

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

3 NOTES ABOUT PUBLIC PARTICIPATION = RED
4

5 I. CALL TO ORDER
6

7 Chairman Chodun called the meeting to order at 6:00 PM. Commissioners present were John Womble, Derek Deckard, Sedric Thomas, Jerry
8 Welch, Mark Moeller, and Jean Conway. Staff members present were Director of Planning and Zoning Ryan Miller, Planners Andrew Reyna and
9 Henry Lee, Planning Coordinator Angelica Gamez, City Engineer Amy Williams, and Civil Engineer Sarah Johnston. Absent from the meeting
10 was Assistant City Engineer Jeremy White.
11

12 II. APPOINTMENTS
13

- 14 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items
15 on the agenda requiring architectural review.
16

17 A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the
18 Architectural Review Board meeting.
19

20 III. OPEN FORUM
21

22 *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
23 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
24 the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the
25 Texas Open Meetings Act.*
26

27 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being
28 no one coming forward, Chairman Chodun closed the open forum.
29

30 IV. CONSENT AGENDA
31

32 *These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code
33 (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.*
34

- 35 2. Approval of Minutes for the November 30, 2021 Planning and Zoning Commission meetings.
36

37 3. **P2021-060 (HENRY LEE)**

38 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
39 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
40 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
41 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
42 Featherstone Drive, and take any action necessary.
43

44 4. **SP2021-034 (HENRY LEE)**

45 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
46 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
47 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
48 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
49 Featherstone Drive, and take any action necessary.
50

51 Commissioner Thomas made a motion to approve the consent agenda. Commissioner Womble seconded the motion which passed by a vote
52 of 7-0.
53

54 V. PUBLIC HEARING ITEMS
55

56 *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,
57 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
58 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
59 all comments to three (3) minutes out of respect for the time of other citizens.*
60

61 5. **P2021-058 (ANDREW REYNA)**

62 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-
63 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,
64 addressed as 802, 806, & 808 Kernodle Street, and take any action necessary.
65

66 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
67 on any Final Plat that would be adding additional lots to an existing subdivision. The applicant does meet all the technical requirements and
68 staff mailed out 39 notices to property owners and occupants within 200-feet of the subject property. Staff has not received any notices back
69 in regards to the request. Mr. Reyna advised that the applicant and staff were present and available for questions.
70

71 Chairman Chodun asked the applicant to come forward.

72
73 Tari Kinsey
74 2 Manor Court
75 Heath, TX 75032
76

77 Mrs. Kinsey came forward and provided additional details in regards to her request.
78

79 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time; there being no one indicating
80 such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
81

82 Vice-Chairman Welch made a motion to approve P2021-058 with staff recommendations. Commissioner Moeller seconded the motion which
83 passed by a vote of 7-0.
84

85 Chairman Chodun advised this item will go before the City Council on December 20, 2021.
86

87 6. **Z2021-048 (RYAN MILLER)**

88 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
89 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
90 land identified as Tract 3 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District
91 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
92 northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [SH-205], and take any action necessary.
93

94 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
95 PD Development Plan to delineate the screening of pedestrian access for the subject property. Specifically, PD-70 had this requirement that
96 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
97 oriented and easily accessible from the residential neighborhoods. Additionally, the retail area was required to be designed and constructed
98 to be integrated with the adjacent uses. It didn't want them separated by screening walls or other physical barriers. This should be
99 accomplished by creating pass from adjacent development into the retail area and through the use of landscape buffers, building design, and
100 other urban design elements to create a compatibility with the surrounding residential neighborhood. The Commission is being tasked with
101 is ensuring that the applicant's screening and access plan meets this intent of the Planned Development District. The applicant has created
102 three (3) pedestrian access points: 1) a proposed walk way connection to the intersection of York Drive and Haynesworth Drive, 2) proposed
103 sidewalk connection north of retail building "B", and 3) proposed sidewalk that will run parallel to the southern property line of the subject
104 property and connect into E. Quail Run Road. Staff should point out that all connections are within HOA property and the applicant will have
105 to work with the HOA to establish these connections. The applicant is providing three-tiered screening with a berm adjacent to all residential
106 areas. The applicant is also providing a playground area being incorporated as an amenity into the development as well as several outside
107 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
108 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
109 since received six (6) notices total in opposition of the request.
110

111 Commissioner Conway wanted further explanation in regards to the access points on Quail Run Road.
112 Commissioner Deckard asked if there was any update with the expansion of SH205.
113

114 Chairman Chodun asked the applicant to come forward.
115

116 Bowen Hendrix
117 Jordan Kluff
118 4403 N Central Expressway
119 Dallas, TX 75205
120

121 The applicants came forward and were prepared to answer questions.
122

123 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time.
124

125 Bob Wacker
126 309 Featherstone
127 Rockwall, TX 75087
128

129 Mr. Wacker came forward and expressed his opposition to the request.
130

131 Commissioner Thomas asked if there's any correlation between any of the restaurants that have opened and the increase in crime in the area.
132 Commissioner Deckard asked if a singular access point would satisfy the PD requirement.
133

134 Steve Curtis
135 2130 FM 1141

136 Rockwall, TX 75087

137
138 Mr. Curtis came forward and expressed his opposition to the request.

139
140 Clifford Sevier
141 2906 Greenway Drive
142 Rockwall, TX 75087

143
144 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
145 future.

146
147 Chairman Chodun asked if anyone else wished to speak; there being no one indicating such, Chairman Chodun closed the public hearing and
148 brought the item back to the Commission for discussion or action.

149
150 Mr. Hendrix came forward and addressed the concerns made by the public.

151
152 Commissioner Deckard asked if they had seen the plans for the future expansion of SH205.

153
154 Commissioner Womble made a motion to approve Z2021-048. Chairman Chodun seconded the motion with the comment that they'll point out
155 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
156 dissenting.

157
158 Chairman Chodun advised this item will go before City Council on December 20, 2021.

159
160 7. Z2021-049 (HENRY LEE)

161 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
162 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
163 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,
164 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.
165 IH-30, and take any action necessary.

166
167 Planner Henry Lee provided a brief summary and background in regards to the request. The applicant is requesting to amend the previously
168 approved Specific Use Permit (SUP) to allow for the expansion of their existing motor vehicle dealership on their subject property. The
169 applicant is making this request because the original SUP tied down the building elevations and the conceptual site plan and the applicant is
170 now wanting to make some changes to those. They are requesting to expand their concrete vehicle display lot and add two (2) additional
171 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
172 building elevations. This request does generally conform to the UDC; however, while staff was reviewing their request, there were several
173 areas of non-conformance with the subject property. Approval of this SUP is a discretionary decision for City Council pending a
174 recommendation from the Planning and Zoning Commission. Staff sent out 17 notices to property owners and occupants within 500-feet of
175 the subject property. Staff has not received any notices in regards to the applicant's request. Mr. Lee then listed the operational conditions
176 provided in the Draft Ordinance.

177
178 After some discussion, Chairman Chodun asked the applicant to come forward.

179
180 Drew Donosky
181 1903 Central Drive
182 Bedford, TX 76021

183
184 The applicant came forward and was ready to answer questions in regards to the request.

185
186 Chairman Chodun asked if anyone wished to speak; there being no one indicating such, Chairman Chodun closed the public hearing and
187 brought the item back to the Commission for discussion or action.

188
189 Commissioner Deckard made a motion to approve item Z2021-049. Commissioner Conway seconded the motion which passed by a vote of 7-
190 0.

191
192 Chairman Chodun advised this item will go before City Council on December 20, 2021.

193
194 VI. ACTION ITEMS

195
196 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and*
197 *special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of*
198 *Ordinances.*

199
200 8. SP2021-031 (HENRY LEE)

201 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
202 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
203 land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic
204 Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

205 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
206 constructing a Dutch Bros Coffee on the subject property. The proposed site plan generally conforms to the requirements in the General
207 Overlay District standards and the General Commercial District standards as stipulated by the UDC. However, they are requesting some
208 exceptions and variances being building materials, architectural standards, and for the construction standards. Mr. Lee then provided the
209 compensatory measures for the variances requested. He also reminded the Commission that the ARB had recommended denial of this request
210 but this is a discretionary decision for the Planning and Zoning Commission. Staff should note that this will require a super majority vote with
211 a minimum of 4 in the affirmative for each of these variances.

212
213 Commissioner Deckard asked what the applicant proposed to finish out the back side of the building.

214
215 Chairman Chodun asked the applicant to come forward.

216
217 Craig Penson
218 5750 Genesis Court
219 Frisco, TX 75034

220
221 Mr. Penson came forward and provided additional details in regards to the request.

222
223 Commissioner Womble asked if they could split up the vote by variance requests.

224
225 Commissioner Deckard made a motion to approve the site plan for SP2021-031. Commissioner Womble seconded the motion which passed
226 by a vote of 6-1 with Vice-Chairman Welch dissenting.

227
228 Commissioner Womble made a motion to deny the variance request for less than 20% stone for SP2021-031. Commissioner Moeller seconded
229 the motion to deny which passed by a vote of 7-0.

230
231 Commissioner Womble made a motion to deny the variance to allow less than 90% masonry materials for SP2021-031. Commissioner Thomas
232 seconded the motion to deny which passed by a vote of 7-0.

233
234 Commissioner Womble made a motion to approve the variance request for the no pitched roof on SP2021-031. Commissioner Deckard
235 seconded the motion which passed by a vote of 6-1 with Chairman Chodun dissenting.

236
237 Commissioner Womble made a motion approve the variance request for painting the interior of the parapet wall on SP2021-031. Commissioner
238 Thomas seconded the motion which passed by a vote of 7-0.

239
240 9. **SP2021-032 (ANDREW REYNA)**

241 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
242 Site Plan for a *Medical Office Building* on a 0.47-acre parcel of land identified as Lot 2, Block 1, Eley Addition, City of Rockwall, Rockwall County, Texas,
243 zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District land uses, situated within North SH-205 Overlay (N. SH-205 OV)
244 District, generally south of the intersection of Sonoma Drive and N. Goliad Street [*SH-205*], and take any action necessary.

245
246 Planner Andrew Reyna provided a brief summary in regards to the request. The applicant is requesting the construction of a two-story medical
247 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
248 associated with this site plan. Additionally, the applicant is short one parking space for the proposed subject property. Staff would also like
249 to note that the screening does adequately screen the properties. The main concern is with the property to the north and any potential
250 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
251 advised that this would be discretionary decision for the Planning and Zoning Committee and would require a ¾ majority vote for approval.

252
253 Chairman Chodun asked the applicant to come forward.

254
255 Jeff Carroll
256 750 E. Interstate 30, Suite 110
257 Rockwall, TX 75087

258
259 Mr. Carroll came forward and provided additional details in regards to the request.

260
261 Commissioner Womble wanted further explanation in regards to the requirements on the three tiered screening.

262
263 After brief discussion, Commissioner Womble made a motion to approve SP2021-032. Commissioner Conway seconded the motion which
264 passed by a vote of 7-0.

265
266 10. **SP2021-033 (HENRY LEE)**

267 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*
268 *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
269 11, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail
270 (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
271 [*SH-205*] and Bordeaux Drive, and take any action necessary.

273 Planner Henry Lee advised the Commission that due to HB3167 the applicant has requested a 30-day extension to the December 28th P&Z
274 meeting.

275
276 VII. DISCUSSION ITEMS
277

278 *These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come*
279 *forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these*
280 *items are considered for action by the Planning and Zoning Commission.*
281

282 11. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
283

- 284 • P2021-051: Preliminary Plat for the Winding Creek Subdivision [APPROVED]
- 285 • P2021-052: Master Plat for the Winding Creek Subdivision [APPROVED]
- 286 • P2021-057: Final Plat for Lots 1 & 2, Block A, Fite Office Addition [APPROVED]
- 287 • P2021-059: Final Plat for Lots 1 & 2, Block A, Wurster Estates Addition [APPROVED]
- 288 • P2021-061: Replat for Lots 5-8, Block B, Fit Sport Life Addition [APPROVED]
- 289 • P2021-062: Replat for Lot 1, Block A; Lot 1, Block B; and Lot 1, Block C, Rockwall Technology Park, Phase V Addition [APPROVED]
- 290 • Z2021-043: SUP for Residential Infill in an Established Subdivision at 601 Kernodle Street [APPROVED; 2ND READING]
- 291 • Z2021-044: SUP for Residential Infill in an Established Subdivision at 478 Renee Drive [APPROVED; 2ND READING]
- 292 • Z2021-045: SUP for Residential Infill in an Established Subdivision at 418 Columbia Drive [APPROVED; 2ND READING]
- 293 • Z2021-046: SUP for two (2) Agricultural Accessory Buildings and an Animal Shelter or Loafing Shed at 1700 SH-66 [APPROVED; 2ND
- 294 READING]
- 295 • Z2021-047: SUP for an Animal Shelter or Loafing Shed at 555 Cornelius Road [APPROVED; 2ND READING]

296
297 Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council
298 meeting.
299

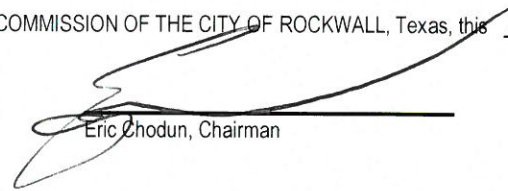
300 VIII. ADJOURNMENT
301

302 Chairman Chodun adjourned the meeting at 7:34 P.M.
303

304 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 28 day of December
305 _____, 2021.

306
307
308 Attest:

309 
310 _____
311 Angelica Gamez, Planning and Zoning Coordinator
312



Eric Chodun, Chairman