

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JULY 14, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Eric Chodun called the meeting to order at 6:03 PM. Commissioners present were John Womble, Tracey Logan, Sedric Thomas, Annie
5 Fishman, and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Mark Moeller. Staff members present were Planning and
6 Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica
7 Gamez, and City Engineer Amy Williams. Absent from the meeting were Civil Engineers Jeremy White and Sarah Johnston.
8

9 II. OPEN FORUM

10 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being no
11 one coming forward, Chairman Chodun closed the open forum.
12

13
14 III. CONSENT AGENDA

15
16 1. Approval of Minutes for the June 9, 2020 Planning and Zoning Commission meeting.
17

18 2. Approval of Minutes for the June 30, 2020 Planning and Zoning Commission meeting.
19

20 3. **P2020-022 (DAVID GONZALES)**

21 Consider a request by Ryan Joyce of Northgate Rockwall LD, LP for the approval of a Final Plat for the Northgate Subdivision being
22 a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County,
23 Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest
24 corner of the intersection of Stodghill Road [FM-3549] and Clem Road, and take any action necessary.
25

26 4. **P2020-027 (HENRY LEE)**

27 Consider a request by Brandon Davidson of Corwin Engineering, Inc. on behalf of Paul Taylor of Paul Taylor Homes Limited for the
28 approval of a Replat for Lot 33, Block A, Ridgecrest Addition being a 0.3017-acre parcel of land identified as Lot 24, Block A,
29 Ridgecrest Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81) for Single-Family
30 10 (SF-10) District land uses, addressed as 2605 Cypress Drive, and take any action necessary.
31

32 Commissioner Logan made a motion to approve the consent agenda. Commissioner Womble seconded the motion which passed by a
33 vote of 6-0, with Commissioner Moeller absent.
34

35 IV. PUBLIC HEARING ITEMS

36
37 5. **Z2020-023 (RYAN MILLER)**

38 Hold a public hearing to discuss and consider a request by James Best for the approval of a Specific Use Permit (SUP) for
39 Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 2.60-acre parcel of land
40 identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District,
41 addressed as 54 Shadydale Lane, and take any action necessary.
42

43 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting a Specific
44 Use Permit for a Residential Infill Adjacent to an Established Subdivision for the purpose of constructing a single-family home.
45 According to the Unified Development Code (UDC), all proposed residential infill housing that is in or adjacent to an Established
46 Subdivision requires a Specific Use Permit (SUP). In this case, an established subdivision is defined as any subdivision that consists
47 of five (5) or more lots, is more than 90% developed, and has been in existence for more than 10 years. The subject property is adjacent
48 to Fox Chase subdivision Phase I, and Phase 10 & 19 of the Chandlers Landing subdivision. The Planning and Zoning Commission are
49 tasked with considering the proposed size, location, architecture of the home compared to the existing homes in the established
50 subdivision. The property in this case is removed from any of the established subdivisions. This is a discretionary decision for the City
51 Council pending a recommendation from the Planning and Zoning Commission. With this being a zoning case, notices were sent out to
52 82 property owners/residents within 500 feet of the subject property. Homeowners Associations (HOAs) in Benton Woods, Chandlers
53 Landing, Rainbow Lakes, and Fox Chase were notified as well as they were the only HOAs within 1,500 feet of the subject property. Mr.
54 Miller advised the Commission that the applicant and Staff were present and available to answer questions.
55

56 Chairman Chodun asked the applicant to come forward.
57

58 James Best/ Kimberly Best
59 7235 S. FM 549
60 Heath, TX 75032
61

62 The applicant came forward and stated that they look forward to their new house and moving to Rockwall.
63

64 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so at this time.
65

66 Chris Cuny
67 4730 Pin Oaks Circle
68 Rockwall, TX 75032
69

70 Mr. Cuny came forward and expressed his approval of the request.
71

72 Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
73

74 Commissioner Thomas made a motion to approve item Z2020-023. Commissioner Womble seconded the motion which passed by a vote
75 of 6-0.
76

77 Chairman Chodun advised the applicant that the case will go before the City Council on July 20, 2020.
78

79 6. **Z2020-024 (RYAN MILLER)**

80 Hold a public hearing to discuss and consider a request by Chris Cuny, PE of Teague, Nall & Perkins on behalf of the Nick
81 DiGiuseppe of Discovery Lakes, LLC for the approval of a Zoning Amendment to Planned Development District 78 (PD-78)
82 [Ordinance No. 15-24] for the purpose of changing the concept plan and development standards on a 316.315-acre tract of land
83 identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of
84 Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-
85 Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any
86 action necessary.
87

88 Planning and Zoning Director Ryan Miller provided a brief summary of the request. The applicant is requesting to amend the Planned
89 Development (PD) and change the concept plan. The current PD allows for nine (9) acres of non-residential land uses, 11-acre public park,
90 30+ acres of open space, 62 acres of flood plain, and 203 acres of residential land area. The residential land area consists of 3 different lot
91 product types: 121, 80' x 120' foot lots; 127, 70' x 110' lots; and 259, 60' x 110' lots. The total number of houses allowed in this PD is 507. In
92 his new concept plan, the applicant is wanting to reduce the number of homes down to 428 by creating a new larger lot product. This would
93 increase the size of the 80' lots to 80' x 200' lots, with a minimum square footage size of 32,670 square feet. Other changes in the planned
94 development include removing the 11-acre park, and reducing the trail system by 1.2 miles of trail. The applicant has also agreed to increase
95 the anti-monotony standards to the City's current anti-monotony standards and change the fence standards to the current fence standards.
96 Mr. Miller explained that the applicant would be required to improve half the roadway of Rochelle Road and also build all of Discovery Blvd.
97 from the point of Rochelle Road to the point where the property kind of splits. They are also responsible for a 16-inch water line along 276
98 and a 12-inch along Rochelle Road, and a 12-inch along Discovery Blvd. The waste water is currently being studied by the City at the Sabine
99 Creek Plant. When this PD originally came thru, it was granted a waiver to allow flat front entry garages. Lot type A was granted 40% flat front
100 entry, Lot type B was granted 33% flat front entry, and Lot type C was granted 67% flat front entry. As a compensatory measure, the applicant
101 has agreed to meet the 25-foot setback that is currently called out in the Comprehensive Plan for flat front entry garages. The area where
102 they are not conforming to the City's code is relating to roof pitch. As a compensatory measure, they have increased the masonry percentage
103 in the planned development district. Another subject area not meeting the code would be the onsite sewage facilities. They are requesting
104 to provide OSSF septic systems on Lot type A to go ahead and start construction while they're waiting on the study results to come back
105 from Sabine Creek. Currently, the City does not operate its own septic program as it has an Interlocal Agreement with Rockwall County to
106 inspect all onsite sewage. City Council has granted the use of OSDF systems in the past but only on lots greater than an acre. However, they
107 have stipulated three requirements: The OSSF must be designed by a professional, they must stamp and sign a copy of the OSSF Plan and
108 have that be submitted to the Building Inspections department at the time of permitting, and have the OSSF systems inspected by a City
109 approved Inspector, which again would be up to the County. The applicant would be meeting all three of those standards along with three
110 other standards basically ensuring that the required sewer infrastructure will be provided with each phase regardless if OSSFs are approved.
111 The second provision is that all homes are to be constructed with a secondary connection to make it easier to disconnect OSSFs and connect
112 with the sewage system-this would be done at the owner's expense. The third and final provision is that a disclosure will be provided in the
113 closing paperwork for each lot stating that the property owner will be responsible for connecting to the sanitary sewer and paying impact
114 fees at the sole cost of the homeowner. The applicant has addressed most of Staff's recommendations, specifically we asked them to
115 incorporate the new fence and anti-monotony requirements. We also asked that they take the lots fronting onto the boulevard, which was
116 established at the work session but does not show on the concept plan. They did, however, bump the front yard setback to 25 feet which
117 would create more separation off the roadway. This case is a discretionary decision for the Planning and Zoning Commission and City
118 Council and, with it being a zoning case, staff sent out 13 notices to everybody within 500 feet of the subject property. The Timber Creek HOA
119 was the only association notified and located within 1,500 feet of the property. Mr. Miller advised the Commission that the applicant and Staff
120 were present to answer questions.
121

122 Commissioner Womble requested further elaboration in regards to the roof pitch requirement and how it was going to be modified.
123

124 Commissioner Logan wanted clarification on which lots needed the septic systems and what the City would provide for those back lots.

125
126 Commissioner Fishman asked about the transition of the lots and wanted explanation in regards to the systems left underground. She also
127 asked if there would be any concerns using the systems on lots less than an acre since the City hadn't done it before.

128
129 Commissioner Thomas asked how much impact fees would be once sewer is available.

130
131 Commissioner Womble asked if we had deferred the impact fees to other homeowners. Mr. Miller replied that the City cannot charge fees to
132 the homeowner until they've impacted the system.

133
134 Chairman Chodun asked the applicant to come forward.

135
136 Chris Cuny
137 2 Horizon Court
138 Heath, TX 75032

139
140 Mr. Cuny came forward and provided further details in regards to his request. He explained that his intent is not to do the old fashioned septic
141 systems but rather the aerobic systems with the drip irrigation. With a drip irrigation system, the system will evaporate but won't spray. He
142 indicated that they are waiting on the results from the lab at NTMWD to explain what the cost is and what the route is to go to the Sabine
143 Creek. He stated that they expected the results to be expensive. The developers are wanting to get something started on the project and he
144 reiterated that these homes would be in the \$750,000- \$1 million range. Mr. Cuny told the Commission that he has worked on areas in and
145 out of the City and they have been less than acre and the systems do still work and they meet all of the TCQ standards.

146
147 City Engineer Amy Williams advised the Commission that the impact fees would differ depending on the meter size. For larger lots, a 1-inch
148 meter is normally used, and would cost the homeowner over \$6,000 on impact fees. If the homeowner goes to a 5/8 meter, the cost would
149 \$2,400.

150
151 Chairman Chodun opened the public hearing and asked if anyone wishing to speak to do so at this time.

152
153 Dan Winstead
154 1631 Chesterwood Drive
155 Rockwall, TX 75032

156
157 Mr. Winstead came forward and asked if the applicant have a time frame for when they expect the septic survey back and what are the costs
158 of waiting for it to come back? City Engineer Amy Williams answered that the draft should be back anytime now.

159
160 Chairman Chodun asked if there were any other questions; there being none, Chairman Chodun closed the public hearing and brought the
161 item back to the Commission for discussion or action.

162
163 Commissioner Womble asked if it was a bit premature to vote on this item since the report is expected back any day now. The applicant
164 replied that they were going to put sewer in regardless but there would be some issues that take time since neither studies nor permits had
165 been approved yet. Commissioner Womble stated that some of them may be okay with the decision be temporary but not permanent.

166
167 Commissioner Logan stated she did a bit of research and wanted to know if it matters about what the natural ground is. Mr. Cuny explained
168 that the soil dos not matter because the top layer is completely excavated and will cause the water to evaporate. She added that the grass
169 seemed very green and healthy and had no odor at all.

170
171 Vice-Chairman Welch explained that he had some concerns and was not comfortable with the plan.

172
173 Commissioner Logan made a motion to approve item Z2020-024. Commissioner Fishman seconded the motion which passed by a vote of 5-
174 1, with Vice-Chairman Welch dissenting.

175
176 **7. Z2020-025 (RYAN MILLER)**

177 Hold a public hearing to discuss and consider a request by Hallie Fleming for the approval of a Specific Use Permit (SUP) for a
178 General Retail Store and Hair Salon and/or Manicurist on a 0.2254-acre parcel of land identified as Lot 1, Block A, Artventures
179 Studio Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office
180 (RO) District, addressed as 507 N. Goliad Street, and take any action necessary.

181
182 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He explained that the business is operating
183 under an existing Specific Use Permit (SUP) but that the business has evolved over time incorporating a hair salon and retail products.
184 The original SUP was issued in 2013 an, as part of that, they received variances to the parking and paving standards. According to the
185 Unified Development Code, a hair salon and retail sales would require an SUP in this district so amending the SUP doesn't change the
186 function of the property but instead brings her into conformance with the current codes. Mr. Miller advised the Commission that the
187 applicant and Staff were present and available to answer questions.

188
189 Chairman Chodun asked the applicant to come forward.

190
191 Hallie Fleming

192 507 N. Goliad Street
193 Rockwall, TX 75087

194
195 Mrs. Fleming came forward and provided further details in regards to the request.
196

197 Chairman Chodun opened the public hearing and asked anyone wishing to speak to come forward at this time. There being no one
198 indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
199

200 Vice-Chairman Welch made a motion to approve item Z2020-025 with staff recommendations. Commissioner Thomas seconded the motion
201 which passed by a vote of 6-0.
202

203 Chairman Chodun advised the applicant that the case will go before the City Council on July 20, 2020.
204

205 8. Z2020-026 (DAVID GONZALES)

206 Hold a public hearing to discuss and consider a request by Jake Fears, PE of Wier & Associates, Inc. on behalf of Chad DuBose of
207 JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Drive-Through, Less Than 2,000
208 SF on a 2.542-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County,
209 Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay
210 (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.
211

212 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting the approval
213 of a Specific Use Permit for a Restaurant Drive-Thru located in PD-65, in General Retail district. There are some conforming standards
214 associated with a restaurant less than 2,000 square feet with a drive-thru. There are a couple of conditions associated with this such as: a
215 drive-thru lane shall not have access to local residential streets; additional landscaping is required to prevent the impairment of visibility
216 by using headlight screening; and also, they must have a minimum of 6 car stacking, which this is the only condition the applicant meets.
217 This case is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. This
218 project is a limited service restaurant meaning that it does not provide any inside seating. This being a zoning case, 35 notices were sent
219 out and Staff were opposed to the request. Mr. Gonzales advised the Commission that the applicant and staff were present and available
220 for questions.
221

222 Commissioner Womble asked if there was a requirement where they also can't be close to the adjacent properties or if it was possible to
223 have a driveway that complies with everything in this case. Mr. Gonzales answered that it would have to meet the 100-foot distance as
224 well. Commissioner Womble then asked if it was physically possible to meet those 100-foot setbacks. City Engineer Amy Williams
225 answered that there was a huge box culvert and they're kind of constrained at the edge of Pecan Valley due to the floodplain and those
226 culverts.
227

228 Commissioner Logan asked if they could have a driveway on along 205 and if the City currently allows left turns on Pecan Valley. Staff
229 answered that they would not be able to have the driveway along there and that the City does allow left turns on Pecan Valley. She also
230 asked if there were any concerns with the traffic that would be generated there.
231

232 Chairman Chodun asked City Engineer Amy Williams if Quail Run could handle that kind of traffic to which Ms. Williams answered that
233 yes they could. Chairman Chodun then asked what the future landing map shows regarding this property and it shows it to be commercial
234 retail.
235

236 Chairman Chodun asked the applicant to come forward.
237

238 Casey Orr
239 121 S. Main Street
240 Henderson, TX 75654
241

242 The applicant came forward and provided further details in regards to the request. Ms. Orr realized that there were several easements on
243 the site plan that was submitted and the lift station had been removed. She added that, as this project moves forward, she would like to
244 coordinate with the City to see if any of those easements had been abandoned and help clean up the site. She also would like to add more
245 landscaping along the street.
246

247 Vice-Chairman Welch wanted confirmation as to what kind of business would take place there since there had been talks about it being a
248 Smoothie King. Ms. Orr explained that they are meeting the City's stacking requirements and, out of respect to the client, could not disclose
249 what type of business it would be. She was only allowed to say that it was a reputable smoothie or coffee franchise with no seating inside
250 and no tables out front.
251

252 Commissioner Womble asked if the permit's use could be limited based on the franchise but Mr. Miller stated that we can only limit it
253 based on land use. He mentioned that the way the SUP is set up is that the business must be a limited service. Mr. Miller did point out that
254 the applicant's site had gotten bigger going from 700 square feet to 1250 square feet.
255

256 Ms. Orr explained that they designed as big a building as they thought would fit and they were hoping to utilize some of the parking spaces
257 on the site to the north. She added that the applicant was hopeful that they would be able to share parking spaces if necessary.
258

259 Mr. Miller added that the City would not consider shared parking because that meant using public right-of way to access the restaurant
260 and it was a safety issue.

261
262 Chairman Chodun opened up the public hearing and asked anyone wishing to speak to come forward at this time.

263
264 Lanty Dean
265 216 W. Quail Run Rd.
266 Rockwall, TX 75087

267
268 Mr. Dean came forward and expressed his disapproval of the loss of the trees and opposition to the request overall.

269
270 Michael Hunter
271 220 W. Quail Run Road
272 Rockwall, TX 75032

273
274 Mr. Hunter came forward and explained his concerns and opposition of the request due to traffic.

275
276 Trent Hyde
277 218 W. Quail Run Road
278 Rockwall, TX 75087

279
280 Mr. Hyde came forward and expressed his opposition of the request due to traffic.

281
282 Bob Wacker
283 309 Featherstone
284 Rockwall, TX 75087

285
286 Mr. Wacker came forward and hoped that there would be some trees left when the project is done. He also expressed his opposition to the
287 request due to the traffic that would develop. He asked that if the request did pass then to please insist on landscaping to hide the
288 dumpster.

289
290 Dan Winstead
291 1631 Chesterwood Drive
292 Rockwall, TX 75087

293
294 Mr. Winstead came forward and asked if the applicant had a business plan showing peak times that customers would be going to the
295 restaurant.

296
297 Chairman Chodun asked if there were any other questions; there being none he closed the public hearing and called the applicant forward
298 to address comments.

299
300 Ms. Orr came forward and stated she appreciated the feedback. She also added that she could create a trip generation report to study peak
301 hours and weekday.

302
303 Chairman Chodun brought the item back to the Commission for discussion or action.

304
305 Vice-Chairman Welch asked if they could restrict the size of the main building as a part of the SUP and if parking could be tied up to the
306 parking lot to the north.

307
308 Commissioner Fishman stated that she feels they do not have enough information to make the decision.

309
310 Commissioner Thomas agreed with Commissioner Fishman and said that if the applicant were to show more plans and explain what the
311 business will be to help ease some of the concerns.

312
313 Chairman Chodun agreed with them both and expressed his traffic concerns.

314
315 Commissioner Fishman made a motion to deny item Z2020-026. Commissioner Logan seconded the motion to deny which passed by a
316 vote of 5-1 with Vice-Chairman Welch dissenting.

317
318 Mr. Gonzales added that with the recommendation of denial, the item must have a ¾ majority vote from City Council in order to move
319 forward.

- 320
321 9. **Z2020-027 (RYAN MILLER)**
322 Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a *Specific Use Permit (SUP)* for
323 a *General Retail Store* and *Banquet Facility/Event Hall* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition,
324 City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District,
325 situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and take any action
326 necessary.

328 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. In 2015, the subject property received a
 329 SUP allowing for a banquet facility known as Our House. The applicant is requesting the approval of a SUP to supersede the current SUP
 330 ordinance and establish a new one allowing a general retail store and banquet facility. The banquet would still be operated in the same
 331 manner but the general retail store that would be added to the property would be a cigar store. According to the Unified Development
 332 Code, both of these land uses require a specific use permit in the Residential Office District. As part of the original approval, the applicant
 333 was granted a waiver to defer the construction of the 24-foot cross axis easement. However, this was delayed until the property to the
 334 southwest changes their zoning to a Commercial zoning and site plans that and converts it to a non-residential land use from a residential
 335 land use. Due to the fact that this was tied into the original SUP, it was carried over into this additional ordinance which is a condition of
 336 approval. This request is discretionary to the Planning and Zoning Commission with the only change being the addition of the general
 337 retail store. Staff sent out notices to the property owners and residents within 500-feet of the subject property and received three (3) back
 338 in favor of the request. Mr. Miller advised the Commission that the applicant and staff were present and available for questions.

339
 340 Chairman Chodun asked the purpose was for having the cross-axis easements.

341
 342 Vice-Chairman Welch asked if smoking was approved inside the cigar shop and they are as long as they provide ash trays.

343
 344 Commissioner Fishman asked for the hours of operation. They are Monday thru Sunday 7am-8pm.

345
 346 Chairman Chodun asked the applicant to come forward.

347
 348 Kurt Naumann
 349 168 Stoneleigh Drive
 350 Heath, TX 75032

351
 352 The applicant came forward and showed a couple of short videos in regards to his request.

353
 354 Commissioner Fishman wanted further clarification in regards to the usage of the banquet facility at the same time as having the
 355 retail store open. She also asked if alcohol was permitted but it would not be.

356
 357 Chairman Chodun opened the public hearing and asked anybody wishing to speak to come forward at this time.

358
 359 Jon Hickerson
 360 506 Wildwood Terrace
 361 Rockwall, TX 75087

362
 363 Mr. Hickerson came forward and expressed his opposition of the request due to traffic.

364
 365 Chairman Chodun asked if anyone else wished to speak; there being no one, Chairman Chodun closed the public hearing and brought
 366 the item back to the Commission for discussion or action.

367
 368 Vice-Chairman Welch made a motion to approve item Z2020-027 with staff recommendations. Commissioner Fishman seconded the
 369 motion which passed by a vote of 6-0.

370
 371 Chairman Chodun advised the applicant that the case will go before the City Council on July 20, 2020.

372
 373 10. **Z2020-028 (RYAN MILLER)**

374 Hold a public hearing to discuss and consider a request by Lucas Altoe on behalf of STAR Hubbard, LLC for the approval of a
 375 Zoning Amendment to Planned Development District 10 (PD-10) for the purpose of allowing an office on a 32.6546-acre parcel of
 376 land identified as Lot 1, Block A, Mansions Family Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development
 377 District 10 (PD-10) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV)
 378 District, addressed as 1650 S. John King Boulevard, and take any action necessary.

379
 380 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He mentioned that there is a
 381 clubhouse/workout facility on the development along with a space where a spa ended up operating out of. The spa was never issued a
 382 Certificate of Occupancy and eventually it went out of business. The applicant contacted Staff to ask about where land uses were applicable
 383 and, unfortunately, only multi-family uses were available. He was looking to establish a co-working space, which required a change to the
 384 entire Planned Development District. The only thing being requested with this case is to allow an office or co-working space. Should this
 385 request and zoning change be approved then the applicant must apply for a Certificate of Occupancy for the business. Staff sent out
 386 notices to all property owners and residents within 500-feet and all Homeowners Associations within 1500-feet. Mr. Miller then advised the
 387 Commission that the applicant and Staff were present and available for questions.

388
 389 Commissioner Womble asked if the co-working space would be for the residents of the facility or open to the public as well. Mr. Miller
 390 replied that it would be open to the general public.

391
 392 Chairman Chodun asked if there was an age restriction to the residents there.

393 Chairman Chodun opened the public hearing and asked anyone wishing to speak to come forward at this time.

394
395
396 Russell Darrington
397 1028 Redwood Trail
398 Rockwall, TX 75087
399

400 Mr. Darrington came forward and stated that he wanted to see if his business would be permissible for this type of environment. His
401 business would consist of having an outpatient office and using the fitness space as well.
402

403 Mr. Miller explained that that would not be a permitted use in a co-working space because that would be a medical office use. Permitted
404 uses would consist of renting out offices for work and does not qualify as a medical usage since that requires a higher ratio. Staff does
405 not have the ability to amend the request without the applicant's say so, therefore, Staff is required to take this item forward.
406

407 Dan Winstead
408 1631 Chesterwood Drive
409 Rockwall, TX 75087
410

411 Mr. Winstead came forward and wanted clarification as to the applicant wanting to use the existing building without having any
412 construction take place. He also asked if there was any traffic estimation but Mr. Miller explained that the property is already over parked
413 for the facility so it should not be an issue.
414

415 Russell Darrington
416 1028 Redwood Trail
417 Rockwall, TX 75087
418

419 Mr. Darrington came forward once again and wanted clarification in regards to parking.
420

421 Chairman Chodun asked if anyone else wished to speak; there being no one doing such, Chairman Chodun closed the public hearing and
422 brought the item back to the Commission for discussion or action.
423

424 Commissioner Womble expressed being in favor of the request. Commissioner Thomas explained that it was a smart idea as well.
425

426 Commissioner Thomas made a motion to approve item Z2020-028. Commissioner Womble seconded the motion which passed by a vote
427 of 5-1, with Chairman Chodun dissenting.
428

429 11. Z2020-029 (DAVID GONZALES)

430 Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an
431 Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of
432 Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
433 generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.
434

435 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting the zoning
436 change from Agricultural (AG) District to Single-Family Estate 2.0 (SFE-2.0) for the purpose of constructing a home on a 2-acre piece of
437 land. There are some infrastructure requirements that will be taken care of during the final plat as well as sewer improvements that the
438 applicant will have to do such as installing an OSSF system for the property. Staff sent out eight (8) notices to homeowners and residents
439 within 500-feet but did not receive any back. Mr. Gonzales then advised the Commission that the applicant and Staff were present and
440 available for questions.
441

442 Chairman Chodun asked the applicant to come forward
443

444 Cathy Wallace
445 338 Wallace Lane
446 Rockwall, TX 75032
447

448 Mrs. Wallace came forward and explained her reasoning for coming before the Commission again.
449

450 Chairman Chodun opened the public hearing and asked anyone wishing to speak to come forward at this time; there being no one doing
451 such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
452

453 Commissioner Thomas made a motion to approve item Z2020-029 with staff recommendations. Commissioner Fishman seconded the
454 motion which passed by a vote of 6-0.
455

456 V. ACTION ITEMS

457
458 12. SP2020-010 (DAVID GONZALES)

459 Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of Adat Estate of Vats Akhil and Deepti for the
460 approval of a Site Plan for a *medical office building* on a 0.70-acre parcel of land being identified as Lot 6, Block A, Ellis Centre #2
461 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV)
462 District, located at the western corner of the intersection of Alpha Drive and Beta Drive, and take any action necessary.
463

464 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is coming forward to
465 request the approval of a site plan for a medical office facility about 7,200 square feet. With the exception of the variances being requested,
466 the submitted site plan, landscape plan, photometric plans, and building elevations generally conform to the technical requirements in the
467 districts. The applicant is required to screen LI property from the Residential use property with a minimum of a 6-foot high masonry
468 screening with canopy trees planted on 20-foot centers. As an alternative, the Commission can consider a wrought iron fence and a three
469 tiered screening along the rear property line. At the moment, there are four (4) variances associated with the request: horizontal
470 articulation, architectural standards (four sided architecture), screening from the residential, and maximum slope for a detention pond. To
471 offset the variances and as a condition of approval, the applicant is required to screen the detention system with a combination of trees
472 and shrubs which would cause him to revise the landscape plans. According to the UDC, an applicant may request the Planning and
473 Zoning Commission to grant an exception to any provisions portrayed in the General Overlay District standards. In this case, the applicant
474 shall provide compensatory measures that directly offset the exceptions and/or variances. The applicant is indicating that they increased
475 landscaping including additional accent trees and shrubs, and increased masonry percentages on the building as well. The Architectural
476 Review Board met two weeks ago and they forwarded a recommendation of approval of the elevations including the variances being
477 requested. Mr. Gonzales advised the Commission that the applicant and Staff were present and available for questions.
478

479 Commissioner Womble wanted explanation as to why they could not meet articulation on the back side of the building.
480

481 Chairman Chodun asked the applicant to come forward.
482

483 Greg Wallis
484 1520 E. I-30
485 Rockwall, TX 75087
486

487 Mr. Wallis came forward and provided additional details regarding his request as well as an explanation in regards to the articulation.
488

489 Vice-Chairman Welch made a motion to approve item SP2020-010 with staff recommendations. Commissioner Thomas seconded the
490 motion which passed by a vote of 6-0.
491

492 13. **SP2020-011 (DAVID GONZALES)**

493 Discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Ed Burke of Channell Commercial
494 Corporation for the approval of an Amended Site Plan for an existing industrial building on an 18.762-acre parcel of land identified
495 as Lot 2, Block A, Channell Subdivision Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District,
496 situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 John King Boulevard, and take any action
497 necessary.
498

499 Planning and Zoning Manager David Gonzales provided a brief summary and history in regards to the request. The applicant is
500 requesting an amended site plan that has three (3) variances associated with it. Back in July 2014, a site plan was approved by City
501 Council that contained variances on parking, building materials, building articulation, lighting, and landscaping. The same site plan
502 came before the Commission last year in December and it was to establish some areas for their outside storage around the facility, as
503 well to realign the western drive, and layout additional parking for the structure. The applicant is coming back with Phase II which is on
504 the western portion of the property and has provided a landscape plan. Due to this area being a Light Industrial District, there are
505 residential fence standards that indicate that a non-residential area cannot have a front yard fence. The fence they are providing is an
506 8-foot tall smooth concrete wall adjacent to Justin Blvd., and on the northern side of the area there will be a wrought iron fence with
507 landscaping spaced out at 20-foot centers to provide the screening with a vinyl coated chain link fence. The non-residential fence will
508 be a discretionary decision to the Planning and Zoning Commission and one that the applicant is requesting. According to the Unified
509 Development Code, any outside storage of materials are supposed to be screened from the public view and the screening has to be at
510 least a foot taller than what is being screened as well. This will then require a masonry fence with trees on 20-foot centers. In this case
511 the applicant is requesting a smooth concrete wall that will match the building, with the purpose being to match what is already existing
512 there. Back in 2014, the City Council did approve a smooth face for what they have out there on the property now. On the north side of
513 the property, the applicant is proposing to use Nellie R. Stevens in order to screen that portion of the storage area. The outside storage
514 requirements call for the Planning and Zoning Commission to consider an alternative screening method such as a wrought iron fence
515 with three tiered screening, or a wrought iron fence and 2 rows of staggered evergreen trees and one row of canopy trees. Also, they
516 have included a drive approach on the western side along Industrial Boulevard which will be tied in with the existing fire lane. According
517 to the Engineering Standards of Design, when you have a collector then they require 200 feet of spacing and the proposed drive
518 approach now is 111 feet. Staff wanted to point out that there will be limited access for the new drive due to it being a gated drive
519 approach. Staff is recommending that they use a wrought iron fence instead of an opaque one. Mr. Gonzales reminded the Commission
520 that the distance requirements are also a discretionary decision to the Commission. The majority of the applicant's exceptions/requests
521 are to maintain the general aesthetic already established on the property. They are the driveway spacing, the screening standards and
522 the front yard fencing are all discretionary decisions for the Commission and $\frac{3}{4}$ majority vote is required to approve the request. Mr.
523 Gonzales then advised the Commission that the applicant and Staff were present to answer questions.
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525 Chairman Chodun asked the applicant to come forward

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Mark Cross
5310 Harvest Hill Road
Dallas, TX 75230

Mr. Cross came forward and provided additional details in regards to this request. He explained that there may be plans for a future building but, in the meantime, they wanted to take advantage of the site and the outside storage. He explained that he requested a concrete wall to match what was already existing but he would talk to the owner about doing a decorative gate to get the item approved. He also added that due to the site on the west narrowing down then it does not leave them with enough room to meet the current standards. He then advised that he was available for questions.

Planning and Zoning Director Ryan Miller told the applicant that there was a wall along Industrial Blvd. that needed to be moved back due to there being a 30-inch NTMWD line.

Commissioner Womble wanted further clarification as to the necessity of the drive on the west side. He also asked if they could vote on the items separately to which Mr. Miller indicated they could.

The Planning and Zoning Commission decided to vote on the items individually.

Commissioner Womble made a motion to deny the driveway spacing in item SP2020-011. Commissioner Thomas seconded the motion which passed by a vote of 5-1, with Vice-Chairman Welch dissenting.

Commissioner Womble made a motion to approve the screening standards on item SP2020-011 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

Commissioner Womble made a motion to approve the front-yard facing fence on item SP2020-011. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

Commissioner Womble made a motion to approve the site plan on SP2020-011. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

VI. DISCUSSION ITEMS

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

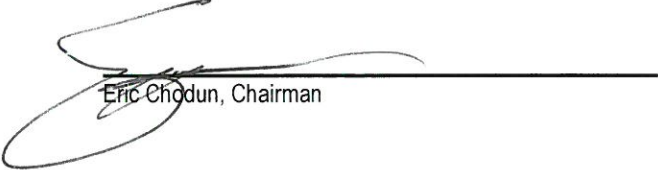
- ✓ P2020-023: Replat for Lot 2, Block A, Rockwall Law Enforcement Center Addition [APPROVED]
- ✓ P2020-024: Replat for Lots 7 & 8, Block A, Maverick Ranch Addition [APPROVED]
- ✓ P2020-025: Replat for Lots 4 & 5, Block A, Washington Place Addition [APPROVED]
- ✓ P2020-026: Replat for Lot 24, Block A, La Jolla Pointe, Phase 2 Addition [APPROVED]
- ✓ Z2020-018: SUP for Residential Infill Adjacent to an Established Subdivision for 1055 Dalton Road (APPROVED; 2ND READING)
- ✓ Z2020-019: SUP for Residential Infill in an Established Subdivision for 247 Chris Drive (APPROVED; 2ND READING)
- ✓ Z2020-020: SUP for a Guest Quarters/Secondary Living Unit and Carport for 1308 Ridge Road (APPROVED; 2ND READING)
- ✓ Z2020-022: SUP for a Detached Garage for 803 Kernodle Street (APPROVED; 2ND READING)

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

Chairman Chodun adjourned the meeting at 8:49 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
28 day of July, 2020.


Eric Chodun, Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator