

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS DECEMBER 29, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

Chairman Chodun called the meeting to order at 6:00 PM. Commissioners present were Mark Moeller, Jean Conway, Sedric Thomas, and Vice-Chairman Jerry Welch. Absent from the meeting were Commissioners Derek Deckard and John Womble. Staff members present were Planning and Zoning Director Ryan Miller, Civil Engineers Sarah Johnston and Jeremy White, and City Engineer Amy Williams. Absent from the meeting were Planning and Zoning Manager David Gonzales, Planner Henry Lee, and Planning and Zoning Coordinator Angelica Gamez.

II. OPEN FORUM

Chairman Chodun 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, Chairman Chodun closed the open forum.

III. APPOINTMENTS

Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on the agenda requiring architectural review.

A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the Architectural Review Board meeting.

IV. CONSENT AGENDA

1. Approval of Minutes for the December 8, 2020 Planning and Zoning Commission meeting.

2. **P2020-051 (HENRY LEE)**

Consider a request by Bryan Connally of CBG Surveying, TX LLC on behalf of SDI S. Rockwall, LLC for the approval of a Final Plat for Lot 1, Block A, SDI Rockwall Addition being a 0.92-acre parcel of land identified as Lot 1, Block A, Mr. M Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, addressed as 2901 Ridge Road, and take any action necessary.

3. **P2020-053 (HENRY LEE)**

Consider a request by J. W. Jones on behalf of Lupe Guardiola for the approval of a Replat for Lot 1, Block I, Lake Rockwall Estates East Addition being a 0.22-acre tract of land identified as Lot 1051 and a portion of Lot 1050 of the 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.

Vice-Chairman Welch made a motion to approve the consent agenda. Commissioner Thomas seconded the motion which passed by a vote of 5-0 with Commissioners Deckard and Womble absent.

V. ACTION ITEMS

4. **MIS2020-018 (DAVID GONZALES)**

Discuss and consider a request by Tim Lyssy of Rockwall Independent School District (RISD) for the approval of a Miscellaneous Case for a variance to the General Overlay District Requirements stipulated by the Unified Development Code (UDC) to allow the construction of a building on a 27.446-acre parcel of land identified as Lot 1, Block A, Rockwall – CCA Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 2301 John King Boulevard, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting the approval of a variance for a commercial building on the property. In this case, it falls within an Overlay District which requires it to have a minimum masonry percentage. The applicant is proposing to put the structure in the location in the rear and will be screened on all sides. It will be a Tuff Shed building clad in hardie panel. Due to this being a variance, it does require a ¾ majority vote of the Commissioners present. Mr. Miller then advised the Commission that a representative from the Rockwall Independent School District (RISD) and Staff were present and available for questions.

The representative came forward and provided additional details regarding the request. He stated that the RISD is always seeking and needing additional storage space.

Chairman Chodun asked if it was a fixed building. The applicant replied that it would be.

Vice-Chairman Welch asked if there were similar buildings at other campuses. He then asked Mr. Miller what the difference was between what the applicant was asking and past requests for portable buildings.

Commissioner Moeller made a motion to approve MIS2020-018 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 5-0.

5. **SP2020-034 (DAVID GONZALES)**

Discuss and consider a request by Drew Hayes of METHODArchitecture, PLLC on behalf of the owner Mary Courtin of Courtin Dental for the approval of an Amended Site Plan for a daycare facility in conjunction with a medical office on a 1.743-acre tract of land identified as a portion of Lot 9, Block A, Flagstone Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 54 (PD-54) for Commercial (C) District land uses, situated at the southeast corner of the intersection of E. Ralph Hall Parkway and Mims Road, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He reminded the Commission that they had previously approved a site plan for this facility and for a medical office at the last meeting. As part of that, there were elevations for the daycare facility that involved variances that were denied. The applicant has since come back with new elevations that were more in line with the Architectural Review Board (ARB) recommendations. The building itself does have the same variances that were originally requested last time but addressed all the things the ARB asked them to address in order to ask for those variances. They are now asking for a variance on the roof pitch but no compensatory measures are required since it was an ARB recommendation. Again, due to this being a variance request, it does require a ¾ majority vote from the Commissioners present. Commissioners will be voting tonight on two variances: one for the primary building façade and another for secondary building façade but both for articulation.

Chairman Chodun asked the applicant to come forward.

Drew Hayes
3227 McKinney Avenue, Suite 201
Dallas, TX 75204

Mr. Hayes came forward and provided additional details in regards to the request.

Commissioner Thomas expressed appreciation to the applicant for complying with the ARB recommendations.

Commissioner Conway made a motion to approve SP2020-034 with ARB recommendations. Commissioner Thomas seconded the motion which passed by a vote of 5-0.

VI. DISCUSSION ITEMS

6. **Z2020-055 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Caroline Harklau of Southern Roots, LLC for the approval of a Specific Use Permit (SUP) for a General Retail Store on a 0.23-acre parcel of land identified as Lot 1, Block A, TCB Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

Planning and Zoning Director Ryan Miller explained that the applicant currently has an established store in the Downtown area and is looking to move to this new location. A general retail store requires a Specific Use Permit (SUP) in Planned Development (PD) area.

Chairman Chodun asked the applicant to come forward.

Caroline Harklau
102 E. Rusk
Rockwall, TX 75087

The applicant came forward and requested approval of an SUP due to outgrowing their previous location. She explained that her store is a women's and men's apparel store. She is looking to continue expanding in the Downtown area.

Mr. Miller added that this location was previously granted an SUP for a restaurant and, at that time, they were providing enough parking. The applicant has provided Staff with a floor plan and are in compliance with the parking requirements on the site. He also added that there are no major non-conformities with this request.

Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.

7. **Z2020-056 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties, LLC on behalf of Jen-Liang Wu of Unison Investment, LP for the approval of a Zoning Change from a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey,

Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Adam Buczek
8214 Westchester Drive, Suite 900
Dallas, TX 75225

Mr. Buczek came forward and provided a brief summary in regards to his request. He stated that his past request had been denied in November by the Commission by a vote of 4-3. The request then went before the City Council and they had two conditions for the applicant which they have followed. One of those was to increase the minimum home size in the PD to 2200 square feet and the other was to make all the 70-foot wide lots have a 6-foot side setback. The applicant agreed to the conditions but the motion failed due to them needing super majority (vote was 5-2). Mr. Buczek stated that they have returned with revised plans including both of those conditions that garnered those 5 votes from City Council and modified the lots whereby average lot sizes are larger. Mr. Buczek then presented a PowerPoint showing the new plan design, lot sizes, and amenities.

Commissioner Thomas asked what lot size were shown on the picture renderings given.
Vice-Chairman Welch asked about the side setbacks on the 60-foot lots.

Planning and Zoning Director Ryan Miller provided an explanation regarding the Comprehensive Plan. The Comprehensive Plan is built around the idea of having an 80/20 land use mix and as you make changes on one side-it affects the other side. Based on previous changes in other areas of the community and changing this area to low-density residential, it brings us close to that 80/20 mix. However, making a change to the Plan is a discretionary decision. Mr. Miller added that there is also a misunderstanding on how the City calculates density. The City actually calculates land on the gross. With regards to the district strategies, suburban residential calls for a balance of lot products.

Chairman Chodun asked if there were any exceptions for density definition purposes for undeveloped property. He then address the applicant and explained that he wanted to make sure that the intent of the original zoning was in play.

Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.

8. **Z2020-057 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Doug Galloway of Viaduct Development on behalf of GotRocks Properties, LLC for the approval of a Zoning Change superseding *Specific Use Permit No. 57 (S-57; Ordinance No. 08-39)* and changing the zoning from a Single-Family 10 (SF-10) District to Planned Development District 41 (PD-41) for General Retail (GR) District land uses on a 2.96-acre parcel of land identified as Lot 1, Block A North Lake Shore Daycare Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses and Single-Family 10 (SF-10) District, addressed as 1940 N. Lakeshore Road, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The developer is requesting is to come back and establish a medical office there. In order to do that, along with the daycare, he would need to change the zoning to a General Retail (GR) District. That would either allow us to amend Planned Development District 41 (PD-41) to remove that section and make this a straight General Retail District or bring it into PD-41. Either way, the PD would have to be amended. The applicant has chosen to amend PD-41 and bring in that SF-10 portion and regenerate this property to a General Retail District. There is also a plat that is currently coming thru to subdivide the property and the Commission cannot approve that until the zoning has been approved or denied. Coming thru with that plat is a parking agreement. All three businesses (office, medical office, and daycare) will share parking. Once they turn in a parking study then it'll show that the requirement has been met and they'll be parking sufficient.

Chairman Chodun asked if the intent was to have a General Retail area all along.

Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.

9. **Z2020-058 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by David LeCour for the approval of a Specific Use Permit (SUP) for an accessory structure on a 0.50-acre parcel of land identified as Block 107 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 507 S. Clark Street, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

David LeCour
507 S. Clark Street
Rockwall, TX 75087

Mr. LeCour came forward and provided a brief summary in regards to his request. When the tornado hit, his barn was destroyed and he was looking for a way to replace it. He did not know he was not in compliance and began work without a permit. He is now coming forward and requesting approval to continue working on his barn.

Planning and Zoning Director Ryan Miller asked for the size of the structure to which the applicant replied that it was 782 square feet. Mr. LeCour added that he already has poles in the ground and would like the structure to continue being the same size.

Vice-Chairman Welch asked what the purpose of the shed was or if it was possible to have a driveway to get to the shed.

Mr. Miller added that there is an amount of floodplain in this lot. The applicant must show that this structure is not being built within the floodplain. There is also a sewer easement that traverses the property from east to west and Staff would need to see that the structure is not within that either.

Chairman Chodun asked for clarification on the nonconformance of the property.

Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.

10. **Z2020-060 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Matthew Deyermond of TC Planning and Design Group on behalf of the owners Donald Wallace for the approval of a Zoning Change from an Agricultural (AG) District and a Single-Family Estate 2.0 (SFE-2.0) District to a Single-Family Estate 1.5 (SFE-1.5) District on a 8.17-acre portion of a larger 123.00-acre tract of land identified as Tract 44-01 and all of Tracts 45-02 & 45-07 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Single-Family Estate 2.0 (SFE-2.0) District, generally located on the north side of H. Wallace Lane north of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He explained that the applicant had previously requested the zoning change to a SF 2.0 District and has now decided to subdivide into three lots instead of two, changing the zoning to a SF 1.5 District. This is in conformance with the Comprehensive Plan because it is low density residential.

Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.

11. **P2020-052 (HENRY LEE)**

Discuss and consider a request by Doug Galloway of Viaduct Development on behalf of GotRocks Properties, LLC for the approval of a Replat for Lots 2, 3 & 4, Block A, North Lake Shore Daycare Addition being a replat of a 2.96-acre parcel of land identified as Lot 1, Block A, North Lake Shore Daycare Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses and Single-Family 10 (SF-10) District, addressed as 1940 N. Lakeshore Road, and take any action necessary.

Planning and Zoning Director Ryan Miller explained that he had gone over the details of this in a previous case but it does meet all the technical requirements if the zoning is approved.

Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.

12. **SP2020-032 (DAVID GONZALES)**

Discuss and consider a request by Phil Craddock, AIA of Craddock Architecture on behalf of Brad Helmer of Heritage Christian Academy for the approval of an Amended Site Plan for a Gymnasium and Classrooms in conjunction with an existing private school on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Phil Craddock
828 McCall Drive
Fate, TX 75087

Mr. Craddock provided a brief summary in regards to his request. He made a presentation for the Commission showing the existing buildings and the requested renderings.

Planning and Zoning Director Ryan Miller added that currently the property is subject to the Overlay District requirements and there are variances to the 90% primary materials which are masonry materials. The building is shy on the articulation standards but the standards are typically written to control square buildings. Another thing that ARB requested that some kind of relief be added to the back wall that has a flat expense along with planting some additional trees along Damascus to conceal that wall more. Other than that, the plan does meet all the technical criteria.

Chairman Chodun asked if the materials were an approved variance for the primary facility.

Commissioner Thomas asked if the applicant had any concerns with the recommendations made by ARB.

Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.

13. **SP2020-033 (DAVID GONZALES)**

Discuss and consider a request by David Bond of Spiars Engineering on behalf of Andrew Malzer of Gingercrest Inc. for the approval of an Amended Site Plan for a Gas Canopy in conjunction with an existing general retail store with gasoline sales on a 8.240-acre tract of land identified as Lots 6 & 7, Block 1, Meadowcreek Business Center, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District and the SH-276 Overlay (SH-276 OV) District, addressed as 2301 S. Goliad Street, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

David Bond
765 Custer Road
Plano, TX 75075

Mr. Bond came forward and provided a brief summary in regards to his request. He explained that the business (RaceTrac) is in an existing facility that was recently remodeled this year to update the interior product offerings. This site is requesting to add a second canopy meant for the box trucks and F350s. According to the Unified Development Code (UDC), there needs to be 2 new canopies and 4 new ornamental trees in the first 20-foot buffer. The applicant is asking for a variance to not install the landscape buffer due to the heavy vegetation that is already in place there. At the moment, there are 135 protected trees on site and they would only need to remove one of them with this request.

Vice-Chairman Welch asked if the road was still considered 276, since they have done new construction in the area.

Chairman Chodun asked if semi-trucks are allowed to use those new pumps.

Commissioner Conway asked how they would handle a semi-truck driver wanting to stay there overnight.

Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.

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

- P2020-047: Preliminary Plat for the Phase 3 of the Saddle Star South Subdivision [APPROVED]
- Z2020-041: Text Amendment to Subsection 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, District Development Standards, of the UDC [APPROVED; 1st READING]
- Z2020-048: SUP for Residential Infill in an Established Subdivision at 701 T. L. Townsend Drive [APPROVED; 1st READING]
- Z2020-049: SUP for Residential Infill in an Established Subdivision at 304 E. Bourn Street [APPROVED; 1st READING]
- Z2020-050: SUP for Residential Infill in an Established Subdivision at 501 S. Clark Street [APPROVED; 1st READING]
- Z2020-051: SUP for Residential Infill in an Established Subdivision at 38 Shadydale Lane [APPROVED; 1st READING]
- Z2020-052: Zoning Change (AG to C) for 5651 SH-276 [APPROVED; 1st READING]
- Z2020-053: Zoning Change (LI to PD) for 1700 Justin Road [APPROVED; 1st READING]
- Z2020-054: SUP for Accessory Structure at 707 Parks Avenue [DENIED]

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 7:36 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this

12 day of January, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

