

**MINUTES**  
**PLANNING AND ZONING COMMISSION WORK SESSION**  
**City Hall, 385 South Goliad, Rockwall, Texas**  
**Council Chambers**  
**January 29, 2019**  
**6:00 P.M.**

**I. CALL TO ORDER**

**Chairman Lyons called the meeting to order at 6:02 p.m. The Commissioners present at the meeting were, Jerry Welch, Eric Chodun, Mark Moeller, Annie Fishman, Tracey Logan, and John Womble. Staff members present were Planning Director, Ryan Miller, Planning Manager, David Gonzales, Senior Planner Korey Brooks, Planning Coordinator, Laura Morales, City Engineer, Amy Williams, Civil Engineers, Jeremy White and Sarah Hager.**

**II. CONSENT AGENDA**

**1. P2019-002**

**Consider a request by Gerald Houser of Collin-G Properties, LTD for the approval of a replat for Lot 2, Block A, Houser Addition being a 6.19-acre parcel of land identified Lot 1, Block A, Houser Addition, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 1611 SH-276, and take any action necessary.**

**2. P2019-003**

**Consider a request by Maria C. Bonilla of Winkelmann & Associates, Inc. on behalf of Jill Fisher of Dunhill Partners, Inc. for the approval of a replat for Lot 2, Block B, R. W. Marketcenter Addition being a replat of a 21.424-acre parcel identified as Lot 1A, Block B, R. W. Marketcenter Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated at the southwest corner of Market Center Drive and the E. IH-30 Frontage Road, and take any action necessary.**

**3. P2019-004**

**Consider a request by Tony Degelia of A & W Surveyors on behalf of Michael Fisher for the approval of a replat for Lot 7, Block A, Temunovic Addition being a 1.082-acre parcel of land identified as Lot 6, Block A, Temunovic Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District, situated within the Scenic Overlay (SOV) District, addressed as 1306 Summer Lee Drive, and take any action necessary.**

**Commissioner Moeller made a motion to approve the consent agenda. Commissioner Fishman seconded the motion which passed by a vote of 7-0.**

**III. APPOINTMENTS**

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

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

**IV. PUBLIC HEARING ITEMS**

**5. Z2018-056**

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

64 Senior Planner, Korey Brooks, provided a brief explanation and background of the request. The  
65 applicant is requesting a change in zoning from an Agricultural District to a Light Industrial  
66 District for the purpose of constructing a house of worship on the subject property. The subject  
67 property was annexed in 1985 and is zoned Agricultural District. The Agricultural District is a  
68 holding district with the intent that a property will be rezoned in conformance with the Future  
69 Land Use Plan contained in the Comprehensive Plan. According to the Unified Development  
70 Code, a house of worship is permitted in an Agricultural District by Specific Use Permit or  
71 permitted by-right in a Light Industrial District. The proposed request to rezone the property to  
72 Light Industrial District is in conformance with the City's Future Land Use Plan. According to the  
73 Unified Development Code, the Light Industrial District is intended for industrial parks and larger  
74 cleaner types of industries and located close to an arterial capable of carrying commercial  
75 traffic. In this case, the subject property is located at the intersection of an arterial and a major  
76 collector and conforms to these requirements. The Future Land Use Plan designates the subject  
77 property for Technology/Employment land uses, which is characterized by employment-oriented  
78 businesses, typically situated in larger centers that have access to key transportation networks.  
79 In this case, the applicant's request to rezone the property to Light Industrial District is in  
80 conformance with the Future Land Use Plan; however the land use, a house of worship is  
81 considered to be a Quasi-Public land use and will necessitate a change in the Future Land Use  
82 Plan and this change has been made a condition of approval.  
83

84 Mr. Brooks further noted that the plan allows the City Council to consider requests conforming  
85 to the Special Commercial Corridor, which is typically associated with Commercial District  
86 zoning. In this case, the applicant originally submitted a request for Commercial District zoning;  
87 however, after reviewing the case staff suggested that the applicant consider Light Industrial  
88 District zoning. The reason for this suggestion is: (1) this property is directly adjacent to John  
89 King Boulevard and would hinder the visibility of adjacent properties that do not front onto John  
90 King Boulevard, therefore it is a reasonable expectation that the adjacent properties will develop  
91 in accordance with the Technology/Employment designation, and (2) the adjacent properties  
92 proximity to the existing railroad tracks may make the adjacent property better suited to Light  
93 Industrial District zoning in the future. While the Church could maintain its Agricultural District  
94 zoning by requesting a Specific Use Permit, a SUP would necessitate that the Church amend  
95 said SUP with every proposed change on the property. The Light Industrial District zoning will  
96 allow the church the flexibility to make improvements to the property in conformance with the  
97 UDC without the burden of a public hearing process for every proposed improvement. Approval  
98 of a zoning change is discretionary to the City Council, pending a recommendation from the  
99 Planning and Zoning Commission. In this case, the Planning and Zoning Commission and City  
100 Council have the discretion to approve the request as submitted Light Industrial District or  
101 choose to downzone the property to a Commercial District either zoning district allows the  
102 House of Worship land use by-right. In addition should the request be approved the applicant  
103 will be required to submit a site plan and go through the site planning process.  
104

105 Mr. Brooks went on share that on January 14, 2019, staff mailed 10 notices to property owners  
106 and residents within 500-feet of the subject property and staff had did receive any notices for or  
107 against the request.  
108

109 Mr. Brooks advised the Commission that the applicant was present and available for questions  
110 as well as staff.  
111

112 Chairman Lyons opened up the public hearing and asked the applicant to come forward.  
113

114 Tom Jones  
115 5815 Meadowcrest  
116 Dallas, TX  
117

118 Mr. Jones came forward and shared that based on the new 2040 Rockwall Comprehensive Plan  
119 they feel that the Light Industrial designation is the most appropriate zoning for the property.  
120 They are currently working with staff for the alignment development of Justin Road. Mr. Jones  
121 indicated he was available for questions.  
122

123 Chairman Lyons asked if anyone wished to speak to come forward.  
124  
125

Bob Wacker  
309 Featherstone  
Rockwall, TX

Mr. Wacker came forward and asked for clarification of the zoning designation as it pertains to changes being approved with a Specific Use Permit. Mr. Brooks explained that if the property remains Agricultural zoning and the applicant pursued a Specific Use Permit which would allow a house of worship, any time any improvements were to be made that deviated from the concept plan, then the SUP would have to be amended each time.

Chairman Lyons asked if anyone else wished to speak to come forward and do so; there being no one indicating such Chairman Lyons closed the public hearing and brought the item back to the Commission for discussion or motion.

Commissioner Welch made a motion to approve Z2018-056 with staff recommendations. Commissioner Logan seconded the vote which passed by a vote of 7-0

V. ACTION ITEMS

6. MIS2019-002

Discuss and consider a miscellaneous request by Reubin E. Harle for the approval of a masonry exception for the purpose of constructing an accessory building that does not meet the minimum masonry requirements stipulated by the Unified Development Code (UDC) on a 4.632-acre parcel of land identified as Lot 5R, Block A, Zion Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family One (SF-1) District, addressed as 825 Zion Hills Circle, and take any action necessary.

Senior Planner, Korey Brooks, provided a brief explanation and background of the request. The applicant is requesting approval of a masonry exception to allow a metal accessory building on the subject property. In November 2018, the applicant submitted a request for the approval of a Specific Use Permit for an accessory building that did not meet the requirements of the Unified Development Code. Specifically, the applicant was proposing an accessory building that exceeded the maximum size requirements, 3,000 square foot metal building, exceeded the number of allowable accessory buildings since there are two existing metal buildings on the property, and did not conform to the minimum masonry requirements of the Unified Development Code. Ultimately on November 19, 2018, the City Council denied the request. Since that time, the City Council approved a text amendment allowing the Board of Adjustments the ability to grant an exception to the maximum size requirements of accessory buildings, and the Planning and Zoning Commission the ability to grant variances to the masonry requirements and this eliminated the requirement of a Specific Use Permit for accessory buildings not meeting the requirements of the UDC. In response to that change, the applicant submitted a request to the Director of Planning and Zoning proposing a 2,000 square foot building with a four foot high masonry wainscot on the front facade. In accordance with the UDC, the Director of Planning reviewed the request and after conferring with the City Attorney determined that the request represented a substantial change from the request that was denied by the City Council. At the time the determination was made, staff recommended to the applicant that the masonry wainscot should be extended to all four sides of the building. Based on the substantial change, the applicant submitted a request for a variance to the maximum size requirements to the Board of Adjustments and on January 10, 2019, the Board of Adjustments granted a variance to allow an accessory building that exceeded the maximum allowable size and the maximum number of accessory buildings permitted, a total of three accessory buildings, on the subject property. Based on this approval, the applicant has the ability to construct a 2,000 square foot accessory building meeting the minimum masonry requirements on the subject property by-right; however, since the proposed building is metal and does not conform to the minimum masonry requirements, a masonry exception from the Planning and Zoning Commission is required. According to the UDC, "(a)ccessory buildings and accessory structures not meeting the masonry requirements shall require approval of an exception from the Planning and Zoning Commission." The approval of any exception to the minimum masonry requirements is a discretionary decision for the Planning and Zoning Commission.

189 Mr. Brooks advised the applicant was present and available for questions as well as staff.

190  
191 Chairman Lyons asked the applicant to come forward.

192  
193 Reubin Harle  
194 825 Zion Hills Circle  
195 Rockwall, TX  
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197 Mr. Harle came forward and added additional comments in regard to his request and indicated  
198 he was available for questions.  
199

200 Commissioner Chodun asked when City Council denied the request previously it was at that  
201 time being proposed to be 1,000 square feet larger and it was all metal. Mr. Brooks indicated that  
202 that was correct and City Council expressed disapproval with the size and it being all metal.  
203

204 Commissioner Fishman asked how many other accessory buildings would be on the property in  
205 total. Mr. Brooks indicated it would be a total of three buildings and shared that the Board of  
206 Adjustments did approve that maximum number of accessory buildings on the property.  
207

208 Commissioner Chodun asked concerning the staff recommendations that were given to the  
209 applicant to include the masonry wainscot be extended on all four sides. Planning Director,  
210 Ryan Miller, indicated that was staff's recommendations to the applicant based on concerns  
211 heard in the City Council meeting with regard to the size and material that was proposed.  
212

213 General discussion took place between the Commission in regards to the size and orientation of  
214 where the applicant is proposing to provide the masonry wainscot on the building.  
215

216 Chairman Lyons brought the item back to the Commission for discussion or action.  
217

218 Commissioner Welch made a motion to approve MIS2019-002 with staff recommendations with  
219 the condition that a metal wainscot be applied to three sides of the building and a brick wainscot  
220 on the front of the building. Commissioner Womble seconded the motion which passed by a  
221 vote of 7-0.  
222

## 223 VI. DISCUSSION ITEMS

### 224 7. Z2019-001

225 Hold a public hearing to discuss and consider approval of a text amendment to Article IV, *Permissible*  
226 *Uses*, and Article V, *District Development Standards*, of the Unified Development Code [Ordinance No.  
227 04-38] for the purpose of incorporating standards for a *Barn or Agricultural Accessory Building* and to  
228 amend the land use conditions for the *Guest Quarters/Secondary Living Unit* land use, and take any  
229 action necessary.  
230  
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232  
233 Planning Director, Ryan Miller, provided a brief explanation and background of the request. The  
234 City Council directed staff to amend the Land Use Standards contained in Article IV, *Permissible*  
235 *Uses*, of the UDC to allow guest quarters/secondary living units not meeting the requirements  
236 stated in the Land Use Standards the ability to request a Specific Use Permit. In addition, the  
237 City Council also directed staff to create a land use for Barns or Agricultural Accessory  
238 Buildings. This direction came in response to a request by a citizen to amend the code to allow a  
239 4,950 square foot, metal barn that would contain a storage area for eight vehicles and a guest  
240 quarters/secondary living facility, the facility includes all components of a residential living unit  
241 with kitchen, bathroom, on a property zoned Agricultural District. Currently, the UDC does allow  
242 guest quarters/secondary living units in an Agricultural District pending they are [1] accessory  
243 uses to the primary use being a single family home, [2] not to exceed 30% of the area of the main  
244 structure, and [3] that they cannot be sold or conveyed separately without meeting the  
245 requirements of the zoning district and subdivision ordinance; however, the code does not  
246 address guest quarters/secondary living units that do not meet these standards. In other  
247 residential zoning districts this use is only allowed through a Specific Use Permit, which gives  
248 the City Council the discretion to grant these even if they do not meet the requirements. These  
249 changes would allow guest quarters/secondary living units not meeting the requirements the  
250 ability to request a Specific Use Permit in the AG Districts. The purpose of this is to incentivize  
251 smaller properties, being properties less than ten acres in size and considered to be legally non-



conforming, to zone in accordance with the Future Land Use Plan, bringing them into conformance with the UDC. Without this requirement, it would be difficult for the City to incentivize smaller properties to change their zoning, which could have the effect of leaving small spots of Agricultural District zoning on non-conforming lots throughout the City. To address this, the City Council has directed staff to establish a new land use, barn/agricultural accessory building, which would allow larger buildings in the Agricultural District. Based on this direction Additionally Mr. Miller shared that the City Council did have a discussion concerning allowing these structures by-right as opposed to by Specific Use Permit and he went over the details of the new land uses being created and indicated a draft ordinance outlining the proposed changes was provided for the Commissions review.

Mr. Miller advised the Commission staff was available for questions.

Following brief discussion in regards to the case Chairman Lyons indicated the case will return to the Commission for action at the next scheduled meeting.

8. Z2019-002

Hold a public hearing to discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Carolina Molina of Alvaplast US (SPR Packaging) for the approval of a Specific Use Permit (SUP) for a structure that exceeds 60-feet in a Light Industrial (LI) District on a 42.61-acre tract of land identified as Tract 7 of the N. Butler Survey, Abstract No. 20 (11.3736-acres); Tract 31 of the R. Ballard Survey, Abstract No. 29 (8.197-acres); and, Lot 1-01, Block 1, Indalloy Addition (14.53-acres), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated at the terminus of Aluminum Plant Road, and take any action necessary.

Planning Manager, David Gonzales, indicated the applicant was present and would go over the review and staff would be available for questions.

Mark Pross  
5310 Harvest Hill Road, Suite 180  
Dallas, TX

Mr. Pross came forward and provided an extensive explanation of the request. He indicated that SPR Packaging has been an existing business in the City of Rockwall for the last ten years located south of the subject property. He shared that they utilize large extensive type equipment in their manufacturing process and said equipment also requires maintenance out of the top so the extruding area is much higher than the rest of the building which is the basis for their request in height. Mr. Pross went on to share the detailed plans SPR Packaging had in the purchase of the property and the different phases they would be constructed in and the plans for each in regards to material, elevations, design and height. He then indicated he was available for questions.

Mr. Gonzales added that in regards to the elevations, those were put into the draft ordinance to reference for the height of the extruder bays as well as for the silos. The actual approval of the elevations will come before the Commission at the time of site plan.

Commissioner Womble asked what the height of the existing structure to the south. Mr. Gonzales indicated it is 75 feet in height and a Specific Use Permit was approved for that.

Commissioner Logan asked what the square footage of the building they are proposing the 120 feet would be. Mr. Pross indicated it will be approximately 64,000 square feet although they are still working on the exact size.

General discussion took place between the Commission in regards to the height and location of the proposed building. The question as to what would be the alternative option should the request be denied was asked.

Ignacio Echavarri  
President of SPR Packaging  
1480 Justin Road  
Rockwall, TX

315 Mr. Echaavarri came forward and shared that they requested the 120 feet as it is the maximum  
316 and would allow them flexibility but they would be open to modifications should that height not  
317 be feasible.

318  
319 Chairman Lyons indicated the case will return to the Commission for action at the next  
320 scheduled meeting.

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323  
324 9. SP2019-001

325 Discuss and consider a request by Reese Baez of Triton General Contractors on behalf of Kevin Lefere  
326 for the approval of a site plan for a medical office building on a 0.26-acre portion of a larger one (1) acre  
327 tract of land identified as Block 26 of the Garner Addition, City of Rockwall, Rockwall County, Texas,  
328 zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated  
329 within the North Goliad Corridor Overlay (NGC OV) District, located north of the northwest corner of the  
330 intersection of W. Heath Street and S. Goliad Street [SH-205], and take any action necessary.

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333 Senior Planner, Korey Brooks, indicated that the applicant was present and would speak in  
334 regards to the request.

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336 Chairman Lyons asked the applicant to come forward.

337  
338 Reese Baez  
339 1415 Open Bay Court  
340 Rockwall, TX

341  
342 Mr. Baez came forward and indicated they are looking to construct a build a suite for T3  
343 Chiropractic's and will be the same design as the Foote building that is south of the subject  
344 property that was recently approved.

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346 Chairman Lyons asked the Commission for questions for staff or the applicant.

347  
348 Commissioner Chodun asked if there would be any variances being requested. Mr. Brooks  
349 indicated there would not be variances and they have met with the Architectural Review Board.  
350 Additionally the case went before the Historical Preservation Advisory Board and they granted a  
351 Certificate of Appropriateness for the project.

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353 There being no further questions Chairman Lyons indicated the case will return to the  
354 Commission for action at the next scheduled meeting.

355  
356 10. SP2019-002

357 Discuss and consider a request by Chuck Vickers of T & C Main Street Holdings, LLC for the approval  
358 of a site plan for an office building on a 0.50-acre parcel of land identified as Block 80B of the B. F.  
359 Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District,  
360 addressed as 108 St. Mary's Street, and take any action necessary.

361  
362 Senior Planner, Korey Brooks, provided a brief explanation of the request. Last year a zoning  
363 change was approved for the subject property and the applicant is requesting to convert the  
364 residential structure into an office building however most of the changes will be made to the  
365 interior of the structure rather than the outside. The case went before the Architectural Review  
366 Board and a recommendation for approval was made by the Board. Mr. Brooks indicated the  
367 applicant was not present however staff would be available for questions.

368  
369 Chairman Lyons indicated the case will return to the Commission for action at the next  
370 scheduled meeting.

371  
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373 11. SP2019-003

374 Discuss and consider a request by Matt Moore of ClayMoore Engineering, Inc. for the approval of a site  
375 plan for a multi-tenant office/warehouse complex on a 7.52-acre portion of a larger 9.76-acre tract of  
376 land identified as Lot 18 and the south portion of Lot 19, Rainbow Acres Addition, City of Rockwall,

Rockwall County, Texas, zoned Commercial (C) District, addressed as 407 Ranch Trail, and take any action necessary.

Senior Planner, Korey Brooks, indicated the applicant was present and would go over the request.

Chairman Lyons asked the applicant to come forward.

Robert LaCroix  
4517 Scenic Drive  
Rowlett, TX

Mr. LaCroix came forward and provided a brief explanation and background of the request. He indicated that the owner would like to build office warehouses that will be constructed in two phases. They are looking to have a much more organized development than what has occurred in that area in the past and are working to meet as many of the requirements as they can and as are possible in terms of the infrastructure. They feel that what they are proposing fits a demand for such office/warehouse and fits to the already existing metal buildings which are adjacent and along Ranch Trail and County Line Road. Mr. LaCroix indicated that they met with the Architectural Review Board earlier and the Board recommended that they try to articulate the buildings that face the street and after speaking with their architect on the project and they will provide something to try to address those issues. Mr. LaCroix further noted that they will be meeting the landscape buffer along County Line Road and Ranch Trail which will add some screening to the buildings.

Chairman Lyons asked if they would be 5,000 square feet and would they be split up into multiple bays. Mr. La Croix indicated each building would be independent and would be right under 5,000 square feet to avoid the fire sprinkler requirement. He added that they feel that the buildings will fit a need and demand for smaller type self-proprietary business.

Commissioner Welch asked if the intent was to rent each individual building and not to sell. Mr. LaCroix indicated that the intent is to rent and maintain ownership which will allow them to maintain the property and have rules and regulations for the tenants which they feel will be beneficial to maintain the upkeep of the buildings.

Chairman Lyons indicated the case will return to the Commission for action at the next scheduled meeting.

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

- ✓ P2018-047: Preliminary Plat for Breezy Hill, Phase XII [Approved]
- ✓ Z2018-049: SUP for an Animal Shelter for 1700 E. SH-66 (2<sup>nd</sup> Reading) [Approved]
- ✓ Z2018-050: SUP for a Covered Patio in the Take-Line for 5808 Constellation Circle (1<sup>st</sup> Reading) [Withdrawn]
- ✓ Z2018-055: SUP for a Mini-Warehouse Facility on Ridge Road (1<sup>st</sup> Reading) [Denied]
- ✓ Z2018-057: Amendment to Planned Development District 57 (PD-57) (1<sup>st</sup> Reading) [Approved]
- ✓ Z2018-058: SUP for a Craft Winery and Commercial/Amusement Outdoors (1<sup>st</sup> Reading) [Postponed to the February 4, 2019 Meeting]
- ✓ Z2018-059: Zoning Change (SFE-2.0 to SFE-1.5) for 1085 Dalton Road (1<sup>st</sup> Reading) [Approved]
- ✓ SP2018-043: Waiver for Marina Village Condominiums [Approved]

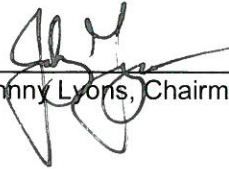
Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting.

## VII. ADJOURNMENT

Chairman Lyons adjourned the meeting at 7:28 p.m.

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PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF  
ROCKWALL, Texas, this 12 day of March, 2019.

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

Attest:  
  
\_\_\_\_\_  
Laura Morales, Planning Coordinator