turf. Mr. Carney stated Mr. McVey could better explain what the Boys and Girls Club
335 were planning.

336
337 Stacey McVey
338 7218 Lakewood Street
339 Dallas TX

340
341 Mr. McVey came forth and stated they have met with the Boys and Girls Club and have seen
342 conceptual plans, which include six (6) baseball fields as well as a 35,000 square foot building.

343
344 Commissioner Logan had concerns with traffic flow.

345
346 (Commissioner Lyons left meeting at 7:12)

347
348 The applicant stated a new concept plan will be submitted clarifying the request and addressing
349 staff's comments.

350
351 Commissioner Fishman asked the applicant to explain what the hotel and retail area would
352 consist of. Mr. Carney stated it is envisioned that a hotel will be provided in the back northeast
353 corner of the property and that outdoor patio dining could take advantage of the views of the
354 lake.

355
356 Robert LaCroix explained that even if the proposed uses the applicant has identified are allowed
357 by-right that a PD Development Plan would be required.

358
359 Chairman Renfro asked the Commission if there were any other questions, the Commission had
360 no further questions.

361
362
363 9. Discuss and consider amendments to the natural and/or quarried stone requirement stipulated by
364 the overlay district standards contained in Article V, *District Development Standards*, of the Unified
365 Development Code, and take any action necessary.

366

367 Planning Director, Robert LaCroix, gave an update from previous meeting, stating that after
368 reviewing other city's ordinances that the current ordinance regulating stone was in line with
369 other city's regulations. In many cases, Rockwall's regulations proved to be more restrictive.
370 Additionally, other cities did not have regulations targeted at restricting cultured stone. Director
371 LaCroix walked the Planning & Zoning Commission through the proposed amendment.
372

373 Chairman Renfro stated that he was in favor of reviewing cases on a case-by-case basis.
374 General discussion concerning the proposed change occurred.
375

376 Commissioner McCuthcheon made a motion to approve the ordinance as presented by staff and
377 send it to the City Council as a recommendation to change the current ordinance.
378 Commissioner Jusko seconded the motion, which passed unanimous of all commissioners
379 present by a vote of 5-0, with Commissioners Conley and Lyons absent.
380

381
382 10. Director's Report of post Council meeting outcomes of Planning & Zoning cases.

- 383
384 ✓ P2015-014: Lots 6, 7 & 8, Block A, Grady Rash Subdivision [Approved]
385 ✓ SP2015-017: Variance for Advance Auto [Approved]
386

387 Planning Director Robert LaCroix provided a brief update about the outcomes of the above
388 referenced cases. The Commission did not have any questions concerning this agenda item.
389

390
391 VI. ADJOURNMENT

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393 Meeting adjourned at 7:48 p.m.
394

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396
397
398 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF
399 ROCKWALL, Texas, this 30 day of June, 2015.

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Craig Renfro, Chairman

Attest:


Laura Morales, Planning Coordinator