

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD STREET, ROCKWALL, TEXAS
SEPTEMBER 26, 2023 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 **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),
3 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
4 SPECIFIC USE PERMIT INPUT FORM ON THE CITY'S WEBSITE.

I. CALL TO ORDER

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8 **Vice-Chairman Womble called the meeting to order at 6:00 PM. Commissioners present were Brian Llewelyn, Kyle Thompson, Jay Odom, Ross
9 Hustings, and Jean Conway. Absent from the meeting was Chairman Derek Deckard. Staff members present were Director of Planning and Zoning
10 Ryan Miller, Senior Planner Henry Lee, Planner Bethany Ross, Planning Technician Angelica Guevara, Planning Coordinator Melanie Zavala, City
11 Engineer Amy Williams, Assistant City Engineer Jonathan Browning and Civil Engineer Madelyn Price.**

II. APPOINTMENTS

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

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18 **Director of Planning and Zoning Ryan Miller advised that staff would provide the ARB recommendations when staff presents the cases.**

III. OPEN FORUM

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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 the
23 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
24 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
25 Act.*

26
27 **Vice-Chairman Womble explained how the open forum is conducted and asked if anyone who wished to speak to come forward at this time.**

28
29 **Bob Wacker**
30 **309 Featherstone**
31 **Rockwall, TX 75087**

32
33 **Mr. Wacker came forward and expressed his concerns in regards to the Duwest Retail development, their detention pond and the conditions of
34 approval for this project.**

35
36 **Director of Planning and Zoning Ryan Miller explained that the City Ordinance states the flood improvements need to be addressed before occupancy
37 takes place. They would also need to meet the concept plan in order to build their buildings.**

38
39 **Stan Jefus**
40 **2606 Cypress Drive**
41 **Rockwall, TX 75087**

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43 **Mr. Jefus came forward and expressed his concerns in regards to short term rentals.**

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45 **Vice-Chairman Womble asked if anyone who wished to speak to come forward at this time; there being no one indicating such, Vice-Chairman
46 Womble closed the open forum.**

IV. CONSENT AGENDA

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

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53 2. Approval of minutes for the September 12, 2023 Planning and Zoning Commission meeting.

3. P2023-030 (BETHANY ROSS)

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55 Consider a request by Ashley Egan for the approval of a *Final Plat* for Lot 1, Block A, Reborn Skin Addition being a 0.51-acre tract of land identified as Block
56 80B of the B.F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District, addressed as 108 St. Mary's Street, and
57 take any action necessary.

4. SP2023-031 (HENRY LEE)

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60 Consider a request by Scott Lewis Homes on behalf of Kris Sharp for the approval of an *Amended Site Plan* for a Warehouse/Office Building on
61 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-
62 46) for Commercial (C) District land uses, generally located on the south side of Springer Road west of the intersection of Springer Road and Data Drive, and
63 take any action necessary.
64

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66 Commissioner Conway made a motion to approve the Consent Agenda. Commissioner Llewelyn seconded the motion which passed by a vote of 6-
67 0.
68

69 V. ACTION ITEMS
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71 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special*
72 *exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.*
73

74 5. MIS2023-013 (ANGELICA GUEVARA)

75 Discuss and consider a request by Audrey Andrews for the approval of a *Miscellaneous Case* for an *Exception* for a *Front Yard Fence* for a 0.1446-acre parcel
76 of land identified as Lot 6, Block D, Lynden Park Estates, Phase 2 Addition, zoned Planned Development District 17 (PD-17) for single-family detached,
77 addressed as 146 Blanchard Drive, and take any action necessary.
78

79 Planning Technician Angelica Guevara provided a brief summary in regards to the request. On August 29, 2023 the Planning and Zoning Commission
80 denied a request with prejudice for an exception for a front yard fence that exceeded the height requirement. On August 30, 2023, the applicant
81 resubmitted a request to waive the one (1) year time limitation to resubmit an application for an exception for a front yard fence. Ultimately, on
82 September 12, 2023, the Planning and Zoning approved the applicant request to resubmit an application for an exception for a front yard fence on
83 the subject's property. The applicants fence exhibit indicates that the proposed front yard fence will be constructed using wrought-iron, be 48inches
84 in height and be more than 50% transparent, therefore the request meets all the criteria for an exception for a front yard fence. Staff should also point
85 out that that there is one other home with a wrought-iron, front yard fence in the same subdivision. Also, staff should note that the applicant's fence
86 does not appear to be intended to enclose or impair visibility of the primary structure nor appear to have a negative impact on any other adjacent
87 residential properties. With that being said, this request is a discretionary decision for the Planning and Zoning Commission.
88

89 Audrey Andrews
90 146 Blanchard Drive
91 Rockwall, TX 75032
92

93 Dr. Andrews came forward and provided additional details in regards to the request.
94

95 Commissioner Hustings made a motion to approve MIS2023-013. Commissioner Thompson seconded the motion which passed by a vote of 6-0.
96

97 6. SP2023-029 (HENRY LEE)

98 Discuss and consider a request by Bowen Hendrix of DuWest Realty, LLC for the approval of an *Amended Site Plan* for two (2) *Restaurant/Retail Buildings* on
99 an 8.63-acre tract of land identified as Tract 3-10 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned
100 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
101 located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [SH-205], and take any action necessary.
102

103 Senior Planner Henry Lee provided a brief summary in regards to the request. The applicant came forward last year and requested for approval of a
104 site plan for two (2) restaurant buildings, since then they have decided to construct the buildings larger than before., The applicant will be keeping
105 the same materials and same building form. The buildings will look exactly the same other than the building being larger. In addition, they updated
106 the treescape plan to include the trees that are on the Northern side. The applicant is intending on removing the trees on that side to make the area
107 ready for future development which will be included in the mitigation balance for this project. In addition to the amended site plan the applicant will
108 also be requesting an alternative tree mitigation settlement agreement for a total of 371 caliper inches making a total mitigation balance of \$37,300.
109 If the amended site plan is approved, Planning and Zoning will be sending recommendation to City Council.
110

111 Commissioner Llewelyn asked if building B increased and building C stayed the same.
112

113 Vice-Chairman Womble asked if it affected parking.
114

115 Lynn Rowland
116 ClayMoore Engineering
117 1903 Central Drive
118 Suite 406
119 Bedford, TX 76021
120

121 Mr. Rowland came forward and provided additional details in regards to the request.
122

123 Llewelyn asked if the retail side of the building is the one that's expanding.
124

125 Commissioner Conway made a motion to approve SP2023-029. Commissioner Odom seconded the motion which passed by a vote of 6-0.
126

127 VI. DISCUSSION ITEMS
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129 *These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come*
130 *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*
131 *are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the*
132 *following cases is October 10, 2023.*

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7. Z2023-045 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Cari Foote of CFPC Investments, LLC for the approval of a Zoning Change amending Planned Development District 50 (PD-50) [Ordinance No. 17-19] for the purpose of allowing the General Personal Services land use by Specific Use Permit (SUP) for all properties within the district, being a 21.266-acre tract of land situated within the S. S. McCurry Survey, Abstract No. 146 and B. F. Boydston Survey, Abstract No. 14, 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, generally located along N. Goliad Street [SH-205] north of Olive Street and south of Live Oak Street, and take any action necessary.

Senior Planner Lee provided a brief summary in regards to the request. The applicant is requesting a change to Planned Development District 50 (PD-50) to allow general personal service land use through a Specific Use Permit (SUP) which will not change the underlying zoning of this district, simply adding that land use with extra discretionary decision from Planning and Zoning Commission and City Council for each user that would come in under that general personal service.

**Cari Foote
195 N Goliad
Rockwall TX 75087**

Ms. Foote came forward and provided additional details in regards to the request.

Vice-Chairman Womble advised that this item will come back before the Commission for discussion or action on October 10, 2023.

8. Z2023-046 (ANGELICA GUEVARA)

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes, LLC on behalf of Ruben Fragoso of RSR Capital, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill Adjacent to an Established Subdivision for the purpose of constructing a single-family home on a 0.22-acre parcel of land identified as Lot C, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 715 Sherman Street, and take any action necessary.

Planning Technician Guevara provided a brief summary in regards to the request. The applicant is requesting approval of a Specific Use permit. Staff would like to note that they meet all the requirements for a residential infill in a Single-Family 7 (SF-7) District, except for the garage orientation.

**Ruben Fragoso
103 Dustin Drive
Fate, TX 75189**

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

Planning Technician Guevara asked the applicant if they plan on subdividing the lot.

Director of Planning and Zoning Ryan Miller mentioned that the property was not subdivided correctly. They will be requiring for it to be re-platted as part of this process to make sure that it is a legal subdivision of land.

Vice-Chairman Womble asked if this would affect the process.

Vice-Chairman Womble advised that this item will come back before the Commission for discussion or action on October 10, 2023.

9. Z2023-047 (BETHANY ROSS)

Hold a public hearing to discuss and consider a request by Jeff Wolf of Nexcourt, Inc. on behalf of Rafael Hidalgo for the approval of a Specific Use Permit (SUP) for Tennis Courts (Pickleball Courts) on a 0.7940-acre parcel of land identified as Lot 3, Block B, Eagle Point Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1400 Ridge Road, and take any action necessary.

Planner Bethany Ross provided a brief summary in regards to the request. The applicant is requesting a Specific Use Permit for a private tennis court. Staff made comments in regards to the lighting of that property.

**Jeff Wolf
1127 S. Airport Circle
Euless, TX 76040**

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

Commissioner Conway asked what kind of lighting it would be.

Vice-Chairman Womble asked how tall the light pole would be.

Vice-Chairman Womble advised that this item will come back before the Commission for discussion or action on October 10, 2023.

10. Z2023-048 (ANGELICA GUEVARA)

201 Hold a public hearing to discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of Staci Bowen of Metroplex Acquisitions for the
202 approval of a Specific 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
203 (i.e. HTeaO) on a 0.93-acre portion of a larger 5.16-acre parcel of land identified as Lot 13, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall
204 County, Texas, zoned Planned Development District 70 (PD70) for General Retail (GR) District land uses, situated within North SH-205 Overlay (N. SH-205
205 OV) District, generally located at the northeast corner of the intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.
206

207 **Planning Technician Guevara provided a brief summary in regards to the request. The applicant is requesting a Specific Use Permit for a restaurant
208 with less than 2,000 SF with a drive-through. Staff is still working with the applicant to address staff comments.**
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210 **Lynn Rowland**
211 **ClayMoore Engineering**
212 **1903 Central Drive**
213 **Suite 406**
214 **Bedford, TX 76021**
215

216 **Mr. Rowland came forward and provided additional details in regards to the request.**
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218 **Vice-Chairman Womble advised that this item will come back before the Commission for discussion or action on October 10, 2023.**
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220 **11. P2023-029 (BETHANY ROSS)**

221 Discuss and consider a request by Dakota and Claire Brewer for the approval of a Final Plat for Lots 1-3, Block A, Brewer Bend Addition being a 5.41-acre tract
222 of land identified as Tract 4-2 and a portion of Tract 4-06, of the W.W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Single-
223 Family Estate 4.0 (SFE-4.0) District, addressed as 626 Cullins Road, and take any action necessary.
224

225 **Planner Bethany Ross provided a brief summary in regards to the request. This case will be going to Parks Board on October 3, 2023 since they will
226 be creating two (2) lots and then it'll come back to Planning and Zoning commission.**
227

228 **John Young**
229 **Willis Point, TX**
230

231 **Mr. Young came forward and provided additional details in regards to the request.**
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233 **Vice-Chairman Womble advised that this item will come back before the Commission for discussion or action on October 10, 2023.**
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235 **12. SP2023-032 (HENRY LEE)**

236 Discuss and consider a request by Salvador Salcedo for the approval of a Site Plan for an Office/Warehouse Building on a 0.45-acre parcel of land identified as
237 Lot 10, Block A, Municipal Industrial Park Addition, City of Rockwall, Rockwall County, Texas, being zoned Light Industrial (LI) District, addressed as 855
238 Whitmore Drive, and take any action necessary.
239

240 **Senior Planner Lee provided a brief summary in regards to the request. The applicant is requesting an approval of a site plan for an office warehouse
241 building. They do have numerous exceptions for the building, because it is completely constructed of metal. The subject property is zoned Light
242 Industrial (LI) District, which has material requirements. The exceptions are 90% masonry, 20% stone, 10% secondary materials, primary and
243 secondary articulation, the roof pitch and using accent brick and stone on the building. The Architectural Review Board did look at this case and
244 they did want them to meet the roof pitch requirements and the material requirements. They also wanted them to dress up the front and to attempt
245 to match the building that is west of the subject property.**
246

247 **Commissioner Hustings asked if there were compensatory measures.**
248

249 **Vice-Chairman Womble advised that this item will come back before the Commission for discussion or action on October 10, 2023.**
250

251 **13. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).**
252

- 253 • Z2023-038: Zoning Change for an Amendment to Planned Development District 3 (PD-3) (1ST READING; APPROVED)
- 254 • Z2023-039: Text Amendment to Article 05, District Development Standards, of the Unified Development Code (UDC) (1ST READING; APPROVED)
- 255 • Z2023-040: Specific Use Permit (SUP) for Residential Infill Adjacent to an Established Subdivision for 1325 Breezy Hill Lane (1ST READING; APPROVED)
- 256 • Z2023-041: Zoning Change (AG & LI to C) (1ST READING; APPROVED)
- 257 • Z2023-042: Specific Use Permit (SUP) for a Restaurant, with 2,000 SF of More, with Drive-Through or Drive-In at 3611 & 3775 N. Goliad Street [SH-205]
258 (1ST READING; APPROVED)
- 259 • Z2023-043: Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for 303 Harborview Drive (1ST READING; APPROVED)

260 **Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.**
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263 **VII. ADJOURNMENT**
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265 **Vice-Chairman Womble adjourned the meeting at 6:44PM.**
266

267 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 10th day of October
268 _____, 2023.

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Attest:



Melanie Zavala, Planning Coordinator



Deren Beckard, Chairman