

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JANUARY 12, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:01 PM. Commissioners present were John Womble, Derek Deckard, Sedric Thomas, Jean Conway, Mark Moeller, and Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams and Civil Engineers Sarah Johnston and Jeremy White.

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

1. 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

2. Approval of Minutes for the December 29, 2020 Planning and Zoning Commission meeting.

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

V. PUBLIC HEARING ITEMS

3. **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 Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting the approval of a Specific Use Permit (SUP) for a general retail store. In June 2019, City Council approved an SUP for this property and it allowed for a full service restaurant less than 2,000 square-feet without a drive-thru. The parking plan allowed for seven (7) parking spots on the site. Also in June 2019, The Historic Preservation Advisory Board (HPAB) approved a Certificate of Appropriateness (COA) and the Planning and Zoning Commission approved a site plan which allowed the construction of this. The applicant currently has a business in town and would like to relocate to this building. According to the Unified Development Code (UDC), approval of a SUP is required for a general retail store use. An operational condition that Staff included in the draft ordinance is that the second floor be used only for storage purposes. The application does appear to be consistent with the intent of the district, however, approval of a SUP is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Staff mailed out 92 notices to homeowners and residents living within 500-feet of the subject property and to all Homeowner Associations (HOAs) within 1500-feet of the subject property. Staff had received 5 notices from 7 property owners in favor of the request. Mr. Gonzales advised the Commission that the applicant and Staff were present and available for questions.

Commissioner Conway expressed her concerns in regards to the parking at the business.

Chairman Chodun asked the applicant to come forward.

Caroline Harklau
312 Dartbrook
Rockwall, TX 75087

The applicant came forward and answered questions and provided additional details in regards to her request.

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

Vice-Chairman Welch made a motion to approve item Z2020-055 with staff recommendations. Commissioner Womble seconded the motion which passed by a vote of 7-0.

Chairman Chodun advised that this case will go before the City Council on January 19, 2021.

4. **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.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The property was originally annexed in 1999 and zoned to its current designation in 2005. The applicant at that time was seeking a zoning change from Agricultural District to a Single-Family-16 designation with Neighborhood Services in order to establish 106 single-family residential lot subdivision. Despite the zoning change, the actual development never transpired and the properties have remained vacant and undeveloped since its annexation. As of today, the property can be used for Neighborhood Services at the corner of 552 and 1141 and the remainder of the property being zoned a Single-Family 16 District could be developed in 1,600-square foot lots as long as it meets the base zoning. Staff should point out that in 2019 HB2439 was approved and that took away the City's ability to regulate building materials. As the property sits today, the City would not be able to regulate building materials on either the Single-Family 16 or the NS. The applicant is requesting is a Planned Development District, which is different than the straight zoning districts because it allows the developer to propose their own zoning standards. They can also agree to incorporate building materials into the Planned Development District. The proposed subdivision consists of 260 lots which would be broken down into 134 (60x120 foot) lots, 68 (70x120 foot) lots, and 58 (72x120 foot) lots. The applicant is also proposing an amenity center and that'll be on one acre of land as well as incorporating a trail system that loops around the outside. Staff wanted to note that the developer is not taking access off of North Country Lane, so Staff cannot legally require them to update that roadway. The Plan meets the majority of the Code's requirements but there are two areas of departure. First of all, in lieu of alley ways the developer is proposing a front entry garage and, as a compensatory measure, the applicant is increasing the front setback of the flat front entry product to 25-feet. Secondly, Staff requires a 30-foot landscape buffer adjacent to all roadways and the developer is proposing a 10-foot landscape buffer with 4-inch caliper evergreen trees. Staff mailed out 37 notices to property owners and residents living within 500-feet of the subject property and to all homeowner associations within 1500-feet of the property. Mr. Miller advised the Commission that the applicant and staff were present and available to answer questions.

Commissioner Deckard wanted clarification as to whether homes can go in at the site as long as it's in low density.

Commissioner Womble wanted clarification as to how density was calculated.

Chairman Chodun asked if there was a carve out of the building materials requirement if it does not fit within the general aesthetics of the community.

Vice-Chairman Welch asked for clarification on the setbacks as proposed in OurHometown Vision.

Chairman Chodun asked the applicant to come forward.

Ryan Joyce
1189 Waters Edge Drive
Rockwall, TX 75087

The applicant came forward and provided a brief summary in regards to his request.

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

Mr. Buczek came forward and provided a PowerPoint presentation in regards to his request.

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

Jeannette Dellinger
1823 Tumbleweed Circle
Rockwall, TX 75087

Mrs. Dillinger came forward and expressed her opposition in regards to the request due to the traffic it would cause.

Steve Curtis
2130 FM 1141
Rockwall, TX 75087

Mr. Curtis came forward and provided a brief presentation and expressed his opposition to the request.

Planning and Zoning Director Ryan Miller wanted to clarify that the City cannot be a party to deed restrictions so the development agreement that Mr. Curtis (above) mentioned never happened.

Jim Turner
1691 E. Old Quail Run Road
Rockwall, TX 75087

Mr. Turner came forward and expressed his opposition to the request.

Bob Wacker
309 Featherstone
Rockwall, TX 75087

Mr. Wacker came forward and expressed his being in favor of the request.

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

Chairman Chodun asked City Engineer Amy Williams if she wanted to add input on the roads.

Mrs. Williams added that FM 552 will be let in 2023 so in 2 years 552 will be let to a 4-lane divided roadway. FM 1141 will have to do a TIA (Traffic Impact Analysis) on both roads and whatever improvements are required on their density will have to be done by TX Dot standards.

Ryan Joyce (applicant) came forward and responded some of the comments made by the public.

Adam Buczek came forward and answered comments made by the public as well.

Commissioner Moeller added that he was pleased with the presented product and concerned about what may be put in place if not this.

Vice-Chairman Welch added that he appreciated the changes but struggled to make a decision.

Commissioner Thomas added that his biggest struggle were the smaller lots and smaller spaces.

Chairman Chodun did not want to see a development where the majority are smaller 60-foot lots.

After lengthy discussion, Commissioner Moeller made a motion to approve item Z2020-056 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 6-1 with Chairman Chodun dissenting.

Chairman Chodun advised that this case will go before the City Council on January 19, 2021.

5. **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.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. In 2008, an SUP was approved for this property for a daycare facility and it was constructed and is in place today. Recently, the applicant approached Staff about potentially adding a medical office building adjacent to the existing daycare. At that time, there were only two options to facilitate that: the first being to amend PD-41 to remove the subject property from the Planned Development District and rezone it to a General Retail (GR) District. The second option was to amend Planned Development District 41 to take in the Single-Family 10 (SF-10) District and re-designate the property for GR District uses as part of that Planned Development uses. Either way, Staff had to amend PD-41 which means the entire planned development district had to be notified. Ultimately, the applicant submitted a request to change the zoning and limit the uses allowed on the property allow limited GR District land uses. Specifically, the applicant is requesting a Planned Development District that would limit the land uses on the subject property to only three uses: daycare facility, office building, or medical office building. The applicant has submitted colored elevations that show that the proposed office building would match the existing daycare facility. The proposed zoning adheres to the GR district standards with the exception of the minimum lot depth. In accordance with the Comprehensive Plan, this corner is already designated for Commercial Retail District land uses so, in adopting the zoning, it would actually be bringing the zoning into conformance with the comprehensive plan. Staff mailed out 756 notices to all property owners and residents within 500-feet of the subject property and notified any HOAs within 1500-feet of the property as well. Staff has received 17 property owner notifications, 2 online forms, and 2 emails from properties within the notification area that are opposed to the request. Mr. Miller then advised the Commission that the applicant and Staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Doug Galloway
3508 Edgewater
Dallas, TX 75205

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

Commissioner Moeller asked if that building would cause the removal of any trees that were already planted. He also asked if there were any plans to downsize the building currently since there was not another tenant in place already.

Commissioner Deckard asked if there were any time constraints with the office building and daycare facility.

Commissioner Womble wanted clarification in regards to the size of the building.

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

Vice-Chairman Welch made a motion to approve item Z2020-057 with staff recommendations. Commissioner Deckard seconded the motion which passed by a vote of 6-1 with Commissioner Moeller dissenting.

Chairman Chodun advised that this case will go before the City Council on January 19, 2021.

6. **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.

Planner Henry Lee provided a brief summary in regards to the request. Between 2017 and 2019, there was an accessory building removed from the site due to weather damage as stated by the applicant. The applicant is now requesting to build a 35x20 or 700 square foot accessory building. He has indicated that accessory building façade will be clad unpainted aluminum and the structure will not be set on a permanent foundation. Staff noted that the applicant did start construction without a permit and there are currently several poles in the ground that have been erected. According to the Single-Family 7 District, they are allowed by right two (2) accessory buildings at 144 square feet each and the accessory structures should be compatible with any surrounding structures. All accessory buildings that are not portable should be put on a concrete foundation. In this case, the request does conform to the setback and height requirements for accessory buildings but does exceed the permissible size by 556 square feet. If the request is approved, a survey must be done in order to show the building is outside of the flood plain area. Staff mailed out 92 notices to all property owners and residents living within 500-feet of the subject property as well as all homeowner associations within 1,500-feet of the property. Staff received 3 notices in favor of the request. Due to this being a zoning case, approval of an SUP is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

Commissioner Conway asked if the building had already begun construction on the project and asked about the size of the building. Vice-Chairman Welch asked what was to the south of the property.

Commissioner Thomas asked if the homeowner would have been allowed had he built the requested structure within a certain time frame.

Chairman Chodun asked the applicant to come forward.

David LeCour
507 S. Clark
Rockwall, TX 75087

Mr. LeCour came forward and provided additional details in regards to his request.

Commissioner Moeller asked if the applicant was trying to rebuild the same size building that was torn down.

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

Commissioner Conway expressed her concerns in regards to the size of the request and this setting a precedence for the neighborhood.

Commissioner Moeller disagreed and added that this would have been a legal non-conforming structure had the applicant gone thru the correct process if known.

Commissioner Deckard expressed his being in favor of the request.

Vice-Chairman Welch made a motion to approve item Z2020-058 with staff recommendations. Commissioner Thomas seconded the motion and that is approved 5-2 with Commissioners Womble and Conway dissenting

Chairman Chodun advised that this case will go before the City Council on January 19, 2021.

7. **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 Manager David Gonzales provided a brief summary in regards to this request. The purpose of the rezone is to build three single-family home located on this. They are requesting to rezone this Single-Family 1.5 (SF-1.5) District. The majority of the

properties that are adjacent to N. Wallace Lane are zoned Agricultural District. If the request is approved, the subject property would need to conform to the requirements made by the UDC for Single-Family Estate lots. Their request for rezoning from an AG District and SFE-2.0 to a SFE-1.5 does conform to the Comprehensive Plan. Staff notified all residents and property owners within 500-feet of the subject property. Mr. Gonzales advised that Staff and the applicant were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Matthew Deyermond
558 Ezekiel Avenue
Dallas, TX 75217

The applicant came forward and provided additional details in regards to the request.

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

Commissioner Moeller made a motion to approve item Z2020-060 with staff recommendations. Commissioner Deckard seconded the motion which passed by a vote of 7-0.

Chairman Chodun advised that this case will go before the City Council on January 19, 2021.

VI. ACTION ITEMS

8. 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.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting approval of an amended site plan for the purpose of constructing a new gymnasium and classroom facility in conjunction with Heritage Christian Academy (HCA). HCA has already had 3 temporary accessory buildings that have been located on site and they were originally approved back in 2003. The UDC does allow for the gym and classroom facility under the land uses. There are three (3) variances that the applicant is actually requesting: one for building articulation, 2 for roof design, and 3 is for the materials and masonry composition. According to the UDC, the applicant can request that the Commission grant him an exception or variance. These would require two (2) compensatory measure for each variance that is being requested. Staff wanted to point out that the approval of the gym would allow for the removal of the temporary classrooms. The proposed building would be complementary to the school. Approval of the variance is a discretionary decision for the Planning and Zoning Commission and would require a super majority vote for approval. The ARB did approve this 4-0 with the variances being requested. Also, a new Certificate of Occupancy will not be issued until all temporary classrooms have been removed. Mr. Gonzales advised the Commission that Staff and the applicant are present and available for questions.

Chairman Chodun asked the applicant to come forward.

Phil Craddock
828 McCall Drive
Fate, TX 75087

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

Commissioner Thomas made a motion to approve item SP2020-032. Commissioner Moeller seconded the motion which passed by a vote of 7-0.

9. 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.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting the approval of an amended site plan for a gas canopy in conjunction with an existing general retail store with gasoline sales. The proposed canopy will contain the same material used on the existing canopy. The ARB has already reviewed this case and has forwarded a recommendation of approval. There is another item associated with this and that would be a variance to the landscape buffer located along State Highway 276. There are trees that are planted that meet the requirement within the area located along the area that will be constructed. There is a portion of the buffer that has an existing tree line that the applicant to like to keep as part of the landscape buffer. There are some additional gaps that would require the applicant to fill in with some additional canopy trees. Thee applicants have also added additional trees between the existing store and the canopy to provide additional screening for the site. All of these would be compensatory measures for the variances being requested. Approval of a variance is a discretionary decision for the

341 Planning and Zoning Commission and Mr. Gonzales advised them that Staff and the applicants were present and available to answer
342 questions.

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344 Chairman Chodun asked the applicant to come forward.

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346 Andrew Malzer
347 200 Galleria Parkway SE
348 Atlanta, GA 30339
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350 Mr. Malzer came forward and provided additional details and a presentation in regards to the request.

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352 Chairman Chodun asked why Staff required the screening from the trees between the gas station and the building.

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354 Commissioner Thomas made a motion to approve item SP2020-033. Commissioner Womble seconded the motion which passed by a
355 vote of 7-0.
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357 VII. DISCUSSION ITEMS

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

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 - P2020-051: Final Plat for Lot 1, Block A, SDI Rockwall Addition [APPROVED]
 - P2020-053: Replat for Lot 1, Block I, Lake Rockwall Estates East Addition [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; 2nd READING]
 - Z2020-048: SUP for Residential Infill in an Established Subdivision at 701 T. L. Townsend Drive [APPROVED; 2nd READING]
 - Z2020-049: SUP for Residential Infill in an Established Subdivision at 304 E. Bourn Street [APPROVED; 2nd READING]
 - Z2020-050: SUP for Residential Infill in an Established Subdivision at 501 S. Clark Street [APPROVED; 2nd READING]
 - Z2020-051: SUP for Residential Infill in an Established Subdivision at 38 Shadydale Lane [APPROVED; 2nd READING]
 - Z2020-052: Zoning Change (AG to C) for 5651 SH-276 [APPROVED; 2nd READING]
 - Z2020-053: Zoning Change (LI to PD) for 1700 Justin Road [APPROVED; 2nd READING]

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372 Planning and Zoning Manager David Gonzales provided a brief update about the outcome of the above referenced cases at the City
373 Council meeting.

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375 VIII. ADJOURNMENT

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377 Chairman Chodun adjourned the meeting at 8:23 PM.

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379 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 26 day of January, 2021.
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387 Angelica Gamez, Planning and Zoning Coordinator
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Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JANUARY 26, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

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

II. OPEN FORUM

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

Bob Wacker
309 Featherstone
Rockwall, TX 75087

Mr. Wacker came forward and wanted to raise the issue regarding noise levels with case Z2021-002.

Chairman Chodun asked if anyone else wished to speak; there being no one coming forward, Chairman Chodun closed the open forum.

III. APPOINTMENTS

1. 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

2. Approval of Minutes for the January 12, 2021 Planning and Zoning Commission meeting.

3. P2020-052 (HENRY LEE)

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.

4. P2021-002 (HENRY LEE)

Consider a request by Anna C. Blackwell of Carrillo Engineering on behalf Harry J. Kuper of SVEA Industrial II, LLC for the approval of a Replat for Lot 7, Block C, Ellis Center, Phase Two Addition being a 1.905-acre tract of land identified as a portion of Lot 3 and all of Lot 3A-R, Block C, Ellis Center, Phase Two Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1203 Sigma Court, and take any action necessary.

5. P2021-003 (HENRY LEE)

Consider a request by Corby Bell and Mandy Dorman for the approval of a Final Plat for Lot 1, Block A, R. S. Lofland Subdivision being a 0.304-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 as 1006 Ridge Road, 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 7-0.

V. ACTION ITEMS

6. MIS2021-001 (DAVID GONZALES)

Discuss and consider a request by Bill Thomas of Engineering Concepts and Design, LP on behalf of Joshua Swiercinsky of 7.1 Ridge, LLC for the approval of a Miscellaneous Case for a variance to the landscape buffer requirements stipulated by the General Overlay District Requirements contained in the Unified Development Code (UDC) 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located west of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicants are seeking the approval of a variance to the landscape buffer. They are requesting to vary their landscape buffer between 5-feet and 22-feet in order to be able to layout their driveways. The reason why the applicant provided the concept plan is because, back in 2014, Planning and Zoning Commission approved a treescape plan with the condition that they provide the requested number of trees in future development. Due to this being a variance request, a compensatory measure would be that the applicant will provide 58 four inch canopy trees within this landscape buffer as well as 51 accent trees. A request for a variance within the Scenic Overlay District does require a super majority vote by the Commission. Mr. Gonzales advised the Commission that the applicant and Staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Bill Thomas
201 Windco Circle
Wylie, TX 75098

Mr. Thomas came forward and provided additional details regarding his request.

Commissioner Womble asked what would happen if another applicant were to come in and request another layout. Would the request still be needed?

Commissioner Deckard made a motion to approve item MIS2021-001. Commissioner Womble seconded the motion which passed by a vote of 7-0.

VI. DISCUSSION ITEMS

7. Z2021-001 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Otoniel Jaramillo for the approval of a *Specific Use Permit (SUP)* for Residential Infill in an Established Subdivision on a 0.50-acre parcel of land identified as Lot 17, Block B, Lago Vista Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 18 (PD-18) for Single-Family 10 (SF-10) District land uses, addressed as 2825 Marcie Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the approval of a Specific Use Permit for the purpose of constructing a single-family residence. Mr. Lee wanted to note that the applicant's request does meet all of the density and dimension requirements pertaining to the request.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on February 9, 2021.

8. Z2021-002 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of a *Specific Use Permit (SUP)* for Full Service Car Wash and Auto Detail on a 0.89-acre tract of land identified as a portion of Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 N. Goliad Street [SH-205], and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. Mr. Gonzales indicated that Staff had some questions in regards to the Specific Use Permit (SUP) that is going to be requested with some of those questions referring to the orientation of the tunnel. The Unified Development Code (UDC) does not allow it to be facing a right-of-way. Staff would also like clarification on the kind of vending machine that is being requested.

Chairman Chodun asked the applicant to come forward.

Lisa White
6300 S. Syracuse Way, Suite 205
Centennial, CO 80111

The applicant came forward and provided additional details in regards to her request as well as answered questions provided by Staff. She added that a noise assessment had been done prior to the meeting.

Mr. Miller asked if the noise assessment included the vacuum base but it did not. It only included the tunnel.

Mr. Gonzales added that if the SUP was approved then Staff would look at building elevations and answer stone requirement questions during the site plan process.

Mr. Miller added that there are some areas of non-compliance on the elevations such as the articulation and the HVAC units which are visible. He added that there several easements that inhibit landscaping being put in front of that tunnel.

Mr. Gonzales explained that due to the residential adjacency, they could not be within 150-feet of the residences.

Vice-Chairman Welch asked if it was possible to use potted landscaping.

Commissioner Womble asked if there was any proposed idea between the school and the subject property about buffering purposes. Commissioner Conway asked if there were going to be any other services provided besides car washing. The applicant explained that it was a self-service car wash and not a full service car wash.

The applicant explained that the vending machines would sell armor all wipes and would be credit card use only. Commissioner Thomas asked about the traffic study and asked how many vacuums would be going in.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on February 9, 2021.

9. **Z2021-003 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark Street, and take any action necessary.

Planning and Manager David Gonzales provided a brief summary in regards to the request.

Chairman Chodun asked the applicant to come forward.

Jason Castro
16424 Fall Kirk Drive
Dallas, TX 75248

Mr. Castro came forward and provided details in regards to his request. He also indicated he had some questions for Staff.

Mr. Gonzales added that the subject property requires a flood study and a variance to allow for flat-front entry garage.

Commissioner Conway asked if it was required to be a duplex and mentioned whether it would set a precedence.

Mr. Miller explained that the zoning allows duplexes by right on the property. Commissioners will need to look at whether or not the request is compatible with the district.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on February 9, 2021.

10. **P2021-001 (DAVID GONZALES)**

Discuss and consider a request by Bill Thomas of Engineering Concepts and Design, LP on behalf of Joshua Swiercinsky of 7.1 Ridge, LLC for the approval of a Preliminary Plat for Lots 1-7, Block A, Sky Ridge Addition being a 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located west of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. He explained that approval of the Miscellaneous case earlier in the meeting was a condition of approval for this preliminary plat. This item will come back on Consent Agenda at the upcoming Public Hearing.

11. **SP2021-001 (HENRY LEE)**

Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf Kevin Passons of Rockwall Central Appraisal District for the approval of a Site Plan for an office building on a 1.707-acre parcel of land identified as Lot 1A-R, Block A, Lofland Industrial Park Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 841 Justin Road, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. Mr. Lee explained that this request was viewed by the Architectural Review Board and it does not require any variances. The proposed building meets all of the density and dimensional requirements. Since the applicant is not requesting any variances then Staff will work with the applicant and discuss the comments made by the Architectural Review Board. Mr. Lee then indicated that this item will come back on Consent Agenda at the next meeting.

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

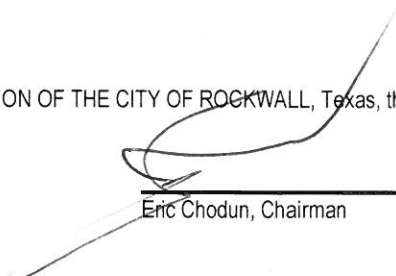
- Z2020-055: SUP for a General Retail Store at 505 N. Goliad Street [APPROVED; 1st READING]
- Z2020-056: Zoning Change of NS & SF-16 to PD for SF-10 for Nelson Lake [APPROVED; 1st READING]
- Z2020-057: Zoning Change of SF-10 & PD-41 for SF-10 to PD-41 for GR for 1940 N. Lakeshore Drive [APPROVED; 1st READING]
- Z2020-058: SUP for an Accessory Structure at 507 N. Clark Street [APPROVED; 1st READING]
- Z2020-060: Zoning Change of AG & SFE-2.0 to SFE-1.5 [APPROVED; 1st READING]

Director of Planning and Zoning 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 6:39 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 9 day of February, 2021.


Eric Chodun, Chairman

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Attest:



Angelica Gamez, Planning and Zoning Coordinator

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
FEBRUARY 9, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

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

II. OPEN FORUM

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

Clovis Sanford
2854 Marcie Lane
Rockwall, TX 75087

Mr. Sanford came forward and expressed his opposition to case Z2021-001.

Chairman Chodun asked if anyone else wished to speak; there being no one coming forward, Chairman Chodun closed the open forum.

III. CONSENT AGENDA

1. Approval of Minutes for the January 26, 2021 Planning and Zoning Commission meeting.

2. P2021-001 (DAVID GONZALES)

Discuss and consider a request by Bill Thomas of Engineering Concepts and Design, LP on behalf of Joshua Swiercinsky of 7.1 Ridge, LLC for the approval of a Preliminary Plat for Lots 1-7, Block A, Sky Ridge Addition being a 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located west of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

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

IV. PUBLIC HEARING ITEMS

3. Z2021-001 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Otoniel Jaramillo for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.50-acre parcel of land identified as Lot 17, Block B, Lago Vista Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 18 (PD-18) for Single-Family 10 (SF-10) District land uses, addressed as 2825 Marcie Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the approval of a Specific Use Permit for the purpose of constructing of a single-family home. The home is architecturally compatible with the surrounding homes. The applicant's request meets all of the density and dimensional requirements and will not require any variances. Approval of this request is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission. On January 22, 2021, 59 notices were sent out to property owners and occupants within 500-feet of the subject property. Notice was also given to any homeowner associations within 1500-feet of the subject property.

Chairman Chodun asked the applicant to come forward.

Otoniel Jaramillo
2825 Marcie Lane
Rockwall, TX 75087

The applicant came forward and indicated he was ready to build.

Chairman Chodun opened the public hearing and asked anybody who wished to speak to come forward at this time. There being no one; Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion and/or action.

Commissioner Womble made a motion to approve item Z2021-001. Commissioner Deckard seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that this case will go before the City Council on February 16, 2021.

4. Z2021-002 (DAVID GONZALES)

66 Hold a public hearing to discuss and consider a request by Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall
67 205-552, LLC for the approval of a Specific Use Permit (SUP) for Self Service Car Wash and Auto Detail on a 0.89-acre tract of land identified
68 as a portion of Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated
69 within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 N. Goliad Street [SH-205], and take any action necessary.
70

71 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting
72 approval of a Specific Use Permit for the purpose of constructing a Self Service Car Wash and Auto Detail. It does consist of a single
73 entrance tunnel and fifteen (15) vacuum stalls along with ten (10) parking spaces. According to the Unified Development Code (UDC),
74 car washes are not to face any public right-of-way making this request non-compliant with the UDC. The UDC also requires a fifty (50)
75 foot setback from the property line which the request does meet the requirement. Staff would like to point out that the car wash is
76 located within 300-feet of the Harlan Park subdivision as well as the Nebbie Williams School. Staff is requesting that the applicant add
77 some additional landscaping to the north side as well as the west side of the property to provide additional sound attenuation. This
78 has been included in the draft ordinance as an operational condition should the request be approved. Residential adjacency
79 standards apply to properties that are 150-feet from a residential district. In this case, the applicant did replat the property in order to
80 avoid meeting the 150-foot distance. The applicant did provide a noise assessment for the Commissioners. With this being said,
81 revisions of any landscaping for sound attenuation is a discretionary decision for the Planning and Zoning Commission as well as
82 City Council. Mr. Gonzales added that the building elevations provided do not meet the minimum standards for the North Goliad
83 Overlay District but those would be reviewed by the Architectural Review Board (ARB) and Planning and Zoning Commission during
84 the site plan process. On January 22, 2021, 40 notices were sent out to property owners and occupants within 500-feet of the subject
85 property as well as notifying all homeowner associations within 1500-feet of the subject property. Mr. Gonzales then advised the
86 Commission that the applicant and Staff were present and ready to answer questions.
87

88 Chairman Chodun asked how many notices had been mailed out.

89
90 Commissioner Deckard asked if an auto parts store or regular retail store would require any changes to the zoning or would that go in
91 by right.
92

93 Commissioner Womble asked if the school next door had weighed in on the noise issue this item could provide.
94

95 Commissioner Conway asked if there were opening and closing hours or if it was a 24-hour business. She also asked if the
96 Commission could require landscaping.
97

98 Chairman Chodun asked the applicant to come forward.
99

100 Cesar Segovia
101 4603 Opal Ridge Lane
102 Arlington, TX 76005
103

104 Mr. Segovia came forward and provided additional details in regards to his request. He expressed that the hours of operation would
105 be Monday thru Saturday from 7am-7pm and Sundays from 7am-6pm. He added that there was no auto detailing taking place on site
106 as there would only be 2-3 employees working at a time. They also stated that they would be willing to screen along the residential
107 side area to help with sound.
108

109 Commissioner Thomas asked what the tasks of the employees working onsite would be.
110

111 Chairman Chodun opened the public hearing and asked anybody who wished to speak to come forward at this time.
112

113 Bob Wacker
114 309 Featherstone
115 Rockwall, TX 75087
116

117 Mr. Wacker came forward and expressed his being in favor of the request.
118

119 Commissioner Womble asked Mr. ^{Wacker} ~~Womble~~ about the noise meter when the vacuums were on.
120

121 Dennis Dayman
122 519 Cellars Court
123 Rockwall, TX 75087
124

125 Mr. Dayman came forward and stated his concerns about the buffering holding up. He expressed his opposition to the request.
126

127 Chairman Chodun asked if there were any commercial areas available up in North Rockwall.
128

129 Director of Planning and Zoning Ryan Miller answered that there was not a lot of Commercial zoning but there was a lot of General
130 Retail because of all the residential areas up north. General Retail is a more restrictive zoning classification which gives the Planning
131 and Zoning Commission the ability to look at certain uses on a case by case basis. They would be able to look if they meet the
132 residential adjacency standards, if they're appropriate for that area, and if they're appropriate in the context of what that development
133 is being proposed.
134

Steve Curtis
2130 FM 1141
Rockwall, TX 75087

Mr. Curtis came forward and expressed his opposition to the parking spaces in the project. He asked why additional landscaping could not be put in place of the parking spaces.

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

Commissioner Womble asked if the applicant was required to have the parking or if it was more of a use need. The applicant answered that that was a requirement by the seller in the cross axis agreement.

The applicants came forward once again to answer comments or concerns made by the public.

Lisa White
6300 South Syracuse Way, Suite 205
Centennial, Co 80111

Ms. White came forward and gave further explanation in regards to the vending machine placement and their products.

Mr. Miller explained that the applicants would be unable to provide screening for the front tunnel due to the existing easements on the property. Should the Planning and Zoning Commission approve the request, they would have to motion to strike the landscaping requirement from the ordinance.

Commissioner Deckard asked if there was a time frame for the O'Reillys coming in or submitting to construct in the open lot next to the proposed car wash.

Commissioner Womble asked if this amount of vacuum bays was required.

Commissioner Thomas asked how many cars were anticipated for the number of bays shown in the request.

After some discussion, Commissioner Deckard made a motion to approve Z2021-002 subject to the conditions of approval and the following additional recommendations: (1) A masonry screening wall a minimum of six (6) feet in height be constructed adjacent to the northern property line of the subject property and (2) Three tiered screening be incorporated in front of the carwash to screen the tunnel and vacuum bays adjacent to the eastern property line of the subject property. Chairman Chodun seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that this case will go before the City Council on February 16, 2021.

5. **Z2021-003 (DAVID GONZALES) [REQUEST TO POSTPONE TO MARCH 9, 2021]**

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark Street, and take any action necessary.

Chairman Chodun announced the applicant for case Z2021-003 has requested to postpone the case until March 9, 2021.

V. DISCUSSION ITEMS

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

- P2020-052: Replat for Lots 2, 3, & 4, Block A, North Lakeshore Daycare Addition [APPROVED]
- P2021-002: Replat for Lot 7, Block C, Ellis Center, Phase 2 Addition [APPROVED]
- P2021-003: Final Plat for Lot 1, Block A, R. S. Lofland Subdivision [APPROVED]
- Z2020-055: SUP for a General Retail Store at 505 N. Goliad Street [APPROVED; 2ND READING]
- Z2020-056: Zoning Change of NS & SF-16 to PD for SF-10 for Nelson Lake [APPROVED; 2ND READING]
- Z2020-057: Zoning Change of SF-10 & PD-41 for SF-10 to PD-41 for GR for 1940 N. Lakeshore Drive [APPROVED; 2ND READING]
- Z2020-058: SUP for an Accessory Structure at 507 N. Clark Street [APPROVED; 2ND READING]
- Z2020-060: Zoning Change of AG & SFE-2.0 to SFE-1.5 [APPROVED; 2ND READING]

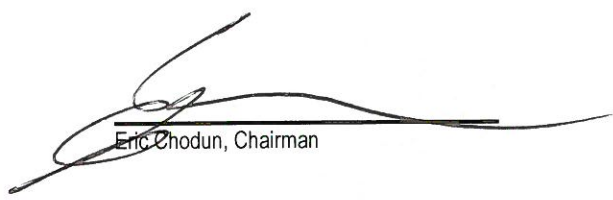
Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.

VI. ADJOURNMENT

Chairman Chodun adjourned the meeting at 8:23 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 8 day of MARCH, 2021.

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Eric Chodun, Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator

VII. WORK SESSION

7. Work Session. A work session for general training purposes will be held in the City Council meeting room immediately following the adjournment of the February 9, 2021 Planning and Zoning Commission meeting (RYAN MILLER).

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
FEBRUARY 23, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:00 PM. Commissioners present were Derek Deckard, Jean Conway, Mark Moeller, and Vice-Chairman Jerry Welch. Commissioner Sedric Thomas arrived to the meeting at 6:15 PM. Absent from the meeting were Commissioner John Womble. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams and Civil Engineers Sarah Johnston and Jeremy White.

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

1. 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

2. P2021-006 (DAVID GONZALES)

Consider a request by Joseph Hornisher of Kimley-Horn on behalf of Mark Andrews of 2424 MTA Realty, LLC for the approval of a Replat for Lots 4 & 5, Block A, MTA Andrews Addition being an 8.6234-acre tract of land identified as Lots 1 & 2, Block A, MTA Andrews Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2424 Ridge Road, and take any action necessary.

3. P2021-008 (DAVID GONZALES)

Consider a request by Bryan Connolly of CBG Surveying Texas, LLC on behalf of Dr. Mary Courtin of BLBP Property Group for the approval of a Replat for Lot 1, Block A, BLPB-Mims Addition being 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.

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

V. ACTION ITEMS

4. MIS2021-003 (HENRY LEE)

Discuss and consider a request by James Best for the approval of a Special Exception to the material standards for residential fences to allow a previously constructed masonry screening wall on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. On October 27, 2020, The Planning and Zoning Department approved a special exception on a six (6) foot, pre-cast concrete screening wall to be constructed at 54 Shadydale Lane. On December 23, 2020, the applicants submitted a fence permit which was issued on December 28, 2020; however, the screening wall that was constructed was actually 8-feet in height which is 2-feet higher than approved. Staff reviewed an exhibit that was turned in with the permit showing the proposed fence was actually 8-feet and the applicant constructed the 8-foot fence. The applicant is now coming back to the Planning and Zoning Commission to request approval of the additional 2-feet to the approved 6-foot fence.

Chairman Chodun asked if the applicant built the higher fence by error or if it was intentional. Mr. Lee replied that it was indicated to Staff that the fence would be 8-feet tall but the applicant was not present at the meeting to express that.

Chairman Chodun asked the applicant to come forward.

Andrew Thomas (on behalf of James Best)
422 E. I-30, Suite F
Royse City, TX 75189

Mr. Thomas came forward and provided additional details in regards to the request. He added that there was never an intent to misrepresent the height of the wall to the Commission.

Vice-Chairman Welch asked what the ramifications would be if the request were to be denied. Mr. Miller stated that if the request were to be denied then the applicant would have to bring the wall into conformance with the Planning and Zoning Commission's approval. Mr. Welch then asked if the request were to be denied then would it go before the City Council. Mr. Miller answered that the applicant would have the right to appeal to the City Council as they have the right to overturn the Planning and Zoning Commission.

Commissioner Deckard added that he would be in support of the request.

Commissioner Deckard made a motion to approve MIS2021-003 with staff recommendations. Chairman Chodun seconded the motion which passed by a vote of 5-0.

VI. DISCUSSION ITEMS

5. Z2021-004 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Juan Maldonado 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 0.1150-acre parcel of land identified as Lot 890, Block E, Rockwall Lake Estates #1 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 418 Perch Road, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home at 418 Perch Road. With this request, the applicant will need some waivers for the garage orientation as it is not set 20-feet behind.

Commissioner Conway asked if there was sufficient room to build the project on this lot.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on March 9, 2021.

6. Z2021-005 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses on a 37.844-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

Director of Planning and Zoning Ryan Miller advised the Commission that his applicant was present.

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 PowerPoint presentation in regards to the request.

Vice-Chairman Welch asked if only j-swing garages would be incorporated and not any 3-car garages.

Director of Planning and Zoning Ryan Miller added that the proposed property was located in a low-density residential zoned area which is 2-units per acre. In this case, the applicant's request would be in conformance with the future land use plan. It does appear to meet all of the requirements in the Comprehensive Plan as well as the Planned Development (PD) district standards. The only thing that this request does not meet is the landscape buffer adjacent to all roadways. The applicant is proposing to do extra plantings in the rear of the yards in the properties to the South.

Commissioner Conway added that she would like to see winding roads in the neighborhood.

Commissioner Thomas would like to see the single story housing or changes in the design.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on March 9, 2021.

7. P2021-004 (HENRY LEE)

Discuss and consider a request by Dewayne Cain of EVSR (D), LLC for the approval of a Final Plat for Lots 1 & 2, Block A, DC Addition being a 22.27-acre tract of land identified as Tracts 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 Cornelius Road, and take any action necessary.

Planner Henry Lee indicated that this item is on the agenda due to it having to go before the Parks Board.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on March 9, 2021.

8. P2021-005 (HENRY LEE)

Discuss and consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf Helen Comeav Neller for the approval of a Preliminary Plat for Lots 1 & 2, Block A, Neller Addition being an 11.368-acre parcel of land identified as Lot 7, Block 1, Neller Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 4.0 (SFE-4.0) District, addressed as 2380 FM-549, and take any action necessary.

Planner Henry Lee indicated that this item is on the agenda due to it having to go before the Parks Board.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on March 9, 2021.

9. **P2021-007 (DAVID GONZALES)**

Discuss and consider a request by Danielle Porten of REP Investments, LLC for the approval of a Preliminary Plat for Lots 1-5, Block A and Lot 1, Block X, Blackland Industrial Park Addition being a 10.27-acre tract of land identified as Tract 3-04 of the A. M. Wilson Survey, Abstract No. 223, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 3500 Blackland Road, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request and added that the property was located in the Extraterritorial Jurisdiction (ETJ). Staff wanted to note that the applicant will be required to provide adequate public facilities prior to approval of the final plat.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on March 9, 2021.

10. **SP2021-002 (DAVID GONZALES)**

Discuss and consider a request by Jonathan Stites of Seefried Industrial Properties on behalf of Bill Lofland of Smartt Lofland & J Bond Partners for the approval of a Site Plan for a Warehouse/Distribution Center a 71.022-acre tract of land identified as Tract 20-1 of the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located at the southwest corner of Justin Road and Industrial Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales advised that his applicant was present.

Chairman Chodun asked the applicant to come forward.

Jeff Dolian
13455 Noel Road, Suite 700
Dallas, TX 75240

Mr. Dolian came forward and provided a brief summary in regards to the request. He added that they met with the Architectural Review Board and they were amenable to making the recommendations and changes that they had.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on March 9, 2021.

11. **SP2021-003 (HENRY LEE)**

Discuss and consider a request by Rolando R. Leal of Good Cluck, LLC on behalf of Charles Corson of CCP LJS Rockwall LP for the approval of an Amended Site Plan for a Restaurant with Drive Through/Drive-In on a 0.448-acre tract of land identified as a portion of Lot 1 of the I-30 740 West Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the Scenic Overlay (SOV) District, addressed as 2608 Ridge Road [FM-740], and take any action necessary.

Planner Henry Lee advised that his applicant was present.

Chairman Chodun asked the applicant to come forward.

Rolando Leal
1207 El Dorado Avenue
Dallas, TX 75208

Mr. Leal came forward and provided a brief summary in regards to his request.

Chairman Chodun asked if they understood the recommendations provided by the Architectural Review Board. Mr. Leal stated that they would be flexible and amenable to adjusting the project as necessary.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on March 9, 2021.

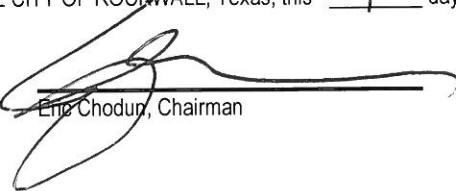
12. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

Director of Planning and Zoning 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 6:46 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 7 day of March, 2021.


Eric Chodun, Chairman

Attest: 
Angelica Gamez, Planning and Zoning Coordinator

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
MARCH 9, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

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

II. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

Christian Giadola
6 Winterhawk Drive
Rockwall, TX 75032

Mr. Giadola came forward and explained that he was there as a representative for the Glen Hill Preservation Society. The group is looking to revitalize the cemetery and wanted to bring their concerns regarding runoff from the development that is going in adjacent to it.

Chairman Chodun asked if anyone else wished to speak; there being no one else coming forward, Chairman Chodun closed the open forum.

III. APPOINTMENTS

1. 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

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the February 9, 2021 and February 23, 2021 Planning and Zoning Commission meetings.
3. **P2021-004 (HENRY LEE)**
Discuss and consider a request by Dewayne Cain of EVSR (D), LLC for the approval of a Final Plat for Lots 1 & 2, Block A, DC Addition being a 22.27-acre tract of land identified as Tracts 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 Cornelius Road, and take any action necessary.
4. **P2021-005 (HENRY LEE)**
Discuss and consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf Helen Comeav Neller for the approval of a Preliminary Plat for Lots 1 & 2, Block A, Neller Addition being an 11.368-acre parcel of land identified as Lot 7, Block 1, Lofland Lake Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 4.0 (SFE-4.0) District, addressed as 2380 FM-549, and take any action necessary.
5. **P2021-007 (DAVID GONZALES)**
Discuss and consider a request by Danielle Porten of REP Investments, LLC for the approval of a Preliminary Plat for Lots 1-5, Block A and Lot 1, Block X, Blackland Industrial Park Addition being a 10.27-acre tract of land identified as Tract 3-04 of the A. M. Wilson Survey, Abstract No. 223, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 3500 Blackland Road, 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.

Commissioner Conway brought up a correction to be made in the minutes from the February 9, 2021 meeting.

V. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

6. **Z2021-002 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of a Specific Use Permit (SUP) for Self Service Car Wash and Auto Detail on a 0.89-acre tract of land identified as a portion of Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 N. Goliad Street [SH-205], and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. He added that the Planning and Zoning Commission had forwarded a recommendation for approval to the City Council on February 9, 2021. The case was set to go before the City Council on February 1, 2021 but, due to inclement weather, the meeting was cancelled. However, this case was remanded back to the Planning and Zoning Commission by City Council because the applicants submitted new information to them that was not presented to the Commission. According to the Unified Development Code (UDC), "(n)ew matters of evidence not presented to the Planning and Zoning Commission shall not be heard or considered by the City Council ... [in] the event new evidence develops between the date of the public hearing by the Planning and Zoning Commission and the hearing of the City Council ... the City Council shall refer the zoning change, Specific Use Permit (SUP), or text amendment back to the Planning and Zoning Commission for a further public hearing to consider the new evidence." There was also a sound report that was requested was found to not be in compliance with the noise ordinance. Although, the noise report was in the P&Z case memo it was not conveyed to the Planning and Zoning Commission at that time for consideration. Staff reviewed the plans that were submitted and discussed them with the applicant. The revised plans were then submitted to the Commission for the meeting. There are still five (5) items in the report that have been identified: 1) noise 2) building elevations 3) side yard setback 4) screening 5) landscaping. Mr. Gonzales then advised the Commission that the applicant and Staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

Vice-Chairman Welch asked if they could table this item until they were able to review the sound report.

Director of Planning and Zoning Ryan Miller answered that the Commission was required to hold a public hearing regardless of tabling the item or not. If a public hearing is not held then the case is automatically denied with prejudice.

Jimmy Eller
1402 Timber Ridge Drive
Euless, TX 76039

Lisa White
6300 S. Syracuse Way
Centennial, CO 80111

Cesar Segovia
4603 Opal Ridge Lane
Arlington, TX 76005

Ms. White came forward and provided additional details regarding the case. She added that there was going to be an adjacent retail tenant to the north of them. The also included a 6-foot masonry wall on the site plan. She then explained the four different decibel level readings provided by Vacutech on the vacuums that were on the side. The tunnel would be facing North Goliad and that is where the fans would be when exiting the tunnel. They would not be near the residential area. Ms. White also added more plants and vegetation along the front for screening purposes as well as larger trees. Parking was reduced to allow for more landscape in the area.

Director of Planning and Zoning Ryan Miller asked Ms. White about the different studies done and provided. Staff had received a dryer study and case study but the applicant did not provide them with a vacuum study. Planning and Zoning Manager David Gonzales explained that a vacuum study was received but was inconclusive due to the fact that it was based solely on one (1) vacuum.

Chairman Chodun asked if the applicants if they had a chance to review the issues turned in by the public. If so, he asked if they would like to address any issues before opening the public hearing.

Commissioner Conway added that she had a question regarding the landscaping on the property.

Chairman Chodun wanted clarification as to why there was miscommunication between the applicants and Staff.

Mr. Miller explained that after the previous Planning and Zoning meeting, the applicant submitted various exhibits. After review, it was determined that the exhibits did not meet any of our ordinances nor do they meet the Planning and Zoning Commission's requests. This is the reason why Staff decided to go to City Council and explain that the exhibits turned in did not meet those things and would be considered new information. Based on what the UDC states, the City Council had to remand the case back to the Planning and Zoning

Commission. Staff conveyed this to the applicant and they resubmitted exhibits which were brought forward but they still do not meet the requirements. Parking spaces would have to go away and it does not meet the three tiered screening that was requested.

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

Dennis Dayman
519 Cellars Court
Rockwall, TX 75087

Mr. Dayman came forward and expressed his opposition to the request.

Bob Wacker
309 Featherstone
Rockwall, TX 75087

Mr. Wacker came forward and expressed his opposition to the request.

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

Chairman Chodun asked the applicants to come forward and address the concerns or comments made by the public.

Mr. Segovia wanted to at least be able to turn in their noise study.

Vice- Chairman Welch if the vacuums were individual units.

Commissioner Thomas asked if she understood the screening requirements mentioned in the last meeting. Ms. White answered that she did not recall the mentioning of three tiered screening.

Commissioner Moeller stated that while he thought a car wash was necessary for the north part of town, the proposed project was not good in this area for various reasons.

Commissioner Thomas explained that the Commission went thru great lengths to explain about what was required of the applicants in regards to noise and screening and what was turned in still did not comply.

Vice-Chairman Welch made a motion to deny item Z2020-002. Chairman Conway seconded the motion to deny which passed by a vote of 5-0.

Chairman Chodun advised that this case will go before the City Council on March 15, 2021.

7. **Z2021-003 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark Street, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the case and announced the applicant has requested to withdraw the case.

Commissioner Thomas made a motion to approve the withdrawal without prejudice for case Z2021-003. Commissioner Conway seconded the motion which passed by a vote of 5-0.

8. **Z2021-004 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Juan Maldonado 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 0.1150-acre parcel of land identified as Lot 890, Block E, Rockwall Lake Estates #1 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 418 Perch Road, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the approval of a specific use unit for the purpose of constructing a single family home located at 418 Perch Road. Our code requires that the garage be 20-feet behind the front façade and the request does not meet this requirement. However, this is not uncharacteristic of surrounding homes in the area. On February 23, 2021, staff mailed out 196 notices to property owners and occupants within 500-feet of the subject property. All homeowners association within 1500-feet were contacted as well. At this time, there have not been any notices returned to staff. Mr. Lee advised that this was a public hearing and a discretionary decision for the Planning and Zoning Commission.

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

Vice-Chairman Welch made a motion to approve item Z2021-004 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that this case will go before the City Council on March 15, 2021.

9. **Z2021-005 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses on a 37.844-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is requesting to rezone this property from an Agricultural District to a Planned Development District for a 56-lot residential subdivision. The minimum lot size would be 90'x178' or 160'x100'. The proposed plan shown shows a density of 1.48 dwelling units per acre. The overall open space provided by this development is 24.4% or 9.29 acres which is in compliance with the requirements for 20% open space. The applicant has also provided a trail system that runs along FM1141 and Clem Road and runs through the internal of the site. It is important to note that the applicant is proposing to bring city sewer to the development. As of right now, the proposed plan conforms to all the requirements stipulated by the Engineering standards of Design and Construction and the Unified Development Code. Staff set out notices to 17 property owners and residents of the City of Rockwall and has received the following: one email from a property owner outside of the notification area but within the city limits opposed to the request, and four notices from property owners within the city but outside of the notification area opposed to the request. Mr. Miller advised that the applicant and Staff were present and available to answer questions.

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 PowerPoint presentation in regards to his request.

Director of Planning and Zoning Ryan Miller wanted to clarify that the anticipated phase in this project is outside of the city and the Commission would not be voting on that tonight. That request would require an annexation as well as a separate zoning request.

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

Patricia Couch and Mitch Couch
1216 Marilyn Jane
Rockwall, TX 75087

Mrs. Couch came forward and expressed their opposition to the request.

Steve Curtis
2130 FM 1141
Rockwall, TX 75087

Mr. Curtis came forward and expressed his opposition to the request.

Lesley Pettengill
2130 FM 1141
Rockwall, TX 75087

Mrs. Pettengill came forward and expressed her opposition to the request.

Jim Turner
1691 E. Old Quail Run Road
Rockwall, TX 75087

Mr. Turner came forward and expressed his opposition to the request.

Jeri Fisher
170 Clem Rd
Rockwall, TX 75087

Mrs. Fisher came forward and expressed her opposition to the request.

Patti Muggeo
2317 Saddlebrook Lane
Rockwall, TX 75087

Mrs. Muggeo came forward and expressed her opposition to the request.

Martha Griffey
2325 Saddlebrook Lane
Rockwall, TX 75087

Mrs. Griffey came forward and expressed her opposition to the request.

Frankie Porter
2116 Saddlebrook Lane
Rockwall, TX 75087

Mr. Porter came forward and expressed his opposition to the request.

James Kelly
1217 Marilyn Jane
Rockwall, TX 75087

Mr. Kelly came forward and expressed his opposition to the request.

Bob Wacker
309 Featherstone
Rockwall, TX 75087

Mr. Wacker came forward and expressed his being in favor of the request.

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

Chairman Chodun asked Mr. Miller if there was anything peculiar about the notice requirements on this case. Mr. Miller explained that Staff met the state's requirements, City requirements, and a newspaper notice was published in advertising the proposed case. He added that he would check the QR code to ensure it is working appropriately.

Chairman Chodun asked the applicant to come forward to respond to any comments made.

Mr. Buczek came forward and answered the comments made by the public.

Chairman Chodun asked City Engineer Amy Williams if there were not any future road plans to improve in that area. Ms. Williams added that that FM 1141 was on TxDot's cue list but a TIA would need to be done. If any left turn lanes are required then they will have to install those.

Commissioner Thomas explained that the request met the standards for the Comprehensive Plan and most of the requests made by the residents would have to be made by City Council.

Vice-Chairman Welch added that he does not see how the Commission has the ability to deny the project as the request meets all of the requirements.

Chairman Chodun made a motion to approve item Z2021-005 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that this case will go before the City Council on March 15, 2021.

VI. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

10. SP2021-002 (DAVID GONZALES)

Discuss and consider a request by Jonathan Stites of Seefried Industrial Properties on behalf of Bill Lofland of Smartt Lofland & J Bond Partners for the approval of a Site Plan for a Warehouse/Distribution Center on a 71.022-acre tract of land identified as Tract 20-1 of the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located at the southwest corner of Justin Road and Industrial Boulevard, and take any action necessary.

Planning and Zoning manager David Gonzales provided a brief summary in regards to the request. The applicant is looking to develop a 220,800 square foot warehouse distribution center. The warehouse distribution is a permitted use by right in a Light Industrial District. The proposed request meets the mitigation requirements because of the amount of trees shown on their landscape plan. The Architectural Review Board (ARB) recommended that the applicant put in the three tiered screening which provides the screening to the residential portion but all around the storage area as well. Also, the applicant is requesting a couple of exceptions: 1) building materials and 2) articulation. ARB did recommend a unanimous recommendation of approval to the Planning and Zoning Commission. Mr. Gonzales then advised the Commission that the applicant and Staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

Jeffrey Dolan
13455 Noel Rd
Dallas, TX 75240

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

Chairman Chodun asked how traffic would be impacted with this project.

City Engineer Amy Williams answered that they had already done a TIA on this project and they are going to build the other four lanes of Justin all the way to Townsend.

Commissioner Moeller asked if there was a commercial project planned for the small triangle piece shown on the aerial map.

Commissioner Conway wanted to commend the applicants for the changing of the masonry wall to the three tiered siding.

Commissioner Thomas made a motion to approve item SP2021-002. Commissioner Conway seconded the motion which passed by a vote of 5-0.

11. **SP2021-003 (HENRY LEE)**

Discuss and consider a request by Rolando R. Leal of Good Cluck, LLC on behalf of Charles Corson of CCP LJS Rockwall LP for the approval of an *Amended Site Plan* for a *Restaurant with Drive Through/Drive-In* on a 0.448-acre tract of land identified as a portion of Lot 1 of the I-30 740 West Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District and the Scenic Overlay (SOV) District, addressed as 2608 Ridge Road [FM-740], and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is proposing to renovate an existing 2, 759 square foot restaurant with drive-thru. The proposed renovations include expanding the building footprint to 2, 835 square feet and recladding the exterior to a combination of stone, brick, and stucco. The current building is considered to be legally non-conforming and the overall site plan will remain the same for this site except for the landscaping. The landscaping will be upgraded to better conform to the Scenic Overlay District standards. The proposed redesign does not meet the minimum vertical articulation standards for the commercial building. Staff should point out that the proposed improvements to the building would bring this much close into conformance with the Scenic Overlay District. Mr. Lee advised that this was a discretionary decision for the Planning and Zoning Commission.

Commissioner Conway asked if they would be changing the color on the roof. Mr. Lee answered that since the roof was blue then ARB wanted them to paint it yellow to be more consistent with their elevations.

Chairman Chodun asked the applicant to come forward.

Rolando Leal
1207 El Dorado Avenue
Dallas, TX 75208

Mr. Leal came forward and provided additional details to the request. He explained that they are not changing the use of the building rather just enhancing it and bring a different concept there. He added that they are fine with changing the roof color as advised by ARB.

Commissioner Thomas made a motion to approve item SP2021-003 with staff and ARB recommendations. Vice-Chairman Welch seconded the motion which passed by a vote of 5-0.

VII. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

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


- P2021-001: Preliminary Plat for Lots 1-7, Block A, Sky Ridge Addition [APPROVED]
- P2021-006: Replat for Lots 4 & 5, MTA Andrews Addition [APPROVED]
- P2021-008: Replat for Lot 1, Block A, BLPB-Mims Addition [APPROVED]
- Z2021-001: SUP for a Residential Infill in an Established Subdivision at 2825 Marcie Lane [APPROVED; 1ST READING]
- Z2020-056: SUP for a Self-Service Car Wash and Auto Detail at 3611 N. Goliad Street [REMANDED BACK TO P&Z]

Planning and Zoning Manager David Gonzales provided a brief update about the outcome of the above referenced cases at the City Council meeting.

VIII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 8:07 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 30 day of March, 2021.


Eric Chodun, Chairman

Attest: 
Angelica Gamez, Planning and Zoning Coordinator

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
MARCH 30, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

Chairman Chodun called the meeting to order at 6:03 PM. Commissioners present were John Womble, Derek Deckard, Sedric Thomas, Mark Moeller, Jean Conway, and Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, City Engineer Amy Williams, and Civil Engineers Sarah Johnston and Jeremy White.

II. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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

1. 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

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the February 9, 2021 Planning and Zoning Commission meeting.

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

V. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is April 13, 2021.

3. **Z2021-006 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners C. D. T. Rockwall 2017, LLC; Saddle Star Holdings, LLC; and Gwendolyn Reed for the approval of a Zoning Amendment to Planned Development District 79 (PD-79) [Ordinance No. 20-35] for the purpose of amending the development standards contained in Ordinance No. 20-35 for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary.

Planning and Zoning Director Ryan Miller advised the applicant was present.

Pat Atkins
3076 Hays Lane
Rockwall, TX 75087

Mr. Atkins came forward and provided a brief summary in regards to his request. He added that it was a change in the verbiage to allow single-story products in the new development.

Mr. Miller added that the applicant is requesting to change the Type A lots to allow for a new product. As the ordinance is written now, Type A products allow for 50% flat-front entry and 50% j-swing entry. The applicant is proposing is 50% flat-front entry, 50% j-swing and/or modified swing.

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

4. **Z2021-007 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 7 (SF-7) District land uses on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the northwest corner of the intersection of FM-549 and FM-1139, and take any action necessary.

Director of Planning and Zoning Ryan Miller advised his applicant was present.

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

Mr. Buczek came forward and provided a brief PowerPoint presentation in regards to this request.

Mr. Miller provided additional details in regards to the request. The applicant made changes to the concept plan from the original submittal where they changed the lot mix slightly. The property is currently designated for low-density residential which is two (2) units per gross acre and the applicant is requesting that you change this to a medium density residential designation which would allow for 2.87 units per acre. Mr. Miller added that this does not meet the comprehensive plan or future land use plan but it does meet the district strategies in that the product he's providing is 'suburban residential.' When looking at the policies and guidelines for residential, there's a lot of conforming aspects as well as major areas where this request is not meeting that and it is mostly tied to the 52-foot lot product. In addition, the Comprehensive Plan talks about discouraging flat-front entry garages and, if approved, only allow up to 25%. In this case, the applicant is requesting 47.60% flat-front entry so it does not meet the comprehensive plan on that aspect. Staff also proposed additional changes to the applicant such as removing the 52-foot product in favor of the 62-foot product. Mr. Miller also advised that dog parks would not be allowed without Council approval. He also added that the applicant's proposal of a park would be a discretionary decision for the City Council as to whether or not accept that dedication of land.

Commissioner Womble asked what percentage of the park would be in the floodplain.

Commissioner Deckard asked is there had been any discussion with the City in regards to the park.

Commissioner Conway appreciated the curvature of the streets. She asked if the applicant could bring fencing photos to the next meeting.

Vice-Chairman Welch asked how large Harry Myers Park is. He would like to hear feedback from the Park Board prior to the next meeting.

Commissioner Moeller added that there were many things he liked about the project but he did not like the 52-foot lots.

Commissioner Deckard asked if the applicant had a back-up plan just in case the Parks department did not decide to utilize the space.

Chairman Chodun asked Amy Williams if there were any water/waste water issues with the property.

Commissioner Thomas added that he knew the 52-foot lots are going to be an issue at the public hearing and he advised the applicant to listen to the recommendations made to him by Staff and the Commissioners.

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

5. **P2021-009 (HENRY LEE)**

Discuss and consider a request by Brenda Kennedy for the approval of a Replat for Lot 1, Block A, Kennedy Addition being a 0.2342-acre parcel of land identified as Lot 1, Block A, Richard Harris Subdivision No. 5 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 701 N. T. L. Townsend Drive, and take any action necessary.

Planner Henry Lee advised his applicant was not present but added that this case was going before the Parks Board on April 6, 2021.

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

6. **P2021-010 (DAVID GONZALES)**

Discuss and consider a request by Doug Stewart on behalf of Bryan Wreyford for the approval of a Replat for Lots 1 & 2, Block A, Wreyford Addition being a 2.97-acre parcel of land identified as Lot 1 of the Crowell's Hidden Valley Estates Addition, Collin County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southeast corner of the intersection of County Road 949 and County Road 536, and take any action necessary.

Planning and Zoning Manager David Gonzales advised his applicant was present.

Bryan Wreyford
18877 FM 2755
Royse City, TX 75189

Mr. Wreyford came forward and was ready to answer any questions regarding his request.

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

7. **P2021-011 (HENRY LEE)**

Discuss and consider a request by Mike and Cheryl Birdwell for the approval of a Final Plat for Lots 1 & 2, Block A, Birds Nest Addition being a 4.02-acre tract of land identified as Tract 15 of the J. Smith Survey, Abstract No. 191, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 171 Birds Nest Lane, and take any action necessary.

Planner Henry Lee advised that the applicant was present but this case was on the agenda due to it having to be reviewed by Rockwall County since it is in the Extraterritorial Jurisdiction (ETJ).

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

8. **P2021-012 (DAVID GONZALES)**

Discuss and consider a request by Jose Campos of Hines on behalf of CDT Rockwall/2017 LLC for the approval of a Preliminary Plat for Phase 2 of the Saddle Star Subdivision being a 26.827-acre tract of land identified as Tracts 1, 1-05, 2-03, & 2-07 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (*Ordinance No. 20-35*), situated within the SH-205 By-Pass (SH-205 BY OV) District, generally located east of the intersection of Featherstone Drive and N. John King Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales advised that this will come before the Commission on the Consent Agenda section at the Public Hearing.

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

9. **P2021-013 (DAVID GONZALES)**

Discuss and consider a request by Bart Carroll for the approval of a Preliminary Plat for the Standards Subdivision being a 32.60-acre tract of land identified as Tract 13 of the S. McFadin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.

Planning and Zoning Manager David Gonzales advised that the applicant was present but this case was on the agenda due to it having to be reviewed by Rockwall County since it is in the Extraterritorial Jurisdiction (ETJ).

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

10. **P2021-014 (HENRY LEE)**

Discuss and consider a request by Humberto Johnson, Jr. of the Skorburg Company on behalf of Jen-Liang Wu for the approval of a Preliminary Plat for the Nelson Lake Subdivision being a 38.012-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

Planner Henry Lee advised that they were working on comments in order to establish the preliminary plat for the Nelson Lake Subdivision.

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

11. **SP2021-005 (DAVID GONZALES)**

Discuss and consider a request by Cameron Slown of Teague, Nall and Perkins, Inc. on behalf of Elias Pope of 8020 Hospitality, LLC for the approval of a Site Plan for a *Restaurant with 2,000 SF or More without Drive-Through or Drive-In* on a 0.90-acre parcel of land identified as Lot 5, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32) (*Ordinance No. 17-22*), situated within the IH-30 Overlay (IH-30 OV) District, generally located at the southeast corner of the intersection of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.

Planning and Zoning Manager David Gonzales wanted to indicate that the Architectural Review Board did recommend approval of the building elevations.

Cameron Slown
2 Horizon Court
Heath, TX 75032

Mr. Slown came forward and provided additional details in regards to his request. They would request 18 additional parking stalls to be shared from the Trend Tower garage.

Chairman Chodun asked if the parking was the only change from last time.
Commissioner Deckard asked if there was any other space that could be used as parking near the property.

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

12. SP2021-006 (HENRY LEE)

Discuss and consider a request by Quadri Akamo of Pacheco Koch Consulting Engineers, Inc. on behalf of Gary Hancock of the First United Methodist Church of Rockwall for the approval of an Amended Site Plan for the expansion of an existing *House of Worship* on a 8.49-acre parcel of land identified as Lot 7, Block 1, First United Methodist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1200 E. Yellow Jacket Lane, and take any action necessary.

Planner Henry Lee advised that his applicant was present.

Morgan Harrison
5519 Preston Fairways Drive
Dallas, TX 75252

Ms. Harrison is the architect on the project and she came forward and was prepared to answer questions.

Chairman Chodun asked if there were any hurdles with the project. Ms. Harrison answered that the only one was the u-shaped drive on the front site plan.

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

13. SP2021-007 (HENRY LEE)

Discuss and consider a request by Nicholas Gamez of DFDVB Homes, LLC on behalf of Zach Shipley for the approval of an Amended Site Plan for a *Restaurant with Less Than 2,000 SF without Drive-Through or Drive-In* on a 0.018-acre tract of land identified as a portion of Lot 7, Block M, Rockwall OT Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 109 E. Washington Street, and take any action necessary.

Planner Henry Lee advised that his applicant was present. He added that the applicant meets most of the Unified Development Code (UDC) requirements but they do not meet the parking requirements for the Downtown District. This request does require a major waiver so it does have to go before the City Council.

Nicholas Gamez
3818 Shelley Blvd
Dallas, TX 75211

Mr. Gamez came forward and provided details in regards to his case. He advised that the only issue they encountered was the placement of the a/c unit and the screening for it.

Vice-Chairman Welch wanted further explanation on the restaurant.

Commissioner Deckard gave further explanation on the split level a/c units.

Commissioner Conway added that there should be some split levels that can deliver the job at hand due to them being used a lot in Europe.

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

14. SP2021-008 (HENRY LEE)

Discuss and consider a request by Thomas Jones of Tomden Engineering on behalf of Rockwall Friendship Baptist Church for the approval of a Site Plan for an existing *House of Worship* on a 3.94-acre tract of land identified as Tract 1-8 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 5651 SH-276, and take any action necessary.

Planner Henry Lee advised that the applicant was present

Tom Jones
5815 Meadow Crest Drive
Dallas, TX 75230

Mr. Jones came forward and provided a brief summary in regards to his request.

Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13, 2021.

269
270
271 15. **SP2021-009 (DAVID GONZALES)**

272 Discuss and consider a request by David Morales of Pross Design Group on behalf of Alvaplat US Development LLC for the approval of an
273 Amended Site Plan for an expansion to an existing Office/Warehouse/Manufacturing Facility (SPR Manufacturing) on a 10.1893-acre tract of land
274 identified Lot 2, Block A, SPR Packaging Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as
275 1480 Justin Road, and take any action necessary.
276

277 **Planning and Zoning Manager David Gonzales advised that the applicant was present.**

278
279 **David Morales**
280 **5310 Harvest Hill Road, Suite 180**
281 **Dallas, TX 75230**
282

283 **Mr. Morales came forward and provided a brief summary in regards to the request.**

284
285 **Commissioner Conway asked where the subject property was located in relation to the Park Place Subdivision.**

286
287 **Chairman Chodun advised that the case will come before the Planning and Zoning Commission for discussion or action on April 13,**
288 **2021.**
289

290 16. **SP2021-010 (DAVID GONZALES)**

291 Discuss and consider a request by Randall Eardley of Weir & Associates, Inc. on behalf of Stephen Doyle of Structured REA-Rockwall Land, LLC
292 for the approval of a Site Plan for a sports and recreation facility on a 6.38-acre portion of a larger 31.65-acre tract of land identified as Tract 22-2
293 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30
294 Overlay (IH-30 OV) and FM-549 Overlay (FM-549 OV) Districts, generally located at the southeast corner of the intersection of Corporate Crossing
295 [FM-549] and the IH-30 Frontage Road, and take any action necessary.
296

297 **Chairman Chodun advised that this case had been withdrawn by the applicant.**
298

299 17. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
300

- 301
 - P2021-004: Final Plat for Lots 1 & 2, Block A, DC Addition [APPROVED]
 - P2021-005: Preliminary Plat for Lots 1 & 2, Block A, Neller Addition [APPROVED]
 - P2021-007: Preliminary Plat for Lots 1-5, Block A and Lot 1, Block X, Blackland Industrial Park Addition [APPROVED]
 - Z2021-001: SUP for Residential Infill in an Established Subdivision at 2825 Marcie Lane [APPROVED; 2nd READING]
 - Z2021-002: SUP for a Car Wash at 3611 N. Goliad Street [DENIED; 1ST READING]
 - Z2021-004: SUP for Residential Infill in an Established Subdivision at 418 Perch Road [APPROVED; 1ST READING]
 - Z2021-005: Zoning Change (AG to PD) for Winding Creek [APPROVED; 1ST READING]

308
309 **Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council**
310 **meeting.**
311

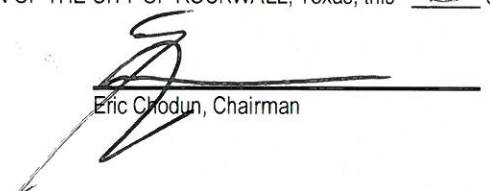
312 VI. ADJOURNMENT

313
314 **Chairman Chodun adjourned the meeting at 7:15 PM.**

315
316 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 13 day of April, 2021.
317
318

319
320
321
322 Attest:

323
324 
325 Angelica Gamez, Planning and Zoning Coordinator


Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
APRIL 13, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

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

II. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

1. Approval of Minutes for the March 30, 2021 Planning and Zoning Commission meetings.
2. **P2021-009 (HENRY LEE)**
Consider a request by Brenda Kennedy for the approval of a Replat for Lot 1, Block A, Kennedy Addition being a 0.2342-acre parcel of land identified as Lot 1, Block A, Richard Harris Subdivision No. 5 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 701 N. T. L. Townsend Drive, and take any action necessary.
3. **P2021-010 (DAVID GONZALES)**
Consider a request by Doug Stewart on behalf of Bryan Wreyford for the approval of a Replat for Lots 1 & 2, Block A, Wreyford Addition being a 2.97-acre parcel of land identified as Lot 1 of the Crowell's Hidden Valley Estates Addition, Collin County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southeast corner of the intersection of County Road 949 and County Road 536, and take any action necessary.
4. **P2021-011 (HENRY LEE)**
Consider a request by Mike and Cheryl Birdwell for the approval of a Final Plat for Lots 1 & 2, Block A, Birds Nest Addition being a 4.02-acre tract of land identified as Tract 15 of the J. Smith Survey, Abstract No. 191, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 171 Birds Nest Lane, and take any action necessary.
5. **P2021-012 (DAVID GONZALES)**
Consider a request by Jose Campos of Hines on behalf of CDT Rockwall/2017 LLC for the approval of a Preliminary Plat for Phase 2 of the Saddle Star Subdivision being a 29.002-acre tract of land identified as Tracts 1, 1-05, 2-03, & 2-07 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (Ordinance No. 20-35), situated within the SH-205 By-Pass (SH-205 BY OV) District, generally located east of the intersection of Featherstone Drive and N. John King Boulevard, and take any action necessary.
6. **P2021-013 (DAVID GONZALES)**
Consider a request by Bart Carroll for the approval of a Preliminary Plat for the Landon Subdivision being a 32.60-acre tract of land identified as Tract 13 of the S. McFaddin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.
7. **P2021-014 (HENRY LEE)**
Consider a request by Humberto Johnson, Jr. of the Skorburg Company on behalf of Jen-Liang Wu for the approval of a Preliminary Plat for the Nelson Lake Subdivision being 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 Planned Development District 90 (PD-90) for Single-Family 10 (SF-10) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.

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

IV. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

8. **Z2021-006 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners C. D. T. Rockwall 2017, LLC; Saddle Star Holdings, LLC; and Gwendolyn Reed for the approval of a Zoning Amendment to Planned Development District 79 (PD-79) [Ordinance No. 20-35] for the purpose of amending the development standards contained in Ordinance No. 20-35 for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary.

Director of Ryan Miller provided a brief summary in regards to the request. He explained that the last amendment this Board saw was made back in July 2020. At the time the applicant was only willing to change the garage orientation of only the Type B lots. Specifically what he was proposing was 30% flat front entry garages and 70% with either a traditional swing or modified swing. The reason why it doesn't meet our ordinance, which only allows j-swing and recessed front entry, is because the 2-car garage only sits back about 10-feet from the front property line. What the applicant is bringing back tonight is a request to do the same thing with the Type A lots. Specifically, the Type A lots currently have an entitlement of 50% flat front entry and 50% j-swing. What they would like to do is incorporate that modified swing into the 50% j-swing to give them the option of either doing the modified swing or the j-swing. Mr. Miller advised that staff sent out 142 notice to property owners and residents within 500-feet of the subject property. The Stone Creek HOA was also notified and staff has not received any notices back in regards to the case.

Chairman Chodun asked the applicant to come forward.

Pat Atkins
3076 Hays Lane
Rockwall, TX 75087

Mr. Atkins came forward and provided additional details and a PowerPoint presentation in regards to the request.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time. There being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Vice-Chairman Welch asked if the only change was the verbiage on the ordinance.

Vice-Chairman Welch made a motion to approve item Z2021-006 with the amendment that they will be restricted to 50% of the amount previously approved. Mr. Miller clarified that that was what they were currently asking for. Vice-Chairman Welch then withdrew his motion.

Commissioner Womble made a motion to approve item Z2021-006. Commissioner Thomas seconded the motion which passed by a vote of 6-1 with Vice-Chairman Welch dissenting.

Chairman Chodun advised that the item will be brought before the City Council on April 19, 2021.

9. **Z2021-007 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 7 (SF-7) District land uses on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary and background in regards to the request. The applicant is requesting to rezone the subject property from an Agricultural (AG) District to a Planned Development District for 526-lot residential subdivision that will consist of four (4) lot products: [408] 62'x120' lots, [95] 72'x120' lots, [13] 82'x120' lots, and [10] 100'x120' lots. Based on what was presented at the work session, there is a reduction of 37 lots from the original concept plan. The applicant has also removed the 52x120-foot lots and absorbed those into the 62'x120' lots. This also changed the density that was originally proposed to the Commission. The applicant is not proposing alley ways as is required in the Engineering Standards of Design. In lieu of that, they are proposing a modified garage orientation- specifically they are requesting all j-swing with the ability to do a 2-car garage facing the street. They are also requesting that 25% of the lots be allowed to be flat front entry but only on the 62-foot lot products. As a compensatory measure, the applicant is proposing to incorporate upgraded garage doors on all products. Mr. Miller also explained how they are also not conforming to the fencing standards. As a compensatory measure for this, the applicant is proposing to have a heavy screening area in the open space area. The applicant is also proposing a dog park which does require the approval of City Council. This particular property is designated for low-density residential uses which is 2 units per acre, with the ability to go up to 2.5 units per acre, as stated in the Comprehensive Plan. In this case, the applicant is requesting 2.68 units per acre which is above what the comprehensive plan calls for. This change from low-density residential to medium-density residential is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission. Mr. Miller pointed out that there is no shift in the residential to commercial ratio. The proposed plan does appear to meet many of the district strategies as well as the goals and policies laid out by

the plan. However, the increase in density is a discretionary matter for the Planning and Zoning Commission and City Council and it does not meet the current plan. On March 26, 2021, staff mailed out 23 notices to property owners and residents within 500-feet of the subject property. Mr. Miller then advised the Commission that the applicant and Staff were present and available for questions.

Commissioner Womble wanted explanation as to how density was calculated in this project.

Chairman Chodun asked the applicant to come forward.

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

Mr. Buczek came forward and provided additional details and a PowerPoint presentation in regards to the request. He also provided a statement from the Klutts Family.

Chairman Chodun expressed his opposition to the request.

Commissioner Deckard expressed his opinion of being in favor to the request. He had suggestions in regards to the mixture of the different foot lots.

Commissioner Thomas asked if this was the best site for a city park. He also asked if there was any other development in the city. Mr. Miller advised the Commission that the Park Board had voted in favor of the park and it was in the Parks Plan for a south regional park.

Commissioner Deckard asked what would be the minimum entry-level price for a home.

Chairman Chodun advised that not many were happy with how low-density was calculated in certain areas.

Vice-Chairman Welch asked who maintained the Lawson Cemetery.

Commissioner Conway added that she would like to see the mixture of houses also.

Commissioner Deckard stated that there could be a mixture of homes in the development.

The applicant, Mr. Buczek, asked if tabling the case would be an option.

Commissioner Moeller added that he would like for the development to stay at a low-density designation instead of the medium-density development.

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

Richard Henson
2424 S. FM 549
Rockwall, TX 75032

Mr. Henson came forward and expressed his opposition to the request. He also provided a letter signed by property owners opposed to the high-density housing.

Sharon Henson
2424 S. FM 549
Rockwall, TX 75032

Mrs. Henson came forward and expressed her opposition to the request.

Katie Welch
2844 S. FM 549
Rockwall, TX 75032

Mrs. Welch came forward and expressed her being in favor to the request. She had some questions in regards to the infrastructure.

Chris Duggan
2516 S. FM 549
Rockwall, TX 75032

Mr. Duggan came forward and supported the development but his big concern was the density of it.

Jim Turner
1691 E. Old Quail Run Road
Rockwall, TX 75087

Mr. Turner came forward and expressed his opposition in regards to the request.

Chairman Chodun asked if anyone else wished to speak to come forward; there being no one doing such, Chairman Chodun closed the public hearing and asked the applicant to come forward to address comments made by the residents.

Mr. Buczek came forward and addressed comments made by the residents.

Commissioner Deckard expressed his support if the applicant were to be able to mix up the different foot lots.

Commissioner Moeller liked the idea of removing some homes and reducing the density in the development.

Commissioner Womble expressed his support for the request.

Commissioner Deckard asked if the Park Board voted unanimously for the park. Mr. Miller stated that they did recommend approval for the park.

Commissioner Conway asked if Mr. Buczek could address the mixture of the lots.

After some discussion, Commissioner Deckard made a motion to approve item Z2021-007 on the condition that the applicant looks at the mixture of the lots but not increasing the lot count. Commissioner Womble seconded the motion which passed by a vote of 5-2 with Commissioners Chodun and Moeller dissenting.

Chairman Chodun advised that the case will go before the City Council on April 19, 2021.

V. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

10. SP2021-005 (DAVID GONZALES)

Discuss and consider a request by Cameron Slown of Teague, Nall and Perkins, Inc. on behalf of Elias Pope of 8020 Hospitality, LLC for the approval of a Site Plan for a Restaurant with 2,000 SF or More without Drive-Through or Drive-In on a 0.90-acre parcel of land identified as Lot 5, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32) [Ordinance No. 17-22], situated within the IH-30 Overlay (IH-30 OV) District, generally located at the southeast corner of the intersection of the IH-30 Frontage Road and Sunset Ridge Drive, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The subject property is adjacent to I-30, making it a part of the I-30 Overlay District. A previous site plan was approved by the Planning and Zoning Commission back in 2015. The applicant brought back the same site plan, same building, and same variances as before. The variances are going to be associated with the stone as well as the masonry. Also in 2015, a variance to have parking spaces in Trend Tower garage was approved by City Council in order for the applicant to meet their requirements. The applicant is requesting three variances total with his request. The Architectural Review Board (ARB) forwarded a recommendation for approval including the variances. The Unified Development Code (UDC) does allow for the applicant to request these, as long as compensatory measures are to be offered. This is a discretionary decision for the Planning and Zoning Commission and does require a ¾ majority vote when looking at variances. Mr. Gonzales advised that the applicant and Staff were present and available to answer questions.

Vice-Chairman Welch asked if there would be signs for the overflow parking to the Trend Tower. Mr. Miller added that that could be a recommendation.

Chairman Chodun asked the applicant to come forward.

Cameron Slown
2 Horizon Court
Heath, TX 75032

Mr. Slown came forward and added that the signage could be something they provide. He also added additional details in regards to his request.

Commissioner Moeller made a motion to approve item SP2021-005 with staff recommendations and with the recommendation for signage to the overflow parking at Trend Tower. Commissioner Thomas seconded the motion which passed by a vote of 7-0.

11. SP2021-006 (HENRY LEE)

Discuss and consider a request by Quadri Akamo of Pacheco Koch Consulting Engineers, Inc. on behalf of Gary Hancock of the First United Methodist Church of Rockwall for the approval of an Amended Site Plan for the expansion of an existing House of Worship on a 8.49-acre parcel of land identified as Lot 7, Block 1, First United Methodist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1200 E. Yellow Jacket Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is proposing a 7,278 square foot addition to the existing house of worship. It will connect the three (3) existing buildings to form one. They will also utilize the same materials and architecture styles as the existing buildings. The proposed site plan does meet the density and dimensional requirements within the UDC. However, the applicant is requesting a variance for the driveway spacing to have a u-shaped drive along Yellowjacket Lane. The compensatory measures they are offering are upgrading the landscaping and using at least 60% brick on each façade of the addition. The ARB did approve the elevations with the case.

Chairman Chodun asked the applicant to come forward.

Quadri Akamo
7557 Wrangler Rd, Suite 400
Dallas, TX 75231

Mr. Akamo came forward and was prepared to answer questions.

Commissioner Conway made a motion to approve item SP2021-006. Commissioner Thomas seconded the motion which passed by a vote of 7-0.

12. **SP2021-007 (HENRY LEE)**

Discuss and consider a request by Nicholas Gamez of DFDVB Homes, LLC on behalf of Zach Shipley for the approval of an Amended Site Plan for a Restaurant with Less Than 2,000 SF without Drive-Through or Drive-In on a 0.018-acre tract of land identified as a portion of Lot 7, Block M, Rockwall OT Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 109 E. Washington Street, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting approval of an amended site plan for the purpose of establishing a restaurant less than 2,000 square feet without a drive-thru or drive-in. The subject property does not have any dedicated parking spaces and would need to utilize public parking. Not meeting this requirement is considered a major waiver to the Downtown District standards and will require this to go before City Council pending a recommendation from the Planning and Zoning Commission. This case was also approved by the ARB by a vote of 5-0.

Commissioner Conway asked a question regarding the air conditioning.

Chairman Chodun asked the applicant to come forward.

Nicholas Gamez
3018 Shelley Blvd
Dallas, TX 75211

Mr. Gamez came forward and provided additional details in regards to his case.

Vice-Chairman Welch made a motion to approve item SP2021-007 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 7-0.

Chairman Chodun advised this item would be brought before the City Council on April 19, 2021 due to it requesting a major waiver.

13. **SP2021-008 (HENRY LEE)**

Discuss and consider a request by Thomas Jones of Tomden Engineering on behalf of Rockwall Friendship Baptist Church for the approval of a Site Plan for an existing House of Worship on a 3.94-acre tract of land identified as Tract 1-8 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-276 Overlay (SH-276-OV) District, addressed as 5651 SH-276, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to his request. The applicant is proposing a 3,500 square foot addition to the existing house of worship. The proposed addition will be integrated into the southern building on the site to bring the subject property closer into conformance with the overlay district standards. The proposed addition does generally meet the density and dimensional requirements found within the UDC. However, the new addition does not meet the horizontal articulation standards to which the applicant has requested a variance for. The compensatory measures include increasing the landscaping and they are using 64.5% stone for the addition when 20% is the baseline requirement. The ARB approved this case by a vote of 5-0.

Chairman Chodun asked the applicant to come forward.

Thomas Jones
5815 Meadow Crest Drive
Dallas, TX 75230

Mr. Jones came forward and was prepared to answer questions.

Commissioner Moeller made a motion to approve SP2021-008 with staff recommendations. Commissioner Conway seconded the motion which passed by a vote of 7-0.

14. **SP2021-009 (DAVID GONZALES)**

Discuss and consider a request by David Morales of Pross Design Group on behalf of Alvaplat US Development LLC for the approval of an Amended Site Plan for an expansion to an existing Office/Warehouse/Manufacturing Facility (SPR Manufacturing) on a 10.1893-acre tract of land identified Lot 2, Block A, SPR Packaging Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1480 Justin Road, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. He clarified that this is for an expansion of the existing SPR facility located at 1480 Justin Road. The applicant is essentially incorporating pre-existing metal panels onto the back side of the property. They already have existing panels but they are going to finish out the project. The request does require an exception to allow for secondary materials. The applicant is providing compensatory measures for the exception in that they are providing four (4) additional canopy trees along Justin Road. Mr. Gonzales advised the Commission that the applicant and Staff were present and available for questions.

Bobby Pross
5310 Harvest Hill, Suite 180
Dallas, TX 75230

Mr. Pross came forward and provided additional details in regards to the request. He added that it's a vertical expansion so there's no added square footage to the project. The building materials are the same as were used in the vertical expansion several years ago. The purpose of this is to house their plastic extruding equipment.

Commissioner Moeller made a motion to approve SP2021-009 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 7-0.

VI. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

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

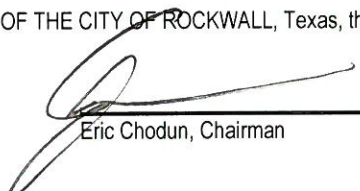
- Z2021-004: SUP for Residential Infill in an Established Subdivision at 418 Perch Road [APPROVED; 2ND READING]
- Z2021-005: Zoning Change (AG to PD) for Winding Creek [APPROVED; 2ND READING]

Director of Planning and Zoning 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 8:25 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 27 day of April, 2021.


Eric Chodun, Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
APRIL 27, 2021 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 John Womble, Derek Deckard, Sedric Thomas, Jean Conway, and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Mark Moeller. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, City Engineer Amy Williams, and Civil Engineers Sarah Johnston and Jeremy White.

II. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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

1. 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

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the April 13, 2021 Planning and Zoning Commission meeting.

3. P2021-017 (DAVID GONZALES)

Consider a request by Brian Wade of Raymond L. Goodson Jr., Inc. on behalf of Jason Linscott of Rockwall Regional Hospital, LLC for the approval of a Replat for Lot 25, Block A, Presbyterian Hospital of Rockwall Addition being a 23.0927-acre parcel of land identified as Lot 24, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 3142-3150 Horizon Road [FM-3097], and take any action necessary.

4. P2021-018 (DAVID GONZALES)

Consider a request by Jonathan Stites of Seefried Industrial Properties on behalf of Amazon.com Services, LLC for the approval of a Final Plat for Lot 1-3, Block A, DDF9 Addition being a 90.68-acre tract of land identified as Tract 20 & 20-1 of the A. Hanna Survey, Abstract No. 99, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located at the southwest corner of Justin Road and Industrial Boulevard, 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 6-0 with Commissioner Moeller absent.

V. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is May 11, 2021.

5. Z2021-008 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Lance Tyler on behalf of the owner Mike Worster for the approval of a Specific Use Permit (SUP) for Residential Infill Adjacent to an Established Subdivision and a Guest Quarters/Secondary Living Unit for the purpose of constructing a single-family home, accessory structure, detached garage, and guest quarters/secondary living unit on a 8.011-acre tract of land identified as Tract 19-2 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Single-Family 8.4 (SF-8.4) District land uses, addressed as 550 E. Quail Run Road, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the residential infill for a single-family home which does meet all of the density and dimensional requirements. They are also requesting an attached garage which will

exceed the height requirement along with an accessory structure that will exceed the height and size requirement as well. There is an additional request for a guest quarters that will be located in front of the primary structure and be greater than 30% of the primary structure. It should be noted that there are only two (2) other homes on this street that are custom build like the proposed home so it will not be uncharacteristic of what's existing already. Although, the guest quarters is greater than 30% than the primary structure – it could be sold separately due to its size and meets all of the density and dimensional requirements for that zoning district. This would allow the owner flexibility in the future.

Chairman Chodun asked if they would need to replat. Mr. Lee advised that they would need to replat before they move forward with the permits but in the future they could replat it back and sell it separately.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

6. Z2021-009 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Michael Morgan on behalf of the owner Gary Scott Barron 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 0.16-acre parcel of land identified as Lot 9, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 704 Parks Avenue, and take any action necessary.

Chairman Chodun asked the applicant to come forward

Michael Morgan
14 Kestrel Court
Heath, TX 75032

Mr. Morgan came forward and provided a brief summary in regards to the request. He's requesting to build a single-family home.

Commissioner Womble asked if the lower roof pitch was to maintain the view off the balcony.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

7. Z2021-010 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) superseding Ordinance No. 20-34 and allowing an accessory building that does not conform to S-231 [Ordinance No. 20-34] on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He wanted to remind the Planning and Zoning Commission of what was approved for the applicant and where it stands today. This was brought before the Commission last year and the applicant had applied for a permit but started the work on the property prior to being issued that permit. The applicant then submitted a Specific Use Permit (SUP) and was approved for the drawings shown. The three requirements as part of that SUP were that the building be as depicted in the SUP ordinance, that it not exceed 360 square-feet, and that the subject property not have more than one (1) accessory structure on it.

Planning and Zoning Manager David Gonzales gave additional details and provided photos in regards to the case. The reason this request is being brought upon the Commission this evening is because the Building Inspections department went out to inspect progress on the permit and noticed that the building was not built with what was approved from the permit. Mr. Gonzales pointed out that when a building permit is pulled and issued, the permit is there and the applicant has it onsite. There are multiple issues with the building that is being constructed currently. Some of those issues being: the separation from the fence, the roof line being connected to the fence, and the roof drains onto the adjacent property. Others include the roof line differing from what was approved, the height of the building does not comply, the retaining wall needs to be finished in stone, and it has a second floor addition that is decked. Mr. Gonzales pointed out that it looks like a livable space and Staff would need to know if it would be a living space. Included in the packet is language for the operational conditions indicating that the accessory building shall not be used as a secondary living unit or guest quarters.

Mr. Miller added that the Commission is actually deciding whether or not to amend the SUP that was approved to allow what the applicant actually built. In this case, what doesn't conform is the height and the structure clearly has a second story with the addition of the electrical plugs and lighting. This appears to be intended to be used for more than storage as originally indicated.

Chairman Chodun asked if construction had already commenced when it was originally reviewed and they were retroactively approving it at that time. Mr. Miller stated that was correct because the applicant had poured concrete for the slab and constructed the retaining wall. It required a structural engineer to certify the retaining wall after it was constructed. Staff should note that none of the concrete that was originally approved or what was done after the approval was pour tested.

Chairman Chodun asked for the votes from Planning and Zoning Commission and City Council when the case was first brought before them.

Mr. Miller added that there are certain things that need to be done. For example, the roof line cannot be attached to the fence and it has to be changed along with the roof pitch.

Commissioner Deckard asked if the roof attached to the property actually sheds water onto the neighboring property.

Commissioner Conway wanted clarification in regards to the overall square footage. She thought that with a single structure the maximum square footage was 144-square feet or 625 square-feet for a garage. Mr. Gonzales explained that the square footage was allowed by the approval of the first SUP for 360 square-feet. However, with the addition of the second floor, the new space must be calculated as additional square footage making the total 570 square-feet.

Chairman Chodun asked the applicant to come forward.

Mark Klecha
1748 Lake Breeze Drive
Rockwall, TX 75087

Mr. Klecha came forward and provided a brief history as well as additional details in regards to the request. He explained that he needed to move the structure over and, in doing so, he decided to change the design of the building. Mr. Klecha then updated the drawings and plot but did not send the updated drawings or plot to City Staff. There were windows added to match the architecture of his home.

Commissioner Deckard asked what all was included with the project and what was the use for. He added that there were makings of having a small apartment or a mother-in-law suite in the layout. His main problem is that the applicant or builder is supposed to be working off a set of city-approved drawings but it took over a year to see the difference in those and what was being built.

Vice-Chairman Welch asked if the neighbors had mentioned anything regarding the project. He added that if this gets approved then it becomes a precedent for the neighborhood.

Mr. Miller added that there had been a stipulation on the previously approved SUP that only one accessory structure was to be on the property. Since then, the applicant had built a temporary structure on the west side of the property to hold the items meant for the structure being built. Mr. Miller wanted to confirm that that temporary structure had been removed which it had.

Chairman Chodun asked what was the process was should the SUP be denied. Mr., Miller explained that the Commission is reviewing is a request to supersede the existing SUP and grant a new SUP to allow what the applicant has done and what's allowed by the International Building Code. Should the request be denied, the applicant would have to meet the current SUP which means it would have to conform to what was approved. The only other thing that the Planning and Zoning Commission could recommend would be revocation which the project would have to start from the beginning. The Commission can decide to do the following: Revocation which would mean to remove the building, denial would mean to structurally change the building and meet the building permit that was issued, or approval to allow what he has today. The applicant would have to bring it into compliance within the time frame.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

8. Z2021-011 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Kristi Bryant for the approval of a Specific Use Permit (SUP) for an Accessory Building for the purpose of allowing an existing greenhouse on a 0.496-acre tract of land identified as Lot 5 & 6, Block A, Highridge Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 710 & 804 S. Alamo Street, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. He explained that the reason this is coming before the Commission is because they need an SUP for the size as they exceed the maximum size by 144 square feet.

Chairman Chodun asked the applicant to come forward

Kristi Bryant
710 S. Alamo Street
Rockwall, TX 75087

Mrs. Bryant came forward and provided additional details in regards to the request. She added that the greenhouse was already built so it was brought in and dropped. She asked the manufacturer what she needed to do to prepare the ground and they suggested gravel would work best. The building is 12' x 24' and it is 10-feet in height.

Mr. Lee wanted to add that the applicant would need a concrete foundation for the structure because of the size of it.

Commissioner Womble asked if the other structure was a detached garage or if the greenhouse would be the only accessory structure. Vice-Chairman Welch asked if you could see this from the street.

Commissioner Deckard added that he was confused as to why a concrete foundation was needed.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

9. Z2021-012 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Ahmad Maktabi on behalf of Gerald Houser of Lynstar, LLC for the approval of a Specific Use Permit (SUP) for a General Retail Store in a Light Industrial (LI) District on a 1.243-acre parcel of land identified as Lot 3, Block 1,

Highway 276 Self Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2740 SH-276, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Ahmad Maktabi
819 Chumley Road
Garland, TX 75044

The applicant came forward and provided a brief summary in regards to the request. He's requesting to open a cigar shop in the area but there will not be any smoking inside the store.

Commissioner Conway asked if there was a patio there or if it was purchase only.

Chairman Chodun asked if there were any parking issues.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

10. **Z2021-013 (RYAN MILLER)**

Hold a public hearing to discuss and consider approval of a Text Amendment to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of clarifying the requirements for temporary structures on leased property within the takeline area.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He explained that the Takeline Ordinance was changed last year and, recently, the Municipal Code of Ordinances was changed as well to regulate some areas on unleased property. The City has recently offered to people that are eligible for takeline leases a lease where the initial fee is waived and reduced the annual fee. The City Council wanted Staff to make a clarification that talks about temporary structures on leased property because temporary structures on unleased property are not permitted.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

11. **P2021-019 (DAVID GONZALES)**

Discuss and consider a request by Humberto Johnson of the Skorburg Co. on behalf of John Arnold of Gideon Grove Addition, LTD for the approval of a Final Plat for Phase 2 of the Gideon Grove Subdivision consisting of 84 single-family residential lots on a 30.36-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 84 (PD-84) for Single-Family 7 (SF-7) District land uses, generally located at the northwest corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales advised that this case is going before the Parks and Recreation Board on May 4, 2021. This item will be on the Consent Agenda for the May 11, 2021 meeting.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

12. **P2021-020 (DAVID GONZALES)**

Discuss and consider a request by Randall Eardley of Weir & Associates, Inc. on behalf of Stephen Doyle of Structured REA-Rockwall Land, LLC for the approval of a Preliminary Plat for Lots 1-6, Block A, Fit Sport Life Addition being a 55.784-acre tract of land identified as a portion of Tract 22 and all of Tracts 22-2 & 24 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and FM-549 Overlay (FM-549 OV) Districts, generally located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and take any action necessary.

Planning and Zoning Manager David Gonzales asked the Commission if they could go over this item and the next at the same time since they were related.

13. **SP2021-010 (DAVID GONZALES)**

Discuss and consider a request by Randall Eardley of Weir & Associates, Inc. on behalf of Stephen Doyle of Structured REA-Rockwall Land, LLC for the approval of a Site Plan for a sports and recreation facility on a 6.38-acre portion of a larger 31.65-acre tract of land identified as Tract 22-2 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Randall Eardley
2201 E. Lamar Blvd
Arlington, TX 76006

Mr. Eardley came forward and provided a brief summary in regards to the request. They are proposing a sports and recreation facility for a Phase I project on the 56-acre tract of land.

Commissioner Thomas asked if this case was reviewed last year.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

14. SP2021-012 (HENRY LEE)

Discuss and consider a request by Mike Prince of Truman Heights, LLC for the approval of a Site Plan for an office building on a 1.244-acre parcel of land identified as Lot 22, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 259 Ranch Trail, and take any action necessary.

Planner Henry Lee provided a brief history in regards to the request. He explained that this item came before the Commission in 2019 where a site plan was approved but they had a variance for the articulation that was denied. They came back without making changes to the site plan but they are changing their landscape plan, elevations, and photometric plan. They are also requesting variances for their vertical articulation, horizontal articulation and the roof pitch.

Chairman Chodun asked the applicant to come forward.

Mike Prince
2221 Country Brook Lane
Prosper, TX 75078

Mr. Prince came forward and provided additional details in regards to the case.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

15. SP2021-013 (HENRY LEE)

Discuss and consider a request by Chris Maynor of Z Constructors Nationwide, LLC on behalf of Ted Hoisington of the Rockwall Rotary Foundation for the approval of an Amended Site Plan for an existing building on a 0.69-acre parcel of land identified as lot with in the Roca Villa Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 408 S. Goliad Street, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. Currently their structure is considered to be legally non-conforming and they're trying to bring it closer into conformance.

Chairman Chodun asked Mr. Lee in regards to bringing it more into conformance.

Mr. Miller explained that their plans don't conform to what we require. The applicant will not have any variances because the applicant is going to fix the issues pointed out by Staff.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

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

- P2021-009: Replat for Lot 1, Block A, Kennedy Addition [APPROVED]
- P2021-010: Replat for Lots 1 & 2, Block A, Wreyford Addition [APPROVED]
- P2021-011: Final Plat for Lots 1 & 2, Block A, Birds Nest Addition [APPROVED]
- P2021-012: Preliminary Plat for Phase 2 of the Saddle Star Estates South Addition [APPROVED]
- P2021-013: Preliminary Plat for Lots 1-19, Block A, Landon Addition [APPROVED]
- P2021-014: Preliminary Plat for Nelson Lake Addition [APPROVED]
- SP2021-005: Variance to the Parking Requirements for HG Supply Co. [APPROVED]
- SP2021-007: Major Waiver to the Parking Requirements for Bonafide Betties Pie [APPROVED]
- Z2021-006: Zoning Amendment to Planned Development District 79 (PD-79) [DENIED]
- Z2021-007: Zoning Change (AG to PD) for the Klutts Farm [DENIED]

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

VI. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:04 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 11 day of May, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
MAY 11, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

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

II. APPOINTMENTS

1. Appointment with Adam Buczek of the Skorburg Co. to consider a request to submit a new zoning application for a zoning change in accordance with Section 02.05, *City Council Action*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), and take any action necessary.

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

Mr. Buczek came forward and provided a brief summary and PowerPoint presentation in regards to the request.

Chairman Chodun asked if anyone had any questions.

Commissioner Womble asked if the dog park was something that could be incorporated at a later time.

Commissioner Deckard made a motion to approve the request to resubmit the application. Commissioner Womble seconded the motion.

Vice-Chairman Welch asked if there was a definition of "substantial" anywhere.

The motion passed by a vote of 4-1 with Chairman Chodun dissenting and with Commissioners Conway and Moeller absent.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

Mr. Wacker came forward and asked if there was a way to shorten the time of the request or if the applicant had to go thru the entire process. This is in regards to the previous appointment item.

David Shoen
3006 San Marcos Drive
Rockwall, TX 75032

Mr. Shoen came forward and expressed his concerns to the previous Appointment item. His main concern being overcrowding in schools and potential traffic.

Richard Henson
2424 S FM 549
Rockwall, TX 75087

Mr. Henson came forward and expressed his opposition to the previous Appointment item.

Chairman Chodun asked if anyone else wished to speak; there being no one else coming forward, Chairman Chodun closed the open forum.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the April 27, 2021 Planning and Zoning Commission meetings.
3. **SP2021-010 (DAVID GONZALES)**
Discuss and consider a request by Randall Eardley of Weir & Associates, Inc. on behalf of Stephen Doyle of Structured REA-Rockwall Land, LLC for the approval of a Site Plan for a sports and recreation facility on a 6.38-acre portion of a larger 31.65-acre tract of land identified as Tract 22-2 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and take any action necessary.
4. **SP2021-013 (HENRY LEE)**
Discuss and consider a request by Chris Maynor of Z Constructors Nationwide, LLC on behalf of Ted Hoisington of the Rockwall Rotary Foundation for the approval of an Amended Site Plan for an existing building on a 0.69-acre parcel of land identified as lot with in the Roca Villa Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 408 S. Goliad Street, and take any action necessary.
5. **P2021-019 (DAVID GONZALES)**
Discuss and consider a request by Humberto Johnson of the Skorburg Co. on behalf of John Arnold of Gideon Grove Addition, LTD for the approval of a Final Plat for Phase 2 of the Gideon Grove Subdivision consisting of 84 single-family residential lots on a 30.36-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 84 (PD-84) for Single-Family 7 (SF-7) District land uses, generally located at the northwest corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.
6. **P2021-020 (DAVID GONZALES)**
Discuss and consider a request by Randall Eardley of Weir & Associates, Inc. on behalf of Stephen Doyle of Structured REA-Rockwall Land, LLC for the approval of a Preliminary Plat for Lots 1-6, Block A, Fit Sport Life Addition being a 55.784-acre tract of land identified as a portion of Tract 22 and all of Tracts 22-2 & 24 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and FM-549 Overlay (FM-549 OV) Districts, generally located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and take any action necessary.

Commissioner Thomas made a motion to approve the consent agenda. Commissioner Deckard seconded the motion which passed by a vote of 5-0.

V. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

7. **Z2021-008 (HENRY LEE)**
Hold a public hearing to discuss and consider a request by Lance Tyler on behalf of the owner Mike Worster for the approval of a Specific Use Permit (SUP) for Residential Infill Adjacent to an Established Subdivision, an Accessory Building, and a Guest Quarters/Secondary Living Unit for the purpose of constructing a single-family home, accessory building, detached garage, and guest quarters/secondary living unit on a 8.011-acre tract of land identified as Tract 19-2 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Single-Family 8.4 (SF-8.4) District land uses, addressed as 550 E. Quail Run Road, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to his request. The applicant is requesting the approval of a Specific Use Permit (SUP) for a residential infill adjacent to an established subdivision. They are also including an accessory building that exceeds the maximum allowable size as well as a guest quarters and secondary living unit that exceeds 30% of the primary structure square footage. There is also a requested waiver to the setback of a proposed detached garage. This is considered a residential infill due to the Caruth Lakes Subdivision being in existence for at least ten (10) years, has more than five (5) lots, and is more than 90% developed. The accessory building that exceeds the maximum size is a proposed cabana that is 619 square-feet and exceeds the maximum requirement by 475 square-feet. The guest quarters requires an SUP due to it being 30% greater than the primary structure. In this case, 30% of the primary structure will be 1,500 square-feet and the proposed quarters is 3,150 square feet. Lastly, the proposed detached garage is requesting a waiver for the setback because it is currently placed to be flush with the front façade. On April 26, 2022, staff mailed out 22 notices to property owners within 500-feet of the subject property and also notified the Quail Run Valley and Caruth Lakes Homeowners Associations (HOAs) which were the only HOAs within 1500-feet of the subject property. Mr. Lee advised the Commission that approval of this request is a discretionary decision for the Planning and Zoning Commission and City Council.

Chairman Chodun asked the applicant to come forward.

Mike Worster

550 E. Quail Run
Rockwall, TX 75087

Lance Tyler
1501 The Rock
Rockwall, TX 75087

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

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time. There being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Thomas made a motion to approve item Z2021-008. Commissioner Deckard seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that the item will be brought before the City Council on May 17, 2021.

8. **Z2021-009 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Michael Morgan on behalf of the owner Gary Scott Barron 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 0.16-acre parcel of land identified as Lot 9, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 704 Parks Avenue, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. This is being considered for a residential infill case because the subject property is located within the 4-E Subdivision which has been in existence since 1913, has more than 5 lots, and is considered to be more than 90% developed. The applicant is requesting to construct a 4,004 square-foot single-family home which has comparable architecture to the surrounding homes. The structure meets all of the density and dimensional requirements within the Unified Development Code (UDC) for Single-Family 7 (SF-7) District. On April 26, 2021, Staff mailed out 114 notices to property owners and occupants within 500-feet of the subject property. The Caruth Lakes HOA was also notified as it is within 1,500 feet from the subject property as well. Mr. Lee advised the Commission that approval of this request was a discretionary decision for the Planning and Zoning Commission and City Council.

Chairman Chodun asked the applicant to come forward.

Michael Morgan
14 Castro Court
Heath, TX 75032

Mr. Morgan came forward and provided additional details in regards to his request.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time. There being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Thomas made a motion to approve Z2021-009. Commissioner Womble seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that the item will be brought before the City Council on May 17, 2021.

9. **Z2021-010 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) superseding Ordinance No. 20-34 and allowing an accessory building that does not conform to S-231 [Ordinance No. 20-34] on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. He also went on to make a correction on a statement that was made in regards to the height of the structure during the work session meeting on April 27, 2021. However, the structure is still not in compliance with the current SUP ordinance. In July 2020, the applicant applied for a SUP for beginning constructing of an accessory building without a permit. In September 2020, the City Council approved the SUP which allowed for the construction of a single-story accessory building as shown. The maximum height would be 15-feet and overall size of 360 square-feet. In addition, the applicant agreed to remove an existing accessory building on the property and agreed to provide a letter from a structure engineer regarding the structural integrity of the retaining wall and slab. The engineer would then determine whether or not that would support the accessory building that the applicant was constructing at that time. The letter was provided and the decision was made that it was capable of carrying the load that was going to be added to the property. Staff would like to note that the applicant did remove the other accessory building on the property as was required. The applicant had applied for the permits for a fence, a retaining wall, for the construction of the slab as well but had begun construction of these items prior to receiving the permits. After the SUP was approved, the applicant was issued a building permit in October 2020, which indicated the setbacks and separation from other structures, the maximum height, and the size of the building. The permit also stated that the building was to be built per the approved plans from the Planning & Zoning Commission and City Council.

The Building Inspections (BI) Department went out to inspect and noted that the accessory had not been built according to the plans that were approved. Specifically, what was noted by the BI Department was that the applicant had added a second floor. It increased the size of the structure by 240 square feet, had increased the height, and had changed the elevations from what was approved. Also, what was noted was that another accessory building had been constructed on the property without a permit. Based on those findings, the Inspector issued a stop-work order and requested that Mr. Klecha visit with the Planning Department. The other accessory structure that was constructed has been removed so the only remaining one is the one currently under construction. This is a request to amend the current SUP to allow for the construction of the existing facility. This would be a 2-story structure that totals 560 square-feet with the first floor being 330 square feet and the second floor being 240 square-feet. Staff would like to explain that the Planning and Zoning Commission has three options: approve the request, deny the request which would make the applicant meet the requirements of the current ordinance, and lastly, to deny the request and direct Staff to begin revocation of the existing SUP ordinance which would require the applicant to remove the entire structure. Regardless of what decision is made, the applicant will have to modify the building to be in compliance and corrected. Staff mailed out 96 notices to property owners and occupants within 500-feet of the subject property and to any HOAs within 1,500-feet of the subject property. The applicant will be required to face the existing smooth face concrete retaining wall in rock or stone to match what is out there right now. Mr. Gonzales advised that the applicant and Staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Mark Klecha
1748 Lake Breeze Drive
Rockwall, TX 75087

Mr. Klecha came forward and provided additional details in regards to the request. He added that he was not aware of the rules and procedures following the construction and did not know what questions to ask. He explained that the reason he building was built like it is because the new drawings didn't match with the approved SUP. Mr. Klecha read emails exchanged between himself and Staff but noted that he never attached the new updated drawings. The updated drawings were sent to the Engineer but not to the City Staff which is why he thought he was cleared to change the elevations of the building.

Mr. Miller wanted to clarify that staff did not receive the correct drawings. They did provide the ordinance at the time of the approval letter which had the approved drawings. Also, with the building permit, the approved one comes with a set of plans that were approved and given to the applicant as well. The reason the second story is an issue is due to the wall dividing it where there's a clear delineation of space. There's lighting and electrical on the second floor and appears to be subdivided in a manner to indicate there's a second story. It then makes it not seem like a typical attic area and could be easily converted into a habitable space.

Commissioner Deckard asked if the second floor was indicated for storage then why is there a wall, a wall plug and lighting installed. He also asked how much of the fence connection to the roof and wall had been completed in the past couple of weeks.

Commissioner Thomas added he wished the applicant would have gotten more guidance in regards to the project.

Commissioner Deckard added that he wished he would've utilized the City Staff and resources. He asked the applicant if he had contacted the City at any point in time for guidance.

Chairman Chodun added that it created a difficult precedent to be set by the Commission going forward.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time.

Kyoko Boone
1756 Lake Breeze Drive
Rockwall, TX 75087

Mrs. Boone came forward and expressed her being in favor of the request.

Bob Wacker
309 Featherstone
Rockwall, TX 75087

Mr. Wacker came forward and had questions about how the slope is measured on the property.

Chairman Chodun asked if anyone else wished to speak to do so at this time. There being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

After some discussion, Commissioner Thomas made a motion to deny the amendment to the SUP and asked for the conformance to the SUP that was approved last year. Commissioner Womble seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that the item will be brought before the City Council on May 17, 2021.

10. **Z2021-011 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Kristi Bryant for the approval of a Specific Use Permit (SUP) for an Accessory Building for the purpose of allowing an existing greenhouse on a 0.496-acre tract of land identified as Lot 5 & 6, Block A, Highridge Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 710 & 804 S. Alamo Road, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. On March 10, 2021, the applicant was sent a notice for a code violation for the construction of a greenhouse without a building permit. Based on this notice, the applicant contacted the Building Inspections department to seek the necessary permits for this greenhouse. However, since this structure exceeds the maximum permissible size, the property owner was told that she would have to obtain an SUP. The applicant then submitted an application and photos to permit a 288 square-foot greenhouse that was constructed without a building permit. The application indicated that the structure was 10-feet in height and rested on a gravel foundation. In this case, the applicant's request conforms to the setback and height requirements for accessory buildings. On April 26, 2021, staff sent out 88 notices to property owners and occupants within 500-feet of the subject property. Staff also notified all HOAs within 1,500-feet of the subject property. Mr. Lee advised the Commission that approval of this request was a discretionary decision for the Planning and Zoning Commission and City Council.

Chairman Chodun asked the applicant to come forward.

Kristy Bryant
710 S. Alamo
Rockwall, TX 75087

Mrs. Bryant came forward and provided additional details in regards to the request. She stated that she would like to keep the gravel foundation for drainage purposes.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time.

Sharon French
806 S. Alamo
Rockwall, TX 75087

Mrs. French came forward and presented additional photos from different views of the subject property. She also expressed her opposition to the request due to various concerns.

Commissioner Womble asked if the concern was visibility or drainage.

Vice-Chairman Welch asked if there would be more flooding issues with concrete instead of gravel.

Chairman Chodun asked if anyone else wished to speak to do so at this time. There being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Planner Henry Lee did want to clarify that the garage is attached and is not a detached structure.

Mrs. Bryant came forward and responded to the statements made.

Vice-Chairman Welch made a motion to approve item Z2021-011 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 4-1 with Commissioner Womble dissenting.

Chairman Chodun advised that the item will be brought before the City Council on May 17, 2021.

11. **Z2021-012 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Ahmad Maktabi on behalf of Gerald Houser of Lynstar, LLC for the approval of a Specific Use Permit (SUP) for a General Retail Store in a Light Industrial (LI) District on a 1.243-acre parcel of land identified as Lot 3, Block 1, Highway 276 Self Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2740 SH-276, and take any action necessary.

Planning and Zoning Manager David Gonzales advised that the property owner has requested to withdraw the case. Rezoning a property does require consent of the owner and, in this case, he is relinquishing his consent.

Commissioner Thomas made a motion to approve the request to withdraw item Z2021-012. Commissioner Deckard seconded the motion which passed by a vote of 5-0.

12. **Z2021-013 (RYAN MILLER)**

Hold a public hearing to discuss and consider approval of a Text Amendment to Subsection 06.15, Lake Ray Hubbard Takeline Overlay (TL OV) District, of Article 05, District Development Standards, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of clarifying the requirements for temporary structures on leased property within the takeline area.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. Staff is making a slight clarification for temporary structures in the Takeline area.

Commissioner Deckard made a motion to approve item Z2021-013. Commissioner Womble seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that the item will be brought before the City Council on May 17, 2021.

VI. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

13. **SP2021-012 (HENRY LEE)**

Discuss and consider a request by Mike Prince of Truman Heights, LLC for the approval of a Site Plan for an office building on a 1.244-acre parcel of land identified as Lot 22, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 259 Ranch Trail, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. On September 10, 2019, the Planning and Zoning Commission approved a site plan for the subject property to construct a 4,950 square-foot office building and convert the existing 2,366 single-family home into an office building. Associated with this site plan was a variance for horizontal articulation but this request failed to get a super majority vote. The applicant then appealed the variance denial to City Council where the City Council denied the appeal. After this denial, the applicant proceeded with converting the existing single-family home into an office building but abandoned the request to add a new 4,950 square-foot office building. The applicant is returning today with an amended site plan to propose changes to the elevations, landscape plan, and photometric plan but keep the previously approved site plan the same. There are three variances associated with the applicant's request: for horizontal articulation, vertical articulation, and roof pitch. The compensatory measures to offset the variances are additional landscaping, 100% masonry on the east elevation, brick wainscot around the building, and a canopy feature over the primary entrance of the proposed building. Staff should note that these compensatory measures coupled with the offset and building elevations is a different request than the original request that was denied in 2019. This request is a discretionary decision for the Planning and Zoning Commissioner and does require a super majority vote. In the event that this is denied, the applicant may appeal Planning and Zoning's decision to City Council. On April 27, 2021, the Architectural Review Board (ARB) reviewed the elevations and approved them.

Chairman Chodun asked the applicant to come forward.

Mike Prince
2221 Country Brook Lane
Prosper, TX 75078

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

Commissioner Deckard made a motion to approve item SP2021-013 Commissioner Thomas seconded the motion which passed by a vote of 5-0.

VII. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

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

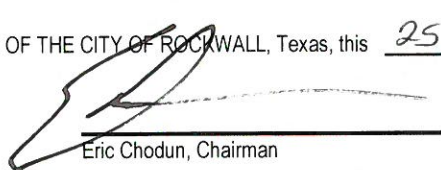
- P2021-017: Replat for Lot 25, Block A, Presbyterian Hospital of Rockwall Addition [APPROVED]
- P2021-018: Final Plat for Lots 1-3, Block A, DDF9 Addition [APPROVED]

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

VIII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:44 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 25 day of May, 2021.


Eric Chodun, Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS MAY 25, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

Chairman Chodun called the meeting to order at 6:01 PM. Commissioners present were John Womble, Derek Deckard, Sedric Thomas, Mark Moeller, Jean Conway and Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, and Civil Engineers Sarah Johnston and Jeremy White. Absent from the meeting was City Engineer Amy Williams.

II. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

1. Approval of Minutes for the May 11, 2021 Planning and Zoning Commission meeting.
2. **P2021-022 (ANGELICA GAMEZ)**
Consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf Helen Comeav Neller for the approval of a Final Plat for Lots 1 & 2, Block A, Neller Addition being an 11.368-acre parcel of land identified as Lot 7, Block 1, Lofland Lake Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 4.0 (SFE-4.0) District, addressed as 2380 FM549, and take any action necessary.
3. **P2021-023 (DAVID GONZALES)**
Consider a request by Cameron Slown, PE of Teague, Nall & Perkins on behalf of Rockwall Rental Properties, LP for the approval of a Replat for Lot 12 & 13, Block 1, Alliance Addition, Phase 2 being a 4.992-acre tract of land identified as Lots 8, 9, 10, & 11, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, located at the southeast corner of Horizon Road [FM-3097] and Andrews Drive, and take any action necessary.
4. **P2021-024 (HENRY LEE)**
Consider a request by Scott H. Johnson for the approval of a Replat for Lot 1, Block A, Johnson Addition being an 0.24-acre parcel of land identified as Lot E, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 505 E. Bourne Street, and take any action necessary.
5. **P2021-025 (HENRY LEE)**
Consider a request by Austin McDaniel of Landev Engineers on behalf of Josh Kirby for the approval of a Replat for Lot 2, Block 1, Our Savior Lutheran Church Addition being a 4.0152-acre parcel of land identified as Lot 1, Block 1, Our Savior Lutheran Church Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 13 (PD-13), addressed as 3003 Horizon Road [FM-3097], and take any action necessary.
6. **P2021-027 (DAVID GONZALES)**
Consider a request by Keaton Mai of the Dimension Group on behalf of Russell Phillips of Rockwall 205 Investors, LLC for the approval of a Preliminary Plat for Lots 1-14, Block A, Creekside Commons being a 34.484-acre tract of land identified as Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action necessary.
7. **P2021-028 (HENRY LEE)**
Consider a request by Akhil D. Vats for the approval of a Replat for Lot 9, Block A, Ellis Centre, Phase Two Addition being a 0.70-acre parcel of land identified as Lot 6, Block A, Ellis Centre #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, located at the western corner of the intersection of Alpha Drive and Beta Drive, and take any action necessary.
8. **P2021-029 (HENRY LEE)**
Consider a request by Richard and Judy Harris Family Trust for the approval of a Replat for Lots 8-15, Block A, Richard Harris No. 2 Addition being a 2.23-acre tract of land identified as Lots 1-7, Block A, Richard Harris No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 400, 402, 404, 406, 408, 410, & 412 Renfro Street, and take any action necessary.

Commissioner Thomas made a motion to approve the consent agenda with the exception of item #8. Commissioner Moeller seconded the motion which passed by a vote of 7-0.

IV. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

9. MIS2021-006 (HENRY LEE)

Discuss and consider a request by James Best for the approval of a Special Exception to the standards for residential fences to allow a previously constructed masonry screening wall on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. On October 27, 2020, the Planning and Zoning Commission approved a special exception allowing a 6-foot pre-cast, concrete screening wall. Following this approval the applicant then submitted an application for a building permit which was issued on December 28, 2020. However, it was brought to Staff's attention that the screening wall exceeded the 6-feet that was approved. After reviewing the fence permit, Staff found that the fence permit was for an 8-foot screening wall which was not in accordance with the Planning and Zoning Commission's approval. On February 23, 2021, the Planning and Zoning Commission approved the applicants second special exception request allowing or a total of 8-feet for the screening wall. On April 1, 2021, the Building Inspections Department brought to Staff's attention that a portion of the wall exceeded the permitted 8-feet in height by as much as 9 -inches. The applicant is now returning for approval of a third special exception for the screening wall to be approved as built. Staff should note that within the submitted materials, the applicant's states that columns exceed 8-feet by up to 12-inches. This would meant that the updated request would be for a 9-foot tall screening wall. If the applicant is denied, he would be required to bring the fence into conformance with the second approval. Staff should also note that at the time the applicant requested the second variance, the fence had already been constructed and listed as 8-feet was in error on the applicant's behalf.

Chairman Chodun asked the applicant to come forward.

Andrew Thomas
422 E. I-30, Suite F
Royse City, TX 75189

Mr. Thomas came forward in representation of the applicant James Best. He went on to give additional details in regards to the request. He went on to explain why some of the columns failed the inspection. He added that this was a pre-cast concrete fence that was built in Florida and shipped here whose panels come in 8-foot by 20-foot wide. When looking at the schematic plan, the 8-foot panels have a minimum of 2-inch gap underneath them and the columns do not have that gap because they go into the ground. In addition, the columns on the schematic have a decorative cap that is 3 ½ inches tall. Based on the schematics, it demonstrates on the submitted plan that they are going to be slightly taller than the 8-foot panels by a minimum of 5 ½ inches. There are some characteristics on this property and how you build a fence that alters the columns as well. When looking at the subject property, the front of the house faces Ridge Road and the south of the house faces Shadydale Drive. The fence is constructed to where the property slopes down towards the back and then down towards the north. There are 15 inches that decreases from the front of the fence and then three (3) feet down over the scope of the fence from the south to the north. As a result, you have to stair step the panels to get them installed in perpendicular style. Another issue is the additional height with the drainage gap causing a 2-inch gap on the bottom and 3 ½ inch on the top. Overall the applicant is asking for a variance for the following: lack of landscaping, no 2-inch drainage on the column and the decorative gap, and the slope of the property. The applicant is asking the City to approve the fence as constructed.

Chairman Chodun asked how they measure the height of the fence that's on a slope. Would they use something to keep it leveled at the top? Mr. Lee responded that they measure from the base of the fence to the top. Chairman Chodun asked if it would vary due to the slope and Mr. Lee replied that the columns do vary in height because of the topography.

Vice-Chairman Welch asked if they needed to measure from the inside to the outside if they were to build up when they do their landscaping inside.

Commissioner Moeller indicated that he had an issue with approving the item.

Director of Planning and Zoning Ryan Miller added additional details in regards to the request.

Commissioner Deckard asked if the fence had been changed since last time it was approved.

Mr. Thomas (the applicant's representative) came forward and presented a photo of the constructed fence.

After further discussion, Chairman Chodun made a motion to approve item MIS2021-006. Commissioner Womble seconded the motion which passed by a vote of 5-2 with Commissioners Moeller and Conway dissenting.

V. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is June 15, 2021.

10. **Z2021-014 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the northeast corner of the intersection of FM-549 and FM-1139, 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 PowerPoint presentation in regards to the request.

Commissioner Conway indicated how impressed she was with the updated concept plan.

Commissioner Thomas added that he was impressed as well.

Commissioner Moeller commended him on the density.

Commissioner Womble asked what the starting price point was for the houses.

Commissioner Deckard asked about the difference between prices in the housing.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on June 15, 2021.

11. **Z2021-015 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark Street, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Ryan Withrow
4815 Terry Street
Dallas, TX 75223

Mr. Withrow, the architect, came forward and provided a brief summary in regards to the request. He added that they were wanting to build a duplex two-story home in vacant lot. The lot is located within the 100-year floodplain.

Chairman Chodun asked if there were any variances with the request.

Commissioner Thomas wanted clarification that this lot was zoned for duplex housing.

Mr. Miller asked if there were garages for each of the units.

Commissioner Moeller asked if the second driveway was going to hit into the portion of the street.

Commissioner Deckard liked the aesthetics of the duplex.

Commissioner Womble asked if there was a possibility of requesting a variance with the garage issue.

Commissioner Conway asked if they could turn the existing garage into 2 garages.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on June 15, 2021.

12. **Z2021-016 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Mike Mishler of Mishler Builders, Inc. on behalf of John Curanovic for the approval of a Specific Use Permit (SUP) allowing a detached garage that does not conform to the maximum square footage requirements on a 1.948-acre parcel of land identified as Lot 23 of the Willowcrest Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 361 Willowcrest, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

John Curanovic
361 Willowcrest
Rockwall, TX 75032

Mr. Curanovic came forward and provided brief details in regards to his request. He advised that he needed extra storage for his belongings.

Chairman Chodun asked if this would be the only external structure on the property and what the size of it would be.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on June 15, 2021.

200 13. **Z2021-017 (DAVID GONZALES)**

201 Hold a public hearing to discuss and consider a request by Tyler Wood of Intrepid Equity Investments, LLC on behalf of Robert B. Baldwin III of
202 RBB/GCF Properties, LP for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 17.03-acre
203 tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG)
204 District, generally located on the south side of Airport Road east of the intersection of Airport Road and John King Boulevard, and take any action
205 necessary.

206
207 **Chairman Chodun asked the applicant to come forward.**

208
209 **Tyler Wood**
210 **3055 Bridgecreek Drive**
211 **Rockwall, TX 75032**

212
213 **Mr. Wood came forward and provided a brief history of his company and details to his request.**

214
215 **Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on June 15, 2021.**
216

217 14. **Z2021-018 (DAVID GONZALES)**

218 Hold a public hearing to discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the
219 Hitt Family, LP for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 43.237-acre tract of
220 land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
221 situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital Boulevard,
222 and take any action necessary.

223
224 **Chairman Chodun asked the applicant to come forward.**

225
226 **Patrick Hogan**
227 **13455 Noel Road**
228 **Galleria Office Tower, Suite 700**
229 **Dallas, TX 75240**

230
231 **Mr. Hogan came forward and gave brief details in regards to the request.**

232
233 **Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on June 15, 2021.**

234 15. **Z2021-019 (RYAN MILLER)**

235 Hold a public hearing to discuss and consider the annual update to the OURHometown Vision 2040 Comprehensive Plan (*i.e.* 2019 & 2020
236 *Comprehensive Plan Update*), and take any action necessary.

237
238 **Director of Planning and Zoning Ryan Miller gave a brief summary in regards to the request. He added that this was the annual review**
239 **of the upcoming comprehensive plan. He gave brief highlights of all the changes incorporated into the comprehensive plan.**

240
241 **Vice-Chairman Welch explained that there weren't any specific changes in regards to density.**

242
243 **After further discussion, Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on**
244 **June 15, 2021.**

245
246 16. **P2021-026 (DAVID GONZALES)**

247 Discuss and consider a request by Humberto Johnson of the Skorburg Co. on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the
248 approval of a Preliminary Plat for the Winding Creek Subdivision consisting of 39 single-family residential lots on a 38.012-acre tract of land
249 identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned
250 Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses, generally located at the southeast corner of the intersection of
251 FM-1141 and Clem Road, and take any action necessary.

252
253 **Planning and Zoning Manager David Gonzales advised the Commission that this case was going before the Parks and Recreation Board**
254 **on June 1, 2021 and will return as a Consent Agenda item at the next Planning and Zoning meeting.**

255
256 **Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on June 15, 2021.**
257

258 17. **SP2021-014 (HENRY LEE)**

259 Discuss and consider a request by Jeff Carroll of Jeff Carroll Architects, Inc. on behalf of Chuck Vickers of T&C Main Street Holdings, LLC for the
260 approval of an Amended Site Plan for an office building on a 0.50-acre parcel of land identified as Bock 80B of the B. F. Boydston Addition, City
261 of Rockwall, Rockwall County, Texas, zoned Residential Office (RO) District, addressed as 108 St. Mary Street, and take any action necessary.

262
263 **Chairman Chodun asked the applicant to come forward.**

264
265 **Jeff Carroll**
266 **750 E. Interstate 30**
267 **Rockwall, TX 75087**

Mr. Carroll came forward and provided a brief summary in regards to his request.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on June 15, 2021.

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

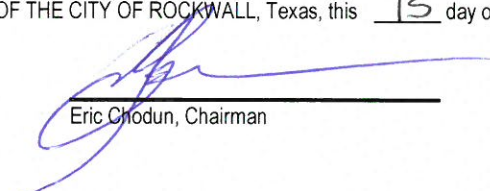
- P2021-019: Final Plat for Phase 2 of the Gideon Grove Subdivision [APPROVED]
- P2021-020: Preliminary Plat for Lots 1-6, Block A, Fit Sport Life Addition [APPROVED]
- Z2021-008: SUP for Residential Infill at 550 E. Quail Run Road [APPROVED; 1st READING]
- Z2021-009: SUP for Residential Infill at 704 Parks Avenue [APPROVED; 1st READING]
- Z2021-010: SUP for an Accessory Building at 1748 Lake Breeze Drive [DENIED]
- Z2021-011: SUP for an Accessory Building at 804 S. Alamo Road [APPROVED; 1st READING]
- Z2021-013: Text Amendment to Article 05, *District Development Standards*, of the UDC [APPROVED; 1st READING]

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

VI. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:20 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 15 day of June, 2021.


Eric Chodun, Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JUNE 15, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

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

II. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

1. Approval of Minutes for the May 25, 2021 Planning and Zoning Commission meetings.
2. **P2021-026 (DAVID GONZALES)**
Discuss and consider a request by Humberto Johnson of the Skorburg Co. on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of a Preliminary Plat for the Winding Creek Subdivision consisting of 56 single-family residential lots on a 38.012-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.
3. **SP2021-014 (HENRY LEE)**
Discuss and consider a request by Jeff Carroll of Jeff Carroll Architects, Inc. on behalf of Chuck Vickers of T&C Main Street Holdings, LLC for the approval of an Amended Site Plan for an office building on a 0.50-acre parcel of land identified as Block 80B of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Residential Office (RO) District, addressed as 108 St. Mary Street, and take any action necessary.

Commissioner Thomas made a motion to approve the consent agenda. Commissioner Deckard seconded the motion which passed by a vote of 6-0 with Commissioner Moeller absent.

IV. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

4. **Z2021-014 (RYAN MILLER)**
Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a summary and brief history in regards to the request. The applicant is requesting to rezone the property from an Agricultural District to Planned Development District for Single-Family 7 (SF-7) District land uses. In March 2021, the applicant came and brought a request to the Commission for a zoning change. At that time, he was proposing a 526-lot single-family residential subdivision which was a density of 2.68 dwelling units per acre. Based on this request, the applicant was requesting to change the Future Land Use map from low-density residential to medium-density residential because it did not conform to the Comprehensive Plan. The Planning and Zoning Commission recommended approval of this by a vote of 5-2, however, due to neighborhood opposition, it required a $\frac{3}{4}$ majority vote and was ultimately failed at the City Council by a vote of 3-4. Based on this

denial the applicant brought back a request for a substantial change lowering the density from 2.68 to 2.5 units per acre which was in conformance with the Comprehensive Plan. Based on this, the Planning and Zoning Commission voted 4-1 to allow the applicant to resubmit the application. The applicant is requesting to change the zoning of the subject property from an Agricultural District to a Planned Development District for Single-Family 8.4 District land uses. The proposed subdivision consists of 490-lots which will be a density of 2.5 units per acre. There will be three (3) different lot types: [226] 62' x 120' lots, [249] 72' x 120' lots, and [15] 100' x 120' lots. Looking at the amenity package proposed for this subdivision, the applicant is proposing to incorporate 13.6 acres of open space, which includes a dog park, a public park, as well as an amenity center. Staff should also note that the applicant has incorporated a trail system into the neighborhood. When looking at the UDC and Engineering Standards of Design, the proposed development does meet all of those requirements. In lieu of alleyways, the applicant is proposing to utilize 80% j-swing drives and 20% flat front entry. Per this body's recommendation, at the last applicant's request, this was taken before the Parks and Recreation Board concerning the proposed regional park. The Board voted on April 6, 2021 to recommend approval to the Commission with a vote of 6-0. With this being a zoning case, staff mailed out 23 notices to property owners and occupants within 500-feet of the subject property. Staff has since received 6 notices in opposition of the request and 2 in favor of the request. Mr. Miller then advised the Commission that the applicant and Staff were present and available for questions.

Commissioner Womble asked how they could weigh the traffic.

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 PowerPoint presentation in regards to his request.

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

Katie Welch
2844 FM 549
Rockwall, TX 75087

Mrs. Welch came forward and expressed her being in favor of the request.

Greg Hollon
2778 S. FM 549
Rockwall, TX 75087

Mr. Hollon came forward and expressed his opposition to the request.

Stan Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mr. Jeffus came forward and expressed his opposition to the request. He gave out a handout (Minutes from October 11, 2005 Planning and Zoning meeting) to the Commission and Staff.

Melba Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mrs. Jeffus came forward and expressed her opposition to the request.

David Shoen
3006 San Marcos Drive
Rockwall, TX 75032

Mr. Shoen came forward and expressed his opposition to the request. His main concern being the overcrowding of schools.

Chris Dichard
1903 FM 549
Rockwall, TX 75087

Mr. Dichard came forward and expressed his opposition to the request.

Richard Henson
2424 S FM 549
Rockwall, TX 75087

Mr. Henson came forward and presented a PowerPoint presentation to express his opposition.

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

Mr. Wacker came forward and expressed his being in favor of the request. He provided a brief PowerPoint in regards to the request and how it meets the Comprehensive Plan.

Casey Welch
2844 S. FM 549
Rockwall, TX 75087

Mr. Welch came forward and expressed his being in favor of the request.

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

Commissioner Deckard encouraged the public in attendance to attend the upcoming Bond Election for the school district. He also added that staff in the city does not have any involvement with their developing. He gave further explanation in regards to the water shedding in the properties.

Chairman Chodun asked the applicant to come forward and address comments made by the public.

Mr. Buczek came forward and provided a brief closing statement.

Commissioner Womble expressed his being in favor of the request.

Chairman Chodun expressed his being opposed to the request.

Commissioner Deckard made a motion to approve item Z2021-014. Commissioner Womble seconded the motion which passed by a vote of 5-1 with Chairman Chodun dissenting.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

5. **Z2021-015 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark Street, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The original application was presented in January 2021 but was withdrawn. The reason for the withdrawal was that the applicant was requested to do a topographic survey by the Engineering department. The applicant has provided a letter for the waiver as to why they're requesting the design of the project. With the exception of the waivers, the proposed duplex meets all density and dimensional requirements that are stipulated within the 2-F zoning. This is a discretionary for the Planning and Zoning Commission and the City Council pending a recommendation. Staff mailed out 71 notices to property owners and occupants within 500-feet of the subject property. The Park Place HOA was also notified as it lies within 1500-feet of the subject property. Three notices have been returned to Staff and are in opposition of the request. Mr. Gonzales advised that the Commission and Staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Jason Castro
16424 Fall Kirk Drive
Dallas, TX 75248

Mr. Castro came forward and provided a brief statement in regards to the request.

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

Corky Randolph
621 E. Boydston Street
Rockwall, TX 75087

Mr. Randolph came forward and expressed his opposition to the request. He also asked clarification as to how many variances were requested.

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

Mr. Wacker came forward and expressed his being in favor of the request.

Mike Hogue
1498 Hubbard Drive
Rockwall, TX 75087

Mr. Hogue came forward and had a question in regards to the flood zone. He had a concern as to where trash and parking would end up at the home.

Mr. Miller advised that Staff would ensure that what was dumped there was removed from the property.

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

Mr. Castro came forward and addressed the comments made by the public.

Commissioner Conway had a question as to why the carport cannot be converted into a garage.

Commissioner Womble added that he had suggested the variance for the carport last meeting and he thinks it's a good design.

Commissioner Thomas expressed his being in favor of the request.

Commissioner Deckard asked if there was any future plans for the large metal building across the street for the project.

Commissioner Womble made a motion to approve item Z2021-015. Commissioner Thomas seconded the motion which passed by a vote of 5-1 with Commissioner Welch dissenting.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

6. **Z2021-016 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Mike Mishler of Mishler Builders, Inc. on behalf of John Curanovic for the approval of a Specific Use Permit (SUP) allowing a detached garage that does not conform to the maximum square footage requirements on a 1.948-acre parcel of land identified as Lot 23 of the Willowcrest Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 361 Willowcrest, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting to permit an accessory building with a brick veneer façade. At the last meeting, the applicant mentioned that the brick will be comparable to the existing single-family home. The only utility being run into the building will be electricity. Per the City's requirements, the applicant's request does conform to the setback requirements for accessory buildings but does not adhere to the maximum size permitted for buildings. The proposed building does exceed the maximum permissible size by 2,576 square feet. Staff mailed out 30 notices to property owners and applicants within 500-feet of the subject property. The HOAs within 1500-feet were also notified. At the time this report was drafted, staff had not received any notifications in regards to the request. This is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission.

Vice-Chairman Welch asked who was responsible for putting the signs up for the zoning cases.

Chairman Chodun asked the applicant to come forward.

Mike Mishler
1009 Ivy Lane
Rockwall, TX 75087

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

Commissioner Deckard asked for explanation on the roof pitch.

Vice-Chairman Welch stated that he did not see any other out houses in the area near the subject property.

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

Commissioner Womble advised that the Commission has seen too many requests for oversized buildings.

Commissioner Conway advised that this would be set as a precedence.

Chairman Chodun asked how that calculation was done for the lot size and square footage on accessory buildings.

Commissioner Womble made a motion to deny item Z2021-016. Chairman Chodun seconded the motion which passed by a vote of 4-2 with Commissioners Thomas and Deckard dissenting.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

7. **Z2021-017 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Tyler Wood of Intrepid Equity Investments, LLC on behalf of Robert B. Baldwin III of RBB/GCF Properties, LP for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 17.03-acre tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the south side of Airport Road east of the intersection of Airport Road and John King Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is proposing a zoning change from Agricultural District to a Light Industrial District. This is intended to create limited industrial zones and to facilitate industrial parks. The subject property does seem to be in conformance with the intent of the light industrial district. The proposed zoning change is in conformance with the future land use plan. Zoning is discretionary to the City Council pending a recommendation from the Planning and Zoning Commission. Staff mailed out 26 notices to property owners and occupants within 500-feet of the subject property. Staff received four (4) notices back; 3 in favor and 1 opposed to the request. Mr. Gonzales advised that the applicant and Staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

Tyler Wood
3055 Bridgecreek Drive
Rockwall, TX 75032

Mr. Wood came forward and was prepared to answer questions.

Stanley Springer
2000 Airport Road
Rockwall, TX 75087

Mr. Springer came forward and had questions in regards to what's going in.

Lori Garrett
1930 Airport Road
Rockwall, TX 75087

Mrs. Garrett came forward and expressed her opposition to the request.

Diane Springer
2000 Airport Road
Rockwall, TX 75087

Mrs. Springer came forward and expressed her concerns to the zoning change.

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

Mr. Wood came up and addressed the comments made by the public.

Commissioner Womble asked why this part of the City was zoned Agricultural (AG) District when it first came into the City.

Vice-Chairman Welch made a motion to approve item Z2021-017 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

8. **Z2021-018 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The Unified Development Code (UDC) recognized that the light industrial district is a zoning district intended to create a limited industrial zone that provides for modern type of land uses. This is intended to facilitate the development of industrial parks in the larger industries. The applicant's request to change the zoning is in conformance with the technology employment center land use designation. It also appears to be in conformance with the Future Land Use map. A zoning change is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Staff sent out 2 notices to property owners and occupants within 500-feet of the subject property. Staff has received two (2) notices in favor of the request. Mr. Gonzales then advised the Commission that the applicant and staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

2001 Ross Avenue
Dallas, TX 75201

A representative from Dan Gallagher came forward and was prepared to answer questions.

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

David Shoen
3006 San Marcos Drive
Rockwall, TX 75087

Mr. Shoen came forward and asked if there was a possibility to add a light in the street.

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

Commissioner Womble asked if there was a traffic study that could be attached to the case or would it have to be done separately.

Vice-Chairman Welch made a motion to approve item Z2021-018 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

9. **Z2021-019 (RYAN MILLER)**

Hold a public hearing to discuss and consider the annual update to the OURHometown Vision 2040 Comprehensive Plan (*i.e.* 2019 & 2020 Comprehensive Plan Update), and take any action necessary.

Planning and Zoning Director Ryan Miller gave a brief summary in regards to the request. Staff wanted to create an accountability phase which includes annual updates. A standing CPAC committee was created which allows to change the plan as the community and vision changes. Over the last years, there were several actions to achieve each year. Mr. Miller also outlined the achievements made for the year 2019/2020 and the goals for the upcoming years.

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

Mr. Wacker came forward and provided a PowerPoint presentation in regards to the request.

Mr. Miller gave additional details in regards to the updates made in the Comprehensive Plan. He explained some of the administrative changes made throughout the year.

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

Jim Turner
1691 E. Old Quail Run Road
Rockwall, TX 75087

Mr. Turner came forward and added there may be a few definitions that could be cleaned up.

Steve Curtis
2130 FM 1141
Rockwall, TX 75087

Mr. Curtis came forward and asked for the definition of suburban residential to be added to the comprehensive plan.

David Shoen
3006 San Marcos Drive
Rockwall, TX 75087

Mr. Shoen came forward and asked for the clarification of gross density in the residential section.

Mr. Miller added that the comprehensive plan is a big guide. There aren't hard, fast requirements and it's a document that talks in generalities and gives a general vision.

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

Commissioner Womble made a motion to approve item Z2021-019. Commissioner Deckard seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

V. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

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

- P2021-022: Final Plat for Lots 1 & 2, Block A, Neller Addition [APPROVED]
- P2021-023: Replat for Lots 12 & 13, Block 1, Alliance Addition, Phase 2 [APPROVED]
- P2021-024: Replat for Lot 1, Block A, Johnson Addition [APPROVED]
- P2021-025: Replat for Lot 2, Block 1, Our Savior Lutheran Church Addition [APPROVED]
- P2021-027: Preliminary Plat for Lots 1 - 14, Block A, Creekside Commons Addition [APPROVED]
- P2021-028: Replat for Lot 9, Block A, Ellis Centre, Phase Two Addition [APPROVED]
- Z2021-008: SUP for Residential Infill at 550 E. Quail Run Road [APPROVED; 2ND READING]
- Z2021-009: SUP for Residential Infill at 704 Parks Avenue [APPROVED; 2ND READING]
- Z2021-011: SUP for an Accessory Building at 804 S. Alamo Road [DENIED; 2ND READING]
- Z2021-013: Text Amendment to Article 05, District Development Standards, of the UDC [APPROVED; 2ND READING]


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

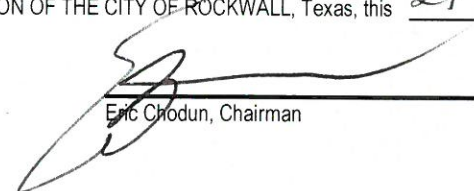
VI. ADJOURNMENT

Chairman Chodun adjourned the meeting at 9:12 pm

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 29 day of June, 2021.

Attest:


Angelica Gamez, Planning and Zoning Coordinator


Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS JUNE 29, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

Chairman Chodun called the meeting to order at 6:06 PM. Commissioners present were John Womble, Derek Deckard, Sedric Thomas, Mark Moeller, Jean Conway and Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, City Engineer Amy Williams and Civil Engineer Jeremy White. Absent from the meeting was Civil Engineer Sarah Johnston.

II. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

1. Approval of Minutes for the June 15, 2021 Planning and Zoning Commission meeting.
2. **P2021-029 (HENRY LEE)**
Consider a request by Richard and Judy Harris Family Trust for the approval of a Replat for Lots 8-15, Block A, Richard Harris No. 2 Addition being a 5.50-acre tract of land identified as Lots 1-7, Block A, Richard Harris No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 400, 402, 404, 406, 408, 410, & 412 Renfro Street, and take any action necessary.
3. **P2021-030 (DAVID GONZALES)**
Consider a request by Luis M. Gonzalez of Pacheco Koch Consulting Engineers on behalf of Alton Frazier of Willcar Holdings, LLC for the approval of a Replat for Lot 4, Block A, Channell Subdivision being a 18.762-acre parcel of land identified as Lot 3, Block A, Channell Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 89 (PD-89) for Light Industrial (LI) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 John King Boulevard, and take any action necessary.
4. **P2021-031 (ANGELICA GAMEZ)**
Consider a request by Alejandro Flores for the approval of a Replat for Lot 1, Block M, Lake Rockwall Estates East Addition being a 0.33-acre parcel of land identified as Lot 1406 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 478 Renee Drive, and take any action necessary.
5. **P2021-032 (DAVID GONZALES)**
Consider a request by David Srouji of D&M Construction on behalf of Abdul L. Khan of Centers for Peace and Mercy for the approval of a Final Plat for Lot 1, Block A, Centers for Peace and Mercy Addition being a 2.74-acre tract of land identified as Tract 10-01 & 22 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 600 Turtle Cove Boulevard, and take any action necessary.
6. **P2021-034 (ANGELICA GAMEZ)**
Consider a request by Akhil Vats of ADAT Estate, LLC for the approval of a Final Plat for Lots 1 & 2, Block A, ADAT Addition being a 1.57-acre tract of land identified as Tracts 30, 31, 32, & 32-1, of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Neighborhood Services (NS) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1001 N. Goliad Street, and take any action necessary.
7. **P2021-035 (DAVID GONZALES)**
Consider a request by Josh Millsap of KFM Engineering & Design on behalf of the Estate of Billy W. Peoples and Myreli, LLC for the approval of a Conveyance Plat for Lot 1, Block A, TAC Rockwall Addition being a 3.338-acre tract of land identified as Lots 1, 2, 3, 4, 5, 6, 7, & 8, Block P and Lots 1 & 2, Block AB, Rockwall OT Addition and Lots 4 & 5, Block A and Lots 4 & 5, Block B, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated at the southwest corner of the intersection of SH-66 and SH-205 [N. Goliad Street], and take any action necessary.
8. **SP2021-019 (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 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.

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

IV. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

9. MIS2021-007 (HENRY LEE)

Discuss and consider a request by Michael Hunter of the Rockwall Housing Development Corporation for the approval of a Special Exception to the setback requirements for a duplex on a 0.112-acre parcel of land identified as Lot 1, Block A, RHDC Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 814 Peters Colony, and take any action necessary.

Planner Henry Lee provided a brief history in regards to the request. Specifically, the North East Texas Community Development Corporation (NETCDC) are in the process of constructing a duplex on the property. The applicant informed Staff that there was an error with their form board survey where the contractor set the foundation form board on the build line instead of recessing it 18-inches. Currently, the structure has been framed and it would be cost prohibitive for them to bring the structure into conformance. Staff should note that City Council has approved a previous request which reduced their building setback from 20-feet to 15-feet. If this is approved, City Council will be granting a 13 ½ -foot building setback adjacent to Peters Colony. The applicant's request does not appear to be inconsistent with the existing neighborhood. Mr. Lee then advised that this is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission.

Commissioner Moeller added that this would enhance the neighborhood.

Commissioner Womble wanted clarification on whether or not they were making the building bigger or if it was just set in the wrong place.

Michael Hunter
RHDC Corporation
220 W. Quail Run Road
Rockwall, TX 75087

Mr. Hunter came forward and provided additional details in regards to his request.

Commissioner Moeller made a motion to approve MIS2021-007 with staff recommendations. Commissioner Womble seconded the motion which passed by a vote of 7-0.

Chairman Chodun advised that the item will be brought before the City Council on July 6, 2021.

V. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is July 13, 2021.

10. Z2021-020 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by St. Benedict's Anglican Church on behalf of Brett Hall for the approval of a Specific Use Permit (SUP) for a House of Worship on a 7.45-acre tract of land identified as Tract 3 & 10 of the W. B. Bowles Survey, Abstract No. 12 and A. Hanna Survey Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, 1500 Sunset Hill Drive, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Dub Douphrate
2235 Ridge Road
Rockwall, TX 75087

Mr. Douphrate came forward and provided a brief summary in regards to the request. Their intent is to change the use of the subject property from single-family residential to a church home. The existing structure is about 7,000-square feet and their intent is to keep the majority of that structure intact.

Commissioner Deckard asked if there was going to be a turn lane required due to this being a heavily residential area.

Planning and Zoning Manager David Gonzales added that the applicant would be requesting a waiver to the three-tiered screening requirement.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.

11. **Z2021-021 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Stephen Seitz of Seitz Architects, Inc. on behalf of Jim Vaudagna of the Vault Self-Storage for the approval of a Specific Use Permit (SUP) the expansion of an existing Mini-Warehouse Facility on a 6.06-acre parcel of land identified as Lot 1, Block C, Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1280 E. Ralph Hall Parkway, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting a Specific Use Permit (SUP) to expand their mini-warehouse facility. Their site plan indicates that there will be seven (7) new buildings. The applicant will be requesting a variance for the roof pitch and that is to match the existing buildings. Mr. Lee advised the Commission that they had to grant a variance during the first request.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.

12. **Z2021-022 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Ignacio Cardenas for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.158-acre parcel of land identified as Lot 810-A0 of the Lake Rockwall 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 147 Eva Place, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Ignacio Cardenas
147 Eva Place
Rockwall, TX 75032

Mr. Cardenas came forward and provided a brief statement in regards to the request.

Planner Henry Lee added that they will be requesting a waiver for the garage setback which is required to be 20-feet. From their floor plan, it does show it to be 5-feet 5-inches in front of the front façade. However, this is not uncharacteristic of the neighborhood.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.

13. **Z2021-023 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Don Holamon for the approval of a Specific Use Permit (SUP) for an Accessory Building on a 1.50-acre parcel of land identified as Lot 12, Block A, Sterling Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 3221 Diamond Way Drive, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Don Holamon
3221 Diamond Way Drive
Rockwall, TX 75087

Mr. Holamon came forward and provided a brief summary in regards to the request. He is requesting approval of the SUP to have an additional accessory building on his property to store lawn equipment.

Planner Henry Lee added that they currently have two (2) existing accessory buildings. With this request, the applicant will be asking for a third accessory building as well as exceeding the maximum permissible size.

Chairman Chodun asked if the existing storage buildings were compatible but they are not.

Vice-Chairman Welch wanted additional details in regards to the size.

Commissioner Moeller asked if it will be on a concrete foundation.

Commissioner Conway asked if this would be the same situation with having a certain number of buildings on bigger properties.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.

14. **Z2021-024 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of Kris Sharp for the approval of a Zoning Change amending Planned Development District 46 (PD-46) to allow Warehouse as a permitted land use on a 1.90-acre parcel of land identified as

Lot 5, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, addressed as 3301 Springer Road, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. Planned Development District was established in the late 1990s and it was in response to this area being annexed. It allowed all remaining existing uses to remain intact but any additional uses had to meet the commercial district standards. What they were wanting to build was a warehouse, which is not uncharacteristic of the area, but are not allowed in a commercial district. They would then need to amend the planned development district to add that use.

Chairman Chodun asked how the warehouse fit in with the area.

Greg Wallis
1520 E. I-30
Rockwall, TX 75032

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

Commissioner Deckard asked if the other tracts in the property could be rezoned ahead of time.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.

15. **Z2021-025 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Kevin Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.1650-acre parcel of land identified as Lot 908A of the Lake Rockwall 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 154 Lynne Drive, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. He explained that they are requesting an SUP for a residential infill and they will be requesting a waiver to the 20-foot garage setback. Their current floor plan shows it to be 14-feet 6 1/2 inches in front of the front façade but this is not uncharacteristic of the neighborhood.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.

16. **Z2021-026 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Troy Lewis of Newstream Capital Partners for the approval of an Zoning Change to amend Planned Development District 8 (PD-8) [Ordinance No. 92-39] for the purpose of allowing townhomes on a 6.88-acre tract of land identified as Lot 4, Block A, Spyglass Hill #4 Addition and Tract 134-12 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) [Ordinance No. 92-39] for Zero Lot Line (ZL-5) District land uses, generally located south on the south side of Henry M. Chandler Drive west of Ridge Road [FM-740], and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Troy Lewis
311 S. Oak Street
Roanoke, TX 76262

Mr. Lewis came forward and provided a history and handout in regards to the request. He informed the Commission that he had an informational meeting with the Chandlers Landing HOA at the beginning of March but, due to everything getting shut down, the project was placed on hold. He also requested an opportunity to speak to the neighbors of Chandlers Landing to let them know what they had in mind and let them have an open discussion. Mr. Lewis advised that he had requested a letter of support from the HOA but has not received it yet when he meets with the HOA Environmental Committee on July 7, 2021. They are proposing 36 units with 2 entrances and 1 cul-de-sac.

Director of Planning and Zoning Ryan Miller requested that the applicant incorporate some kind of building elevations so the Commission can see what product is being proposed on there. Currently the property, while allowing 36 units, is designed for medium density residential. The proposed project would exceed the permitted density for medium density residential and would require the Future Land Use Map to be amended to high density residential. This request currently does not meet the Comprehensive Map. Staff has given recommendations to the applicant on how they can bring the project into conformance with the Comprehensive Plan, specifically on how the plan treats townhomes.

Commissioner Womble wanted clarification as to whether or not the applicant was allowed to have 36 units. He also asked if the units were for sale or for rent.

Vice Chairman Welch asked who was responsible for the height visibility issue in Chandlers Landing.

Commissioner Deckard asked if this was under with City's control and supply for water and sewer.

Commissioner Conway asked if each of the pods of buildings will have common walls.

Mr. Miller asked if the intent of this project was to be incorporated into the Chandlers Landing HOA.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.

267
268
269 17. **P2021-033 (HENRY LEE)**

270 Discuss and consider a request by Aaron Selden for the approval of a Final Plat for Lots 1 & 2, Block A, Aaron Selden Addition being a 5.74-acre
271 tract of land identified as Tracts 5-05, 5-06, & 5-12 of the J. Simmons Survey, Abstract No. 190, Rockwall County, Texas, situated within the City of
272 Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 260 Anna Cade Road, and take any action necessary.

273 **Planner Henry Lee provided a brief summary in regards to the request. Mr. Lee advised the Commission that this item was included as a**
274 **Discussion Item because it had to be reviewed by Rockwall County due to it being in the Extraterritorial Jurisdiction (ETJ). The item will**
275 **return as an Action Item at the next meeting.**

276
277 **Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.**
278

279 18. **P2021-036 (DAVID GONZALES)**

280 Discuss and consider a request by Bart Carroll for the approval of a Preliminary Plat for Phase 2 of the Landon Subdivision being a 94.273-acre tract
281 of land identified as a portion of Tract 13 of the S. McFaddin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's
282 Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take
283 any action necessary.
284

285 **Planning and Zoning Manager David Gonzales advised the Commission that this item had to be reviews by Rockwall County as well due**
286 **to it being inside the Extraterritorial Jurisdiction (ETJ). It will return as an Action Item at the next meeting.**
287

288 **Chairman Chodun asked the applicant to come forward.**

289 **Bart Carroll**
290 **597 Meadowlark Lane**
291 **Josephine, TX 75173**
292
293

294 **Mr. Carroll came forward and provided a brief summary in regards to the request.**
295

296 **Mr. Gonzales added that Staff wanted to ensure that the area will be served because there is no current agreement with Blackland Water**
297 **Supply that can fulfill the water for this area.**
298

299 **Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.**
300

301 19. **SP2021-016 (HENRY LEE)**

302 Discuss and consider a request by Johnathan Thrall of Nimble Restoration Services on behalf of Johnathan Dubroc of M. Crowd Restaurant Group
303 for the approval of an Amended Site Plan for an existing *Restaurant [Mi Cocina]* on a 1.41-acre parcel of land identified as Lot 11, Block A, Rockwall
304 Crossing Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District,
305 addressed as 971 E. IH-30, and take any action necessary.
306

307 **Director of Planning and Zoning Ryan Miller advised that this item will return as a Consent Agenda item at the next meeting because it lies**
308 **within the IH-30 Overlay. The reason why it was not today was because it had to be presented to the Architectural Review Board.**
309

310 **Vice-Chairman Welch asked what was the City's stance on outdoor vinyl walls.**
311

312 **Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.**
313

314 20. **SP2021-017 (DAVID GONZALES)**

315 Discuss and consider a request by Keaton Mai of the Dimension Group behalf of Russell Phillips of Rockwall 205 Investors, LLC for the approval of
316 a Site Plan for a *Retail Store with Gasoline Sales* on a 1.503-acre portion of a larger tract of land being a 34.484-acre tract of land identified as Tracts
317 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-
318 205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action
319 necessary.
320

321 **Planner David Gonzales advised that the applicant met with the Architectural Review Board so the Commission will see some changed to**
322 **the elevations when the applicant comes back before them.**
323

324 **Chairman Chodun asked the applicant to come forward.**
325

326 **Keaton Mai**
327 **10755 Sandhill Road**
328 **Dallas, TX 75238**
329

330 **Mr. Mai came forward and provided a brief summary in regards to the request. They are proposing to construct a 7-Eleven that will have a**
331 **temporary access road. He added that they met with Architectural Review Board and are planning to incorporate their recommendations.**
332 **Mr. Mai advised that they will also be requesting a variance for the pitched roof element and are looking on doing an enhanced landscape**
333 **buffer along 549 as a compensatory measure.**
334

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.

21. **SP2021-020 (RYAN MILLER)**

Discuss and consider a request by Josh Millsap of KFM Engineering & Design on behalf of the Estate of Billy W. Peoples and Myreli, LLC for the approval of a Site Plan for a Multi-Family Apartment Building on a 3.338-acre tract of land identified as Lots 1, 2, 3, 4, 5, 6, 7, & 8, Block P and Lots 1 & 2, Block AB, Rockwall OT Addition and Lots 4 & 5, Block A and Lots 4 & 5, Block B, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated at the southwest corner of the intersection of SH-66 and SH-205 [N. Goliad Street], and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Erik Earnshaw
4595 Excel Pkwy
Addison, TX 75001

Mr. Earnshaw came forward and provided a brief summary in regards to the request. The applicant is proposing a multi-family development at the corner of S. Alamo and Washington Street. The main focal point and main access to the club leasing facility will be at East Washington Street and S. Alamo Street. This will be a 263-unit product atop a parking structure. Along with many amenities, there will be a rooftop observation deck and lounge.

Commissioner Deckard had questions regarding parking and access to the parking lot. He recommended that the applicant add some car diagrams for the next meeting. Commissioner Deckard wanted to confirm that this use was zoned by right in the district.

Mr. Miller added that the Downtown District does allow multi-family under certain restrictions. A new police parking lot will be constructed and incorporated as part of this development. It will have to be segregated from the general population parking areas as well as from the traffic areas. In addition, the zoning in the district does allow multi-family but will require direct access onto the roadways. At the moment, staff hasn't identified any minor waivers that will be presented before the Commission. Bicycle parking will also be available due to the ordinance requiring it.

Commissioner Womble asked what the total unit count for the condos was.

Commissioner Deckard asked if Staff had accurate mapping of the cemetery adjacent to the subject property.

Commissioner Moeller asked how many spaces would be allocated for the police parking.

Commissioner Thomas asked if there was an estimate in the number of one-bedroom, two-bedroom, and three-bedroom units.

Commissioner Conway asked about the major entry and exit.

Chairman Chodun asked the applicant if he had considered retail in the lower areas.

Vice Chairman Welch added that the applicant may want to get in touch with the Downtown Association.

Commissioner Thomas inquired about having a delivery area set up.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.

22. **SP2021-018 (DAVID GONZALES)**

Discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Gene Cooper of GotRock Properties, LLC for the approval of a Site Plan for two (2) office buildings on a 1.128-acre tract of land identified as Lots 2 & 4, Block A, North Lake Shore Daycare Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for General Retail (GR) District land uses, addressed as 1942 & 1944 N. Lakeshore Drive, and take any action necessary.

Planning and Zoning Manager David Gonzales indicated that the Architectural Review Board had reviewed this and staff would be getting with the applicant to go over comments made by the ARB. They're looking to have some shrubbery added to the back façade as well as some windows.

Chairman Chodun asked the applicant to come forward.

Ernesto Miranda
Magellan Architects

Mr. Miranda came forward and was prepared to answer questions.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on July 13, 2021.

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

- P2021-026: Preliminary Plat for the Winding Creek Subdivision [APPROVED]
- Z2021-014: Zoning Change (AG to PD) for Klutts Farm [APPROVED; 1st READING]
- Z2021-015: SUP for a Residential Infill at 511 S. Clark Street [APPROVED; 1st READING]
- Z2021-016: SUP for an Accessory Building at 361 Willowcrest [WITHDRAWN]
- Z2021-017: Zoning Change (AG to LI) on Airport Road [APPROVED; 1st READING]
- Z2021-018: Zoning Change (AG to LI) on Corporate Crossing [APPROVED; 1st READING]
- Z2021-019: Comprehensive Plan Update [APPROVED; 1st READING]

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

VI. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:22 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 13 day of July, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JULY 13, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

Chairman Chodun called the meeting to order at 6:01 PM. Commissioners present were Sedric Thomas, John Womble, Jean Conway, Mark Moeller and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Derek Deckard. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, City Engineer Amy Williams and Civil Engineer Sarah Johnston. Absent from the meeting was Civil Engineer Jeremy White.

II. APPOINTMENTS

1. 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.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

Stan Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mr. Jeffus came forward and expressed his opposition to the apartment complex going in the Downtown Rockwall area. He added that he would prefer condos going into that area as opposed to apartments.

Chairman Chodun advised that the item concerning the apartment complex was going to be on the July 27, 2021 agenda.

Bruce Moore
667 York Drive
Rockwall, TX 75087

Mr. Moore came forward and expressed his opposition the apartment complex due to the traffic issues they may cause.

Dana Wilson
1598 Sunset Hill Drive
Rockwall, TX 75087

Mrs. Wilson came forward and expressed her concern for the excessive speeding on Lakeshore Drive.

Debra Kern
1211 N. Goliad Street
Rockwall, TX 75087

Mrs. Kern came forward and expressed her opposition to the apartment complex going in Downtown Rockwall.

Chairman Chodun asked if anyone else wished to speak to come forward at this time. There being no one coming forward, Chairman Chodun closed the open forum.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the June 29, 2021 Planning and Zoning Commission meetings.

3. **P2021-033 (HENRY LEE)**

Discuss and consider a request by Aaron Selden for the approval of a Final Plat for Lots 1 & 2, Block A, Aaron Selden Addition being a 5.74-acre tract of land identified as Tracts 5-05, 5-06, & 5-12 of the J. Simmons Survey, Abstract No. 190, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 260 Anna Cade Road, and take any action necessary.

4. **P2021-036 (DAVID GONZALES)**

Discuss and consider a request by Bart Carroll for the approval of a Preliminary Plat for Phase 2 of the Landon Subdivision being a 94.273-acre tract of land identified as a portion of Tract 13 of the S. McFaddin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.

5. **SP2021-016 (HENRY LEE)**

Discuss and consider a request by Johnathan Thrall of Nimble Restoration Services on behalf of Johnathan Dubroc of M. Crowd Restaurant Group for the approval of an Amended Site Plan for an existing Restaurant [Mi Cocina] on a 1.41-acre parcel of land identified as Lot 11, Block A, Rockwall Crossing Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 971 E. IH-30, 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 6-0 with Commissioner Deckard absent.

V. **PUBLIC HEARING ITEMS**

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

6. **Z2021-020 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by St. Benedict's Anglican Church on behalf of Brett Hall for the approval of a Specific Use Permit (SUP) for a House of Worship on a 7.45-acre tract of land identified as Tract 3 & 10 of the W. B. Bowles Survey, Abstract No. 12 and A. Hanna Survey Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, 1500 Sunset Hill Drive, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting approval for a Specific Use Permit (SUP) for a House of Worship. The Church will be located on the subject property where there is an existing home that will be renovated to accommodate the proposed church. There will also be removal of a garage and an addition of 41 parking spaces. Additionally, the applicant is going to provide three-tiered screening along the north and east property line as well as incorporate headlight screening where you can see the parking spaces that are being proposed. Future expansion of the project will include the extension of the 24-foot fire lane, additional parking spaces for the site, future chapel and water feature. Staff would like to point out that landscaping for this development will be considered during the site plan process. According to the Unified Development Code, an SUP is required for the SF-10 zoning district for a church of house of worship. Due to the residential adjacencies, the UDC requires screening with a masonry fence with a minimum of 6-feet in height with canopy trees. An alternative screening method is discretionary to the Planning and Zoning Commission. Any request for an SUP is discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Staff mailed out 126 notices to all property owners and occupants within 500-feet of the subject property. All Homeowner Associations (HOAs) within 1500-feet of the subject property were also notified. Staff has since received 5 property owner notifications (PONs) and emails within the 500-foot buffer that are opposed to the request. Also, there are 7 others that submitted via email and thru the online portal that are also opposed to the request with one being undecided. Mr. Gonzales then advised that the applicant and Staff were present and available for questions.

Vice-Chairman Welch asked about the parking and what the occupancy was for the building in the request.
Commissioner Conway asked if there was a house there that would be renovated to be a part of this.

Chairman Chodun asked the applicant to come forward.

Dub Douphrate
2235 Ridge Road
Rockwall, TX 75087

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

Commissioner Moeller asked if the applicant had considered building a right turn lane into the property due to traffic.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time.

Bill Lofland
#1 Topside Lane
Rockwall, TX 75087

Mr. Lofland came forward and expressed his opposition to the request.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Chairman Chodun asked the applicant to come forward again and address comments made by the public.

Mr. Doupbrate came forward once again and gave further explanations to the request.

Commissioner Womble asked what percentage of churches were within residential neighborhoods.

Vice-Chairman Welch asked if there was a specific designation for churches in the comprehensive plan.

Chairman Chodun asked if there are any tax exemptions on the property.

Commissioner Womble asked if there was anything they could do to cap the request to prevent it from becoming a mega church.

Commissioner Thomas asked if the attendees lived in that general area.

Commissioner Conway asked if the house will continue to look like a house.

Commissioner Womble expressed his being in favor of the request.

Commissioner Moeller made a motion to approve Z2021-020 with staff recommendations. Commissioner Womble seconded the motion which passed by a vote of 5-1 with Chairman Chodun dissenting.

Chairman Chodun advised that the case will go before the City Council on July 19, 2021.

7. Z2021-021 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Stephen Seitz of Seitz Architects, Inc. on behalf of Jim Vaudagna of the Vault Self-Storage for the approval of a Specific Use Permit (SUP) the expansion of an existing Mini-Warehouse Facility on a 6.06-acre parcel of land identified as Lot 1, Block C, Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1280 E. Ralph Hall Parkway, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. On June 3, 2013, the applicant was approved to allow the expansion of their existing mini-warehouse facility. However, the SUP expired which prompted the applicant to submit similar elevations and a concept site plan. The application submitted by the applicant is requesting to expand the site to cover approximately 4.6 acres of the 6.06 acres and will have a total of 568 storage units. The applicant has stated that this could be completed in two phases. According to the UDC, because the existing floor area is increasing on the conceptual plan by more than 30% then the applicant will be required to submit a site plan if this is approved. Conceptual elevations demonstrate that the applicant is now conforming to the current standards. The only requirement that they are not meeting is the roof pitch. The roof pitches the applicant is requesting are to match what is on the already existing buildings. It does not appear that this variance will have a negative impact on the surrounding properties but this is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. On June 29, 2021, staff mailed out 20 notices to property owners and occupants within 500-feet of the subject property as well as notifying all HOAs within 1500-feet. Staff has received 1 notice in opposition of this request.

Chairman Chodun asked the applicant to come forward.

Matthew Mulligan
2305 Lake Forest Drive
Rockwall, TX 75087

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

Chairman Chodun inquired as to why the previous SUP had lapsed.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Moeller made a motion to approve Z2021-021 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on July 19, 2021.

8. Z2021-022 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Ignacio Cardenas for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.158-acre parcel of land identified as Lot 810-A0 of the Lake Rockwall 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 147 Eva Place, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The proposed plot plan indicates that the garage will be flat front entry. According to the Unified Development Code, garages must be located 20-feet behind the front façade. For front entry garages such as this case, they are proposing to put the garage 5-feet 7-inches in front of the front façade. If this is approved, the Planning and Zoning Commission and City Council will be waiving this requirement. The proposed home does meet all the density and dimensional requirements for the Single-Family 7 District as stipulated in Planned Development 75. The exception for the garage setback has been approved before in this neighborhood. Approval of this request is a discretionary decision for the City Council

pending a recommendation from the Planning and Zoning Commission. On June 29, 2021, staff mailed out 109 notices to all property owners and occupants within 500-feet of the subject property. Staff has since received 1 notice in opposition of the applicant's request.

Chairman Chodun asked the applicant to come forward.

Ignacio Cardenas
147 Eva Place
Rockwall, TX 75032

Mr. Cardenas came forward and was prepared to answer questions in regards to the request.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Chairman Chodun made a motion to approve Z2021-022 with staff recommendations. Commissioner Moeller seconded the motion with a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on July 19, 2021.

9. **Z2021-023 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Don Holamon for the approval of a Specific Use Permit (SUP) for an Accessory Building on a 1.50-acre parcel of land identified as Lot 12, Block A, Sterling Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 3221 Diamond Way Drive, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant has submitted an application requesting to permit a 12'x20' metal accessory building. Staff should point out that this material is not characteristic of the primary structure. In this case, the applicant's request generally conforms to the density and dimensional requirements for accessory buildings but it does not adhere to the maximum number of accessory structures allowed on a property. According to the UDC, if there's an existing accessory structure greater than 625 square-feet than no additional accessory buildings or structures are permitted. In this case, the applicant already has multiple buildings on the property. The proposed building will then be the fourth accessory structure proposed on the subject property. Approval of this SUP is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission. On June 29, 2021, staff mailed out 19 notices to property owners and occupants within 500-feet of the subject property as well as notifying any HOAs within 1500-feet. Staff has not received any notices in regards to the request.

Chairman Chodun asked the applicant to come forward.

Don Holamon
3221 Diamond Way
Rockwall, TX 75087

Mr. Holamon came forward and provided additional details in regards to his request.

Commissioner Thomas what the building would be used for.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Moeller made a motion to approve Z2021-023 with staff recommendations. Commissioner Conway seconded the motion which passed by a vote of 5-1 with Commissioner Womble dissenting.

Chairman Chodun advised that the case will go before the City Council on July 19, 2021.

10. **Z2021-024 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Greg Wallis of Mershaw Architects on behalf of Kris Sharp for the approval of a Zoning Change amending Planned Development District 46 (PD-46) to allow Warehouse as a permitted land use on a 1.90-acre parcel of land identified as Lot 5, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, addressed as 3301 Springer Road, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The whole area known as Planned Development District 46 was annexed in 1997 but the PD itself was put into place in 1999. At the time, it took all individual land uses that were on each individual property which were annexed in that way. Also, at that time, a lot of them were considered to be non-conforming and it made each use a by-right land use on that property. Each property was allowed to continue what it was doing by right and then anything else done on that property would have to conform to the Commercial District standards. The subject property was permitted to be a Commercial District land use or a trucking operation by right. The applicant is asking to amend the Planned Development District 46 for the purpose of allowing Commercial District land uses with the addition of an office warehouse. The warehouse distribution land use is only allowed by right in a Light Industrial, Heavy Industrial or Heavy Commercial District but not allowed in the Commercial District itself. The only thing that's changing is the addition of this one use on the property. On June 30, 2021, staff mailed out 70 notices to property owners and occupants within 500-feet within the subject property as well as notified any

HOAs within 1500-feet. Staff has not received any notices back in regards to the request. Mr. Miller advised the Commission that the applicant and staff were present to answer questions.

Chairman Chodun asked the applicant to come forward.

Greg Wallis
1520 E. I-30
Rockwall, TX 75087

Mr. Wallis came forward and was prepared to answer questions.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Womble made a motion to approve Z2021-024. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on July 19, 2021.

11. Z2021-025 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Kevin Osornio for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.1650-acre parcel of land identified as Lot 908A of the Lake Rockwall 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 154 Lynne Drive, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. According to the UDC, garages must be 20-feet behind the front façade for front entry garages. In this case, the applicant is proposing to put his garage 14-feet 6 ½ inches in front of the front façade. If approved, the Planning and Zoning Commission and City Council would be waiving this requirement. Staff should note that this waiver has been approved before in the Lake Rockwall Estates Subdivision. With the exception of this garage setback, the proposed family home does meet all of the density and dimensional requirements for this single-family district. Approval of this request is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission. On June 29, 2021 staff mailed out 130 notices to property owners and occupants within 500-feet of the subject property. Staff has since received one notice in opposition to the applicant's request.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Conway made a motion to approve Z2021-025. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

12. Z2021-026 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Troy Lewis of Newstream Capital Partners for the approval of a Zoning Change to amend Planned Development District 8 (PD-8) [Ordinance No. 92-39] for the purpose of allowing townhomes on a 6.88-acre tract of land identified as Lot 4, Block A, Spyglass Hill #4 Addition and Tract 134-12 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) [Ordinance No. 92-39] for Zero Lot Line (ZL-5) District land uses, generally located south on the south side of Henry M. Chandler Drive west of Ridge Road [FM-740], and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a summary in regards to the request. The subject area was originally annexed and zoned in 1973 and at that time, the property was zoned for multi-family or condominiums. In 1992, a zoning case was approved on changing this designation to allow 36 zero lot-line homes and they adopted a concept plan that is contained in the zoning ordinance. Staff should note that a similar request was brought forth and denied by City Council in 2017. The applicant is requesting to amend Planned Development District 8 to allow 36 townhomes and will incorporate a density of 5.23 dwelling units per acre. The applicant requested prior to the meeting that they wanted to change the side yard setback. This would change from 50-feet in between buildings to 20-feet in between buildings. The applicant is also proposing 100% flat front entry garages. Another area of nonconformance are the anti-monotony standards. This particular request would also require to change the medium-density residential to high-density residential designation. Staff should note that a phone call was received from somebody incorporated with the Chandlers Landing HOA indicating that this would be incorporated into that HOA. Overall, staff's analysis of the project does not meet the comprehensive plan but this is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission. On July 2, 2021, staff mailed out 1,752 notices to all property owners and occupants living within 500-feet of the subject property as well as notified all HOA's that were 1500-feet within the subject property. As of tonight, staff had received 13 property owner notifications from property owners within the 500-foot buffer opposed to the applicant's request as well as 4 emails from property owners within the 500-foot buffer opposed to the applicant's request as well. Also, 12 notices from 8 property owners within the 500-foot buffer were received in favor as well as 5 emails from property owners within the buffer in favor of the applicant's request. Mr. Miller then advised that the applicant and Staff were present for questions.

Commissioner Moeller asked that since the HOA was okay with this project then would road maintenance take place in the future. Chairman Chodun asked if the surrounding homes were medium-density residential. Commissioner Womble wanted clarification in regards to the number of units and style.

Chairman Chodun asked the applicant to come forward.

Troy Lewis
311 S. Oak Street
Roanoke, TX 76262

Mr. Lewis came forward and provided a PowerPoint presentation in regards to the request.

Commissioner Moeller had some concerns in regards to the anti-monotony clause.
Commissioner Conway was wondering why the applicant couldn't meet the requirements of the ordinance.
Commissioner Thomas asked if there was anything official from the Board Members in favor of the request.
Vice-Chairman Welch asked if the 10-foot setback hampers the view corridor. He also asked what to look for in regards to roof decks and what materials were going to be used.

Chairman Chodun opened the public hearing and asked anyone who wished to speak to do so at this time.

Jerrard T. Rivera
13 Lakeway Drive
Heath, TX 75032

Mr. Rivera came forward and expressed his opposition to townhomes and his concern on the loud noise that would come from the townhome roof decks. He also wondered why he did not receive a notification on the project.

Jerry Jaminet
251 N. Krider Rd.
Fate, TX 75189

Mr. Jaminet came forward and expressed his concern in regards to losing his view.

Kylie Anderson
160 Henry M. Chandler
Rockwall, TX 75032

Ms. Anderson came forward and expressed her opposition and concern for parking and noise.

Victor Carrillo
108 Mischief Lane
Rockwall, TX 75032

Mr. Carrillo came forward and expressed his opposition and concerns over how approval of this would impact current resident owner fees. He also suggested that the concerns raised by Heath residents be valid.

Michael Sykora
11 Lakeway Drive
Heath, TX 75032

Mr. Sykora came forward and expressed his opposition to the request.

Ed Fontana
319 Columbia Drive
Rockwall, TX 75032

Mr. Fontana came forward and expressed his opposition to the request.

Taylor Garrett
5505 Ranger Drive
Rockwall, TX 75032

Mr. Garrett came forward and expressed his opposition to the request.

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

Mr. Lewis came forward and addressed the concerns made by the residents.

Vice-Chairman Welch asked if they can make this dependent on the HOA approval. He also asked if they required any buffering between residential neighborhoods.
Commissioner Womble asked what would happen if they do not get approval from the Chandlers Landing HOA. He would be more for it if there was something in writing from the HOA in support of the request.
Commissioner Thomas added that he agreed with Commissioner Womble in regards to tabling the item.

Commissioner Conway added that she would like more variety in elevations amongst the product.

Commissioner Thomas made a motion to table item Z2021-026 until the July 27, 2021 meeting. Commissioner Conway seconded the motion which passed by a vote of 6-0.

VI. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

13. SP2021-018 (DAVID GONZALES)

Discuss and consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Gene Cooper of GotRock Properties, LLC for the approval of a Site Plan for two (2) office buildings on a 1.128-acre tract of land identified as Lots 2 & 4, Block A, North Lake Shore Daycare Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for General Retail (GR) District land uses, addressed as 1942 & 1944 N. Lakeshore Drive, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a summary in regards to the request. In February of this year, City Council approved a zoning change in Planned Development District 41 (PD-41) to allow for two pad sites. The purpose of the request is to begin construction on these two offices. With the exception of the variances, the site plan does generally conform to the technical requirements that are associated in the Unified Development Code (UDC). PD-41 essentially provided General Overlay District standards for the property to meet. The applicant is having the building look similar to the existing building onsite. In the case where various variances are being requested, the applicant shall provide compensatory measures that directly offset the requested variances. All of these variance requests are a discretionary decision for the Planning and Zoning Commission. This does also require $\frac{3}{4}$ of the majority vote for approval of the variances being requested. Mr. Gonzales advised that ARB did forward a unanimous recommendation for approval to the Commission and Staff and the applicant were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Ernesto Miranda
8330 LBJ Freeway
Dallas, TX 75243

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

Commissioner Womble asked whether or not ARB had approved this design.

Commissioner Thomas made a motion to approve SP2021-018 with staff recommendations. Commissioner Moeller seconded the motion which passed by a vote of 6-0.

VII. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

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

- P2021-029: Replat for Lots 8-15, Block A, Richard Harris No. 2 Addition [APPROVED]
- P2021-030: Replat for Lot 4, Block A, Channell Subdivision [APPROVED]
- P2021-031: Replat for Lot 1, Block M, Lake Rockwall Estates East Addition [APPROVED]
- P2021-032: Final Plat for Lot 1, Block A, Centers for Peace and Mercy Addition [APPROVED]
- P2021-034: Final Plat for Lots 1 & 2, Block A, ADAT Addition [APPROVED]
- P2021-035: Conveyance for Lots 1, Block A, TAC Rockwall Addition [APPROVED]
- MIS2021-007: Special Exception for 814 Peters Colony [APPROVED]
- Z2021-014: Zoning Change (AG to PD) for Klutts Farm [APPROVED; 2ND READING]
- Z2021-015: SUP for a Residential Infill at 511 S. Clark Street [APPROVED; 2ND READING]
- Z2021-017: Zoning Change (AG to LI) on Airport Road [APPROVED; 2ND READING]
- Z2021-018: Zoning Change (AG to LI) on Corporate Crossing [APPROVED; 2ND READING]
- Z2021-019: Comprehensive Plan Update [APPROVED; 2ND READING]

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

VIII. ADJOURNMENT

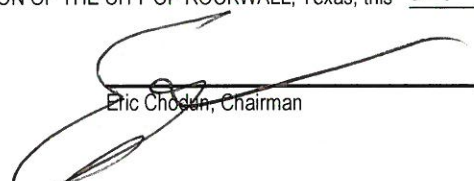
Chairman Chodun adjourned the meeting at 8:35 pm

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PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 27 day of July, 2021.

Attest: 

Angelica Gamez, Planning and Zoning Coordinator



Eric Choden, Chairman

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JULY 27, 2021 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 John Womble, Derek Deckard, Sedric Thomas, Mark Moeller, Jean Conway and Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, City Engineer Amy Williams, Civil Engineers Jeremy White and Sarah Johnston, and Fire Marshall Ariana Kistner.

II. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

Jim Pruitt
110 S. Goliad Street
Rockwall, TX 75087

Mr. Pruitt came forward and provided clarity in regards to the 380 agreement that was signed when he was Mayor of City of Rockwall.

Darlene Reed
701 S. Alamo
Rockwall, TX 75087

Mrs. Reed came forward and expressed her opposition to the construction of the apartments in Downtown Rockwall.

Howard Haddock
155 Willowcrest
Rockwall, TX 75032

Mr. Haddock came forward and expressed his opposition to the construction of the apartments in Downtown Rockwall.

Jim Turner
1691 E. Old Quail Run Road
Rockwall, TX 75087

Mr. Turner came forward and provided a PowerPoint in regards to the construction of the apartments in downtown Rockwall.

Charles Stall
503 Westway Drive
Rockwall, TX 75087

Mr. Stall came forward and expressed his opposition to the construction of the apartments in downtown Rockwall.

Frank Tyminski
815 Oak Hollow Lane
Rockwall, TX 75087

Mr. Tyminski came forward and provided a PowerPoint in regards to public safety, emergency response, high tension power lines, and TxDot traffic Impact Analysis.

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

Mr. Wacker came forward and provided a PowerPoint in regards to the apartments in downtown Rockwall.

Johnny L. Johnson
303 N. Clark Street
Rockwall, TX 75087

Mr. Johnson came forward and expressed his opposition to the apartments in Downtown Rockwall due to safety measures.

Dayan Velasquez
787 Mountcastle Drive
Rockwall, TX 75087

Mr. Velasquez came forward and expressed his opposition to the apartments in downtown Rockwall due to traffic and lack of parking.

Josh Tucker
544 La Grange Drive
Fate, TX 75087

Mr. Tucker came forward and expressed his opposition to the apartments in downtown Rockwall.

Janice Carson
826 Oak Hollow Lane
Rockwall, TX 75087

Mrs. Carson came forward and expressed her opposition to the apartments in downtown Rockwall.

Chairman Chodun asked if there was anyone else who wished to speak. There being no one coming forward, Chairman Chodun closed the open forum.

III. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

1. Approval of Minutes for the July 13, 2021 Planning and Zoning Commission meeting.

2. **P2021-038 (HENRY LEE)**

Consider a request by Bill Thomas of Engineering Concepts & Design on behalf of Josh Swiercinsky of 7.1 Ridge, LLC for the approval of a Replat for Lots 2-7, Block A, Sky Ridge Addition being a 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located west of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

3. **P2021-039 (HENRY LEE)**

Consider a request by Shanon Thomas of Rockwall Friendship Baptist Church for the approval of a Final Plat for Lot 1, Block A, Rockwall Friendship Baptist Church Addition being a 3.94-acre tract of land identified as Tract 1-8 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 5651 SH-276, and take any action necessary.

4. **P2021-042 (DAVID GONZALES)**

Discuss and consider a request by Justin Lansdowne of McAdams Co. on behalf of John Delin of RW Ladera, LLC for the approval of a Replat for Lot 2, Block A, Ladera Rockwall Addition being a 37.8-acre tract of land identified as Lot 1, Block A, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

5. **P2021-043 (ANGELICA GAMEZ)**

Consider a request by Randall Eardley of Wier & Associates, Inc. on behalf of Stephen Doyle of Structured REA-Rockwall Land, LLC for the approval of a Conveyance Plat for Lots 1 & 2, Block B, Fit Sport Life Addition being a 12.807-acre portion of a larger 31.65-acre tract of land identified as Tract 22-2 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and take any action necessary.

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

IV. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

6. **Z2021-026 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Troy Lewis of Newstream Capital Partners for the approval of a Zoning Change to amend Planned Development District 8 (PD-8) [Ordinance No. 92-39] for the purpose of allowing townhomes on a 6.88-acre tract of land identified as Lot 4, Block A, Spyglass Hill #4 Addition and Tract 134-12 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) [Ordinance No. 92-39] for Zero Lot Line (ZL-5) District land uses, generally located south on the south side of Henry M. Chandler Drive west of Ridge Road [FM-740], and take any action necessary.

Director of Planning and Zoning Ryan Miller came forward and provided a summary in regards to the request. This case was tabled at the last meeting and it dealt with a proposal to construct 36 townhome lots on the subject property. The applicant is proposing to amend the current zoning to incorporate the concept plan shown. The issues encountered during the first meeting involved it not conforming to the anti-monotony requirements. Staff would like to point out that it is still deficient in terms of the City's General Residential district standards for anti-monotony. The applicant is also proposing flat front entry garages which our Code states about providing alley served access or j-swing or recessed front entry. In this case, the applicant is proposing 100% flat front entry. There were also deviations between lot size and lot width. This item does not conform to the Comprehensive Plan even though they are not changing the density of the district. The Future Land Use Map shows this as being medium density residential and the proposed zoning change would need to that to high density residential. The Chandlers Landing Homeowners Association (HOA) has provided a letter that this project will be a part of the Chandlers Landing Community. Staff has received additional property owner notifications in regards to the case. As of tonight there have been 14 property owner notifications and 5 emails in opposition of the applicant's request. There have also been 11 property owner notifications and 5 emails turned in in favor of the applicant's request. Mr. Miller then advised the Commission that the applicant and Staff were present and available to answer questions.

Commissioner Womble asked if they received clarity from the Chandlers Landing HOA.

Chairman Chodun asked the applicant to come forward.

Troy Lewis
311 S. Oak Street
Roanoke, TX 76262

Mr. Lewis came forward and provided a PowerPoint presentation in regards to the request.

Commissioner Womble asked if the applicant was proposing to utilize any of the green space on the property.

Commissioner Thomas asked about incorporating a trail system.

Commissioner Deckard wanted to warn the applicant about the building frontage. He also had some comments in regards to the elevations shown.

Commissioner Conway expressed that she would like for the applicant to show the condos as individual units or unique units.

Vice-Chairman Welch wanted to clarify whether or not the rest of the Spyglass HOAs were a part of Chandlers Landing. He also wanted to confirm that this would go before the Architectural Review Board (ARB) at some point in time.

Commissioner Moeller wanted clarification on the density of the project.

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

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

Mr. Wacker came forward and had a question regarding the ARB.

Scott Mason
275 Henry M. Chandler Drive
Rockwall, TX 75032

Mr. Mason came forward and expressed his concerns in regards to the fire access on some of the units.

Michael Sykora
11 Lakeway Drive
Heath, TX 75032

Mr. Sykora came forward and expressed his opposition to the request.

Chip Imrie
323 Harbor Landing Drive
Rockwall, TX 75032

Mr. Imrie came forward and expressed clarification in regards to the HOAs. He added that he and other board members have been in meetings with the applicant. He explained that he provided a letter on behalf of Chandlers Landing and their attorney stating that this was a part of PD-8.

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

Commissioner Thomas made a motion to approve item Z2021-026 with staff recommendations. Commissioner Conway seconded the motion which passed by a vote of 7-0.

Chairman Chodun advised that the item will be brought before the City Council on August 2, 2021.

V. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

7. MIS2021-008 (HENRY LEE)

Discuss and consider a request by Ronny Klingbeil of RLK Engineering, Inc. on behalf of Will Salee of Rockwall ISD for the approval of a Treescape Plan on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the approval of a treescape plan in alternative of a tree mitigation settlement agreement. The treescape plan submitted by the applicant indicates that 26 live oak trees should be removed creating a mitigation balance of 319 inches. They also indicated that a 26-inch live oak will be saved and that ten (10) 4-inch caliper trees be planted to reduce the 319-inch mitigation balance to 253 inches. The applicant has indicated the remaining balance will be paid in full for \$50,600 for the remaining inches (i.e. \$200.00 x 253-inches). In this case the applicant is requesting an Alternative Tree Mitigation Settlement Agreement, to purchase 79.3% of their preservation credits. Mr. Lee advised that this is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

Chairman Chodun asked the applicant to come forward.

Ronny Klingbeil
111 W. Main Street
Allen, TX 75013

Will Salee (RISD)
115 Parkwood Drive
Wylie, TX 75098

Both Mr. Klingbeil and Mr. Salee came forward and provided additional details in regards to their request.

Commissioner Moeller made a motion to approve item MIS2021-008 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 7-0.

8. SP2021-020 (RYAN MILLER)

Consider a request by Josh Millsap of KFM Engineering & Design on behalf of the Estate of Billy W. Peoples and Myreli, LLC for the approval of a Site Plan for a Multi-Family Apartment Building (i.e. Urban Residential) on a 3.338-acre tract of land identified as Lots 1, 2, 3, 4, 5, 6, 7, & 8, Block P and Lots 1 & 2, Block AB, Rockwall OT Addition and Lots 4 & 5, Block A and Lots 4 & 5, Block B, Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated at the southwest corner of the intersection of SH-66 and SH-205 [N. Goliad Street], and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a history of the downtown district and gave a summary in regards to the case. In December 2001, the Hometown 2000 Comprehensive Plan was adopted. Under the land use section of this plan is where we see the framework of what would become urban residential. It also states that mixed use or urban housing within 5 minute walk to the downtown area should be encouraged. The plan goes on to define urban housing as 'characterized by multi-family or loft style units.' However, the plan states that these types of development should have direct access to structured parking and recreational amenities. Staff should note that some of the same consultants who worked on the Hometown 2000 Comprehensive Plan also worked on that Downtown plan. The Downtown plan calls for a variety of housing including townhomes, lofts, and big homes such as duplexes, triplexes, and quadplexes. The Unified Development Code was adopted in June 2004 and it contained urban residential land use. At the time of adoption, the urban residential land use was allowed by right in the central business district and by specific use permit in the Multi-Family 14 District. Mr. Miller explained the differences between urban residential and multi-family structures. After several meetings with staff and management, the applicant proposed the idea that in exchange for the City's land the applicant would construct a secure parking garage for the police department. It could eventually be converted into public parking in the event that the police department no longer needed the parking garage. This request then went before the City Council in December 2018. A lot of things went into consideration when looking at this request specifically that this was already an allowed by-right land use. Also, the applicant had a purchase contract for five (5) of the parcels indicating that he was going to develop those parcels. They also looked at differences between what that would look like in the event that it was developed in that manner and then developed as one contiguous project. The other thing that they looked at was the 380 agreement. The applicant was proposing additional amenity that could potentially provide a better overall product and had the potential to provide higher rental value. Based on this, the City Council agreed to enter into the 380

agreement incorporating the proposed amenity package and the police parking lot into the agreement. Prior to initiating this contract, the City began its public process by putting out a request for proposals which was posted in the Rockwall Herald Banner on June 28, 2019. This process allowed anyone to make a proposal on the land use around the land prior to the sale or conveyance of the land. Staff only received one (1) proposal during this process and it was from the applicant. In addition, the applicant completed an infrastructure study in October of 2019 indicating that the proposed development could be adequately served by the City's existing water and wastewater system. In accordance with this agreement, the applicant submitted a conveyance plat and site plan on June 18, 2021 with the conveyance plat being approved on July 6, 2021. When looking at the site plan, the applicant is looking to develop the property with a 263-unit multi-family apartment complex. Mr. Miller then gave further details in regards to the apartment complex and showed the proposed parking lot that meets the terms of the 380 agreement. Staff should note that this item was taken to the Architectural Review Board (ARB) who reviewed this and voted 5-0 to recommend approval to the Planning and Zoning Commission. Commissioner Deckard wanted clarification in regards to the access to the south of the building as well as access to crosswalks in the area. He also wanted explanation as to the cost the land was bought for as well as who voted to approve the item in ARB and recommend approval to the Planning and Zoning Commission. Commissioner Moeller had a question in regards to the moratorium of the height of buildings in the historic district. He asked if City Council could create a restriction for any future developments at any length of time. Vice-Chairman Welch expressed that he read 27 standards that are required for this project and every standard was in compliance. Chairman Chodun asked when would be the earliest time period that this project would have been allowed.

Chairman Chodun asked the applicant to come forward.

Bill Dahlstrom (Applicant's Attorney)
2323 Ross Avenue, Suite 600
Dallas, TX 75201

Mr. Dahlstrom came forward and provided additional details in regards to his request.

Chairman Chodun then asked the applicant to come forward and respond to the public's comments to the case.

Tony Austin
2300 Versailles Court
Heath, TX 75032

Mr. Austin came forward and was prepared to answer questions.

Commissioner Thomas wanted further clarification in regards to the amenities inside the apartment complex.

Commissioner Deckard made a motion to approve item SP2021-020 with Commissioner Moeller seconding the motion. After brief discussion, the motion to approve passed by a vote of 6-1 with Chairman Chodun dissenting.

VI. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is August 10, 2021.

9. Z2021-028 (RYAN MILLER)

Hold a public hearing to discuss and consider approval of a Text Amendment to Section 10, Fee Schedule, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of creating a Non-Compliant Structure application fee for Specific Use Permit (SUP) applications.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. At the May 17, 2021 meeting, the City Council directed Staff to look at ways to deter residents from constructing non-compliant structures without a building permit. Staff has created an alternative application fee of \$1000.00 to be added to the Specific Use Permit application fee (SUP) when a structure is already in place without a building permit or when it is not in accordance with a permit. Mr. Miller then advised that staff was available to answer any questions.

The City Attorney wanted to confirm that this was not a penalty and it was to reimburse the City for the added cost of when a structure has been built.

Vice-Chairman Welch asked how they intend to inform the public about this update.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

10. Z2021-029 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Ed Cavendish of Cavendish Homes 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 0.1465-acre parcel of land identified

as Lot 28, Block A, Chandler's Landing, Phase 20, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 104 Reliance Court, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The proposed home does meet all of the density and dimensional requirements from the UDC. The only thing they are requesting is a waiver to the garage orientation.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

11. **Z2021-030 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Ed Cavendish of Cavendish Homes 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 0.1637-acre parcel of land identified as Lot 12, Block A, Chandler's Landing, Phase 20, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 118 Mischief Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The proposed home does meet all of the density and dimensional requirements from the UDC. The only thing they are requesting is a waiver to the garage orientation.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

12. **Z2021-031 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Tino and Judy Liscano on behalf of Jeremy Lance Epton for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a 4.95-acre parcel of land identified as Lot 1, Block A, Epton Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 2065 & 2075 Airport Road, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Jeremy Epton
2075 Airport Road
Rockwall, TX 75087

Mr. Epton came forward and provided a brief summary in regards to the request.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

13. **P2021-037 (HENRY LEE)**

Discuss and consider a request by Isaac Peña for the approval of a Final Plat for Lots 1 & 2, Block A, Isaac Addition being a 6.388-acre tract of land identified as Tract 1 of the J. A. Ramsey Survey, Abstract No. 186, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 2185 S. FM-549, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The plat needs to be reviewed by Rockwall County and will return as a Consent Agenda item at the next meeting.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

14. **P2021-040 (DAVID GONZALES)**

Consider a request by Jeremy Nelson of McAdams Co. on behalf of Spencer Byington of SWBC Rockwall, LP for the approval of a Final Plat for Lot 1, Block A, SWBC Rockwall Addition, Phase 2 being currently identified as a 21.275-acre tract of a larger 42.555-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 83 (PD-83) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery Boulevard and John King Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. This request must be reviewed by the Parks Board and will return as a Consent Agenda item at the next meeting.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

15. **P2021-041 (DAVID GONZALES)**

Discuss and consider a request by Humberto Johnson, Jr. of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Master Plat for the Homestead Subdivision being a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 92 (PD-92), generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. This request must be reviewed by the Parks Board and will return as a Consent Agenda item at the next meeting.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

16. **P2021-044 (DAVID GONZALES)**

Discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Preliminary Plat for the Homestead Subdivision being a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 92 (PD-92), generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. This request must be reviewed by the Parks Board and will return as a Consent Agenda item at the next meeting.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

17. **SP2021-015 (DAVID GONZALES)**

Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of Kris Sharp for the approval of a Site Plan for a warehouse/office building on a 1.914-acre parcel of land identified as Lot 5, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, generally located on the southside of Springer Road west of the intersection of Springer Road and Data Drive, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Planning and Zoning Manager David Gonzales advised that ARB did not meet today to review this item due to not having a quorum.

Greg Wallis
1520 E. I-30
Rockwall, TX 75087

Mr. Wallis came forward and was prepared to answer questions.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

18. **SP2021-021 (DAVID GONZALES)**

Discuss and consider a request by Keaton Mai of the Dimension Group behalf of Russell Phillips of Rockwall 205 Investors, LLC for the approval of a Site Plan for a Retail Store with Gasoline Sales on a 1.503-acre portion of a larger tract of land being a 34.484-acre tract of land identified as Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Planning and Zoning Manager David Gonzales advised that ARB did not meet today to review this item due to not having a quorum.

Keaton Mai
10755 Sandhill Road
Dallas, TX 75238

Mr. Mai came forward and provided a brief summary in regards to the request.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

19. **SP2021-023 (HENRY LEE)**

Discuss and consider a request by Rob Baldwin of Baldwin Associates, LLC on behalf of Matt Gillen CM Goliad I GO, LLC for the approval of an Amended Site Plan for a Restaurant on a 2.2297-acre parcel of land identified as Lot 1, Block 11, Rockwall Centre Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-276 Overlay (SH-276 OV); the IH-30 Overlay (IH-30 OV); and the SH-205 Overlay (SH-205 OV) Districts, addressed as 2235 S. Goliad Street [SH-205], and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Rob Baldwin
3904 Elm Street
Dallas, TX 75226

Mr. Baldwin came forward and provided a brief summary in regards to the request.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on August 10, 2021.

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

- P2021-033: Final Plat for Lots 1 & 2, Block A, Aaron Selden Addition [APPROVED]
- P2021-036: Preliminary Plat for the Landon Subdivision, Phase 2 Addition [APPROVED]

- Z2021-020: SUP for a House of Worship at 1500 Sunset Hill Drive [APPROVED; 1st READING]
- Z2021-021: SUP for a Mini-Warehouse Facility at 1280 E. Ralph Hall Parkway [APPROVED; 1st READING]
- Z2021-022: SUP for a Residential Infill at 147 Eva Place [APPROVED; 1st READING]
- Z2021-023: SUP for an Accessory Building at 3221 Diamond Way Drive [DENIED]
- Z2021-024: Zoning Amendment to Planned Development District 46 (PD-46) [APPROVED; 1st READING]
- Z2021-025: SUP for a Residential Infill at 154 Lynne Drive [APPROVED; 1st READING]


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

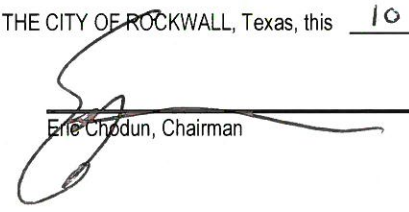
VII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 9:28 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 10 day of August, 2021.

Attest:


Angelica Gamez, Planning and Zoning Coordinator


Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
AUGUST 10, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

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

II. APPOINTMENTS

1. 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.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

Patty Griffin
2140 Airport Road
Rockwall, TX 75087

Mrs. Griffin came forward and stated that her issue was not receiving the notices sent for the zoning cases and Historic District expansion.

Chairman Chodun asked if anyone else wished to speak to come forward at this time. There being no one coming forward, Chairman Chodun closed the open forum.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the July 27, 2021 Planning and Zoning Commission meetings.
3. **P2021-037 (HENRY LEE)**
Discuss and consider a request by Isaac Peña for the approval of a Final Plat for Lots 1 & 2, Block A, Isaac Addition being a 6.388-acre tract of land identified as Tract 1 of the J. A. Ramsey Survey, Abstract No. 186, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 2185 S. FM-549, and take any action necessary.
4. **P2021-040 (DAVID GONZALES)**
Consider a request by Jeremy Nelson of McAdams Co. on behalf of Spencer Byington of SWBC Rockwall, LP for the approval of a Final Plat for Lot 1, Block A, SWBC Rockwall Addition, Phase 2 being currently identified as a 21.275-acre tract of a larger 42.555-acre tract of land identified as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 83 (PD-83) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery Boulevard and John King Boulevard, and take any action necessary.
5. **P2021-041 (DAVID GONZALES)**
Discuss and consider a request by Humberto Johnson, Jr. of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Master Plat for the Homestead Subdivision being a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 92 (PD-92), generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.
6. **P2021-044 (DAVID GONZALES)**

Discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Preliminary Plat for the Homestead Subdivision being a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 92 (PD-92), generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.

7. **SP2021-023 (HENRY LEE)**

Discuss and consider a request by Rob Baldwin of Baldwin Associates, LLC on behalf of Matt Gillen CM Goliad I GO, LLC for the approval of an Amended Site Plan for a Restaurant on a 2.2297-acre parcel of land identified as Lot 1, Block 11, Rockwall Centre Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-276 Overlay (SH-276 OV); the IH-30 Overlay (IH-30 OV); and the SH-205 Overlay (SH-205 OV) Districts, addressed as 2235 S. Goliad Street [SH-205], and take any action necessary.

Commissioner Deckard made a motion to approve the consent agenda. Vice-Chairman Welch seconded the motion which passed by a vote of 6-0 with Commissioner Moeller absent.

V. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

8. **Z2021-028 (RYAN MILLER)**

Hold a public hearing to discuss and consider approval of a Text Amendment to Section 10, Fee Schedule, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of creating a Non-Compliant Structure application fee for Specific Use Permit (SUP) applications.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He explained that on May 17, 2021 City Council requested that Staff look into ways to deter residents from constructing non-compliant structures without building permits. Based on this information, Staff proposed establishing an alternative application fee of \$1000.00 for any structures that were constructed without a building permit and any structures that were constructed not in conformance with the approved building permit. This fee would be in addition to the standard application fee. The amount was derived from estimates of the additional staff time to review these types of requests. In accordance with the Unified Development Code (UDC), the request is being brought before the Planning and Zoning Commission for a recommendation to the City Council. Staff also sent out a 15-day notice that was published in the Rockwall Herald Banner.

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

Vice-Chairman Welch made a motion to approve item Z2021-028 with staff recommendations. Commissioner Womble seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on August 16, 2021.

9. **Z2021-029 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Ed Cavendish of Cavendish Homes 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 0.1465-acre parcel of land identified as Lot 28, Block A, Chandler's Landing, Phase 20, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 104 Reliance Court, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The proposed single-family home meets all of the density and dimensional requirements per the UDC. However, garages must be located at least 20-feet behind the front façade as stated in the UDC. In this case, the garage is 10.75-feet in front of the front façade but this is not out of character for the neighborhood. If approved, this would be waived but is ultimately a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission. On July 27, 2021, Staff mailed out 208 notices to property owners and occupants within 500-feet of the subject property. All Homeowners Associations (HOAs) within 1500-feet were notified as well.

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

Commissioner Conway made a motion to approve Z2021-029. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on August 16, 2021.

10. **Z2021-030 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Ed Cavendish of Cavendish Homes 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 0.1637-acre parcel of land identified as Lot 12, Block A, Chandler's Landing, Phase 20, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 118 Mischief Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The proposed single-family home meets all of the density and dimensional requirements per the UDC. However, garages must be located at least 20-feet behind the front façade as stated in the UDC. In this case, the garage is 8.6-feet in front of the front façade but this is not out of character for the neighborhood. If approved, this would be waived but is ultimately a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission. On July 27, 2021, Staff mailed out 284 notices to property owners and occupants within 500-feet of the subject property. All Homeowners Associations (HOAs) within 1500-feet were notified as well.

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

Commissioner Deckard made a motion to approve Z2021-030. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on August 16, 2021.

11. **Z2021-031 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Tino and Judy Liscano on behalf of Jeremy Lance Epton for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a 4.95-acre parcel of land identified as Lot 1, Block A, Epton Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 2065 & 2075 Airport Road, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicants are requesting to change the zoning on the property from an Agricultural District to a Single-Family 1 District. The purpose of rezoning the subject property is to subdivide it for the purpose of constructing a single-family home. If this request does go through for approval, it will require a replat in order to subdivide that property. If approved, the subject property will also be required to conform to all the requirements of the SF-1 District. OurHometown Vision 2040 Comprehensive Plan indicates the subject property within the Central District and is designated for low-density residential. Staff mailed out notifications to all property owners and occupants within 500-feet of the subject property as well as notifying all HOAs within 1500-feet of the property. Mr. Gonzales then advised that he was present and available to answer questions.

Commissioner Deckard asked how many homes could fit on the property under SF-1.

Chairman Chodun asked the applicant to come forward.

Jeremy Epton
2075 Airport Road
Rockwall, TX 75087

Mr. Epton came forward and provided additional details in regards to the request. He also mentioned that they do have a prospective second buyer for the remainder of the property.

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

Will Hester
405 Fox Hollow
Rockwall, TX 75087

Mr. Hester came forward and wanted clarification on which properties were in question for the zoning change.

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

Commissioner Thomas made a motion to approve item Z2021-031. Commissioner Deckard seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on August 16, 2021.

VI. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

12. **SP2021-015 (DAVID GONZALES)**

Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of Kris Sharp for the approval of a Site Plan for a warehouse/office building on a 1.914-acre parcel of land identified as Lot 5, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, generally located on the southside of Springer Road west of the intersection of Springer Road and Data Drive, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting approval of a site plan for the construction of a 22,000-square foot office warehouse distribution facility. The site plan, landscape plan, elevations, and photometric plan all generally conform to the technical requirements associated with a property that's developed within PD-46 as well as a Commercial Zoning district. Mr. Gonzales explained that the applicant is requesting 2 variances: one for the building articulation and the other for the Engineering Standards of Design. This is a discretionary decision for the Planning and Zoning Commission and does require a super majority vote for approval. Mr. Gonzales then advised that the applicant and staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

Greg Wallis
1520 E. I-30
Rockwall, TX 75087

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

Commissioner Deckard made a motion to approve item SP2021-015. Commissioner Conway seconded the motion which passed by a vote of 6-0.

13. **SP2021-021 (DAVID GONZALES)**

Discuss and consider a request by Keaton Mai of the Dimension Group behalf of Russell Phillips of Rockwall 205 Investors, LLC for the approval of a Site Plan for a Retail Store with Gasoline Sales on a 1.503-acre portion of a larger tract of land being a 34.484-acre tract of land identified as Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting approval of the site plan for the purpose of developing a retail store with gasoline sales. According to the UDC, a convenience store with gasoline sales is a permitted use by right within the Commercial District. The site plan does meet the standards of the General Overlay district with the exception of the roof design. The Architectural Review Board (ARB) is forwarding a recommendation for approval on this request. The applicant does have the ability to request the variance by providing compensatory measures. This is a discretionary decision for the Planning and Zoning Commission and does require a super majority vote for approval. Mr. Gonzales then advised that the applicant and Staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Keaton Mai
10755 Sandhill RD
Dallas, TX

Mr. Mai came forward and was prepared to answer questions.

Commissioner Deckard made a motion to approve item SP2021-021. Vice-Chairman Welch seconded the motion which passed by a vote of 6-0.

VII. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

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

- P2021-038: Replat for Lots 2-7, Block A, Sky Ridge Addition [APPROVED]
- P2021-039: Final Plat for Lot 1, Block A, Rockwall Friendship Baptist Church Addition [APPROVED]
- P2021-042: Replat for Lot 2, Block A, Ladera Rockwall Addition [APPROVED]
- P2021-043: Conveyance Plat for Lots 1 & 2, Block B, Fit Sport Life Addition [APPROVED]
- MIS2021-008: Alternative Tree Mitigation Settlement Agreement for RISD [APPROVED]
- Z2021-020: SUP for a House of Worship at 1500 Sunset Hill Drive [APPROVED; 2ND READING]
- Z2021-021: SUP for a Mini-Warehouse Facility at 1280 E. Ralph Hall Parkway [APPROVED; 2ND READING]
- Z2021-022: SUP for a Residential Infill at 147 Eva Place [APPROVED; 2ND READING]
- Z2021-024: Zoning Amendment to Planned Development District 46 (PD-46) [APPROVED; 2ND READING]
- Z2021-025: SUP for a Residential Infill at 154 Lynne Drive [APPROVED; 2ND READING]
- Z2021-026: Amendment to Planned Development District 8 (PD-8) [APPROVED; 1ST READING]

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

VIII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 6:44 pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 31 day of August, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
AUGUST 31, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

Chairman Chodun called the meeting to order at 6:01 PM. Commissioners present were Derek Deckard, Sedric Thomas, Mark Moeller, Jean Conway and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner John Womble. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, City Engineer Amy Williams, and Civil Engineers Jeremy White and Sarah Johnston.

II. APPOINTMENTS

1. 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.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

Steve Curtis
2130 FM 1141
Rockwall, TX 75087

Mr. Curtis came forward and spoke in regards to the item number 1 on the agenda. He expressed his opposition to the request.

Jim Pruitt
209 Stonebridge
Rockwall, TX 75087

Mr. Pruitt came forward and provided a brief history in regards to the development around item number 9 on the agenda.

Chairman Chodun asked if there was anyone else who wished to speak. There being no one coming forward, Chairman Chodun closed the open forum.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the August 10, 2021 Planning and Zoning Commission meeting.

3. **P2021-045 (ANGELICA GAMEZ)**

Discuss and consider a request by David Bond of Spiars Engineering on Andrew Melzer of Gingercrest Inc. for the approval of a Replat for Lot 8, Block 1, Meadowcreek Business Center, Phase 2 being 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.

Commissioner Thomas made a motion to approve the consent agenda. Vice-Chairman Welch seconded the motion which passed by a vote of 6-0 with Commissioner Womble absent.

V. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

4. **MIS2021-009 (HENRY LEE)**

Discuss and consider a request by Francisco Alvarez for the approval of an Exception to allow the construction of a front yard fence for an existing single-family home on a 0.628-acre parcel of land identified as Lot 61-R, Block A, Turtle Cove Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 2 (PD-2) for single-family detached land uses, addressed as 751 Turtle Cove Boulevard, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is proposing to install a 48-inch wrought iron fence with a gate along the southwestern property line. According to the Unified Development Code (UDC), no fence shall be constructed in the front yard of a residential property without being granted an exception by the Planning and Zoning Commission. Additionally, wrought iron fences shall not exceed 48-inches in height. In this case, the applicant is requesting to construct a wrought iron fence that does meet the requirements for a special exception request. However, front yard fences are a discretionary decision for the Planning and Zoning Commission.

Commissioner Conway asked wanted clarification as to what part of the property was owned by the residential association.
Commissioner Deckard asked what reason was given to want to fence off the area.

Chairman Chodun asked the applicant to come forward.

Francisco Alvarez
751 Turtle Cove Blvd.
Rockwall, TX 75087

Mr. Alvarez came forward and provided additional details in regards to the request. His main reason for wanting this is due to a safety issue.

Vice-Chairman Welch asked what the purpose was for just having a fence on one side.
Commissioner Deckard wanted clarification in regards to the location of the floodplain.

Commissioner Thomas made a motion to deny item MIS2021-009. Commissioner Conway seconded the motion and the motion for denial passed by a vote of 6-0.

5. MIS2021-010 (HENRY LEE)

Discuss and consider a request by James Best for the approval of an Exception to allow the construction of a front yard fence for a single-family home on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is proposing approval of an exception to allow the construction of an 8-foot cedar fence in the front yard, a 6-foot wrought iron fence in the front yard, and a 6-foot steel gate with 2 masonry columns. According to the Unified Development Code (UDC), wrought iron fences shall not exceed 48-inches in height and opaque fences are prohibited in front yard residential properties. Based on this, the applicant's request will require five variances to the fence requirements. Mr. Lee provided additional details to the characteristics of the request. According to the Unified Development Code (UDC), no fence shall be constructed in the front yard of a residential property without being granted an exception by the Planning and Zoning Commission. Staff should note that this request does not meet the requirements set forth by the UDC. This request is a discretionary decision for the Planning and Zoning Commission and it should be noted that the Commission can approve these variances individually.

Vice-Chairman Welch asked how many times the Commission has seen this property before.

Chairman Chodun asked the applicant to come forward.

Andrew Thomas
422 E. I-30, Suite F
Royse City, TX 75189

Mr. Thomas came forward and provided additional details in regards to his request.

Commissioner Thomas asked if the neighboring wrought iron fence would stay or if it would it be removed. He also wanted clarification as to the use of the neighboring properties.

Commissioner Deckard wanted clarification as to the placement of the fences.

Commissioner Moeller stated he was not in agreement with the request.

Vice-Chairman Welch stated he found it hard to support the request.

Commissioner Thomas made a motion to deny item MIS2021-010. Commissioner Moeller seconded the motion to deny which passed by a vote of 5-1 with Chairman Chodun dissenting.

6. MIS2021-011 (HENRY LEE)

Discuss and consider a request by Matt Waivering of the Rockwall Economic Development Corporation (REDC) for the approval of a Treescape Plan and an Alternative Tree Mitigation Settlement Agreement for a 137.448-acre tract of land identified as Tracts 5 & 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 (SH-276 OV) District, generally located at the northwest corner of the intersection of Springer Road and Rochelle Road, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The proposed treescape plan and alternative tree mitigation settlement agreement indicated that 2,198.5 caliper inches of trees would be removed from the site, 80-inches of trees would be planted in the future right-of-way on Discovery Boulevard, and the franchise utilities would be relocated underground in lieu of paying a \$211,750 tree mitigation fee. Based on the treescape plan, the total mitigation balance is 2,117.5 caliper inches. In lieu of the mitigation, which is calculated to be that \$211,750, the applicant is requesting to put that money into undergrounding the existing utilities in accordance with the city ordinances at an estimated cost of \$570,475. In this case, the applicant is proposing to do it thru an alternative tree mitigation settlement agreement. According to the UDC, the City Council, upon recommendation from the Planning and Zoning Commission, may consider an alternative tree mitigation settlement agreement. The alternative tree mitigation settlement agreement is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. In addition, the Planning and Zoning Commission has charged with acting upon the Treescape Plan.

Chairman Chodun asked what the requirements are with the utilities being underground for building purposes.
Commissioner Deckard asked what they were gaining with regards of letting them put them in now.

After brief discussion with Director Ryan Miller, Chairman Chodun asked the applicant to come forward.

Matt Waivering
2610 Observation Trail
Rockwall, TX 75032

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

Commissioner Deckard did not understand why the issues weren't going to the developers for cost issues.

Vice-Chairman Welch made a motion to approve item MIS2021-011 with staff recommendations. Commissioner Conway seconded the motion which passed by a vote of 5-1 with Commissioner Deckard dissenting.

7. Hold an election to elect a Chairman and Vice-Chairman for the Planning and Zoning Commission in accordance with Subsection 03.03(B) of Article 02, *Development Review Authority*, of the Unified Development Code (UDC), and take any action necessary.

Planning and Zoning Director Ryan Miller explained how the Boards and Commissions are required to elect a Chair and a Vice-Chair every August and how the process was.

Chairman Chodun made a motion to re-elect Commissioner Welch as Vice-Chairman. Commissioner Thomas seconded the motion which passed by a vote of 5-1 with Commissioner Deckard dissenting.

Commissioner Welch made a motion to re-elect Eric Chodun as Chairman. Chairman Chodun seconded the motion which passed by a vote of 4-2 with Commissioner Womble absent.

VI. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is September 14, 2021.

8. Z2021-032 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e. Dutch Bros. Coffee) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Sam Moore
2505 Penshurst Court
Celina, TX 75009

Mr. Moore came forward and provided a brief summary in regards to the request. They are requesting to construct a 950-square foot drive through and walkup service coffee shop. There will not be any indoor seating at all.

Commissioner Conway wanted clarification in regards to the location of the subject property.

Planner Henry Lee added that this request would need headlight screening along Ridge Road. Staff also asked that the drive-thru be located behind the building due to the visibility by Ridge Road.

Commissioner Thomas asked what variances they would be requesting.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.

200 9. **Z2021-033 (DAVID GONZALES)**

201 Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management,
202 Inc. for the approval of a Zoning Change amending Planned Development District 4 (PD-4) [Ordinance No. 01-26] to allow a *Mixed-Use Development*
203 (i.e. Apartments, Retail/Restaurant, and Office land uses) on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1,
204 City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the
205 Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any
206 action necessary.

207
208 **Chairman Chodun asked the applicant to come forward.**

209
210 **Josh Barton**
211 **111 Hillside Drive**
212 **Lewisville, TX 75057**

213
214 **Mr. Barton came forward and provided a brief summary in regards to the request. The request is for a 700-unit complex with two sky top roof**
215 **top restaurants that are 3,000 square-foot each overlooking Lake Ray Hubbard. There will also be 4,000 square-feet of retail on each building**
216 **on Ridge Road.**

217
218 **Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The project does not conform to the**
219 **current planned development (PD) which is why they're requesting the amendment to allow for 700-units on the property. Director Ryan Miller**
220 **also provided additional details in regards to the request.**

221 **Commissioner Thomas added that he would want the applicant to provide more information.**

222 **Commissioner Deckard asked how this change best fits the community and he looks forward to the presentation that the applicant will**
223 **provide at the public hearing.**

224
225 **Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.**

226
227 10. **Z2021-034 (DAVID GONZALES)**

228 Hold a public hearing to discuss and consider a request by Maxwell Fisher of Masterplan on behalf of Saro Partners, LLC for the approval of a Zoning
229 Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 5.07-acre tract of land identified as Tract 2-06 of the D. Harr Survey,
230 Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-
231 OV) District, located at the southeast corner of the intersection of John King Boulevard and Airport Road, and take any action necessary.

232
233 **Chairman Chodun asked the applicant to come forward.**

234
235 **Maxwell Fisher**
236 **2201 Main Street, #1280**
237 **Dallas, TX 75201**

238
239 **Mr. Fisher came forward and provided a brief summary in regards to the request.**

240
241 **Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.**

242
243 11. **Z2021-035 (DAVID GONZALES)**

244 Hold a public hearing to discuss and consider a request by Robert LaCroix and Brian Berry of BNSBS, L. P. on behalf of Bradley Gideon for the approval
245 of a Zoning Change from an Agricultural (AG) District to a Neighborhood Services (NS) District for a 2.751-acre identified as Tract 1-04 of the S. R.
246 Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay
247 (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Quail Run Road, and take any action necessary.

248
249 **Chairman Chodun asked the applicant to come forward.**

250
251 **Robert LaCroix**
252 **4517 Scenic Drive**
253 **Rowlett, TX 75088**

254
255 **Mr. LaCroix came forward and provided a PowerPoint presentation in regards to his request.**

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257 **Chairman Chodun wanted further information as to what else would be required with the Neighborhood Services (NS) designation.**

258
259 **Brian Berry**
260 **2 Essex Court**
261 **Heath, TX 75032**

262
263 **Mr. Berry came forward and provided additional details in regards to his request.**

264
265 **Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.**

266
267 12. **Z2021-036 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem Road, 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 and PowerPoint presentation in regards to the request.

Vice-Chairman Welch wanted clarification as to the amount of acres requested.

Commissioner Conway added that she would like to see some more curvature to the main streets.

Commissioner Moeller asked if drainage was a significant factor in this development.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.

13. **Z2021-037 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by James Best for the approval of a Specific Use Permit (SUP) for an accessory building on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Planner Henry Lee added that they are requesting a 12x16 accessory building which is 192-square feet, exceeding the maximum square feet allowed. Other than that, this does meet all the density and dimensional requirements for accessory buildings.

Andrew Thomas
422 E. I-30, Suite F
Royse City, TX 75189

Mr. Thomas came forward and provided a brief summary in regards to the request.

Vice-Chairman Welch asked if there was a reason as to why you are allowed a certain number of buildings on lots.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.

14. **SP2021-024 (DAVID GONZALES)**

Discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of a Site Plan for a warehouse/distribution center facility on a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital Boulevard, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Dylan Adame
13445 Noel Road, Suite 700
Dallas, TX 75240

Mr. Adame came forward and provided a brief summary in regards to his request. He had additional questions to certain comments made by Staff.

Planning and Zoning Manager David Gonzales added that the Architectural Review Board (ARB) made a few recommendations in regards to the project.

After some discussion, Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.

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

- P2021-037: Final Plat for Lots 1 & 2, Block A, Isaac Addition [APPROVED]
- P2021-040: Final Plat for Lot 1, Block A, SWBC Rockwall Addition [APPROVED]
- P2021-041: Master Plat for the Homestead Subdivision [APPROVED]
- P2021-044: Preliminary Plat for the Homestead Subdivision [APPROVED]
- Z2021-026: Amendment to Planned Development District 8 (PD-8) for Townhomes [APPROVED; 2ND READING]
- Z2021-028: Text Amendment to Article 11, *Development Applications and Review Procedures*, of the UDC [APPROVED; 1ST READING]

- Z2021-029: SUP for a Residential Infill at 104 Reliance Court [APPROVED; 1st READING]
- Z2021-030: SUP for a Residential Infill at 118 Mischief Lane [APPROVED; 1st READING]
- Z2021-031: Zoning Change AG to SF-1 for 2075 Airport Road [APPROVED; 1st READING]

Director of Planning and Zoning 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 8:10 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 14 day of September, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
SEPTEMBER 14, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

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

III. APPOINTMENTS

1. 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. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

Ron Mason
1402 Ridge Road
Rockwall, TX 75087

Mr. Mason came forward and wished to speak in regards to item Z2021-033. Due to it being a public hearing item, Mr. Mason was asked to hold discussion.

Chairman Chodun asked if anyone else wished to speak to come forward at this time. There being no one coming forward, Chairman Chodun closed the open forum.

V. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the August 31, 2021 Planning and Zoning Commission meetings.

Commissioner Conway made a motion to approve the consent agenda. Commissioner Thomas seconded the motion which passed by a vote of 6-0 with Commissioner Moeller absent.

VI. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

3. **Z2021-032 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e. Dutch Bros. Coffee) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting a Specific Use Permit for a restaurant less than 2,000 SF with a Drive Through. The applicant is stating that there will be no point of order for this business, rather employees will be taking orders off tablets in the drive through line. The stacking plan shows a capacity for approximately 20 vehicles. The applicant has also indicated that the bail out lane is designed to allow smaller orders to be processed quickly while allowing larger orders to utilize the drive

through window. The request does appear to conform to the requirements within the Unified Development Code (UDC). However, staff incorporated an additional operation condition into the ordinance that mature landscaping and trees be planted along the entire length of the proposed drive to provide headlight screening from Ridge Road and the adjacent properties. Staff made a recommendation that the drive-through and the pick-up window be behind the building but the applicant chose not to do this because of their business model and site constraints. Staff is also obligated to point out that the proposed building elevations submitted in this application don't meet the Scenic Overlay requirements. This is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission. On August 20, 2021, staff mailed out 46 notices to property owners and occupants within 500-feet of the subject property. Staff also notified all HOA's within 1500-feet of the subject property. There have not been any notices returned in regards to this case.

Commissioner Deckard asked about the recommendation made to move the drive through to the back of the building.
Vice-Chairman Welch asked if there were any renderings that would show what would be seen from Ridge Road.

Chairman Chodun asked the applicant to come forward.

Sam Moore
2505 Penshurst Court
Celina, TX 75009

Mr. Moore came forward and provided additional details in regards to the request. He also gave further explanation as to why they were not able to orient the drive through away from the road.

Commissioner Deckard asked if the building could be flipped.
Commissioner Conway asked if the pickup lane start at the back of the building and configure the building differently.

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

Commissioner Womble asked if there was an option to table without denying the item.

Commissioner Thomas made a motion to table item Z2021-032 until the September 28, 2021 meeting. Commissioner Conway seconded the motion which passed by a vote of 6-0.

4. Z2021-033 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a Zoning Change amending Planned Development District 4 (PD-4) [Ordinance No. 01-26] to allow a *Mixed-Use Development* (i.e. *Apartments, Retail/Restaurant, and Office land uses*) on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.

Planning and Zoning Manager David Gonzales provided a summary in regards to the request. The applicant is requesting to amend the Planned Development District 4 (PD-4) to allow for mixed-use development with multi-family units with retail office space and to allow for two (2) restaurants as well to be located on the upper level of the facility. The concept plan shows it will be developed in two (2) phases and will incorporate 600 multi-family dwelling units. It should be noted that the dwelling units would translate to a density of 49.52 dwelling units per acre. The proposed amendment to Planned Development District 4 (PD-4) will be subject to the land uses, and density and dimensional requirements stipulated for properties within the General Retail (GR) District with some specific restrictions to the land uses. Staff should note that the proposed Planned Development District deviates from the requirements of the Unified Development Code (UDC) in three (3) different areas such as the density, parking requirements, and maximum building height. The approval of the applicant's request would amend Planned Development District 4 (PD-4) and would effectively waive these requirements. Based on the applicant's failure to conform with the Future Land Use Map and the Housing policies contained within the Comprehensive Plan, staff is required to point out that this request does not conform to the OURHometown Vision 2040 Comprehensive Plan. With this being said, zoning is discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Should the City Council choose to approve the applicant's request, staff has incorporated a condition of approval that would change the Future Land Use Map designation for the subject property from a *Commercial/Retail* designation to a *Mixed-Use* designation. On August 26, 2021, staff mailed 80 notices to property owners and occupants within 500-feet of the subject property as well as notified all HOAs within 1500-feet of the property. Staff has since received the following: 10 notices opposed to the request and 1 email that was in favor of the request. Mr. Gonzales then advised the Commission that the applicant and staff were present and available for questions.

Chairman Chodun asked City Engineer Amy Williams if there were any infrastructure issues with the project. She indicated that an infrastructure study was turned in but they have not gotten anything back yet to determine what the infrastructure would be on this. The TIA was submitted as well without any fees so that has not started review.

Chairman Chodun asked the applicant to come forward.

Robert Weinstein
495 Broadway
New York, NY 10012

Mr. Weinstein came forward and provided additional details in regards to the request as well as a PowerPoint presentation.
Commissioner Deckard asked what the expected price point was for a one (1) bedroom.

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

Steve Curtis
2130 FM 1141
Rockwall, TX 75087

Mr. Curtis came forward and expressed his opposition to the request.

Harold Snyder
1519 Murphy Drive
Rockwall, TX 75087

Mr. Snyder came forward and read a letter from the Waterstone Homeowners Association in opposition to the request.

Ron Mason
1402 Ridge Road
Rockwall, TX 75087

Mr. Mason came forward and expressed his opposition to the request.

Chairman Chodun asked if anyone else wished to speak to come forward at this time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Chairman Chodun asked the applicant to come forward to respond to the public's concerns or comments.

Commissioner Deckard expressed his opposition to this item.
Chairman Chodun expressed his being in favor of the request.

Chairman Chodun made a motion to approve item Z2021-033 with staff recommendations. Commissioner Womble seconded but that motion to approve failed by a vote of 3-3 with Commissioners Deckard, Thomas, and Welch dissenting.

Chairman Chodun advised that the case will go before the City Council on September 20, 2021.

5. **Z2021-034 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Maxwell Fisher of Masterplan on behalf of Saro Partners, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 5.07-acre tract of land identified as Tract 2-06 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Airport Road, and take any action necessary.

Director of Planning and Zoning Ryan Miller advised that the Commission to table item Z2021-034 until the October 12, 2021 meeting in order to allow City Staff time to notify and solicit comments from the FAA concerning the proposed concept plan. He added that the Commission would be required to take a motion to table the item.

Commissioner Deckard made a motion to table item Z2021-034. Commissioner Womble seconded the motion which passed by a vote of 6-0.

6. **Z2021-035 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Robert LaCroix and Brian Berry of BNSBS, L. P. on behalf of Bradley Gideon for the approval of a Zoning Change from an Agricultural (AG) District to a Neighborhood Services (NS) District for a 2.751-acre identified as Tract 1-04 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Quail Run Road, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting to change the zoning from Agricultural (AG) District to Neighborhood Services (NS) District in order to construct a 16,000 SF single-story office retail building. The Neighborhood Services (NS) District requires an SUP for anything that is constructed over 5,000 SF. Based on the concept plan submitted by the applicants, a Specific Use Permit (SUP) would be required if the zoning change was approved. The applicants' request does make a compelling argument to change the Future Land Use Map based on the definition of the Commercial/Retail land use; however, the concept plan provided by the applicants appears to propose a more intense development than what the goals and policies of the Comprehensive Plan call for when being located adjacent to existing residential developments. Based on this staff is of the opinion that the applicants' request does not meet the Comprehensive Plan, but this request does remain a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. On August 26, 2021, staff mailed 32 notices to property owners and occupants within 500-feet of the subject property. Staff also notified all HOA's within 1500-feet of the property. Since this report was drafted, staff has received four (4) emails in opposition to the request as well as four (4) notices in opposition to the request.

Commissioner Conway added that it was an odd piece of property for it to continue to be residential.
Commissioner Thomas asked if there was already a similar space that was zoned this way near 552 and John King.
Commissioner Womble stated that he could not see putting houses there.

Chairman Chodun asked the applicant to come forward.

Robert LaCroix
4517 Scenic Drive
Rowlett, TX 75088

Mr. LaCroix came forward and provided additional details as well as a PowerPoint presentation in regards to the request.

Commissioner Thomas asked what type of service would take place there.

Brian Berry
2 Essex Court
Heath, TX 75032

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

Commissioner Conway asked if the applicant was meaning to get together with the surrounding neighbors to gather input from them about the project.

Commissioner Thomas asked what the vision was for the development.

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

Terry Clark
1183 Cold Harbor Lane
Dallas, TX 75244

Mrs. Clark came forward and expressed that she was here on behalf of the homeowners of Pacesetter Homes. She added that she was here to express opposition to the request on their behalf.

Gerald Curtis
1302 Middleton
Rockwall, TX 75087

Mr. Curtis came forward and expressed his opposition to the request.

Steven Petty
448 Fremont Drive
Rockwall, TX 75087

Mr. Petty came forward and expressed his opposition to the request.

Tiffany Wolfgram
1313 Kirkwood
Rockwall, TX 75087

Mrs. Wolfgram came forward and expressed her opposition to the request.

Karen Stock
124 Baldwin Drive
Fate, TX 75189

Mrs. Stock came forward and expressed her opposition to the request.

Jim Turner
1691 E. Old Quail Run Road
Rockwall, TX 75087

Mr. Turner came forward and provided a PowerPoint presentation to express his opposition to the request.

Nick Grant
1569 E. Old Quail Run Road
Rockwall, TX 75087

Mr. Grant came forward and expressed his opposition to the request.

Mike Larrivierre
1425 E. Old Quail Run Road
Rockwall, TX 75087

Mr. Larrivierre came forward and expressed his opposition to the request.
Steve Curtis

2130 FM 1141
Rockwall, TX 75087

Mr. Curtis came forward and expressed his opposition to the request.

Chairman Chodun asked if anyone else wished to speak to come forward at this time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Chairman Chodun asked the applicant to come forward and address the comments made by the public.

Mr. Barry came forward and provided feedback in regards to public's concerns.

After some discussion between the Commission, Chairman Chodun made a motion to deny item Z2021-035 with staff recommendations. Commissioner Womble seconded that motion to deny which passed by a vote of 5-1 with Commissioner Welch dissenting.

Chairman Chodun advised that the case will go before the City Council on September 20, 2021.

7. Z2021-036 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem Road, and take any action necessary.

Director of Planning and Zoning Director Ryan Miller advised the Commission to table item Z2021-035 to the September 28, 2021 meeting due to finding an error in the notifications that were sent out. While meeting the state requirements, Staff would not be in compliance with the Unified Development Code (UDC) requirements. He added that the Commission would be required to take a motion to table the item.

Commissioner Womble made a motion to table item Z2021-036. Commissioner Conway seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on September 20, 2021.

8. Z2021-037 (HENRY LEE)

Hold a public hearing to discuss and consider a request by James Best for the approval of a Specific Use Permit (SUP) for an accessory building on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting an SUP for an accessory building that exceeds the maximum square footage permitted. The request is to permit a 12' x 16' accessory building and would be a Tuff Shed Premier Pro Tall Ranch. This does meet all of the density and dimensional requirements but does exceed that maximum permissible size by 48 square feet. The approval of the SUP is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. On August 26, 2021, staff mailed out 83 notices to property owners and occupants within 500-feet of the subject property. Staff also notified all HOAs within 1500-feet of the subject property. Staff has since received two (2) notices in favor of the request and one (1) in opposition.

Chairman Chodun asked if you would be able to see the shed from Ridge Road.

Chairman Chodun asked the applicant to come forward.

Andrew Thomas
346 Ridge Point Drive
Heath, TX 75032

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

Chairman Chodun asked if anyone wished to speak to come forward at this time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Thomas made a motion to approve item Z2021-037 with staff recommendations. Commissioner Deckard seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on September 20, 2021.

VII. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

9. SP2021-024 (DAVID GONZALES)

Discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of a Site Plan for a warehouse/distribution center facility on a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. Earlier this year, the Commission had approved a request for a zoning change from an Agricultural (AG) District to a Light Industrial (LI) District on the property. The applicants are now here requesting a site plan for a 301,000 square foot warehouse/facility. The site plan that was submitted to Staff generally conforms to the technical requirements for a property that's located within the Unified Development Code and also to be located within the FM549 Overlay District. The applicant is requesting three (3) variances and exceptions for screening. There is some floodplain here which provides some natural screening for the applicant. The applicant did work on providing additional screening for outside storage of the trucking area as well as providing additional trees for buffering. The Architectural Review Board did review this site plan with the variances and they are forwarding a recommendation of approval. Mr. Gonzales then advised the Commission that the applicants and Staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Steve (Stream Realty Partners)
2001 Ross Avenue, Suite 400
Dallas, TX 75201

The applicant came forward and provided additional details in regards to the request.

Commissioner Conway made a motion to approve item SP2021-024. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

VIII. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

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

- P2021-045: Replat for Lot 8, Block 1, Meadowcreek Business Center, Phase 2 Addition [APPROVED]
- MIS2021-011: Alternative Tree Mitigation Settlement Agreement for the REDC [APPROVED]
- Z2021-028: Text Amendment to Article 11, *Development Applications and Review Procedures*, of the UDC [APPROVED; 2ND READING]
- Z2021-029: SUP for a Residential Infill at 104 Reliance Court [APPROVED; 2ND READING]
- Z2021-030: SUP for a Residential Infill at 118 Mischief Lane [APPROVED; 2ND READING]
- Z2021-031: Zoning Change AG to SF-1 for 2075 Airport Road [APPROVED; 2ND READING]

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

IX. ADJOURNMENT

Chairman Chodun adjourned the meeting at 8:53 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 28 day of September, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
SEPTEMBER 28, 2021 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 John Womble, Sedric Thomas, Mark Moeller, Jean Conway and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Derek Deckard. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, and Civil Engineers Jeremy White and Sarah Johnston. Absent from the meeting was City Engineer Amy Williams.

II. APPOINTMENTS

1. 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.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the September 14, 2021 Planning and Zoning Commission meeting.
3. **P2021-047 (HENRY LEE)**
Consider a request by ClayMoore Engineering on behalf of the Rockwall Central Appraisal District (RCAD) for the approval of a Replat for Lot 2, Block A, Lofland Industrial Park Addition being a 1.707-acre parcel of land identified as Lot 1A-R, Block A, Lofland Industrial Park Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 841 Justin Road, and take any action necessary.
4. **P2021-048 (ANDREW REYNA)**
Consider a request by Jeremy Epton for the approval of a Replat for Lots 2, 3, & 4, Block A, Epton Addition being a 4.95-acre parcel of land identified as Lot 1, Block A, Epton Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 2075 Airport Road, and take any action necessary.

Vice-Chairman Welch made a motion to approve the consent agenda. Commissioner Womble seconded the motion which passed by a vote of 6-0 with Commissioner Deckard absent.

V. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

5. **Z2021-032 (HENRY LEE)**
Hold a public hearing to discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e. Dutch Bros. Coffee) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. He reminded the Commission that they had reviewed this case at the last September 14th meeting and voted to table the item until today's meeting. This was due to wanting to give the applicant more time to reorient the building so that the service window will be away from Ridge Road. The applicant has made changes to the site and also

submitted a new concept plan resolving the concerns expressed by the Commission. Mr. Lee then advised that the applicant and Staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Sam Moore
2505 Penshurst Court
Celina, TX 75009

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

Chairman Chodun opened the public hearing and asked anybody who wished to speak to do so at this time. There being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Thomas made a motion to approve item Z2021-032. Commissioner Conway seconded the motion which passed by a vote of 6-0.

Chairman Chodun indicated that the case will go before the City Council on October 4, 2021.

6. **Z2021-036 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem Road, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting to amend Planned Development District 91 (PD-91) which includes an additional 20 acres and additional 34 homes. The total would then be 78.41 acres and 132 single-family residential lots with the overall density proposed with this subdivision being 1.69 dwelling units per acre. The amended concept plan indicates that 15.84 acres (20.2%) of open space has been provided meeting the 20% requirement by the Unified Development Code (UDC). The amended concept plan also includes new amenities such as a dock on the pond as well as a pavilion. The proposed amendment to PD-91 still meets all of the requirements of the UDC. On September 23, 2021, staff mailed out 31 notices to property owners and occupants within 500-feet of the subject property as well as all Homeowners Associations (HOAs) within 1,500-feet of the subject property. At this time, staff had only received one (1) email from a property owner outside of the notification area in opposition to the request and one (1) notice from a property owner within the notification area in opposition to the request.

Chairman Chodun asked the applicant to come forward.

Kevin Harrell
8214 Westchester Drive, Suite 900
Dallas, TX 75225

Mr. Harrell came forward and provided a PowerPoint presentation in regards to the request.

Vice- Chairman Welch asked questions regarding the dock-whether or not it would be provided.

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

Barbara Lee
628 Cornelius
Rockwall, TX 75087

Mrs. Lee came forward and asked what would separate the homes from back of the property.

Bob Wacker
309 Featherstone
Rockwall, TX 75087

Mr. Wacker came forward and asked if a Traffic Study would have to be done in this area due to the increase in homes.

Rich Lake
788 Featherstone Drive
Rockwall, TX 75087

Mr. Lake came forward and asked if there was a traffic study done on the area as well as asking about the density of the area. Mr. Lake also had a concern in regards to the buffer zone on the farm.

Steve Curtis
2130 FM 1141

Rockwall, TX 75087

Mr. Curtis came forward and asked questions regarding the dwelling units per gross acre, the pond, and the size of the lots.

Chairman Chodun asked if anybody else wished to speak to come forward at this time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Chairman Chodun asked the applicant to come forward and address public comments and concerns.

Mr. Lake came forward to address the comments made by the public.

Chairman Chodun added that his big issue with the development is the size of the lots.

Commissioner Thomas stated his support for the request.

Commissioner Thomas made a motion to approve item Z2021-036. Commissioner Moeller seconded the motion which passed by a vote of 5-1 with Chairman Chodun dissenting.

Chairman Chodun indicated the case will go before the City Council on October 4, 2021.

VI. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

7. MIS2021-012 (ANDREW REYNA)

Discuss and consider a request by Eddie Guajardo of Rockwall Independent School District (RISD) for the approval of a Variance to the Architectural Standards of the IH-30 Overlay (IH-30 OV) District to allow the construction of a building on a 35.295-acre parcel of land identified as Lot 1, Block A, Rockwall High School Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 901 W. Yellow Jacket Lane, and take any action necessary.

Planner Andrew Reyna provided a brief summary in regards to the request. The applicant is requesting a variance to masonry requirements for the IH-30 Overlay District. The accessory building will be a 12' x 25' footprint or roughly 300 square feet. With the approval of this, this would bring the total number of accessory buildings on the property to 4. The proposed building will not be visible from IH-30 or Yellowjacket Lane. Mr. Reyna then advised the Commission that he was available for questions.

Chairman Chodun asked the applicant to come forward.

Eddie Guajardo
1050 Williams Street
Rockwall, TX 75087

Will Salee
1050 Williams Street
Rockwall, TX 75087

Mr. Guajardo and Mr. Salee both came forward and provided additional details in regards to their request.

Commissioner Moeller asked about the temporary location of the trailers shown in the aerial photo.

Vice-Chairman Welch asked if these structures would be permanent or temporary structures.

Commissioner Moeller made a motion to approve item MIS2021-012 with staff recommendations. Commissioner Conway seconded the motion which passed by a vote of 6-0.

VII. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is October 12, 2021.

8. Z2021-038 (ANDREW REYNA)

Hold a public hearing to discuss and consider a request by Darrell McCallum for the approval of a Specific Use Permit (SUP) for Detached Garage that exceeds the maximum permissible size for a detached garage on a 1.2080-acre parcel of land identified as Lot 6, Block A, Grady Rash Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family (SF-10) District, addressed as 1 Soapberry Lane, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Darrell McCallum
1 Soapberry Lane
Rockwall, TX 75087

Mr. McCallum came forward and provided a brief summary in regards to the request.

Commissioner Womble asked what the size was for the current shed.
Commissioner Conway asked what material would be on the pitched roof.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on October 12, 2021.

9. **Z2021-039 (ANGELICA GAMEZ)**

Hold a public hearing to discuss and consider a request by Peter Muhl of Rockwall Habitat for Humanity 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 0.1650-acre parcel of land identified as Lot 888A 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 305 Blanche Drive, and take any action necessary.

Planning and Zoning Coordinator Angelica Gamez provided a brief summary in regards to the request. The applicant is requesting to construct a single-family home in Lake Rockwall Estates. Since Lake Rockwall Estates is considered to be an established subdivision then the applicant does have to go through this SUP process. Staff would like to note that the home does not have a garage and should the applicant decide to add it, then it must meet the standards and requirements as stated in the UDC.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on October 12, 2021.

10. **Z2021-040 (RYAN MILLER)**

Hold a public hearing to discuss and consider approval of a Text Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the Permissible Use Charts and definition for Urban Residential, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He explained that the Urban Residential land use was something that was created in 2004 and expanded in 2007. Based on a previous case, City Council directed Staff on September 7, 2021 to make some changes. Specifically, they wanted to make sure that there was discretionary oversight anytime Urban Residential was proposed in the Downtown (DT) District. They also wanted to limit the possibility of higher density housing going into that area in the future. Based on that, Staff brought a couple of changes forward. Some of the changes include the changing the definition of Urban Residential, calling out what types of residential Staff is referring to, and changing the Use Chart to make that a SUP which will give the Planning & Zoning Commission and City Council discretionary oversight as opposed to it being allowed by right. Mr. Miller then advised that Staff was available to answer questions.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on October 12, 2021.

11. **Z2021-041 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Aaron Hawkins on behalf of Tim Thompson of Metroplex Acquisitions for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e. Salad and Go) on a 0.81-acre portion of a larger 5.96-acre parcel of land identified as Lot 11, 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 North SH-205 Overlay (N. SH-205 OV) District, generally located northeast of the intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.

Planner Henry Lee indicated that Staff wanted to mention that the bail out lane shown will have to be indicated as a one-way lane. There will also need to be headlight screening for both drive-throughs.

Chairman Chodun asked the applicant to come forward.

Aaron Hawkins
4500 Mercantile Plaza Drive
Fort Worth, TX 76137

Mr. Hawkins came forward and provided a brief summary in regards to the request. The request is for a small drive-through restaurant with no indoor seating and no indoor kitchen. There will only be a warmer onsite to heat up certain breakfast items. The food is brought in daily on small box trucks with everything prepackaged so there is nothing onsite.

Chairman Chodun asked what the number of stacked cars would be. He also asked about the other locations the restaurant was operating at.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on October 12, 2021.

12. **SP2021-025 (HENRY LEE)**

Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Michael Vinson of St. Benedict's Anglican Church for the approval of a Site Plan for a House of Worship on a 7.45-acre tract of land identified as Tract 3 & 10 of the W. B. Bowles Survey, Abstract No. 12 and A. Hanna Survey Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, 1500 Sunset Hill Drive, and take any action necessary.

Planner Henry Lee wanted to note that on the applicant's site plan, they are proposing to establish the parking areas and the landscaping. This will cause changes to their current landscape plan which will show the three-tiered screening along the north property line and the east property line. The applicant has also indicated that they're requesting to keep the private drive on the east side of the property as a private drive.

Chairman Chodun asked the applicant to come forward.

Dub Douphrate
2235 Ridge Road, Suite 200
Rockwall, TX 75087

Mr. Douphrate came forward and provided a brief summary in regards to the request. He explained about the requirements that he would like waived with the request.

Commissioner Womble asked if the applicant could bring photos in regards to the request.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on October 12, 2021.

13. **SP2021-026 (HENRY LEE)**

Discuss and consider a request by Steven Reyes of Architectonics Texas, LLC on behalf of Dr. Stan Tolkachjov for the approval of a Site Plan for a Medical Office building on a 0.688-acre parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 505 Ridge Road [FM-740], and take any action necessary.

Planner Henry Lee wanted to add that the Architectural Review Board is forwarding a recommendation for approval on this item.

Chairman Chodun asked the applicant to come forward.

Ross Ramsey
404 S. Fannin
Rockwall, TX 75087

Mr. Ramsey came forward and was prepared to answer questions.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on October 12, 2021.

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

- Z2021-032: SUP for a Restaurant with Drive-Through for Dutch Bros. [TABLE TO OCTOBER 4TH]
- Z2021-033: Amendment to Planned Development District 4 (PD-4) for a Mixed-Use Development [DENIED]
- Z2021-035: Zoning Change from Agricultural (AG) District to Light Industrial (LI) District [TABLE TO OCTOBER 18TH]
- Z2021-035: Zoning Change from Agricultural (AG) District to Neighborhood Services (NS) District [DENIED]
- Z2021-036: Zoning Change from Agricultural (AG) District to Planned Development District 91 (PD-91) [TABLE TO OCTOBER 4TH]
- Z2021-037: SUP for an Accessory Structure at 54 Shadydale Lane [APPROVED; 1st READING]

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

VIII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:17 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 12 day of October, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
OCTOBER 12, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

Chairman Chodun called the meeting to order at 6:02 PM. Commissioners present were Sedric Thomas, John Womble, Jean Conway, Derek Deckard and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Mark Moeller. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, City Engineer Amy Williams and Civil Engineers Sarah Johnston and Jeremy White.

II. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

1. Approval of Minutes for the September 28, 2021 Planning and Zoning Commission meetings.

Commissioner Thomas made a motion to approve the consent agenda. Commissioner Conway seconded the motion which passed by a vote of 6-0 with Commissioner Moeller absent.

IV. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

2. Z2021-034 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Maxwell Fisher of Masterplan on behalf of Saro Partners, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 5.07-acre tract of land identified as Tract 2-06 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Airport Road, and take any action necessary.

Director of Planning and Zoning Ryan Miller advised the Commission that the applicant has decided to withdraw the case to allow more time to work on particular issues on the property. Due to this case being an advertised public hearing item then the Commission will need to vote on whether to accept or deny the withdraw.

Vice-Chairman Welch made a motion to approve the withdraw for case Z2021-034. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

3. Z2021-038 (ANDREW REYNA)

Hold a public hearing to discuss and consider a request by Darrell McCallum for the approval of a Specific Use Permit (SUP) for a Detached Garage that exceeds the maximum permissible size for a detached garage on a 1.2080-acre parcel of land identified as Lot 6, Block A, Grady Rash Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family (SF-10) District, addressed as 1 Soapberry Lane, and take any action necessary.

Planner Andrew Reyna provided a brief summary in regards to the request. The applicant is requesting to construct a 30' x 40' detached garage on the subject property to replace an existing 24' x 30' detached garage. The structure will be metal with a metal roof and will be 15-feet in height. At the previous work session, the applicant indicated that he would construct a stone wainscot along the northern and western boundaries. There will be a garage with two doors and will have enough space for two average sized vehicles. The proposed detached garage goes over the maximum allowable size by 575 square feet. Should the SUP be approved, Staff has included an operational condition in the ordinance that would only allow for that one accessory structure to be on the property. While the proposed garage is not architecturally compatible with the primary structure, the stone wainscot that will be included is an improvement over the existing metal shed. Staff mailed out 30 notices to property owners and occupants within 500-feet of the subject property. Staff has since received three (3) notices back: 2 in favor and 1 opposed to the request.

Commissioner Deckard asked if height was set in the specific use permit.

Chairman Chodun asked the applicant to come forward

Darryl McCallum
1 Soapberry Lane
Rockwall, TX 75087

Mr. McCallum came forward and provided additional information in regards to the request.

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

Commissioner Thomas made a motion to approve Z2021-038 with staff recommendations. Commissioner Deckard seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on October 18, 2021.

4. **Z2021-039 (ANGELICA GAMEZ)**

Hold a public hearing to discuss and consider a request by Peter Muhl of Rockwall Habitat for Humanity 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 0.1650-acre parcel of land identified as Lot 888A 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 305 Blanche Drive, and take any action necessary.

Planning and Zoning Coordinator Angelica Gamez provided a brief summary in regards to the request. The applicant is requesting a SUP for Residential Infill in an Established Subdivision. According to the Unified Development Code (UDC), an Established Subdivision has five (5) more lots, is more than 90% developed, and has been in existence for more than 10 years. The proposed single-family home does meet all of the density and dimensional requirements for the single-family district. The applicant will be incorporating mostly brick into the home but will not be incorporating a garage. Should the applicant intend on adding one in the future then it must meet all of the requirements as stated in the UDC. As stipulated by Planned Development District 75, approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. On September 23, 2021, staff mailed out 141 notices to property owners and occupants within 500-feet of the subject property. There was a sign posted on the property as well as it being advertised in the Rockwall Herald Banner. Staff has since received one notice from a property owner within the notification area in favor of the applicant's request.

Chairman Chodun asked the applicant to come forward.

Peter Muhl
357 E. Tripp Road
Sunnyvale, TX 75182

Mr. Muhl came forward and was prepared to answer questions.

Commissioner Thomas asked why there was a reason there was not a garage incorporated into the home.
Commissioner Womble wanted clarification in regards to the square footage of the home.

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

Commissioner Womble made a motion to approve Z2021-039. Commissioner Conway seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on October 18, 2021.

5. **Z2021-040 (RYAN MILLER)**

Hold a public hearing to discuss and consider approval of a Text Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the Permissible Use Charts and definition for Urban Residential, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. On September 7, 2021, the City Council directed Staff to make changes to the UDC to address the Urban Residential land use. The purpose of the City Council's direction is to ensure that discretionary oversight of this land use was provided in the future and to prohibit apartments as a standalone land use in the Downtown District. To achieve this, Staff is proposing to change the land use charts from allowing urban residential as a by-right land use and changing it to require a Specific Use Permit (SUP). An SUP will allow for a discretionary process for the City Council pending a recommendation from the Planning and Zoning Commission as opposed to taking it straight to a technical approval. In addition, Staff is also proposing to change the definition of 'urban residential' from "a use that allows for multiple single-family dwelling units grouped into a single building" to "allows for single-family, single-family attached, townhomes, and lofts" with one-story of residential over Commercial only. In accordance with the UDC, Staff is bringing this forward for a recommendation prior to bringing it to the City Council. Mr. Miller then advised the Commission that he was available to answer any questions.

Commissioner Deckard asked if there are lots left that would allow for an apartment unit by right.

Commissioner Womble asked if there had been any protests from the property owners in downtown.
Commissioner Conway asked if this would allow for people to put lofts on the second floor of current buildings.

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

Commissioner Conway made a motion to approve Z2021-040. Commissioner Thomas seconded the motion which passed by a vote of 4-2 with Commissioners Deckard and Womble dissenting.

Chairman Chodun advised that the case will go before the City Council on October 18, 2021.

6. **Z2021-041 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Aaron Hawkins on behalf of Tim Thompson of Metroplex Acquisitions for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e. Salad and Go) on a 0.81-acre portion of a larger 5.96-acre parcel of land identified as Lot 11, 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 North SH-205 Overlay (N. SH-205 OV) District, generally located northeast of the intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is requesting an SUP for the purpose of establishing a restaurant that will be less than 2,000 square feet with a drive-through called Salad and Go. According to the UDC, a restaurant less than 2,000 square feet with a drive-through or drive-in does require an SUP in a General Retail District. In addition, this land use is subject to the following land use conditions: (1) a drive thru lane shall not have access to a residential street and (2) that additional landscaping adjacent to the drive-thru lanes be incorporated and (3) a minimum of 6 stacking spaces are required in the drive through lane. Additionally, the applicant has agreed to incorporate additional landscaping on the north property line adjacent to the drive-through lane there and on the south property line adjacent to the drive thru lane there. Based on this concept plan, the applicant's request does appear to be in conformance with all the land use conditions for this proposed use. Staff sent out 26 notices to property owners and occupants within 500 feet of the subject property and has not received any back as well as notifying all HOAs within 1,500-feet of the subject property.

Chairman Chodun asked the applicant to come forward.

Zach Sadler
4500 Mercantile Plaza
Fort Worth, TX 76137

Mr. Sadler came forward and was prepared to answer questions.

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

Commissioner Thomas made a motion to approve Z2021-041 with staff recommendations. Commissioner Deckard seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on October 18, 2021.

V. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

7. **SP2021-025 (HENRY LEE)**

Discuss and consider a request by Dub Doupbrate of Doupbrate & Associates, Inc. on behalf of Michael Vinson of St. Benedict's Anglican Church for the approval of a Site Plan for a House of Worship on a 7.45-acre tract of land identified as Tract 3 & 10 of the W. B. Bowles Survey, Abstract No. 12 and A. Hanna Survey Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, 1500 Sunset Hill Drive, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The Commissioner saw a related request back in August 2021 when the applicant was coming thru for an SUP approval for a House of Worship. That was ultimately approved by the City Council and the applicant has followed up by submitting a site plan application. The site plan is only covering the site plan, landscape plan, treescape plan, and photometric plan. They will be holding off on bringing in the elevations for changes to the house and the two future chapels when they submit for an amended site plan in the future. In this case, the site plan meets all the technical requirements with the exception of the paving requirement for the access drive on the east side of the property. The applicant is requesting to not pave required concrete in order to keep that as a residential drive. The applicant will also be gating this entry so it will not be a general public entrance. In exchange for the variance, they are proposing two compensatory measures such as having 10% stone on the future chapel and incorporating a prayer garden on the property. Overall, it meets all of the technical requirements with the exception of the paving materials. Mr. Miller then advised that Staff and the applicant were present and available for questions.

Commissioner Womble asked if any improvements were being made to the actual structure.

Chairman Chodun asked the applicant to come forward.

Dub Douphrate
2235 Ridge Road
Rockwall, TX 75087

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

Commissioner Womble asked for photos of the sloped area on the property.

Mr. Miller added that any variances or exceptions require a $\frac{3}{4}$ majority vote of the Planning and Zoning Commission.

Vice-Chairman Welch made a motion to approve SP2021-025 with staff recommendations. Commissioner Womble seconded the motion which passed by a vote of 6-0.

8. **SP2021-026 (HENRY LEE)**

Discuss and consider a request by Steven Reyes of Architectonics Texas, LLC on behalf of Dr. Stan Tolkachjov for the approval of a Site Plan for a Medical Office building on a 0.688-acre parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 505 Ridge Road [FM-740], and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is proposing a 5,835 square foot medical office building. The request does meet all of the density and dimensional requirements for the Commercial District but they are requesting three variances in this case. The Architectural Review Board did review this and recommended approval of the building to the Planning and Zoning Commission. The driveway spacing has an issue due to how the property curves along the street. The applicant did submit a letter stating three compensatory measures: (1) to utilize 100% masonry materials on the building, (2) to incorporate greater than 20% natural stone on the building, and (3) they have included additional landscaping throughout the site. Mr. Miller explained that all variances and exceptions do require a $\frac{3}{4}$ majority vote by the Planning and Zoning Commission.

Commissioner Conway asked if they were proposing anything to make up for the 2 parking spaces.

Chairman Chodun asked the applicant to come forward.

Ross Ramsay
2235 Ridge Road
Rockwall, TX 75087

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

Commissioner Thomas made a motion to approve SP2021-026. Commissioner Deckard seconded the motion which passed by a vote of 6-0.

VI. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

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

- P2021-047: Replat for Lot 2, Block A, Lofland Industrial Park Addition [APPROVED]
- P2021-048: Replat for Lots 2, 3, & 4, Block A, Epton Addition [APPROVED]
- Z2021-032: SUP for a Restaurant with Drive-Through for Dutch Bros. [APPROVED; 1ST READING]
- Z2021-036: Zoning Change from Agricultural (AG) District to Planned Development District 91 (PD-91) [APPROVED; 1ST READING]
- Z2021-037: SUP for an Accessory Structure at 54 Shadydale Lane [APPROVED; 2ND READING]

Director of Planning and Zoning 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 6:53 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 26 day of October, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
OCTOBER 26, 2021 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 Derek Deckard, Sedric Thomas, Mark Moeller, Jean Conway and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner John Womble. Staff members present were Planning and Zoning Director Ryan Miller, Planners Henry Lee and Andrew Reyna, City Engineer Amy Williams and Civil Engineers Jeremy White and Sarah Johnston. Absent from the meeting was Planning and Zoning Coordinator Angelica Gamez.

II. APPOINTMENTS

1. 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.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the October 12, 2021 Planning and Zoning Commission meeting.
3. **P2021-049 (HENRY LEE)**
Consider a request by Nick Hobbs of BGE Engineering on behalf of Randall Schwimmer of Baker Schwimmer Ventures, LP for the approval of a Preliminary Plat for Lots 1 & 2, Block A, Seefried Addition being a 23.071-acre tract of land identified as Tracts 25 & 25-1, of the R. B. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located on the southside of the IH-30 Frontage Road east of the intersection of Corporate Crossing and IH-30, and take any action necessary.
4. **P2021-050 (ANGELICA GAMEZ)**
Consider a request by Greg Chapa of Barton Chapa Surveying on behalf of JCDB Goliad Holdings, LLC for the approval of a Replat for Lots 2 & 3, Block A, Pecan Valley Retail Addition being a 2.174-acre parcel of land identified as Lot 1, Block A, Pecan Valley Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for limited General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3005 N. Goliad Street [SH-205] and 150 Pecan Valley Drive, and take any action necessary.
5. **SP2021-028 (ANDREW REYNA)**
Consider a request by Chris West of M1237 Services, LLC on behalf of Raymond Jowers of Rockwall Credit Services, LP for the approval of an Amended Site Plan for an existing Industrial Building on a 0.5-acre parcel of land identified as Lot 1-H0 of the Bodin Industrial Tract Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1470 E. IH-30, and take any action necessary.

Commissioner Thomas made a motion to approve the consent agenda. Commissioner Moeller seconded the motion which passed by a vote of 6-0 with Commissioner Womble absent.

V. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is November 9, 2021.

6. **Z2021-043 (ANGELICA GAMEZ)**

Hold a public hearing to discuss and consider a request by Kenneth A. Selden on behalf of Johnathan Brown 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 0.426-acre tract of land identified as a portion of Lot 3, Block B, F & M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 601 Kernodle Street, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Planning and Zoning Director Ryan Miller advised to the Commission that the applicant had originally come forward to the Historic Preservation Advisory Board in 2016 for a Certificate of Appropriateness (COA) to build this in the Historic District. They also received a variance from the Board of Adjustment (BOA) to the front building setback to make it more in line with the historic homes in the District. Both of those items were approved but the applicant waited to begin the process and, within that time period, the requirements changed for Residential Infill.

Jonathan Brown
7014 Killarney Lane
Rowlett, TX 75089

Kenneth Selden
5 Shepherds ay
Heath, TX 75032

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

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

7. **Z2021-044 (ANDREW REYNA)**

Hold a public hearing to discuss and consider a request by Alex Flores 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 Lot 2, Block M, Lake Rockwall Estates East 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 478 Renee Drive, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Alex Flores
1650 John King Blvd, #3710
Rockwall, TX 75087

Mr. Flores came forward and provided a brief summary in regards to the request.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

8. **Z2021-045 (ANDREW REYNA)**

Hold a public hearing to discuss and consider a request by Vanio Dilov 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 0.1102-acre parcel of land identified as a Lot 40 of the Chandler's Landing Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8), addressed as 418 Columbia Drive, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Al Gaeford
7310 Lakeshore Drive
Rowlett, TX 75089

The applicant came forward and provided a brief summary in regards to the request.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

9. **Z2021-046 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) for two (2) Agricultural Accessory Buildings and an Animal Shelter/Loafing Shed on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Planning and Zoning Director Ryan Miller provided a brief background in regards to the request. The original case was brought forth in 2018 and the SUP was approved; however, there were some things in the SUP that weren't completed and the SUP expired. There are three (3) different structures that need to be reviewed: one is an agricultural accessory building, another is an additional agricultural accessory

building that is in the floodplain which the applicant is proposing to bring that down away from the floodplain, and the last is an animal shelter. All of the structures do appear to be in compliance with the requirements.

Mike Peoples
1700 E. State Hwy 66
Rockwall, TX 75087

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

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

10. **Z2021-047 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Andrea Danley on behalf of Mike Peoples for the approval of a Specific Use Permit (SUP) for an Animal Shelter/Loafing Shed on a 14.219-acre tract of land identified as Tract 10-03 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 555 Cornelius Road, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Planning and Zoning Ryan Miller provided a brief background in regards to the case. The applicant is proposing to remove an existing structure and construct a new animal shelter.

Andrea Danley
300 S. Brown
Fate, TX 75132

Mrs. Danley came forward and provided additional details in regards to the request.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

11. **P2021-051 (HENRY LEE)**

Discuss and consider a request by Humberto Johnson, Jr. of the Skorburg Co. on behalf of Gordon C. Fogg for the approval of a Preliminary Plat for the Winding Creek Subdivision consisting of 132 single-family residential lots on a 78.831-acre tract of land identified as Tracts 17, 17-01, 22, 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

Planner Henry Lee advised the Commission that this item is being presented at Parks Board on November 2, 2021.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

12. **P2021-052 (HENRY LEE)**

Discuss and consider a request by Humberto Johnson, Jr. of the Skorburg Co. on behalf of Gordon C. Fogg for the approval of a Master Plat for the Winding Creek Subdivision consisting of 132 single-family residential lots on a 78.831-acre tract of land identified as Tracts 17, 17-01, 22, 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

Planner Henry Lee advised the Commission that this item is being presented at Parks Board on November 2, 2021.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

13. **P2021-053 (ANDREW REYNA)**

Discuss and consider a request by Cameron Slown of Teague, Nall & Perkins, Inc. on behalf of Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Final Plat for Phase 1 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a 36.42-acre tract of land identified as a portion of Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District, generally located on the north side of SH-276 east of the intersection of SH-276 and Rochelle Road, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Cameron Slown
2 Horizon Court
Heath, TX 75032

Mr. Slown came forward and provided a brief summary in regards to the request.

Mr. Miller added that this item was going to be presented to Park Board on November 2, 2021.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

14. **P2021-054 (HENRY LEE)**

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Suresh Shridharani of Harlan Properties, Inc. for the approval of a Final Plat for the Emerson Farms Subdivision consisting of 107 single-family residential lots on a 138.756-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 76 (PD-76) for Single-Family 1 (SF-1) District land uses, generally located on the east side of Dowell Road south of the intersection of Dowell Road and SH-276, and take any action necessary.

Planner Henry Lee advised the Commission that this item is being presented at Parks Board on November 2, 2021.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

15. **P2021-055 (ANDREW REYNA)**

Discuss and consider a request Ryan King of Engineering Concepts & Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a Final Plat for Phase 2 of the Saddle Star Subdivision consisting of 77 single-family residential lots on a 29.001-acre tract of land identified as Tracts 1, 1-05, 2-03, & 2-07 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass (SH-205 BY OV) District, generally located east of the intersection of Featherstone Drive and N. John King Boulevard, and take any action necessary.

Planner Andrew Reyna advised the Commission that this item is being presented at Parks Board on November 2, 2021.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

16. **P2021-056 (HENRY LEE)**

Discuss and consider a request by Greg Helsel of Spiars Engineering, Inc. on behalf of Bill Gietema of Arcadia Lakes of Somerset Holdings, LLC for the approval of a Final Plat for Phase 2 of the Somerset Park Subdivision consisting of 165 single-family residential lots on a 82.809-acre tract of land identified as Tract 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single-Family 10 (SF-10) District land uses, generally located at the northwest corner of the intersection of S. Goliad Street [SH-205] and FM-549, and take any action necessary.

Planner Henry Lee advised the Commission that this item is being presented at Parks Board on November 2, 2021.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

17. **SP2021-027 (HENRY LEE)**

Discuss and consider a request by Nick Hobbs of BGE Engineering on behalf of Randall Schwimmer of Baker Schwimmer Ventures, LP for the approval of a Site Plan for a Warehouse/Distribution Facility on a 23.071-acre tract of land identified as Tracts 25 & 25-1, of the R. B. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located on the southside of the IH-30 Frontage Road east of the intersection of Corporate Crossing and IH-30, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting two variances and one exception for the use of less than 20% stone on the façade, doing tilt wall construction, and the articulation standards. Staff should note that they are providing three tiered screening with a berm to provide residential adjacency screening to the east. They will also be paving 24-feet of Data Drive down to Capital Blvd. The REDC is working with them to provide a strip of land along the eastern property line. Also, as part of their site plan, they are requesting an alternative tree mitigation settlement agreement. They have a total of 3,228-inches of mitigation balance for the trees they're removing and are intending to plant 764-inches, and are requesting to pay the extra 2,464 inches which is \$246,400.

Nick Hobbes
4309 Aster Road
Prosper, TX 75078

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

Bobby Pross
5310 Harvest Hill Rd, Suite 180
Dallas, TX 75230

Mr. Pross came forward and provided additional details in regards to the compensatory measures.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

18. **SP2021-029 (HENRY LEE)**

Discuss and consider a request by Greg Helsel of Spiars Engineering, Inc. on behalf of Bill Gietema of Arcadia Lakes of Somerset Holdings, LLC for the approval of a Site Plan for Phase 2 of the Somerset Park Subdivision consisting of 165 single-family residential lots on a 82.809-acre tract of land identified as Tract 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63

(PD-63) for Single-Family 10 (SF-10) District land uses, generally located at the northwest corner of the intersection of S. Soliad Street [SH-205] and FM-549, and take any action necessary.

Planner Henry Lee added that the request generally meets all of the technical requirements for Planned Development 63 (PD-63) in the Unified Development Code (UDC).

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

19. **SP2021-030 (ANDREW REYNA)**

Discuss and consider a request by Patrick Hogan, PE of Kimley-Horn on behalf of Tyler Wood of Intrepid Equity Investments, LLC for the approval of a Site Plan for a Multi-Tenant Warehouse/Distribution Center on a 17.03-acre tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located on the south side of Airport Road east of the intersection of Airport Road and John King Boulevard, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Planner Andrew Reyna added that the applicant is working with ARB and their recommendations as requested.

Patrick Hogan
13455 Noel Road
2 Galleria Office Tower, Suite 700
Dallas, TX 75240

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

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on November 9, 2021.

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

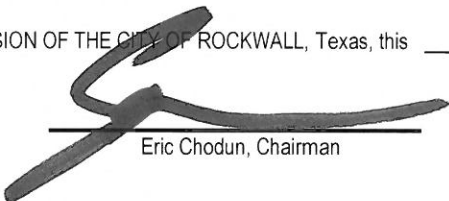
- Z2021-032: SUP for a Restaurant, less than 2,000 SF, with Drive-Through for Dutch Bros. [APPROVED; 2ND READING]
- Z2021-036: Zoning Change from Agricultural (AG) District to Planned Development District 91 (PD-91) [APPROVED; 2ND READING]
- Z2021-038: SUP for an Accessory Building at 1 Soapberry Lane [APPROVED; 1ST READING]
- Z2021-039: SUP for Residential Infill in an Established Subdivision at 305 Blanche Drive [APPROVED; 1ST READING]
- Z2021-040: Text Amendment to Articles 04 & 13 for Urban Residential [APPROVED; 1ST READING]
- Z2021-041: SUP for a Restaurant, less than 2,000 SF, with a Drive-Through for Salads and Go [APPROVED; 1ST READING]

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

VI. ADJOURNMENT

Chairman Chodun adjourned the meeting at 6:40 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 9 day of November, 2021.


Eric Chodun, Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
NOVEMBER 9, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

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

II. APPOINTMENTS

1. 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.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the October 26, 2021 Planning and Zoning Commission meetings.

3. P2021-053 (ANDREW REYNA)

Consider a request by Cameron Slown of Teague, Nall & Perkins, Inc. on behalf of Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Final Plat for Phase 1 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a 36.42-acre tract of land identified as a portion of Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District, generally located on the north side of SH-276 east of the intersection of SH-276 and Rochelle Road, and take any action necessary.

4. P2021-054 (HENRY LEE)

Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of Suresh Shridharani of Harlan Properties, Inc. for the approval of a Final Plat for the Emerson Farms Subdivision consisting of 107 single-family residential lots on a 138.756-acre tract of land identified as Tract 1 of the J. Lockhart Survey, Abstract No. 137, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 76 (PD-76) for Single-Family 1 (SF-1) District land uses, generally located on the east side of Dowell Road south of the intersection of Dowell Road and SH-276, and take any action necessary.

5. P2021-055 (ANDREW REYNA)

Consider a request Ryan King of Engineering Concepts & Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a Final Plat for Phase 2 of the Saddle Star Subdivision consisting of 77 single-family residential lots on a 29.001-acre tract of land identified as Tracts 1, 1-05, 2-03, & 2-07 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass (SH-205 BY OV) District, generally located east of the intersection of Featherstone Drive and N. John King Boulevard, and take any action necessary.

6. P2021-056 (HENRY LEE)

Consider a request by Greg Helsel of Spiars Engineering, Inc. on behalf of Bill Gietema of Arcadia Lakes of Somerset Holdings, LLC for the approval of a Final Plat for Phase 2 of the Somerset Park Subdivision consisting of 165 single-family residential lots on a 82.809-acre tract of land identified as Tract 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single-Family 10 (SF-10) District land uses, generally located at the northwest corner of the intersection of S. Goliad Street [SH-205] and FM-549, and take any action necessary.

7. SP2021-029 (HENRY LEE)

Consider a request by Greg Helsel of Spiars Engineering, Inc. on behalf of Bill Gietema of Arcadia Lakes of Somerset Holdings, LLC for the approval of a Site Plan for Phase 2 of the Somerset Park Subdivision consisting of 165 single-family residential lots on a 82.809-acre tract of land identified as Tract 7

of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single-Family 10 (SF-10) District land uses, generally located at the northwest corner of the intersection of S. Goliad Street [SH-205] and FM-549, and take any action necessary.

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

V. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

8. Z2021-043 (ANGELICA GAMEZ)

Hold a public hearing to discuss and consider a request by Kenneth A. Selden on behalf of Johnathan Brown 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 0.426-acre tract of land identified as a portion of Lot 3, Block B, F & M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 601 Kernodle Street, and take any action necessary.

Planning and Zoning Coordinator Angelica Gamez provided a brief summary in regards to the request. The subject property is located at 601 Kernodle Street which is situated in the F&M Subdivision in Old Town Rockwall Historic District. The applicant is requesting approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home. The Unified Development Code (UDC) states that an established subdivision consists of 5 or more lots, is 90% developed, and has been in existence for more than 10 years. The applicant originally came forward in 2015 and received approval for a Certificate of Appropriateness from the Historic Preservation Advisory Board to construct a single-family home in the Historic District. He also received a variance from the Board of Adjustments to minimize the front yard building setback from 20-feet to 15-feet. Besides that, the request does appear to be in compliance with all other zoning requirements. Ms. Gamez explained that the Commission's job today was to ensure that the proposed home is architecturally compatible with the surrounding homes in the area. For that reason, and for their convenience, a housing analysis was included in the packet. On October 22, 2021, staff mailed out 82 notices to property owners and occupants within 500-feet of the subject property. There was a sign posted on the property and the public hearing was advertised in the Rockwall Herald Banner. Staff had since received 3 notices from property owners within the notification area in favor of the applicant's request.

Jonathan Brown
7814 Killarney Lane
Rowlett, TX 75089

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

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

Commissioner Welch made a motion to approve Z2021-043 with staff recommendations. Commissioner Conway seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that the item will go before the City Council on November 15, 2021.

9. Z2021-044 (ANDREW REYNA)

Hold a public hearing to discuss and consider a request by Alex Flores 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 Lot 2, Block M, Lake Rockwall Estates East 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 478 Renee Drive, and take any action necessary.

Planner Andrew Reyna provided a brief summary in regards to the request. The applicant is requesting the approval of an SUP for the construction of a single-family home in Lake Rockwall Estates addressed at 478 Renee Drive. The applicant is proposing to construct a 1-story brick single-family home. The proposed home meets all of the density and dimensional requirements for the Single-Family 7 District stipulated by Planned Development District 75 and the UDC with the exception of the garage setback requirements. Staff should note that this waive for the garage has been approved in the past in this subdivision. Staff mailed out 88 notices to property and occupants within 500-feet of the subject property. As of today, staff had not received any notices in regards to the applicant's request.

Vice-Chairman Welch asked if all the homes in Lake Rockwall Estates were on septic.

Alex Flores
1650 John King Blvd, Apt. 6710
Rockwall, TX 75032

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

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

Commissioner Conway made a motion to approve Z2021-044. Commissioner Deckard seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that the item will go before the City Council on November 15, 2021.

10. Z2021-045 (ANDREW REYNA)

Hold a public hearing to discuss and consider a request by Vanio Dilov 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 0.1102-acre parcel of land identified as a Lot 40 of the Chandler's Landing Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8), addressed as 418 Columbia Drive, and take any action necessary.

Planner Andrew Reyna provided a brief summary in regards to the request. The applicant is requesting approval of an SUP for the construction of a single-family home located in Chandlers Landing addressed as 418 Columbia Drive. The applicant is proposing to construct a two-story brick single-family home. The proposed home meets all of the density and dimensional requirements for Planned Development District 8 and the UDC with the exception of the garage setback requirements. The applicant is proposing to put the garage 4-feet 6-inches in front of the front façade of the home. If approved the Planning and Zoning Commission and City Council will be waiving that required 20-foot setback. Staff would like to point out that Planning and Zoning and City Council have waived this requirement in the past. Staff mailed out 97 notices to property owner and occupants within 50-feet of the subject property as well as notified all HOAs within 1500-feet of the subject property. At the time this report was drafted, staff had received one notice in favor of the applicant's request.

Vanio Dilov
7310 Lakeshore Drive
Rowlett, TX 75089

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

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

Commissioner Conway made a motion to approve Z2021-045. Commissioner Womble seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that the item will go before the City Council on November 15, 2021.

11. Z2021-046 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) for two (2) Agricultural Accessory Buildings and an Animal Shelter/Loafing Shed on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. This property was annexed in 1998 and has been zoned Agricultural District since its annexation. In October 2018, Code Enforcement Department issued a stop work order for work being done in an animal shelter which was directly adjacent to SH66. It was brought to the Planning Department and it was determined that there were two (2) other noncompliant structures on the property: a detached garage in the southwest corner of the property and an accessory building located in the southeast corner in the floodplain. Both of these were constructed without permits. In lieu of this, the applicant did submit two specific use permits for a detached garage and for an animal shelter/loafing shed. The accessory building was not able to be considered at that time because accessory buildings are not allowed in Agricultural (AG) Districts. Ultimately, the detached garage was denied and the animal shelter was approved with the condition that the detached garage and accessory building be removed from the property. However, the SUP did expire on June 22, 2020 due to inactivity and the structures were not removed from the property and remaining noncompliant. At that time, the City did pursue enforcement action but, due to Covid, this was delayed through the courts and this case is still active. Recently, there have been two changes that allows the Commission to reconsider this case thru a different lens. Those being that in 2019, the City Council added a land use to the Use Charts for Agricultural accessory structures and this allows the detached garage and accessory building to be considered. Another thing that changed was that HB2439 was adopted and it prohibited cities from regulating building materials. Another thing to note is that the City recently adopted the noncompliance structure fee associated with SUP applications. When Staff was reviewing the case, they came across some additional details that were worked thru with the applicant. One was an additional structure that had been constructed on the property and the other issue being that there is storage along the floodplain. Staff mailed out 33 notices to property owners and occupants within 500-feet of the subject property. Staff has since received 4 notices in favor of the applicant's request.

Commissioner Womble asked if there were any drainage issues associated with the property.

Mike Peoples
1700 E. State Hwy 66
Rockwall, TX 75087

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

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

Vice-Chairman Welch made a motion to approve Z2021-046. Commissioner Deckard seconded the motion which passed by a vote of 4-1 with Commissioner Womble dissenting.

Chairman Chodun advised that the item will go before the City Council on November 15, 2021.

12. Z2021-047 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Andrea Danley on behalf of Mike Peoples for the approval of a *Specific Use Permit (SUP)* for an *Animal Shelter/Loafing Shed* on a 14.219-acre tract of land identified as Tract 10-03 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 555 Cornelius Road, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. Currently situated on the property according to Rockwall Central Appraisal District is a 1,700 square foot single-family home that was constructed in 1960, a 390-square foot barn constructed in 1973, a 7,000-square foot barn constructed in 1985, and 400-square foot carport constructed in 2008. The applicant is requesting is an animal shelter/loafing shed and will be removing the old structure. The proposed animal shelter will be 35-feet by 40-feet which is only a little bigger than what is currently out there. Animal shelters are allowed in an Agricultural (AG) District but do require a Specific Use Permit. Currently, there are no conditional use standards associated with that, they just have to meet Agricultural District standards. In this case, the proposed structure will not change the conformance of the property and will comply with all the setback requirements. Staff mailed out 26 notices to property owners and occupants within 500-feet from the subject property. Staff has since received 3 notices from property owners within the notification area in favor of the applicant's request. Mr. Miller then advised that the applicant and Staff were present and available for questions.

Andrea Danley and Michael Danley
300 S. Brown Avenue
Fate, TX 75132

Mrs. Danley came forward and provided additional details in regards to the request.

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

Commissioner Deckard made a motion to approve Z2021-047. Vice-Chairman Welch seconded the motion which passed by a vote of 5-0.

Chairman Chodun advised that the item will go before the City Council on November 15, 2021.

VI. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

13. SP2021-027 (HENRY LEE)

Discuss and consider a request by Nick Hobbs of BGE Engineering on behalf of Randall Schwimmer of Baker Schwimmer Ventures, LP for the approval of a *Site Plan* for a *Warehouse/Distribution Facility* on a 23.071-acre tract of land identified as Tracts 25 & 25-1, of the R. B. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located on the southside of the IH-30 Frontage Road east of the intersection of Corporate Crossing and IH-30, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting approval of a site plan for the purpose of constructing two (2) warehouse distribution facilities on the subject property. It will be divided into two (2) lots and they will be constructing a portion of Data Drive to access that property. This property is in conformance with all the applicable requirements for the Light Industrial (LI) District with the exception of the three variances they are requesting. They are a variance to the building façade, a variance to the Overlay District standards, and an exception to use tilt wall which is required in all Light Industrial (LI) Districts. As with all variances, compensatory measures are required. Variances are a discretionary decision to the Planning and Zoning Commission and do require a super majority vote in order to get approved. The property is in compliance with all other applicable standards and does meet the technical requirements.

Chairman Chodun had a question regarding compensatory measures.

Nick Hobbs
2595 Dallas Parkway
Frisco, TX 75034

Bobby Pross
5310 Harvest Hill Road
Dallas, TX 75230

The applicants came forward and provided additional details in regards to the request.

Commissioner Conway made a motion to approve SP2021-027 with staff recommendations. Commissioner Womble seconded the motion which passed by a vote of 5-0.

14. **SP2021-030 (ANDREW REYNA)**

Discuss and consider a request by Patrick Hogan, PE of Kimley-Horn on behalf of Tyler Wood of Intrepid Equity Investments, LLC for the approval of a Site Plan for a Multi-Tenant Warehouse/Distribution Center on a 17.03-acre tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located on the south side of Airport Road east of the intersection of Airport Road and John King Boulevard, and take any action necessary.

Planner Andrew Reyna provided a brief summary in regards to the applicant's request. The applicant is proposing the construction of a warehouse distribution center which will be divided between three (3) separate buildings. The applicant is requesting three (3) exceptions for the subject property. These include building materials, an exception to the vertical and horizontal articulation standards, and a variance to the screening and residential requirements. In this case, the applicant is requesting the use of three-tiered screening adjacent to the western property line. Mr. Reyna explained that this case was also approved earlier by the Architectural Review Board. The Planning and Zoning Commission is tasked with determining if the compensatory measures properly offset the requested variances.

Patrick Hogan
13455 Noel Road, 2 Galleria Office Tower, Suite 700
Dallas, TX 75240

Bobby Pross
5310 Harvest Hill Road
Dallas, TX 75230

The applicants came forward and provided additional details in regards to the request.

Vice-Chairman Welch made a motion to approve SP2021-030 with staff recommendations. Chairman Chodun seconded the motion which passed by a vote of 5-0.

VII. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

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

- P2021-049: Preliminary Plat for Lots 1 & 2, Block A, Seefried Addition [APPROVED]
- P2021-048: Replat for Lots 2 & 3, Block A, Pecan Valley Retail Addition [APPROVED]
- Z2021-038: SUP for an Accessory Building at 1 Soapberry Lane [APPROVED; 2ND READING]
- Z2021-039: SUP for Residential Infill in an Established Subdivision at 305 Blanche Drive [APPROVED; 2ND READING]
- Z2021-040: Text Amendment to Articles 04 & 13 for Urban Residential [APPROVED; 2ND READING]
- Z2021-041: SUP for a Restaurant, less than 2,000 SF, with a Drive-Through for Salads and Go [APPROVED; 2ND READING]

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

VIII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 6:53 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 30 day of November, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator


Eric Chodun, Chairman JERRY WELCH, VICE-CHAIRMAN

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
NOVEMBER 30, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM



I. CALL TO ORDER

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

II. APPOINTMENTS

1. 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.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the November 9, 2021 Planning and Zoning Commission meeting.

3. P2021-051 (HENRY LEE)

Discuss and consider a request by Humberto Johnson, Jr. of the Skorburg Co. on behalf of Gordon C. Fogg for the approval of a Preliminary Plat for the Winding Creek Subdivision consisting of 132 single-family residential lots on a 78.831-acre tract of land identified as Tracts 17, 17-01, 22, 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

4. P2021-052 (HENRY LEE)

Discuss and consider a request by Humberto Johnson, Jr. of the Skorburg Co. on behalf of Gordon C. Fogg for the approval of a Master Plat for the Winding Creek Subdivision consisting of 132 single-family residential lots on a 78.831-acre tract of land identified as Tracts 17, 17-01, 22, 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

5. P2021-057 (ANGELICA GAMEZ)

Consider a request by Frank Fite for the approval of a Final Plat for Lots 1 & 2, Block A, Fite Office Addition being a 0.82-acre tract of land identified as Lots A & D, Block 124, B. F. Boydston 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 810 & 812 N. Goliad Street [SH-205], and take any action necessary.

6. P2021-059 (ANDREW REYNA)

Consider a request by Michael & Jennifer Wurster for the approval of a Final Plat for Lots 1 & 2, Block A, Wurster Estates Addition being a 12.82-acre tract of land identified as Lot 1 of the L. L. Leonard Addition and Tract 19-2 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 5 (PD-5) for Single-Family 8.4 (SF-8.4) District, addressed as 550 E. Quail Run Road, and take any action necessary.

7. P2021-061 (ANGELICA GAMEZ)

Consider a request by Randall Eardley of Wier & Associates, Inc. on behalf of Stephen Doyle of Structured REA-Rockwall Land, LLC for the approval of a Replat for Lots 5-8, Block B, Fit Sport Life Addition being a 15.281-acre portion of a larger 31.65-acre tract of land identified as Tract 22-2 of the R.

Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and take any action necessary.

8. **P2021-062 (ANDREW REYNA)**

Consider a request by Matt Wavering of the Rockwall Economic Development Corporation (REDC) for the approval of a Final Plat for Lot 1, Block A; Lot 1, Block B; and Lot 1, Block C, Rockwall Technology Park, Phase V Addition being a 214.7576-acre tract of land identified as Tract 10-1 of the J. A. Ramsey Survey, Abstract No. 186 and Tract 5 & 6 of J. H. B. Jones Survey, Abstract No. 125 City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, generally located at the northwest corner of the intersection of Rochelle Road and SH-276, and take any action necessary.

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

V. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

9. **MIS2021-014 (HENRY LEE)**

Discuss and consider a request by Brian Baker of EMC on behalf of Tim Draughn of Lowes for the approval of an Exception to the Outdoor Lighting Standards for Non-Residential Properties for an existing General Retail Store (i.e. Lowes Home Improvement) being a 16.062-acre parcel of land identified as Lot 3, Block C, Steger Towne Crossing, Phase II Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 851 Steger Towne Drive, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting an approval of an exception to the outdoor lighting standards for non-residential properties. The applicant stated the request was due to the following reasons: the spillover would benefit the neighboring commercial properties and general site constraints. On July 20, 2021, the applicant submitted a commercial building permit to replace the lighting fixtures on the subject property. Staff reviewed the photometric plan submitted and found that the foot candles on the property lines did not meet the requirement within the UDC. The applicant then submitted 2 more photometric plans but they failed to meet the requirement as well. This then prompted the applicant to submit this exception to the Planning and Zoning Commission. Mr. Lee then advised that this was a discretionary decision for the Planning and Zoning Commission and will require a 3-4 majority vote for approval.

**Commissioner Womble asked if they explained why they couldn't comply with the requirement as stated.
Commissioner Deckard asked how far away the applicants were from meeting the requirement.**

Vice-Chairman Welch made a motion to deny MIS2021-014. Commissioner Womble seconded the motion to deny which passed by a vote of 5-0.

10. **MIS2021-015 (ANDREW REYNA)**

Discuss and consider a request by Keaton Mai of the Dimension Group on behalf of Michael Hampton of 549 Crossing, LP the approval of a Variance to the Utility Placement requirements in the General Overlay District Standards to allow overhead utilities in conjunction with a Retail Store with Gasoline Sales on a 1.503-acre portion of a larger tract of land being a 34.484-acre tract of land identified as Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action necessary.

Planner Andrew Reyna provided a brief summary in regards to the request. The applicant is requesting approval of a variance that would allow for the relocation of existing overhead powerlines from the interior of the site to the right-of-way line adjacent to the proposed landscape buffer. Many of the compensatory measures provided were already used to justify the variance to the roof standards on the original site plan that was approved. Staff should note that previous cases with similar requests have not been approved previously by the City Council or the Planning and Zoning Commission in order to not set a precedence. The approval of any variance in an established overlay district will require a 3-4 majority vote.

Vice-Chairman Welch asked the applicant to come forward.

Keaton Mai
10755 Sandhill Rd
Dallas, TX 75238

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

**Commissioner Deckard asked if the applicant had anything in writing from Farmers Electric.
Commissioner Conway asked what the time frame would be from Farmers.**

Michael Hampton
10777 Sandhill Rd
Dallas, TX 75238

Mr. Hampton came forward and provided additional details in regards to the request as well.

After some discussion, Commissioner Thomas made a motion to deny MIS2021-015. Commissioner Womble seconded the motion to deny which passed by a vote of 5-0.

VI. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is December 14, 2021.

11. Z2021-048 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Bowen Hendrix of DuWest Realty, LLC on behalf of John Arnold of the Skorburg Company for the approval of a PD Development Plan for a General Retail Development/Shopping Center on an 8.63-acre portion of a larger 36.428-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70) for limited General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [SH-205], and take any action necessary.

Planning and Zoning Director Ryan Miller advised that the applicant was present.

Bowen Hendrix
4403 N Central Expressway
Dallas, TX 75205

Mr. Hendrix came forward and provided a brief summary in regards to the request.

Mr. Miller added that the Planned Development District already allows for General Retail on this tract as it's allowed by right. The PD requires the applicant to come forward with a PD Development Plan and show how they are incorporating screening and connectivity to the adjacent uses. The Planning and Zoning Commission is specifically tasked with looking at the screening mechanisms and the connectivity. In this case, the applicant is proposing to provide three-tiered landscaping and a berm adjacent to areas where they have residential adjacency. Mr. Miller advised that they were also proposing to put in a playground amenity area as well as outdoor seating. The applicant (Mr. Hendrix) then clarified that the only change from the rendering would be placement of the playground.

Commissioner Thomas asked if there are any particular general retail stores in mind.

Vice-Chairman Welch advised that this item will come before the Planning and Zoning Commission for discussion or action on December 14, 2022.

12. Z2021-049 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of a Specific Use Permit (SUP) superseding Ordinance No. 12-11 [S-094] and allowing the expansion of an existing Motor Vehicle Dealership (i.e. Clay Cooley Hyundai) being a 7.17-acre tract of land identified as Lot 1, Block 1 and Lot 1, Block 2, Rockwall Recreation Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting to amend their SUP with a new concept plan and building elevations. They will be expanding their vehicle display lot and it also has two (2) new buildings. If approved, the applicant will have to return with a new site plan where the new elevations will be reviewed by the Architectural Review Board.

Vice-Chairman Welch advised that his item will come before the Planning and Commission for discussion or action on December 14, 2022.

13. P2021-058 (ANDREW REYNA)

Hold a public hearing to discuss and consider a request by Tari Kinsey for the approval of a Final Plat for Lots 1-4, Block A, Kinsey Addition being a 0.76-acre tract of land identified as a portion of Blocks 9 & 10, F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 802, 806, & 808 Kernodle Street, and take any action necessary.

Planner Andrew Reyna provided a brief summary in regards to the request. He added that the only reason this item is coming before the Commission is because State law requires that any replats that increase the number of lots in a subdivision be held before the Planning and Zoning Commission.

Vice-Chairman Welch advised that his item will come before the Planning and Commission for discussion or action on December 14, 2022.

14. P2021-060 (HENRY LEE)

Discuss and consider a request by Pat Atkins of CDT Rockwall 2017, LLC for the approval of a Final Plat for Phase 3 of the Saddle Star Subdivision consisting of 33 single-family residential lots on a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within

the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of John King Boulevard northeast of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary.

Planner Henry Lee advised that this plat will be going before the Parks Board on December 7, 2021.

Vice-Chairman Welch advised that his item will come before the Planning and Commission for discussion or action on December 14, 2022.

15. SP2021-034 (HENRY LEE)

Discuss and consider a request by Pat Atkins of CDT Rockwall 2017, LLC for the approval of a Site Plan for Phase 3 of the Saddle Star Subdivision consisting of 33 single-family residential lots on a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of John King Boulevard northeast of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary.

Planner Henry Lee advised that this site plan will be going before the Parks Board on December 7, 2021.

Vice-Chairman Welch advised that his item will come before the Planning and Commission for discussion or action on December 14, 2022.

16. SP2021-031 (HENRY LEE)

Discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge, LLC for the approval of a Site Plan for a *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In (i.e. Dutch Bros. Coffee)* on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Planner Henry Lee advised that his applicant was present. He added that the applicant is requesting three variances with the request.

**Eric Reed
4461 Desert Willow Drive
Prosper, TX 75078**

Mr. Reed came forward and provided a brief summary in regards to the request.

Vice-Chairman Welch advised that his item will come before the Planning and Commission for discussion or action on December 14, 2022.

17. SP2021-032 (ANDREW REYNA)

Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of Timothy Payne of BT Management 11, LLC for the approval of a Site Plan for a *Medical Office Building* on a 0.47-acre parcel of land identified as Lot 2, Block 1, Elsey Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District land uses, situated within North SH-205 Overlay (N. SH-205 OV) District, generally south of the intersection of Sonoma Drive and N. Goliad Street [SH-205], and take any action necessary.

Planner Andrew Reyna advised that his applicant was present. He added that the applicant is requesting three (3) variances but no compensatory measures in regards to the request.

**Jeff Carroll
750 E. Interstate 30, Suite 110
Rockwall, TX 75087**

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

Vice-Chairman Welch advised that his item will come before the Planning and Commission for discussion or action on December 14, 2022.

18. SP2021-033 (HENRY LEE)

Discuss and consider a request by Aaron Hawkins on behalf of Time Thompson of Metroplex Acquisitions for the approval of a Site Plan for a *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In (i.e. Salad and Go)* on a 0.81-acre portion of a larger 5.96-acre parcel of land identified as Lot 11, 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 North SH-205 Overlay (N. SH-205 OV) District, generally located northeast of the intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.

Planner Henry Lee advised his applicant was present.

**Aaron Hawkins
4500 Mercantile Plaza
Fort Worth, TX 76137**

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

Vice-Chairman Welch advised that his item will come before the Planning and Commission for discussion or action on December 14, 2022.

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

- P2021-053: Final Plat for Phase 1 of the Discovery Lakes Subdivision [APPROVED]
- P2021-054: Final Plat for the Emerson Farms Subdivision [APPROVED]
- P2021-055: Final Plat for Phase 2 of the Saddle Star South Subdivision [APPROVED]
- P2021-056: Final Plat for Phase 2 of the Somerset Park Subdivision [APPROVED]
- SP2021-027: Alternative Tree Mitigation Settlement Agreement for Seefried Industrial Addition [APPROVED]
- Z2021-043: SUP for Residential Infill in an Established Subdivision at 601 Kernodle Street [APPROVED; 1ST READING]
- Z2021-044: SUP for Residential Infill in an Established Subdivision at 478 Renee Drive [APPROVED; 1ST READING]
- Z2021-035: SUP for Residential Infill in an Established Subdivision at 418 Columbia Drive [APPROVED; 1ST READING]
- Z2021-046: SUP for two (2) Agricultural Accessory Buildings and an Animal Shelter or Loafing Shed at 1700 SH-66 [APPROVED; 1ST READING]
- Z2021-047: SUP for an Animal Shelter or Loafing Shed at 555 Cornelius Road [APPROVED; 1ST READING]

Director of Planning and Zoning 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 6:48 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 14 day of December, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
DECEMBER 14, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

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

II. APPOINTMENTS

1. 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.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the November 30, 2021 Planning and Zoning Commission meetings.
3. **P2021-060 (HENRY LEE)**
Consider a request by Pat Atkins of CDT Rockwall 2017, LLC for the approval of a Final Plat for Phase 3 of the Saddle Star Subdivision consisting of 33 single-family residential lots on a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of John King Boulevard northeast of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary.
4. **SP2021-034 (HENRY LEE)**
Consider a request by Pat Atkins of CDT Rockwall 2017, LLC for the approval of a Site Plan for Phase 3 of the Saddle Star Subdivision consisting of 33 single-family residential lots on a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of John King Boulevard northeast of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary.

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

V. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

5. **P2021-058 (ANDREW REYNA)**
Hold a public hearing to discuss and consider a request by Tari Kinsey for the approval of a Final Plat for Lots 1-4, Block A, Kinsey Addition being a 0.76-acre tract of land identified as a portion of Blocks 9 & 10, F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 802, 806, & 808 Kernodle Street, and take any action necessary.

Planner Andrew Reyna provided a brief summary in regards to the request. He explained that it's required by State law to hold a public hearing on any Final Plat that would be adding additional lots to an existing subdivision. The applicant does meet all the technical requirements and staff mailed out 39 notices to property owners and occupants within 200-feet of the subject property. Staff has not received any notices back in regards to the request. Mr. Reyna advised that the applicant and staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Tari Kinsey
2 Manor Court
Heath, TX 75032

Mrs. Kinsey came forward and provided additional details in regards to her request.

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

Vice-Chairman Welch made a motion to approve P2021-058 with staff recommendations. Commissioner Moeller seconded the motion which passed by a vote of 7-0.

Chairman Chodun advised this item will go before the City Council on December 20, 2021.

6. **Z2021-048 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Bowen Hendrix of DuWest Realty, LLC on behalf of John Arnold of the Skoburg Company for the approval of a *PD Development Plan* for a *General Retail Development/Shopping Center* on an 8.63-acre portion of a larger 36.428-acre tract of land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70) for limited General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [SH-205], and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary and history in regards to the request. The applicant's request is for a PD Development Plan to delineate the screening of pedestrian access for the subject property. Specifically, PD-70 had this requirement that stated that a PD Development Plan had to be submitted and it required this to ensure that the retail areas were designed to be pedestrian oriented and easily accessible from the residential neighborhoods. Additionally, the retail area was required to be designed and constructed to be integrated with the adjacent uses. It didn't want them separated by screening walls or other physical barriers. This should be accomplished by creating pass from adjacent development into the retail area and through the use of landscape buffers, building design, and other urban design elements to create a compatibility with the surrounding residential neighborhood. The Commission is being tasked with is ensuring that the applicant's screening and access plan meets this intent of the Planned Development District. The applicant has created three (3) pedestrian access points: 1) a proposed walk way connection to the intersection of York Drive and Haynesworth Drive, 2) proposed sidewalk connection north of retail building "B", and 3) proposed sidewalk that will run parallel to the southern property line of the subject property and connect into E. Quail Run Road. Staff should point out that all connections are within HOA property and the applicant will have to work with the HOA to establish these connections. The applicant is providing three-tiered screening with a berm adjacent to all residential areas. The applicant is also providing a playground area being incorporated as an amenity into the development as well as several outside seating areas. The applicants will have to do a Traffic Impact Analysis for TX Dot at the time of civil engineering. Staff mailed out 65 notices to property owners and occupants within 500-feet of the subject property. All HOAs within 1,500-feet of the property were also notified. Staff has since received six (6) notices total in opposition of the request.

Commissioner Conway wanted further explanation in regards to the access points on Quail Run Road.
Commissioner Deckard asked if there was any update with the expansion of SH205.

Chairman Chodun asked the applicant to come forward.

Bowen Hendrix
Jordan Kluff
4403 N Central Expressway
Dallas, TX 75205

The applicants came forward and were prepared to answer questions.

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

Bob Wacker
309 Featherstone
Rockwall, TX 75087

Mr. Wacker came forward and expressed his opposition to the request.

Commissioner Thomas asked if there's any correlation between any of the restaurants that have opened and the increase in crime in the area.
Commissioner Deckard asked if a singular access point would satisfy the PD requirement.

Steve Curtis
2130 FM 1141

Rockwall, TX 75087

Mr. Curtis came forward and expressed his opposition to the request.

Clifford Sevier
2906 Greenway Drive
Rockwall, TX 75087

Mr. Sevier came forward and asked that the Commission think about the people living in the subdivision and how it will affect them in the future.

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

Mr. Hendrix came forward and addressed the concerns made by the public.

Commissioner Deckard asked if they had seen the plans for the future expansion of SH205.

Commissioner Womble made a motion to approve Z2021-048. Chairman Chodun seconded the motion with the comment that they'll point out to City Council the pedestrian access points in connection with the review. That motion then passed by a vote of 6-1 with Vice-Chairman Welch dissenting.

Chairman Chodun advised this item will go before City Council on December 20, 2021.

7. Z2021-049 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of a Specific Use Permit (SUP) superseding Ordinance No. 12-11 [S-094] and allowing the expansion of an existing *Motor Vehicle Dealership* (i.e. *Clay Cooley Hyundai*) being a 7.17-acre tract of land identified as Lot 1, Block 1 and Lot 1, Block 2, Rockwall Recreation Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary.

Planner Henry Lee provided a brief summary and background in regards to the request. The applicant is requesting to amend the previously approved Specific Use Permit (SUP) to allow for the expansion of their existing motor vehicle dealership on their subject property. The applicant is making this request because the original SUP tied down the building elevations and the conceptual site plan and the applicant is now wanting to make some changes to those. They are requesting to expand their concrete vehicle display lot and add two (2) additional buildings for a minor auto repair garage and one for a car wash. They also want to increase the size of their existing building and change their building elevations. This request does generally conform to the UDC; however, while staff was reviewing their request, there were several areas of non-conformance with the subject property. Approval of this SUP is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission. Staff sent out 17 notices to property owners and occupants within 500-feet of the subject property. Staff has not received any notices in regards to the applicant's request. Mr. Lee then listed the operational conditions provided in the Draft Ordinance.

After some discussion, Chairman Chodun asked the applicant to come forward.

Drew Donosky
1903 Central Drive
Bedford, TX 76021

The applicant came forward and was ready to answer questions in regards to the request.

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

Commissioner Deckard made a motion to approve item Z2021-049. Commissioner Conway seconded the motion which passed by a vote of 7-0.

Chairman Chodun advised this item will go before City Council on December 20, 2021.

VI. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

8. SP2021-031 (HENRY LEE)

Discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge, LLC for the approval of a Site Plan for a *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In* (i.e. *Dutch Bros. Coffee*) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting approval of a site plan for the purpose of constructing a Dutch Bros Coffee on the subject property. The proposed site plan generally conforms to the requirements in the General Overlay District standards and the General Commercial District standards as stipulated by the UDC. However, they are requesting some exceptions and variances being building materials, architectural standards, and for the construction standards. Mr. Lee then provided the compensatory measures for the variances requested. He also reminded the Commission that the ARB had recommended denial of this request but this is a discretionary decision for the Planning and Zoning Commission. Staff should note that this will require a super majority vote with a minimum of 4 in the affirmative for each of these variances.

Commissioner Deckard asked what the applicant proposed to finish out the back side of the building.

Chairman Chodun asked the applicant to come forward.

Craig Penson
5750 Genesis Court
Frisco, TX 75034

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

Commissioner Womble asked if they could split up the vote by variance requests.

Commissioner Deckard made a motion to approve the site plan for SP2021-031. Commissioner Womble seconded the motion which passed by a vote of 6-1 with Vice-Chairman Welch dissenting.

Commissioner Womble made a motion to deny the variance request for less than 20% stone for SP2021-031. Commissioner Moeller seconded the motion to deny which passed by a vote of 7-0.

Commissioner Womble made a motion to deny the variance to allow less than 90% masonry materials for SP2021-031. Commissioner Thomas seconded the motion to deny which passed by a vote of 7-0.

Commissioner Womble made a motion to approve the variance request for the no pitched roof on SP2021-031. Commissioner Deckard seconded the motion which passed by a vote of 6-1 with Chairman Chodun dissenting.

Commissioner Womble made a motion approve the variance request for painting the interior of the parapet wall on SP2021-031. Commissioner Thomas seconded the motion which passed by a vote of 7-0.

9. **SP2021-032 (ANDREW REYNA)**

Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of Timothy Payne of BT Management 11, LLC for the approval of a Site Plan for a *Medical Office Building* on a 0.47-acre parcel of land identified as Lot 2, Block 1, Elsey Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District land uses, situated within North SH-205 Overlay (N. SH-205 OV) District, generally south of the intersection of Sonoma Drive and N. Goliad Street [SH-205], and take any action necessary.

Planner Andrew Reyna provided a brief summary in regards to the request. The applicant is requesting the construction of a two-story medical office building. The first floor will be medical office uses and the second story will be general office uses. Staff has identified four (4) variances associated with this site plan. Additionally, the applicant is short one parking space for the proposed subject property. Staff would also like to note that the screening does adequately screen the properties. The main concern is with the property to the north and any potential headlights that would be focused into that property. The property to the North is set for a Residential Office use in the future. Mr. Reyna advised that this would be discretionary decision for the Planning and Zoning Committee and would require a ¾ majority vote for approval.

Chairman Chodun asked the applicant to come forward.

Jeff Carroll
750 E. Interstate 30, Suite 110
Rockwall, TX 75087

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

Commissioner Womble wanted further explanation in regards to the requirements on the three tiered screening.

After brief discussion, Commissioner Womble made a motion to approve SP2021-032. Commissioner Conway seconded the motion which passed by a vote of 7-0.

10. **SP2021-033 (HENRY LEE)**

Discuss and consider a request by Aaron Hawkins on behalf of Time Thompson of Metroplex Acquisitions for the approval of a Site Plan for a *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In (i.e. Salad and Go)* on a 0.81-acre portion of a larger 5.96-acre parcel of land identified as Lot 11, 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 North SH-205 Overlay (N. SH-205 OV) District, generally located northeast of the intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.

Planner Henry Lee advised the Commission that due to HB3167 the applicant has requested a 30-day extension to the December 28th P&Z meeting.

VII. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

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

- P2021-051: Preliminary Plat for the Winding Creek Subdivision [APPROVED]
- P2021-052: Master Plat for the Winding Creek Subdivision [APPROVED]
- P2021-057: Final Plat for Lots 1 & 2, Block A, Fite Office Addition [APPROVED]
- P2021-059: Final Plat for Lots 1 & 2, Block A, Wurster Estates Addition [APPROVED]
- P2021-061: Replat for Lots 5-8, Block B, Fit Sport Life Addition [APPROVED]
- P2021-062: Replat for Lot 1, Block A; Lot 1, Block B; and Lot 1, Block C, Rockwall Technology Park, Phase V Addition [APPROVED]
- Z2021-043: SUP for Residential Infill in an Established Subdivision at 601 Kernodle Street [APPROVED; 2ND READING]
- Z2021-044: SUP for Residential Infill in an Established Subdivision at 478 Renee Drive [APPROVED; 2ND READING]
- Z2021-045: SUP for Residential Infill in an Established Subdivision at 418 Columbia Drive [APPROVED; 2ND READING]
- Z2021-046: SUP for two (2) Agricultural Accessory Buildings and an Animal Shelter or Loafing Shed at 1700 SH-66 [APPROVED; 2ND READING]
- Z2021-047: SUP for an Animal Shelter or Loafing Shed at 555 Cornelius Road [APPROVED; 2ND READING]

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

VIII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:34 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 28 day of December, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS DECEMBER 28, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES: [1] ADDITIONAL CASE INFORMATION CAN BE FOUND AT [HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases), AND [2] TO PROVIDE INPUT ON A ZONING OR SPECIFIC USE PERMIT CASE PLEASE [CLICK HERE](#) OR CLICK ON THE LINK ABOVE AND USE THE ZONING AND SPECIFIC USE PERMIT INPUT FORM ON THE CITY'S WEBSITE.

I. CALL TO ORDER

Chairman Chodun called the meeting to order at 6:01 PM. Commissioners present were Derek Deckard, Sedric Thomas, Mark Moeller, and Jean Conway. Absent from the meeting were Commissioners John Womble and Jerry Welch. Staff members present were Director of Planning and Zoning Ryan Miller, Planning Coordinator Angelica Gamez, Assistant City Engineer Jeremy White and Civil Engineer Sarah Johnston. Absent from the meeting were Planner Henry Lee and City Engineer Amy Williams.

II. APPOINTMENTS

1. 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.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

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.

IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

2. Approval of Minutes for the December 14, 2021 Planning and Zoning Commission meeting.

3. P2021-065 (HENRY LEE)

Discuss and consider a request by Terri Bedford of A. J. Bedford Group, Inc. on behalf of Ray LaVigne of Agree L. P. for the approval of a Replat for Lot 7, Block A, Sharp Addition being a 3.212-acre parcel of land identified as Lot 6, Block A, Sharp Addition, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2582 SH-276, and take any action necessary.

4. P2021-066 (ANGELICA GAMEZ)

Discuss and consider a request by Corwin Finch of Corwin Engineering, Inc. on behalf of Christy & Willard Hester for the approval of a Replat for Lot 13, Block C, Ridgecrest Addition being a 0.503-acre parcel of land identified as Lot 12, Block C, Ridgecrest Addition, Rockwall County, Texas, zoned Planned Development District 81 (PD-81) for Single-Family 10 (SF-10) District land uses, addressed as 405 Fox Hollow Drive, and take any action necessary.

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

ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

5. SP2021-033 (HENRY LEE)

Discuss and consider a request by Aaron Hawkins on behalf of Time Thompson of Metroplex Acquisitions for the approval of a Site Plan for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In (i.e. Salad and Go) on a 0.81-acre portion of a larger 5.96-acre parcel of land identified as Lot 11, 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 North SH-205 Overlay (N. SH-205 OV) District, generally located northeast of the intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is proposing a site plan for a restaurant with less than 2,000 square feet with a drive through. This item had already been before the Planning and Zoning Commission thru the Specific Use Permit (SUP) process where they were granted one. In reviewing the site plan, it does meet all of the technical requirements with the exception of three (3) issues: masonry material composition, roof design, and the amount of natural stone on the facade. Staff is requiring that the applicant provide an updated landscape plan showing conformance to the SUP requirements. Additionally, they're proposing to put landscaping along the entire southern boundary and that is not currently shown on the landscape plans in the packet provided. As with all variances, approval of this request does require a super majority vote for each of the variances requested. Mr. Miller added that that the ARB had mentioned earlier that they are recommending denial of the cultured stone and denial of the increased cementitious material but are recommending approval of the pitched roof variance. He then advised the Commission that the applicant and staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Matt Copenhaver
5555 E. Van Buren Street
Phoenix, AZ 85008

The applicant came forward and provided additional details in regards to the request.

Commissioner Thomas asked if the applicant was opposed to meeting the requirements set forth.
Commissioner Deckard added that the applicant should look into different thin cut natural stones.

Commissioner Thomas made a motion to approve the site plan and the variance for the pitched roof for SP2021-033 but deny the exceeding masonry materials and need to include coronado stone. Commissioner Deckard seconded the motion which passed by a vote of 5-0.

6. MIS2021-016 (RYAN MILLER)

Discuss and consider a request by Trace Johannesen for the approval of an Exception to allow a *Fence in the Front Yard* on a 0.1909-acre parcel of land identified as Lot 5, Block J, Stone Creek, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, addressed as 213 Crestbrook Drive, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting approval of an exception to allow a fence in the front yard, which is already constructed. The applicant explained that the intent of the fence was to replace landscaping that had died from the storm last winter and to provide seating at the front of the home. Also, the applicant did seek approval from the Stoney Creek HOA prior to commencing work and obtained a letter of approval from the HOA. Mr. Miller explained that this was mistaken as a landscaping aspect as opposed to a front yard fence. Any request for front yard fences are a discretionary decision for the Planning and Zoning Commission. Mr. Miller then advised that the applicant and staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

Trace Johannesen
213 Crestbrook Drive
Rockwall, TX 75087

The applicant came forward and provided additional details in regards to the request.

Commissioners Deckard and Moeller both expressed this being in favor of the request.
Commissioner Conway asked what the difference was in what was built and a wing wall.
Chairman Chodun asked if this is coming before the board because it's a fence or do aesthetics come into play.

Commissioner Thomas made a motion to approve item MIS2021-016. Commissioner Moeller seconded the motion which passed by a vote of 5-0.

7. MIS2021-017 (HENRY LEE)

Discuss and consider a request by Karen Roggenkamp for the approval of an Exception to allow a *Fence in the Front Yard* on a 0.189-acre parcel of land identified as a portion of Lots 3, 4, 5, 6 & 11 and all of Lots 12, 13, 14, 15 & 16, Block B, Eppstein Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 309 Star Street, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting an exception for a front yard fence. The applicant was constructing the fence prior to being issued a fence permit due to the fact that her contractor was under the impression that since she was replacing the fence then a permit was not required. Since the subject property is located in Old Town Rockwall then staff was required to take it before the Historic Preservation Advisory Board for a Certificate of Appropriateness (COA) and recommendation for the Planning and Zoning Commission. They did approve the COA with a vote of 5-0 and recommended approval to the Planning and Zoning Commission. Mr. Miller then advised that the applicant and staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

Karen Roggenkamp
309 Star Street

Rockwall, TX 75087

The applicant came forward and provided additional details in regards to the request.

Commissioner Deckard made a motion to approve MIS2021-017. Commissioner Conway seconded the motion which passed by a vote of 5-0.

8. MIS2021-018 (HENRY LEE)

Discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge, LLC for the approval of a Variance to the *Material Requirements of the General Overlay District Standards for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In (i.e. Dutch Bros. Coffee)* on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. At the last meeting, the Commission approved a site plan and some variances associated with this project but denied variances associated with the material requirements. The applicant has since come back and submitted new elevations using a thin brick and a stack stone product. However, the El Dorado stone they're proposing to use is a cultured stone product and it does require an exception from the Commission to be approved. The ARB did review this and recommended approval of the new stone. Mr. Miller advised that the applicant was present and available to answer questions.

Commissioner Conway asked what the difference was between this case and the previous site plan case on the use of cultured stone.

Chairman Chodun wanted clarification on the applicant's past requests.

Chairman Chodun asked the applicant to come forward.

Sam Moore
2505 Penshurst Court
Celina, TX 75009

The applicant came forward and provided additional details in regards to the request.

Commissioner Thomas asked if there's any reason as to why they can't comply with the stone requirements.

Commissioner Thomas made a motion to deny MIS2021-018. Commissioner Conway seconded the motion to deny which passed by a vote of 5-0.

VI. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is January 11, 2022.

9. Z2021-050 (RYAN MILLER)

Hold a public hearing to discuss and consider approval of a Text Amendment to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the *Conditional Land Use Standards* for the *Bed and Breakfast* land use, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He explained how at the November HPAB meeting, an appointment was made with a local resident of Old Town Rockwall Historic District who expressed some concern about a Bed and Breakfast being allowed by right in the District. Back in 2003, there was a section of the code inserted under the requirements that allowed it by right in this District. Based on the appointment with that resident, the Historic Board directed Staff to bring forward a proposal to remove that section of the Code. Staff is now taking it forward as a text amendment.

Commissioners Deckard and Conway expressed their opposition to the request.

Chairman Chodun asked if maybe a representative could come to the next P&Z meeting.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

10. Z2021-051 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting an SUP for residential infill in Chandlers Landing. The single-family home does meet all of the technical requirements with the exception of the garage orientation.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

201
202 11. **Z2021-052 (RYAN MILLER)**

203 Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) to allow *Chickens* on a 42.66-acre
204 tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated
205 within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.
206

207 **Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. One of the requirements from the last meeting was**
208 **that the applicant bring hid property into compliance. Currently, the Code does allow the Commission to grant an SUP to allow chickens on a**
209 **property that meets the Agricultural (AG) District requirements of being 10 acres or greater with a single-family home on it. The chicken coop**
210 **itself is portable and will have to be moved behind the front façade of the primary structure.**
211

212 **Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.**
213

214 12. **Z2021-053 (ANGELICA GAMEZ)**

215 Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for *Residential*
216 *Infill in an Established Subdivision* on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County,
217 Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.
218

219 **Chairman Chodun asked the applicant to come forward.**
220

221 **Javier Silva**
222 **58 Windsor Drive**
223 **Rockwall, TX 75087**
224

225 **Mr. Silva provided a brief summary in regards to the request.**
226

227 **Ms. Gamez added that the request does meet all of the zoning and technical requirements and does not require any variances.**

228 **Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.**
229

230 13. **Z2021-054 (RYAN MILLER)**

231 Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc.
232 for the approval of a Specific Use Permit (SUP) for a *Congregate Care Facility that Exceeds 36-Feet in Height the Scenic Overlay (SOV) District* on a
233 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned
234 Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between
235 Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.
236

237 **Chairman Chodun asked the applicant to come forward.**
238

239 **Robert Lacroix**
240 **4517 Scenic Drive**
241 **Rowlett, TX 75089**
242

243 **Mr. Lacroix came forward and provided a PowerPoint presentation in regards to the request.**
244

245 **Planning and Zoning Director Ryan Miller provided some additional details in regards to the request.**
246

247 **Commissioner Deckard asked if the units had kitchens or cooking facilities of any type inside them.**
248

249 **Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.**
250

251 14. **Z2021-055 (HENRY LEE)**

252 Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific
253 Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In* for the purpose of constructing a restaurant/retail building on
254 a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall,
255 Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of
256 S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.
257

258 **Chairman Chodun asked the applicant to come forward.**
259

260 **John Gardner**
261 **5200 State Hwy 121**
262 **Colleyville, TX 76034**
263

264 **Mr. Gardner came forward and provided a brief summary in regards to the request.**
265

266 **Mr. Miller provided additional details in regards to the request. Staff has requested that they provide additional headlight screening for the**
267 **adjacent property to the north and along 205. As of right now, they are showing enough stacking to meet the City's requirements.**
268

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

15. **Z2021-056 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an Zoning Amendment to Planned Development District 85 (PD-85) [Ordinance No. 18-32] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The original plan showed a number of houses in Phase II being located within the runway protection zone (RPZ) of the airport so staff has asked the applicant to move those out of the RPZ and the applicant has complied. It does result in an overall number of homes from 122 to 117 along with a smaller lot product.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

16. **Z2021-057 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Brian Cramer of Brian Cramer Development on behalf of Scott Asbury of Rockwall Highgate LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District and Commercial (C) District land uses on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Brian Cramer
3306 Bryn Mawr Drive
Dallas, TX 75225

Tom Dayton
830 Central Parkway East
Plano, TX 75074

The applicants came forward and provided a brief summary in regards to the request. The subject property is approximately 265 acres with 20 acres proposed as Commercial and the rest being low-density residential. Everything seems to be in conformance with the comprehensive plan for the Commercial area along 205.

Mr. Miller provided additional details in regards to the request.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

17. **P2021-063 (HENRY LEE)**

Discuss and consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of Robert John Crowell for the approval of a Final Plat for the Landon Subdivision being a 126.903-acre tract of land identified as Tract 13 of the S. McFaddin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.

Planning and Zoning Director Ryan Miller explained that this property was located in the ETJ and staff is required to send this to the County for comment before it can be brought to the Commission for action. However, it does appear to meet all of the technical requirements of the UDC and the Interlocal agreement.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

18. **P2021-064 (HENRY LEE)**

Discuss and consider a request by Trey Braswell of Kimley-Horn on behalf of Jarrod Yates PS LPT Properties Investors for the approval of a Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition being a 2.082-acre tract of land identified as Tract 25-03 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 4000 N. Goliad Street [SH-205], and take any action necessary.

Planning and Zoning Director Ryan Miller explained that this property was located in the ETJ and staff is required to send this to the County for comment before it can be brought to the Commission for action. However, it does appear to meet all of the technical requirements of the UDC.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

19. **P2021-067 (HENRY LEE)**

Discuss and consider a request by Ryan King, PE of Engineering Concepts and Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a Preliminary Plat for the Saddle Star Estates North Subdivision consisting of 92 single-family residential lots on a 42.667-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80)

for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northwest corner of the intersection of FM-552 and John King Boulevard, and take any action necessary.

Planning and Zoning Director Ryan Miller explained that this case needs to go before the Parks Board for recommendation concerning park fees but will return to the Commission for action. A check for meeting the technical requirements of the zoning and the subdivision ordinance will be submitted. The request does appear to conform to those documents and will return to Consent Agenda at the next meeting.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

20. **SP2021-035 (HENRY LEE)**

Discuss and consider a request by Priya Acharya of Wier & Associates, Inc. on behalf of Ross Wood of Frost Bank for the approval of a *Site Plan* for a *Financial Institution with Drive-Through* (i.e. Frost Bank) on a 1.198-acre parcel of land identified as Lot 2, Block A, Allen Anderson Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Priya Acharya/ Michael Hoffer
2201 E. Lamar Blvd., Suite 200E
Arlington, TX 76006

Ms. Acharya came forward and provided a brief summary in regards to the request.

Planning and Zoning Director Ryan Miller provided additional details along with the recommendations made by the ARB.

Commissioner Deckard wanted clarification in regards to the side wall along Ralph Hall.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

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

- P2021-058: Final Plat for Lots 1-4, Block A, Kinsey Addition [APPROVED]
- P2021-060: Final Plat for Phase 3 of the Saddle Star South Subdivision [APPROVED]
- Z2021-048: PD Development Plan for a General Retail Development/Shopping Center [APPROVED; 1ST READING]
- Z2021-049: SUP for an Existing New Motor Vehicle Dealership [APPROVED; 1ST READING]

Director of Planning and Zoning 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 7:55 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 11 day of January, 2022.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman