

# MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING  
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS  
MAY 26, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

IN LIEU OF ATTENDING IN PERSON AND IN AN EFFORT TO COMPLY WITH CDC RECOMMENDATIONS REGARDING SOCIAL DISTANCING, SPECIAL NOTES PERTAINING TO "REMOTELY" OR "VIRTUALLY" PARTICIPATING IN TONIGHT'S PLANNING AND ZONING COMMISSION WORK SESSION MEETING ARE AS FOLLOWS:

## SUBMIT COMMENTS VIA EMAIL

Citizens are encouraged to submit public forum comments at least 30 minutes in advance of the meeting by emailing them to [Planning@Rockwall.com](mailto:Planning@Rockwall.com). Please include your name and address when submitting comments. Also, please be concise and limit your comments so that it may be read within three (3) minutes.

## CITIZENS WATCHING THE MEETING

The public may watch the meeting *live* online by visiting the following link: <http://www.rockwall.com/meetings/video.asp>

NOTE: Please do not try to watch the meeting live and participate via ZOOM at the same time. There is a timing difference between the two streams. If you feel you need to watch live and also participate (as an applicant only) in the meeting via ZOOM, please mute the live stream audio (as it is delayed compared to ZOOM).

## APPLICANTS PARTICIPATING IN THE MEETING

Applicants that wish to participate in the meeting virtually by joining with ZOOM, either via a computer, mobile device, and or telephone should follow the following instructions:

- (1) Register in advance to participate in the Planning and Zoning Commission Work Session meeting at this link: [https://us02web.zoom.us/webinar/register/WN\\_noSblulHTjehUNVEHNqY4g](https://us02web.zoom.us/webinar/register/WN_noSblulHTjehUNVEHNqY4g)
- (2) After registering, you will receive a confirmation email containing information about joining the meeting. Alternatively, you can join via telephone at:

US: (301) 715-8592 or (312) 626-6799

Webinar ID: 334-916-504

NOTE: Press \*9 to request to speak or to cancel your request. You will be acknowledged to provide comments during the meeting.

SPECIAL NOTES: Only the two-way 'audio' feature of ZOOM will be utilized during the meeting. No ZOOM video will be used. If you are watching remotely via the live stream, please note there is a seven (7) second delay, whereas, ZOOM is in real time.

## I. CALL TO ORDER

Vice-Chairman Jerry Welch called the meeting to order at 6:10 PM. The Commissioners present at the meeting were John Womble, Sedric Thomas, and Mark Moeller. Chairman Eric Chodun, Commissioners Tracey Logan and Annie Fishman were present via ZOOM. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez and City Engineer Amy Williams. Absent from the meeting were Civil Engineers Sarah Johnston and Jeremy White.

## II. OPEN FORUM

Vice-Chairman Welch explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being no one coming forward, Vice-Chairman Welch closed the open forum.

## III. APPOINTMENTS

1. Appointment with the Planning and Zoning Director to receive the Architectural Review Board's recommendations and comments for items on the agenda requiring architectural review.

Planning and Zoning Director Ryan Miller gave a brief summary of the recommendations provided by the Architectural Review Board.



IV. CONSENT AGENDA

2. Approval of Minutes for the May 12, 2020 Planning and Zoning Commission meeting.

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

V. ACTION ITEMS

3. MIS2020-007 (RYAN MILLER)

Discuss and consider a request by Diane Mullenix for the approval of a Special Exception to the fence standards for an existing single-family home on a 0.0810-acre parcel of land identified as Lot 8, Block F, Chandlers Landing, Phase 17 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) for Single-Family 10 (SF-10) District land uses, addressed as 5541 Canada Court, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting a special exception for the purpose of permitting a fence that was already built. The applicant is requesting this for a townhome and the townhome that is currently on the property is 1,534 square feet and was built in 1987. Originally, the applicant was looking to rehab a 44 foot section of their fence and received approval by their homeowners association. However, the applicant was unaware that they needed a permit from the City in order to build/replace anything over 25 linear feet or anything over five (5) posts. Upon realizing that she needed a permit, the applicant did submit an application but the material she used was pine. According to the Unified Development Code, the approved material is cedar and it should be about an inch and a half thick. She applied for a special exception and it allows the Planning and Zoning Commission to look at alternatives on a case by case basis and approve alternative materials then what the fencing ordinance allows. The approval of any exception is a discretionary decision to the Planning and Zoning Commission. Mr. Miller then advised Staff that the applicant and Staff were present to answer questions.

Vice-Chairman Welch had a question in regards to the Commission only being able to make a decision on the fence material and not on the lattice work that sits on top of the fence. Planning and Zoning Director Ryan Miller explained that the lattice work is comparable to others in the area. He also added that the structure of it does meet the code as opposed to the material.

Vice-Chairman Welch asked if the applicant was present.

Since the applicant was not present Vice-Chairman Welch asked brought the item back to the Commission for discussion or action.

Commissioner Thomas made a motion to approve item MIS2020-007 with staff recommendations. Commissioner Womble seconded that motion which passed by a vote of 7-0.

VI. DISCUSSION ITEMS

4. Z2020-018 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Rex and Beverly Fithian for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 3.03-acre parcel of land identified as Lot 1, Block A, Hodgdon Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 1055 Dalton Road, and take any action necessary.

Planning and Zoning Director Ryan Miller advised the Commission that the applicants were present and asked them to come down.

Rex Fithian  
1055 Dalton Road  
Rockwall, TX

The applicant came forward and provided a brief summary in regards to the request. He also wanted clarification as to the description "Residential Infill in an Established Subdivision." Planning and Zoning Director Ryan Miller explained that the term "Residential Infill" was adopted in September 1, 2019 and that ordinance requires any infill development in an established subdivision, what the meaning of "subdivision" be required to obtain a Specific Use Permit (SUP). The ordinance also requires any home within 500 feet of an established subdivision to be notified to ensure that the discretionary oversight

is paid, and isn't adverse to the current aesthetics of those subdivisions. In this case, the applicant is adjacent to the neighborhood to the East and they share a common boundary so that is why the SUP was enforced. Mr. Miller explained to the board that this home faces Dalton Road, is on a larger estate lot, which means the applicant is building a larger estate home as shown in the exhibits in the PowerPoint. Another thing to point out is that the plans indicate a future guest house and accessory structure that will be built at the same time as the primary home. Planning and Zoning Director Ryan Miller explained that he had already spoken to the applicant and the accessory structure does meet all of the requirements but the applicant will have to submit another SUP for the guest house. With that being said, the request does meet all other zoning requirements.

Vice-Chairman Welch asked whether or not the applicant would have to pay dues to a Homeowners Association but Mr., Miller explained that the applicant does not live within the neighborhood so he wouldn't be responsible for that.

There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting on June 9, 2020.

**5. Z2020-019 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by J. W. Jones for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.33-acre parcel of land identified as a portion of Lot 1050 and all of Lot 1051, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and take any action necessary.

The applicant came forward.

J.W. Jones  
555 North 5<sup>th</sup> Street  
Suite 114  
Garland, TX 75040

The applicant (JW Jones) came forward and provided a brief summary in regards to the request. He explained that the applicants are currently living in a mobile home on the lot but will remove it once the home is completed. He added that they had spoken to Building Inspections department and they were told that they did not need a Specific Use Permit until they submitted their plans so he recommended that a better process take place.

Chairman Chodun had a question in regards to the location of the mobile home but the applicant explained that the family will be living in it until the house is built. Planning and Zoning Director Ryan Miller clarified that the utilities will not be turned on in the house until the existing mobile home is removed.

Planning and Zoning Director Ryan Miller asked whether or not there was not going to be a garage on the house or if the carport was going to be left in place. Mr. Jones replied that there is not an existing carport in the area, only a small covered patio that's part of the existing mobile home.

There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting on June 9, 2020.

**6. Z2020-020 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Brian Bader on behalf of Victoria Kaprantzas for the approval of a Specific Use Permit (SUP) for Secondary Living Unit/Guest Quarters/Accessory Dwelling Unit and Carport on a 0.81-acre tract of land identified as Tract 27 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1308 Ridge Road, and take any action necessary.

The applicant came forward.

Brian Bader/Victoria Kaprantzas  
20603 CR 31  
Quinlan, TX 75474



The applicant came forward and provided a brief summary in regards to the request. He explained that the adjacent property of the house was built in 1983 and the original house was built in the late 1960s. Both of these will be completely renovated. The plan for this new living area is for the daughter of Victoria Kaprantzas to move in. He added that Carroll Architects will be drawing up the plans for the renovation.

Planning and Zoning Director Ryan Miller added that the reason this project was going before the Commission was that the applicant indicated that the home was built in 1978 and it was 1,800 square feet. The Planning and Zoning Department allows accessory dwelling units to be up to 30% of the main structure, which in this case, the main structure is 3,276 square feet. Additionally, they are adding a carport exceeding the maximum size allowed which is 500 square feet. The carport is also supposed to be integrated to the primary structure and not the accessory structure as shown in this case. In order to begin construction, the family would have to demolish the existing garage and demolition was started without a permit. The applicant did have one taken out by the time the meeting had begun making the property in compliance.

Commissioner Logan asked if it were two different properties instead of one. Mr. Miller explained that the building footprint on this building was not changing because there is an older structure out on the property with a detached garage. In the ordinance located inside the Commissioner's packets, there was a condition put in place that reads that the property cannot be subdivided in a manner that would make these two properties separate.

Mr. Miller then asked if the applicant could provide the Commission with any elevations as to how the carport was going to be arranged.

There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting on June 9, 2020.

7. **Z2020-021 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a four (4) acre tract of land identified as a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.

The applicants came forward.

Cathy Wallace  
330 H. Wallace Lane  
Rockwall, TX 75032

Amie Wallace  
2305 Falls View  
Rockwall, TX 75087

The applicant came forward and provided a brief summary in regards to the request. Planning and Zoning Manager David Gonzales added that the applicants will be returning to request to rezone the property to Single-Family Estate 2.0 (SFE-2.0) lots.

There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting on June 9, 2020.

8. **Z2020-022 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Brad Johnson for the approval of a Specific Use Permit (SUP) for Detached Garage that exceeds the maximum square footage on a 0.666-acre parcel of land identified as Block 38 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Kernodle Street, and take any action necessary.

The applicant came forward.

Brad Johnson  
803 Kernodle Street  
Rockwall, TX 75087

The applicant came forward and provided a brief summary in regards to the request. The applicant would like to build a three car detached garage with a concrete drive which can happen by extending the driveway he has now.

Chairman Chodun asked how tall the garage would be and the applicant replied that it would be 13 feet 6 inches. The pitch will be slightly lower than the primary residence. The applicant explained that the lot slopes on the west making the garage seem almost 2 feet lower than the primary home. He also added that he's putting in a 25 foot wide sliding gate across the driveway coming off of the main house.

Commissioner Moeller asked if the existing shed would be removed after the fact but the applicant explained that it was already gone. The only other structure with the house would be the detached garage.

Commissioner Logan asked what kind of material would be used for the building. The applicant replied that it would be a metal building.

Planning and Zoning Director Ryan Miller asked that the structure does meet all the area and zoning requirements with the exception of the size. According to the Unified Development Code, the accessory structure should be architecturally compatible with the primary structure. In this case, that will be a discretionary decision throughout the SUP process. If approved, the lot backs up to a street and we require the same front yard setbacks to any area where it lies adjacent to the street. Mr. Miller pointed out that there are other houses in the area that have accessory structures that were acquired before the Unified Development Code came into place. Also, if approved, the applicant would have to follow up with an application to the Board of Adjustments to allow the encroachment into the 20 feet. Mr. Miller explained that the way the property slopes back towards the north side makes it almost impossible for the applicant to meet the 20 foot setback and still provide the detached garage next to the driveway.

The applicant, Mr. Johnson, wanted further clarification in regards to the size variance.

Commissioner Logan asked if the neighbors would be asked for their opinion and Mr. Miller replied that notices had been sent out to all homeowners and occupants within 500 feet.

The applicant added that there are several houses with a detached garage but unsure of how many are metal buildings.

There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting on June 9, 2020.

9. P2020-019 (DAVID GONZALES)

Discuss and consider a request by Robert Gunby of Royse City Business Ventures for the approval of a Replat for Lot 9, Block C, Remington Park, Phase 2 Addition being a 3.04-acre tract of land identified as Lots 1 & 2, Block C, Remington Park, Phase 2 Addition, Rockwall County, Texas, situated within the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall, addressed as 3958 & 3966 Ruger Drive, and take any action necessary.

The applicant came forward.

Luis De La Fuente  
8235 Douglas Ave.  
Suite 350  
Dallas, TX 75225

The applicant came forward and provided a brief summary in regards to this request. He advised that they would like to add another building that will be approximately 28,000 square feet. In order to do that, the building would be crossing property lines. Essentially, they would like to joint he lots in order to have the building there.

Chairman Chodun asked what was located in the area surrounding the lot due to it looking vacant on the maps. Planning and Zoning Director Ryan Miller answered that there are mostly industrial buildings on those properties. He added that any engineering work needed to be done should go through the City of Rockwall's Engineering department.

There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting on June 9, 2020.

10. P2020-020 (DAVID GONZALES)

Discuss and consider a request by Clint Vincent of Bloomfield Homes, LP for the approval of a Final Plat for Phase 1 of the Terracina Estates Subdivision consisting of 110 single-family lots on a 54.995-acre portion of a larger 81.49-acre tract of land identified as



Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, Planned Development District 82 (PD-82) for Single-Family 10 (SF-10) District land uses, situated on the west side of Rochelle Road south of SH-276, and take any action necessary.

Planning and Zoning Manager David Gonzales advised the Commission that the applicants were present online via ZOOM but failed to make a connection.

Planning and Zoning Director Ryan Miller explained to the Commission that the only reason why the case is coming before them is because the case is also going to be presented to the Parks Board. The case would have to meet all of the technical requirements of the Planned Development.

There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting on June 9, 2020.

**11. P2020-021 (DAVID GONZALES)**

Discuss and consider a request by Angel Hernandez for the approval of a *Preliminary Plat* for Lots 1-5, Block A, Hernandez Addition being a ten (10) acre tract of land identified as Tract 8-05 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas, situated within the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall, addressed as 3533 Backland Road, and take any action necessary.

The applicant came forward.

Angel Hernandez  
593 Sun Valley Drive  
Royse City, TX 75189

The applicant came forward and provided a brief summary in regards to the request. His father bought 10 acres in hopes of dividing it and having his children live there. He added that there was a metal building and a mobile home on the property which they want to be placed on separate lots if the request is granted. He explained that during moratorium he received approval by the county to purchase and deliver his mobile home on what would be the third lot. After conversation with Rockwall County, he was informed that he would have to subdivide the property. He cleared up a comment in regards to them wanting to sell the last two lots of the land and stated that that was not true. He asked whether or not he did have to subdivide the property and also whether or not he had to add the \$200,000- \$300,000 concrete road that was requested in order for them to live there.

Planning and Zoning Manager David Gonzales explained that this was a preliminary plat that was turned in with the purpose of subdividing the land which is why the applicant is being asked to. Also, if he's looking to go that route then he would need to follow the guidelines for City of Rockwall's Interlocal agreement.

Planning and Zoning Director Ryan Miller asked the applicant if Rockwall County was asking the applicant to subdivide because he was looking to get a septic permit. The applicant replied that he was correct. Mr. Miller added that the applicant cannot subdivide the property in four (4) lots in the manner he presented because he does not have access. Even if the applicant does put in a cross access easement, the Interlocal agreement requires that there be a public roadway to connect those properties. Mr. Miller explained that the plat does not meet technical requirements at the moment and, by law, they would have to deny it unless the applicant reconfigures the plat. The applicant is having to subdivide the property because anytime that you want to divide lots smaller than ten (10) acres you have to go through a zoning process to ensure that a lot is not created without access.

The applicant asked if he built the required roadway then would he be within requirements of subdividing the property in the form presented. Mr. Miller replies that he would be within requirements because then all properties n that lot would have access. The applicant asked if the road could be gravel but they replied that it has to be concrete.

City Engineer Amy Williams asked if the applicant of he only had one (1) existing water tie in on the property. The applicant replied that right now there are two (2) water meters from Blackland Water Supply and a third one was to be put in for his home coming in July. Mrs. Williams replied that Blackland Water Supply is not allowed to put another meter in off their line. She explains that the City of Rockwall supplies them water and they are over their allotted number of meters. The will not be able to issue another meter until there is an agreement worked out with the City of Rockwall.

Planning and Zoning Director Ryan Miller added that the Planning and Zoning commission is not able to permit the applicant's home but only to act as the approving body to the preliminary and final plats. These have technical criteria which the applicant needs to meet. One of the criteria is that utilities be provided to that property but the water provider cannot

provide anybody else water until they work out a new contract with the City of Rockwall. In order to plat the property, the applicant must put in the roadway and provide the Commission with a will-serve letter from Blackland Water Supply stating that they can serve him.

There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting on June 9, 2020.

12. SP2020-005 (DAVID GONZALES)

Discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of Grey Stogner of Metroplex Acquisition Fund, LP for the approval of a Site Plan for a daycare center on an eight (8) acre tract of land being identified as a portion of Lot 8, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located north of the intersection of Stone Creek Drive and Miramar Drive, and take any action necessary.

The applicant came forward.

Clay Cristy  
1903 Central Drive  
Bedford, TX 76021

The applicant came forward and provided a brief summary in regards to the request. He added that it would be a standard Primrose School that would have infant sized children all the way up to grade school. Average pick up times would be drop off at 6:00 AM and pick up by 6:00 PM. The daycare center would have backyard playground equipment that requires to meet the state's requirements and he has discussed with Staff some requirements that would need to be followed in order to make it. Mr. Cristy then advised the Commission that he was available for questions.

Chairman Chodun asked if the case had gone through Architectural Review Board.

Clay Cristy added that ARB had reviewed the building and the material and were not fond of the cultured stone which is the standard for Primrose's material selection. He added that he will be going back with the architects to see about a more natural stone as opposed to the cultured stone and present it next time.

There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting on June 9, 2020.

13. SP2020-009 (RYAN MILLER)

Discuss and consider a request by Mallory Laremore on behalf of Corby Bell and Mandy Norman for the approval of a Site Plan for an office building on a 0.330-acre tract of land identified as Tract 23 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 53 (PD-53) for Residential-Office (RO) District land uses, situated within the Scenic Overlay (SOV) District, addressed 1006 Ridge Road, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting to convert the existing home into a residential office building which is allowed in the Residential Office District. This case came as a referral from Code Enforcement due to the applicant starting to operate in the building before anything was done to the structure including not acquiring a Certificate of Occupancy. The applicant was told they were not allowed to operate until they go through this process so they engaged an engineer and provided plans. There were some recommendations made including rearranging some of the parking areas and they indicated they were going to comply with that. There were also several landscaping requirements that were associated with this property. Specifically, there were the Overlay District requirements along Ridge Road, tree requirements along Summit, and the required increased screening when there is a residential and non-residential property next to each other. We allow them to decrease that in a Residential Office District by putting in a wood fence for maintaining the residential look. The resident to the North went through a process with the Planning and Zoning Department and they planted crape myrtles along their fence- we are asking that the applicant continue following this same trend. Everything else falls within compliance since nothing is being removed or added to the exterior of the building and the use for the office would be for a title company. Mr. Miller advised the Commission that he was available to answer any questions.

There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the next scheduled meeting on June 9, 2020.

14. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

- Z2020-011: SUP for an Accessory Building at 323 Julian Drive (**APPROVED; 1<sup>st</sup> READING**)
- Z2020-016: SUP for a Secondary Living Unit/Guest Quarters and Carport at 844 Zion Hill Circle (**APPROVED; 1<sup>st</sup> READING**)(tabled to June 30<sup>th</sup> meeting)

Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.

VII. ADJOURNMENT

Vice-Chairman Welch adjourned the meeting at 7:10 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this \_\_\_\_\_  
\_\_\_\_\_ 9 day of June, 2020.

  
Jerry Welch, Vice-Chairman

Attest:

  
Angelica Gamez, Planning and Zoning Coordinator