

MINUTES
PLANNING AND ZONING COMMISSION WORK SESSION
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
April 26, 2016
6:00 P.M.

I. CALL TO ORDER

Chairman Renfro called the meeting to order at 6:07 p.m. Present were Commissioner John McCutcheon, Patrick Trowbridge, Johnny Logan, Tracy Logan and Sandra Whitley. Absent was Commissioner Annie Fishman. Staff members present were Planning Director, Ryan Miller, Senior Planner, David Gonzales, Planner, Corey Brooks, Planning Coordinator, Laura Morales, Assistant Engineer, Amy Williams, Civil Engineer, Jeremy White and Fire Marshal, Ariana Hargrove.

II. CONSENT AGENDA

1. Approval of Minutes for the April 12, 2016 Planning and Zoning Commission meeting.

2. P2016-013

Discuss and consider a request by Alexander Menjivar and Daniel & Lidia Mendez for the approval of a final plat for Lots 1 & 2, Block A, Mendez Addition being a five (5) acre tract of land identified as Tract 2 of the J. H. Bailey Survey, Abstract No. 45, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 5143 SH-276, and take any action necessary.

3. P2016-014

Discuss and consider a request by Daniel Stewart of Cates-Clark & Associates, LP on behalf of Jeff Finkel of Seaman Development Corporation for the approval of a final plat for Lot 1, Block 1, Rockwall-Pine Addition being a 3.642-acre portion of a larger 14.07-acre tract of land identified as Tract 4 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 920 E. IH-30, located southwest of the intersection of Kyle Drive and the E. IH-30 frontage road and take any action necessary.

4. P2016-015

Discuss and consider a request by Jimmy Strohmeier of Strohmeier Architects, Inc. on behalf of JBR-2, LLC for the approval of a final plat for Lots 1 & 2, Block A, JBR2 Addition being a 7.329-acre tract of land identified as Tract 17-12 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated west of the intersection of SH-205 and FM-549, and take any action necessary.

5. P2016-017

Discuss and consider a request by Robert R. Varner, Jr. of Townsend Professional Centre, LLC for the approval of a replat creating Lots 9, 10, & 11, Block A, Municipal Industrial Park Addition, being a 2.60-acre parcel of land currently identified as Lot 8, Block A, Municipal Industrial Park Addition (2.29-acres) and Lot 1, Block A, Corrigan Law Office Addition (0.31-acres), City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated west of the intersection of SH-205 and FM-549, and take any action necessary.

Chairman Renfro made a motion to pass the consent agenda. Commissioner McCutcheon seconded the motion which passed by a vote of 6-0, with Commissioner Fishman absent.

III. APPOINTMENTS

6. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on the agenda requiring architectural review.

64 ARB representative came forward and gave brief explanation of recommendation pertaining to
65 the items on the agenda that required architectural review.

66
67 No discussion took place concerning this item.
68

69
70 IV. DISCUSSION ITEMS

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72 7. Z2016-012

73 Hold a public hearing to discuss and consider a request by Jim Evans of CEI Engineering Associates,
74 inc. on behalf of Bob Hubbard of EZ Mart Stores, Inc. for the approval of a Specific Use Permit (SUP) to
75 allow a retail store with more than two (2) gasoline dispensers on a 0.918-acre parcel of land identified
76 as Lot 1, Block A, Mr. M Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
77 Development District 9 (PD-9) for General Retail (GR) District land uses, and take any action necessary.
78

79 Planner, Korey Brooks stated applicant was present and available for questions.
80

81 **Jeremy Eve**
82 3030 LBJ Ste 100
83 Dallas, TX
84

85 Mr. Eve came forward and stated he is a consultant for Kroger on the project to demolish the
86 existing EZ Mart gas station to build an 806 square foot building gas station with 8 dispensers
87 and a canopy and will have 13 parking spaces. Additionally it will have a dumpster enclosure.
88 They will keep the existing entrances. Received comments from staff and are prepared to
89 address them without a problem.
90

91 Chairman Renfro asked for questions for applicant from the Commission.
92

93 Commissioner Trowbridge asked if number of pumps was 8 and of parking spaces were 13.
94 Applicant stated that was correct.
95

96 Chairman Renfro asked if the gas pumps would be shielded from the store. Applicant stated that
97 was correct.
98

99 Chairman Renfro asked if there would be a store or a booth as in the existing Kroger has
100 already. Applicant stated it will be a convenient store.
101

102 There being no further questions Chairman Renfro indicated the case will return to the
103 Commission for action at the next scheduled meeting.
104

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106 8. Z2016-013

107 Hold a public hearing to discuss and consider a request by Garrett Lust of Pointe Land & Development,
108 LLC on behalf of Marvin Wu of West Union Investment, Co. for the approval of a zoning change from
109 an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land
110 uses on a 81.49-acre parcel of land identified as Tract 16 of the J. A. Ramsey Survey, Abstract No. 186,
111 City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on Rochell Road
112 south of the intersection of Rochell Road the SH-276, and take any action necessary.
113

114 Senior Planner, David Gonzales stated applicant was present and available for questions.
115

116 **Jason White**
117 (No address given)
118

119
120 Mr. White came forward and stated he was one of the engineers with Jones and Carter
121 representing the applicant. Mr. White gave brief explanation of request feels request for zoning
122 change will fit with existing surrounding residential subdivisions. He spoke concerning
123 amenities and park area. They have received comments from staff and are prepared to address
124 those.
125

126 Commissioner Trowbridge asked how many acres and density. Mr. White stated the total is 81.5
127 acres and 224 residential lots total open space would be 22.3 percent.

128
129 **Garrett Lust**
130 (No address given)

131
132 Mr. Lust came forward and added they are staying with 2.5 units max density although ordinance
133 states it to be 2.0 clauses within that allow for that and due to the proposal of the park feels it is
134 acceptable to request that change.

135
136 Commissioner Trowbridge asked what density was in PD 69 which surrounds the area Mr.
137 Gonzales stated he would provide that information at the next meeting.

138
139 There being no further questions Chairman Renfro indicated the case will return to the
140 Commission for action at the next scheduled meeting.

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143 9. Z2016-014

144 Hold a public hearing to discuss and consider a request by Noah Flabiano of the Skorburg Company on
145 behalf of the owner Lakeside Church of Christ of Rockwall for the approval of a zoning change from an
146 Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District land
147 uses on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall
148 Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG)
149 District and located on the north side of Airport Road, west of the intersection of Airport Road and
150 FM3549, and take any action necessary.

151
152 **Noah Fabiano**
153 **8214 Westchester Suite 710**
154 **Dallas, TX**

155
156 Mr. Fabiano came forward and gave brief explanation of request discussing concept plan,
157 development standards and an overall representation of the product.

158
159 Chairman Renfro asked for questions for applicant from Commission.

160
161 Commissioner Lyons had concerned of loss of sidewalks and narrower streets by doing open
162 swales.

163
164 There being no questions Chairman Renfro indicated the case will return to the Commission for
165 action at the next scheduled meeting.

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168 10. Z2016-015

169 Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land
170 Development, LLC on behalf of the owners Gwen Reed and Randa Hance (*R. & R. Hance Investments,*
171 *LP*) for the approval of a zoning amendment to Planned Development District 79 (PD-79) [*Ordinance*
172 *No. 16-07*] for the purpose of amending the concept plan and incorporating 11.121-acres of land into the
173 existing 44.292-acre development creating a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03
174 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned
175 Agricultural (AG) District and Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4)
176 District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the
177 north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

178
179 Planning Director, Ryan Miler, stated there is currently an annexation going forward and it will be
180 going to City Council for a 2nd reading before it goes forward to the Public Hearing therefor staff
181 felt comfortable bringing it forward. Also stated Mr. Atkins was present and available for
182 questions.

183
184 **Pat Atkins**
185 **3076 Hays Ln.**
186 **Rockwall, TX**

188 Mr. Atkins came forward and stated the annexation has taken time and the process of
189 completion of the final 11 acres completes the masterplan and addresses the open space
190 concern and density is now addressed. Mr. Atkins added he has received staffs comments and
191 will address them.
192

193 Mr. Miller added that when it came thru the first time and the original PD was approved at that
194 time the Commissioner's concern was with the open space being only 17percent, now with this
195 addition it is at 20 percent or in excess of that, this is an amendment to the current PD79. Mr.
196 Miller added that currently the garage offset standard is 20 feet from the front façade, but the
197 applicant is requesting for it to be 5 feet but it will meet the same standards that were approved
198 in the Summerset Parks Subdivision he will have the ability to encroach into the front with the
199 porches and sunroom which will provide that buried setback in the front.
200

201 There being no questions Chairman Renfro indicated the case will return to the Commission for
202 action at the next scheduled meeting.
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204 Chairman Renfro stated items 11 and 12 on the agenda would be moved to the end of the
205 agenda.
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207
208 11. Z2016-016

209 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
210 amendment to Section 4, *Southside Residential Neighborhood Overlay (SRO) District*, of Article V,
211 *District Development Standards*, of the Unified Development Code, and take any action necessary.
212

213 Planning Director, Ryan Miller, recently did a text amendment to PD75, which is the Lake
214 Rockwall Estate Subdivision, to take out a clause that allowed Council to approve land use
215 without a zoning process. There are two places where that exact language exists; the other is in
216 the Southside Residential Neighborhood District. Council has directed staff to amend that
217 ordinance and take that language out, and also in addition, under the current ordinance any
218 application for a special request must first be brought to the City Council to initiate the request,
219 then to the Planning and Zoning Commission for a recommendation, and finally returning to the
220 City Council for action. Typically, these requests would be taken directly to the Planning and
221 Zoning Commission for recommendation prior to being brought before the City Council. That
222 has since been corrected and staff can now intake an application and bring it directly to the
223 Planning and Zoning Commission for a recommendation and then to City Council. It is a
224 discussion and the ordinance will be brought at the next meeting.
225

226 Commissioner Trowbridge asked for clarification of what the intent was when first it was first
227 drafted and the striking of certain language. Mr. Miller stated with both Lake Rockwall Estates
228 and the Southside Residential Overlay Districts the idea was that this being the older parts of
229 town, these lots are already established and the idea was to provide flexibility with the
230 understanding that older ordinances intended to regulate this area as we move forward and
231 standards and product that people are putting in change we need to accommodate these areas
232 and some of the existing lots due to the size would need to be accommodated to.
233

234 No further discussion took place concerning this agenda item.
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237 12. Z2016-017

238 Hold a public hearing to discuss and consider a City initiated zoning request for the approval of a text
239 amendment to Section 1, *Land Use Schedule*, and Section 2.1.8, *Auto and Marine-Related Use*
240 *Conditions*, of Article IV, *Permissible Uses*, of the Unified Development Code for the purpose of
241 changing the requirements for *Used Motor Vehicle Dealerships*, and take any action necessary.

242 Planning Director, Ryan Miller, gave brief explanation requested that City Council to allow thru a SUP
243 for the allowance of Used Motor Vehicle Dealerships.
244

245 The majority of the cities
246

247 Planning Director, Ryan Miller, stated that on the City Council meeting that took place on March
248 21, 2016 a perspective applicant came forward and requested that City Council look into
249 changing the current use chart to allow used motor vehicle dealerships in a Light Industrial
250 District thru a Specific Use Permit. The way the ordinance is currently set up used car

251 dealerships are only allowed as an ancillary or accessory use to new auto dealerships, with the
252 thinking that this will provide some controls going forward and it will also provide a certain type
253 of product.
254

255 Mr. Miller further stated that City Council did direct staff to look into how other cities approach
256 this use and potentially amending the code to allow used car dealerships in the Light Industrial
257 Districts. In order to achieve this, staff first did comparable cities analysis and looked at their
258 code. What was found is that the majority of the cities that allow the use do so thru a Specific
259 Use Permit, Rockwall currently has the most restrictive ordinance with the exception of Rowlett.
260 After the comparable cities analysis was completed, staff also did a locational analysis for
261 Rockwall's existing Auto Motor facilities, and what was found is that the all of these facilities,
262 with the exception of two non-conforming one that exist in the downtown area, are situated
263 along the IH30 corridor and based on that information staff also put together a fiscal impact
264 analysis.
265

266 Mr. Miller went on to state that in 2007 a change was made to the way the City allows New Car
267 Dealerships in the certain Districts that allows them the code was amended to require a Specific
268 Use Permit, whereas before they were allowed by right in the Light Industrial District for the
269 prevention of concentration of these dealerships along the IH30 corridor and also because there
270 was an abundance of Light Industrial Land remaining in that corridor in the undeveloped areas.
271 An ordinance was prepared, essentially it would not accommodate what the applicant is
272 requesting, it would allow for the use in the Light Industrial with an SUP but it would prevent it to
273 go into the Overlay Districts which is similar to what the City of Frisco did with their ordinance.
274

275 Mr. Miller added that even though staff was directed to look into this, the Commission may
276 chose to leave the current ordinance in place and that recommendation can be given to the
277 Council or a different recommendation can be given by the Commission with the information
278 staff provided. Mr. Miller added this was brought to the work session for discussion before it
279 goes to public hearing and to City Council and is available for any question.
280

281 Chairman Renfro commented on not being in favor of inviting used dealerships aside from the
282 ones that are currently in place, other than those that are indoor such as one that came in not
283 long ago. Mr. Miller added that used vehicle sales are currently allowed but they have to be
284 internal to the building and cannot have any outside.
285

286 Commissioner Trowbridge asked if of the nine dealerships along the IH30 corridor any of those
287 came in after the change requiring the SUP. Mr. Miller stated that three of those came in after the
288 change was put in place.
289

290 Commissioner Whitley asked if this request was passed would it affect the existing used car
291 dealerships that are in the downtown area. Mr. Miller stated it would not, as they are considered
292 legally non-conforming.
293

294 Commissioner Lyons asked if this is passed, would it allow used car dealerships to go in
295 anywhere in the Light Industrial District with the Specific Use Permit. Mr. Miller stated it would
296 prohibit it within the Overlay Districts.
297

298 Commissioner Trowbridge asked where is the perspective applicant asking to come in with the
299 used car dealership. Mr. Miller stated he would defer to the Public Hearing where the applicant
300 will probably make a presentation. Mr. Miller added it is not site specific what is being proposed
301 is regulating a use for the entire City.
302

303 No further discussion took place concerning this agenda item.
304
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306 13. P2016-016

307 Discuss and consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of the owner
308 Robert John Crowell of Crowell Development Corporation for the approval of a final plat for Wanda
309 Ridge Estates, Phase 2 containing 45 single-family residential lots on 79.7111-acres identified as Tract
310 17-3 (4.679-acres), Tract 19 (61.658-acres), and Tract 42-01 (13.374-acres) of the S. McFadgin Survey,
311 Abstract No. 142, Rockwall County, Texas, situated in the City of Rockwall's Extraterritorial Jurisdiction
312 (ETJ), located north of the intersection of Wanda Lane and FM-548, and take any action necessary.
313

314 Senior Planner, David Gonzales, gave brief description of request, stating it is being brought
315 before the Commission because it is in the ETJ there have been a few things that have been
316 highlighted as far as comments in the staff report, have met with the surveyor who will bring
317 back those comments and make the needed changes then it will go to the county judge for his
318 signature.
319

320 There being no questions Chairman Renfro indicated the case will return to the Commission for
321 action at the next scheduled meeting.
322

323
324 14. SP2016-006
325 Discuss and consider a request by Matt Moore of Claymoore Engineering, Inc. on behalf of Michael
326 James of U. V. Real Estate, LP for the approval of a site plan for an *Auto Body Shop (i.e. Service King*
327 *Collision Repair)* on a 3.2039-acre tract of land described as Tract 7-01 of the J. Lockhart Survey,
328 Abstract No. 134, City of Rockwall, Rockwall County, Texas, located at 1780 E IH-30, zoned Light
329 Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, and take any action
330 necessary.
331

332 Planning Director, Ryan Miller, stated this came before the Commission as an SUP a few
333 meetings ago and did receive it for outside storage now they are moving forward with the site
334 plan phase and added that the applicant was present and available for questions.
335

336 Jeff Carroll
337 750 IH30
338 Rockwall, TX
339

340 Mr. Carroll came forward and stated after meeting with ARB this evening and they had one
341 comment to add a mansard roof and flipping it to the front to tie into the canopy but that will be
342 Service Kings decion if that can be done. Mr. Carroll added that Service King has reduced the
343 building size 5,000 square feet from the site plan approval process due to the cost of the
344 retaining wall.
345

346 Chairman Renfro asked if it had canopies. Mr. Carroll stated there is one located in the front that
347 serves as a drive thru for pickup.
348

349 Commissioner Trowbridge asked concerning the cost of the retaining wall and losing the square
350 footage. Mr. Carroll stated it was a decision Service King took to reduce it.
351

352 There being no further questions Chairman Renfro indicated the case will return to the
353 Commission for action at the next scheduled meeting.
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356 15. SP2016-007
357 Discuss and consider a request by Bryan M. Burger, PE of Burger Engineering, LLC on behalf of the
358 owner Don Silverman of Rockwall 205-552, LLC for the approval of site plan for a grocery store (*i.e. Aldi*
359 *Food Store)* on a 1.972-acre portion of a larger 9.183-acre tract of land identified as Tract 4-1 of the T.
360 R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned General Retail
361 (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest
362 corner of the intersection of SH-205 [*N. Goliad Street*] and FM-552, and take any action necessary.
363

364 Senior Planner, David Gonzales advised the Commission the applicant was present and
365 available for questions.
366

367 Brian Burger
368 17103 Preston Road
369 Dallas, TX
370

371 Mr. Burger came forward and gave brief explanation of request and stated staff has given their
372 recommendations and have those have been addressed.
373

374 There being no questions Chairman Renfro indicated the case will return to the Commission for
375 action at the next scheduled meeting.
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16. SP2016-008

Discuss and consider a request by Vincent Jarrard of Eurthmic Design Group Architects on behalf of the owner Cameron Bagley of Racetrac Petroleum, Inc. for the approval of site plan for a *car wash/auto detail* facility (*i.e. Carmel Carwash*) on a 1.3-acre tract of land identified as Lot 1, Block 1, Crossings Addition (*i.e. 1.004-acres*) and a 0.296-acre portion of Lot 1, Block 1, Rockwall Business Park Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2003 S. Goliad Street, and take any action necessary.

Planner, Korey Brooks advised the Commission the applicant was present and available for questions.

Benson Gerard
11700 Preston Road
Dallas, TX

Mr. Gerard came forward and gave brief explanation of request stating it is for an express car wash. The owner has several units in Dallas and runs a very good operation the incorporate a lot of landscaping. It will be 22 percent on the proposed site. They have gone through staff's comments as well as the ARB comments and address those.

Commissioner Logan asked if there is no median opening. Mr. Gerard stated they are eliminating one of the curb cuts and make the existing one on the right side wider.

Commissioner Trowbridge what the setback was. Mr. Gerard stated it is a fifty foot setback for their use. Commissioner Trowbridge asked if the exit will be in the rear and go out through the front and will the vacuums be on the right side facing the Veterinary office. Mr. Gerard stated that was correct.

Commissioner McCutcheon if there are any stipulations on the facing of the bays. Mr. Brooks stated the applicant is requesting a variance that will allow the bays to face SH205.

Mr. Miller added that they will propose a cultured stone and will bring a sample of that at the next ARB meeting and they will get a recommendation from the Board, but the Commission is the approving body for cultured stone.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

17. SP2016-009

Discuss and consider a request by Eric Morff of Cole on behalf of the owner 2804 Ridge, LLC for the approval of site plan for a *restaurant with drive-through* (*i.e. Panera Bread*) on a 0.93-acre parcel of land identified as Lot 2 of the Road Runner Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 2804 S. Goliad Street, and take any action necessary.

Senior Planner, David Gonzales, advised the Commission the applicant was present and available for any questions.

Justin Kanoker
3630 Gyer Road
St. Louis, MO

Applicant came forward and gave brief explanation of request stating it is approximately a one acre parcel and will be putting a 4300 square foot building with eleven car stacked drive thru with 52 proposed parking spots. The hours of operation will be 7 days a week 6am to 9pm. It will have approximately 100 seats inside for dining and 20 seats in the outside patio.

Commissioner Trowbridge asked concerning color renderings if the store would be similar to existing stores. Applicant provided picture that showed color of product and full masonry and brick behind the Panera Bread signs and will provide full perspective renderings in the next meeting.

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Commissioner Logan asked concerning parking layout will the old concrete be salvaged. Applicant stated they will be doing the entire lot concrete but the majority will be replaced.

Applicant stated they have received staff comments and will review and address those.

There being no further questions Chairman Renfro indicated the case will return to the Commission for action at the next scheduled meeting.

18. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).

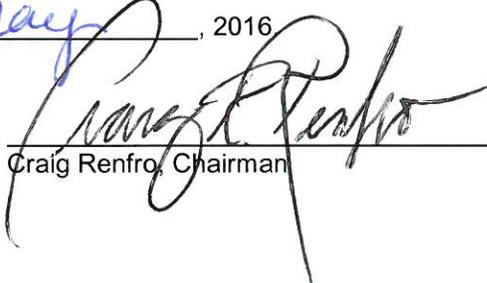
- ✓ P2016-008: Preliminary Plat for Lots 1-4, Block A, Lakeshore Commons Addition [Approved]
- ✓ Z2016-006: SUP for a Carport at 303 Renfro Drive (2nd Reading) [Approved]
- ✓ Z2016-008: SUP for an Accessory Building at 735 David Drive (1st Reading) [Approved]
- ✓ Z2016-009: SUP for a Minor Automotive Facility at 2225 Ridge Road (1st Reading) [Approved]
- ✓ Z2016-010: PD Development Plan for Care Now (1st Reading) [Approved]
- ✓ Z2016-011: Zoning Change (Commercial to PD for a Multi-Family Apartment Complex) [Withdrawn]

Planning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council meeting.

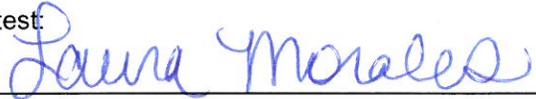
V. ADJOURNMENT

The meeting adjourned at 7:34 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL,
Texas, this 10 day of May, 2016



Craig Renfro, Chairman

Attest:


Laura Morales, Planning Coordinator