

MINUTES
PLANNING AND ZONING COMMISSION PUBLIC HEARING
City Hall, 385 South Goliad, Rockwall, Texas
Council Chambers
January 14, 2020
6:00 P.M.

I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:01 p.m. The Commissioners present at the meeting were Vice-Chairman Jerry Welch, Commissioners John Womble, Sedric Thomas, and Mark Moeller, and Annie Fishman. Absent from the meeting was Commissioner Tracey Logan. Staff members present were Planning Director Ryan Miller, Planning Manager David Gonzales, Senior Planner Korey Brooks, Planning Coordinator Angelica Gamez, City Engineer Amy Williams, and Civil Engineers Jeremy White and Sarah Johnston.

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 to speak Chairman Chodun closed the open forum.

III. APPOINTMENTS

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

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

Commissioner Womble came forward and wanted further clarification in regards to the phrase "deny it without prejudice".

IV. CONSENT AGENDA

2. Approval of Minutes for the December 30, 2019 Planning and Zoning Commission meeting.

3. **P2020-001 (David)**

Consider a request by Adam Buczek of Windsor Homes Cumberland, LLC for the approval of a replat for Lot 12, Block C, Ridgecrest Addition, being a 0.503-acre parcel of land identified as Lot 1, Block C, Ridgecrest Addition, City of Rockwall, 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. Vice-Chairman Welch seconded the motion which passed by a vote of 6-0 with Commissioner Logan absent.

V. PUBLIC HEARING ITEMS

4. **Z2019-026 (David)**

Hold a public hearing to discuss and consider a request by Timothy Bates of Plano Marine on behalf of Jason Breland of Suntex Marina Investors, LLC for the approval of a Specific Use Permit (SUP) for an existing marina with boat sales, storage and repair on a 6.282-acre tract of land identified as Tracts 134, 134-14 & 134-15 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Lake Ray Hubbard Takeline Overlay (TL OV) District, located at the western terminus of Henry M. Chandlers Drive, and take any action necessary.

Planning Manager David Gonzales provided a brief explanation in regards to the request. He preceded to give a thorough history of the case known as the Chandlers Landing Marina which is essentially part of City of Dallas. In 1984, City Council amended PD-8 and granted a Conditional Use Permit for the marina that would allow for dry storage and parking at that facility. In November 2002, this established areas which limited the dry storage areas, limited boat sales, and parking

64 of boats awaiting repair. Mr. Gonzales went on to name the operational conditions that were
65 established in the ordinance as it sits now. In August 2019, Neighborhood Improvement Services
66 received a complaint that the repair facility had their wooden fences taken down. That wooden
67 fence served as a screen to divide the areas where the boats were being repaired. Staff got
68 involved in the situation and called the applicant what needed to be done to bring it up to
69 compliance. They spoke about screening and about having a six foot masonry screening wall.
70 Based on the UDC, if you have a non-commercial property and you have it adjacent to a residential
71 district, PD-*, there are standards that require landscape screening. The code calls for the
72 masonry wall to have landscape to soften the area. An alternative to this was having a three tiered
73 landscape screening with a wrought iron fence. The applicant is proposing to add that masonry
74 wall to the red area shown in Exhibit B to replace the wooden fence and that would also be the
75 area where they keep their storage. If the request were to be approved then the boats would be
76 allowed to be sitting there within the designated area. The applicant is requesting a masonry wall
77 and no landscape screening. With this being a Specific Use Permit, although it doesn't conform
78 to our UDC, allows City Council the discretions to approve the decision pending a
79 recommendation from the Planning and Zoning Commission. Additionally, if the SUP is approved
80 it's going to take away the ability to regulate any recreational vehicles from being parked or stored
81 there. You would also receive an enhanced screening with a masonry wall as opposed to a wooden
82 fence that was required at the time. We do have a current Conditional Permit in place but if the
83 SUP is denied then the current CUP will remain in place. Mr. Gonzales explained that we did notify
84 173 property owners on December 27, 2019, and have received 148 signatures and some additional
85 emails and property notices all on opposition with only 1 notice being in favor of the request. Mr.
86 Gonzales advised the Commission that the applicants were present and available for questions
87 as well as staff.
88

89 Commissioner Thomas asked whether or not the applicants were aware of the complaints.

90
91 Chairman Chodun asked the applicants to come forward.

92
93 Jason Breland
94 1 Harborview Drive
95 Rockwall, TX 75032

96
97 Brett Ray
98 1800 Highview
99 McKinney, TX

100
101 Timothy Bates
102 1 Harborview Drive
103 Rockwall, TX

104
105 The applicants came forward and provided additional information in regards to the request. They
106 are in favor of building the wall but do not feel the need to provide any landscaping. The boat sales
107 area will not potentially hold boats until only for weekend or summertime events.

108
109 Commissioner Moeller gave his feedback in regards to the wrought iron fence. His biggest
110 concern was that there are larger boats in the area that seemed to be there for 72 hours and not
111 for weeks on end.

112
113 Vice-Chairman Welch went into further discussion in regards to the request.

114
115 Chairman Chodun opened up the public hearing and asked if anyone wished to speak to come
116 forward and do so.

117
118 Shan Cromeens
119 307 Harborview
120 Rockwall, TX 75032

121
122 Mr. Cromeens came forward and expressed he was in opposition of the request with the main
123 issue being obstruction of lake views.

124
125 Anthony Avizenis

126 5500 Ranger Drive
127 Rockwall, TX 75032

128
129 Mr. Avizenis came forward and expressed his opposition to the request. He stated his family are
130 regular members of the boat club but they did not receive a public notice of the request. Aside
131 from that the surrounding of the facility with landscape is ideal but peak times for traffic will have
132 a congestion point with nobody being able to pass through.

133
134 Planning Manager Gonzales clarified how staff sends out notices within a 500 foot buffer, which
135 explains why some received notices and others didn't.

136
137 Trey Chaney
138 305 Harborview
139 Rockwall, TX 75032

140
141 Mr. Chaney came forward and expressed his opposition to the request mainly due to the
142 obstruction of lake views and it being a safety hazard.

143
144 Craig Musser
145 303 Harbor Landing
146 Rockwall, TX 75032

147
148 Mr. Musser came forward and expressed his opposition to the request. His main concern is that
149 there is a safety issue where there is not a lot of parking during weekends or summertime.

150
151 Janie Chaney
152 305 Harborview
153 Rockwall, TX 75032

154
155 Mrs. Chaney came forward and expressed her opposition to the request. She explained that she's
156 seen the big yachts, cranes, dumpsters for about a year now. Her main concern is that there is a
157 safety issue as well as an eye sore in many ways.

158
159 Chip Emory
160 333 Harbor Landing
161 Rockwall, TX 75032

162
163 Mr. Emory came forward and expressed his opposition to the request. He's the vice president of
164 the Chandlers Landing Community Association and on behalf of the Board of Directors are
165 opposed to the request as well as a majority of the community. There is also a violation taking
166 place of Ordinance 0250.

167
168 Gary Amerson
169 293 Harborview Drive.
170 Rockwall, TX 75032

171
172 Mr. Amerson came forward and expressed his opposition to the request and provided photos in
173 regards to the opposition. He was on the community commission and their duty was to protect
174 the views. He explained the photos information.

175
176 Bruce Payton
177 10 Intrepid
178 Rockwall, TX 75032

179
180 Mr. Payton came forward and expressed his opposition to the request. He served on the HOA
181 Board as well. He explained he had three alternatives to the request: enforce the ordinance from
182 2002, amend the proposed SUP to 12 foot limit on structures and boats to protect views, and the
183 third is to go ahead and pass or oppose the request.

184
185 Chairman Chodun closed the public hearing and brought the item back to the Commission for
186 discussion.

187

188 The applicants came forward and expressed sentiment towards the public and addressed their
189 concerns.
190
191 Commissioner Moeller asked what the timeline on the project was and the applicants stated that
192 the end of February would mark completion. He then asked if there was any idea in regards to
193 adding parking and they stated the cost was too high.
194
195 Vice- Chairman Welch asked whether we have a height restriction on parking lots or a ratio on the
196 marina. Planning Director Ryan Miller gave further feedback on both topics.
197
198 Commissioner Womble asked what the options were in regards to the motions.
199
200 Commissioner Fishman wanted further information in regards to landscaping.
201
202 Commissioner Moeller wanted further information in regards to the request.
203
204 Commissioner Womble made a motion to not allow SUP to move forward with Commissioner
205 Fishman wants to restrict the boat sales. Commissioner Moeller was not against the masonry wall
206 as well as not being overly concerned about the boat sales with his biggest concern being the
207 prep area now and would support the SUP. Commissioner Thomas agreed with Commissioner
208 Moeller with his only concern in regards to the prep work being done outside. Chairman Chodun
209 advised the applicants that if they would have cleaned the area up then the amount of residents
210 showing up may have been lower but he must defer to the ones that showed up and vote against
211 the SUP request.
212
213 Chairman Chodun expressed his intake to deny the request and send recommendation to City
214 Council. Commissioner Womble made a motion to deny the request Z2019-026 with Commissioner
215 Thomas seconding the motion which passed with a vote of 6-0 with Commissioner Logan absent.
216
217 Chairman Chodun called for a brief break to take place.
218
219 Chairman Chodun called the meeting back to order.
220
221 5. Z2019-027 (Korey)
222 Hold a public hearing to discuss and consider a request by Raymond Jowers of Jowers, Inc. for the
223 approval of an extension of *Ordinance No. 08-38 (SUP No. S-056)* granting a Specific Use Permit (SUP)
224 allowing outside storage adjacent to IH-30 on a 4.4317-acre tract of land identified as Tract 22-01 of the
225 R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI)
226 District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2260 E. IH-30, and take any
227 action necessary.
228
229 Chairman Chodun called the meeting back to order.
230
231 Senior Planner Korey Brooks provided a brief explanation of the request. In 2008, City Council
232 approved a specific use permit to allow the sales of recreation vehicles within the property shown
233 on the location map. He explained that the areas shown surrounding the area were slightly
234 commercial or areas not within city limits. The condition of approval in 2008 was that the specific
235 use permit would be valid for three years and that would give council the ability to look at the
236 developments and see if the extension of the SUP is warranted. The extension was granted in
237 2011, 2014, and in 2017. The applicant is requesting an approval of an extension to the current
238 SUP to allow the existing business to operate. Mr. Brooks further explained that the building
239 constructed of metal and stone and there are trailers outside being sold and are screened by an
240 existing chain link fence along with some landscaping along I-30. The applicant is not requesting
241 any changes to the original site plan or building. Mr. Brooks notified all residents living within 500
242 feet of the property but no HOA's as none exist in the area.
243 With that being said, Mr. Brooks advised the Commission that the applicant was present and
244 available for questions as well as staff.
245
246 Chairman Chodun asked the applicants to step forward.
247
248 Raymond Jowers
249 3290 Anna Cade Circle

250 Rockwall, TX 75087

251
252 Clay Riggs
253 6816 Republic Drive
254 McKinney, TX 75071
255

256 Mr. Jowers and Mr. Riggs came forward and provided additional comments in regards to the
257 request and indicated that he was available for questions.

258
259 Chairman Chodun opened up the public hearing and asked if anyone wished to speak to come
260 forward and do so.

261
262 Chairman Chodun asked if anyone wished to speak to come forward and do so, there being no
263 one indicating such; Chairman Chodun closed the public hearing and brought the item back to
264 the Commission for discussion or action.
265

266 Commissioner Moeller made a motion to approve item Z2019-027 with Commissioner Womble
267 seconding the motion which passed with a vote of 6-0 with Commissioner Logan absent.
268

269 6. Z2019-028 (Ryan)

270 Hold a public hearing to discuss and consider a request amending the Unified Development Code (UDC),
271 and take any action necessary.
272

273 Planning Director Ryan Miller provided a brief explanation in regards to the request. He explained
274 how during the previous work session they had spoken about how the Unified Development Code
275 had been adopted in 2004. There have been some amendments done to the code and some are in
276 part of the changes that came out of the legislature as we mandated or changed large sections of
277 that code. We currently use Municode as well as our municipal code of Ordinances. Mr. Miller
278 stated that when they sent the most recent codification over- the quote they gave us was \$7800.00.
279 He reiterated that with the amount of changes we have done lately, while it is not a huge amount
280 of cost savings, it is still some form of cost savings of tax payer dollars. He stated that the
281 department came up with posting a copy of the UDC on the City's website via PDF and mentioned
282 that a copy was brought for each Commissioner. At the moment, we have Municode takes about
283 3 months to codify changes which can cause issues for developers and the public when we have
284 large scale amendments. With our current process, changes are being codified as we make them
285 so they automatically show up online. We have also incorporated richer images where it had been
286 harder for Municode to codify. He explained that Municipal code will still be available thru
287 Municode. Mr. Miller went on to say that this process is similar to what other larger cities are doing
288 in regards to posting a PDF online with their code and how this is how we maintain our engineering
289 standards of design. Minor changes in the code include standardized the reference in the code,
290 standardized the referencing system, we standardized some of the languages, and we removed
291 Appendix C and E. There were two major changes that needed to be explained and those have to
292 do with pergola standards and the fence ordinance. The code that was adopted only allowed
293 pergolas or covered porches to cover 144 square feet and it wasn't intended for that. At the
294 moment, you would need to request an SUP to build over that measurement. The other change
295 was tied to the fence ordinance with the word "not" being forgotten in a statement. Mr. Miller then
296 informed the Commission that we did send a notice out to the Rockwall Herald Banner describing
297 the change. He then advised the Commission that he was available to answer any questions.
298

299 Chairman Chodun asked if anyone wished to speak to come forward and do so, there being no
300 one indicating such; Chairman Chodun closed the public hearing and brought the item back to
301 the Commission for discussion or action.
302

303 Commissioner Thomas made a motion to approve item Z2019-028 with Commissioner Womble
304 seconding the motion which passed by a vote of 6-0.
305

306 VI. ACTION ITEMS

307
308 7. SP2019-043 (Korey)

309 Discuss and consider a request by Clay Cristy of ClayMoore Engineering, Inc. on behalf of Brian Berry of
310 Milestone Electric, Inc. for the approval of an amended site plan for a multi-tenant office complex on a
311 9.52-acre tract of land identified as Lot 18 and the south portion of Lot 19, Rainbow Acres Addition, City

312 of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 407 Ranch Trail, and
313 take any action necessary.

314
315 Senior Planner Korey Brooks provided a brief explanation in regards to the request. He explained
316 how back in February, they had approved a site plan for a multi-tenant office building. At that time,
317 the western portion of that building was left to be used for future development as there were no
318 buildings there. Since then the applicant has submitted new site civils and the site plan has
319 changed as an additional six buildings have been added to the property. Those buildings will be
320 matching the existing buildings constructed of metal on all four sides, with stone and brick
321 wainscot on three of those sides as shown earlier at ARB. Essentially, the site plan, landscape
322 plan, photometric plan, and building elevations generally conform to the requirements of the UDC
323 with a few exceptions. The first being the building articulation standards. There was a variance
324 announced initially for the building articulation. However, since there are an additional six
325 buildings added, that variance has been expanded. The applicant is requesting a variance to the
326 articulation standards for the buildings. According to the UDC, there can be no parking along the
327 front façade and the property line. The parking lot on this building requires a variance since it is
328 on the front façade and the property line. As a compensatory measure, the applicant is proposing
329 to widen the landscape buffer from 10 feet to 25 feet and provide additional landscaping. Finally,
330 there is a variance for the walls in the detention system. The applicant is proposing to provide the
331 three tier screening along the western property line, even though it is required by the UDC either
332 way and cannot be used as a compensatory measure. Planning Zoning Commission and City
333 Council will have to make a discretionary decision in regards to this. With exception of this, all
334 other requirements are being met by the applicant. Mr. Brooks then advised the Commission that
335 he was available for questions as well as the applicant.

336
337 Commissioner Chodun asked the applicant to come forward.

338
339 Clay Cristy
340 1903 Central Drive
341 Bedford, TX

342
343 The applicant provided further information in regards to the request.

344
345 Chairman Chodun asked if anyone wished to speak to come forward and do so, there being no
346 one indicating such; Chairman Chodun closed the public hearing and brought the item back to
347 the Commission for discussion or action.

348
349 Commissioner Moeller made a motion to approve item SP2019-043 with staff recommendations
350 with Vice-Chairman Welch seconding the motion which passed by a vote of 6-0.

351
352
353 **8. SP2019-044 (Korey)**

354 Discuss and consider a request by Steven Reyes of Ramsay & Reyes, LLC on behalf of Jimmy McClintock
355 of LMGC, LLC for the approval of a site plan for an office building on a 0.739-acre tract of land identified
356 as a portion of Lot 14 of the Lowe & Allen Addition [0.4590-acres] and Lot 2-R, Block A, Washington Place
357 Addition [0.28-acres] , City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated
358 within the SH-66 Overlay (SH-66 OV) District, addressed as 409 W. Washington Street, and take any
359 action necessary.

360
361 Senior Planner Korey Brooks provided a brief history and explanation in regards to the request.
362 The applicant is requesting approval of a site plan for an office building of approximately 16,500
363 square feet and will be a brick building. The site plan, landscape plan, photometric plan, treescape
364 plan, and building elevations all meet the requirements of the UDC with one exception. According
365 to the Downtown district standards, there is a minor waiver being requested in regards to the
366 building elevations. On the north elevation, there are two entry ways and the UDC states that the
367 primary entry ways must be placed within 30 feet of one another and must be set back five feet
368 from the front façade of the building. At the moment, the building is not following these
369 procedures. The applicant is providing a canopy system on both entry ways and the one closes
370 to the eastern property line is recessed about 10 feet from the front property line which is designed
371 to be a stoop to have stairs down to the sidewalk for the front entry way. Other than that, the other
372 requirements are generally being met by the applicant. Senior Planner Brooks advised the
373 Commission that the applicant was present and available for questions as well as Staff.

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435

Chairman Chodun asked the applicant to come forward.

Steven Reyes
583 Primrose Lane

The applicant came forward and provided a brief explanation in regards to the request.

Chairman Chodun asked if anyone wished to speak to come forward and do so, 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 SP2019-044 with recommendations with Commissioner Womble seconding the motion which passes by a vote of 6-0.

9. SP2019-046 (Korey)

Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of the owner Frank Fite, II for the approval of a site plan for an office building on a 0.4590-acre parcel of land identified as Lot A, Block 124, B. F. Boydston Addition, City of Rockwall, Rockwall, 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 N. Goliad Street, and take any action necessary.

Senior Planner Korey Brooks provided a brief explanation in regards to the request. The applicant is requesting the approval of a site plan for an office building that's approximately 4,900 square feet. The applicant is generally conforming to all the standards stated by Unified Development Code with one exception to the residential screen environment. The UDC states that if there is a non-residential use that abuts a residential use then it must be screening utilized in a masonry wall. Alternatives may be a wrought iron fence with three tiered landscaping. The applicant is proposing to utilize landscaping, however, there's an existing chain link fence that's on the adjacent property so the applicant is not proposing to install a wrought iron fence since there's already an existing fence. With that exception, the applicant is meeting all requirements of the Unified Development Code. Mr. Brooks then advised the Commission that the applicant was here and available for questions as well as staff.

Chairman Chodun asked Senior Planner Brooks whether ARB approved any changes in regards to the property and clarified whether any approval would include ARB recommendations.

Commissioner Fishman wanted further information in regards to the existing fence and Commissioner Womble wanted further clarification in regards to the screening on the property. City Engineer Amy Williams gave a clarification in regards to the property.

Chairman Chodun asked the applicant to come forward.

Jeff Carroll
750 E. I-30
Rockwall, TX

The applicant came forward and provided further information in regards to the request. He explained the recommendations made during the meeting with ARB.

Commissioner Thomas made a motion to approve item SP2019-046 with ARB recommendations with Commissioner Moeller seconding the motion which passed by a vote of 6-0.

10. SP2019-047 (David)

Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of the owner Brad Bacon of Bacon Property, LLC for the approval of a site plan for an office/warehouse building on a 3.57-acre parcel of land identified as Lot 1-M of the Bodin Industrial Tract, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2055 Kristy Lane, and take any action necessary.

Planning Manager David Gonzales provided a brief explanation in regards to the request. The applicant is requesting approval on a site plan which is a 20,000 square foot facility located on

436 Kristy Lane, which is in the IH-30 Overlay district. Since it is in the overlay district then it requires
437 higher standards. The applicant is proposing to build a metal facility in this particular property
438 and with that, the variances and exceptions associated with this have three primary issues. They
439 include building materials, primary materials, secondary materials, and stone associated with the
440 building. Mr. Gonzales explained how you had the south façade meeting the requirements as
441 opposed to the north, east, and west sides of the building do not because those are the portion
442 where the applicant is requesting the variance for. One item that was discussed in the work
443 session was that there would be 50 vehicles located at the rear of the property. The UDC requires
444 that all vehicles be screened and that can achieved by following alternatives such as three tier
445 screening, wrought iron fencing, and/or having three layers of landscaping which includes shrubs
446 and accent trees. This case is located in the Light Industrial district which allows for a chain link
447 fence that has vinyl coating on it. The applicant is requesting to be able to use the chain link fence
448 in lieu of the wrought iron fence which is listed as a condition of approval. Other items listed in
449 regards to the building materials and building articulation are part of the overlay requirements.
450 That requires a ¾ majority vote in order to have approval. Mr. Gonzales presented the fact that the
451 Architectural Review Board recommended a denial in this case and that the applicant try to meet
452 the I-30 overlay requirements as much as possible.

453
454 Planning Director Ryan Miller clarified that it would be a denial without prejudice due to the new
455 legislature which states that action be taken within 90 days. It would not be denied- but they would
456 have to submit a new application with the fee waived since the case would be tied to the
457 Architectural Review Board not being able to fill the quorum last meeting.

458
459 Commissioner Moeller asked whether the applicant knew what timeline he had in regards to the
460 project.

461
462 Jeff Carroll
463 750 E. I-30
464 Rockwall, TX
465

466 The applicant came forward and provided further information in regards to the request. The
467 applicant is still in disagreement with regards to the articulation of the sides of the building.
468

469 Planning Director Ryan Miller recommended that the Commission deny the item tonight due to the
470 change of the site plan and it not fitting requirements. The applicant needed to make modifications
471 based on the recommendations made by the Architectural Review Board.
472

473 Commissioner Thomas motion to deny item SP2019-047 without prejudice with Commissioner
474 Womble seconding the motion which dismisses the item without prejudice by 6-0.
475

476 **11. SP2019-050 (David)**

477 Discuss and consider a request by Ross Ramsay of Ramsay & Reyes, LLC on behalf of John McKinney
478 of Epic Rockwall Ventures for the approval of a site plan for an industrial building in an existing multi-
479 tenant industrial park on a 9.52-acre tract of land identified as Lots 17 & 17-1, Rainbow Acres Addition,
480 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 295, 315, 339,
481 327 & 331 Ranch Trail, and take any action necessary.
482

483 Planning Manager David Gonzales provided a brief explanation in regards to the request.
484 Essentially, this project would have been in consent if not for exception that they are requesting.
485 The applicant is requesting the approval of a site plan for a 4900 square foot, two story facility
486 along Ranch Trail which is a commercially zoned district. The exception that they are requesting
487 is for the primary and secondary building articulation requirements with the metal building which
488 are hard to meet. The applicants provided a letter to the Commission explaining their exception
489 and offering to provide compensatory measures. They are providing a masonry wainscot around
490 the building which would be around three sides of the building with the applicant confirming this
491 during the ARB meeting. The Architectural Review Board then recommended approval with the
492 placement of the wainscot on four sides. They are also adding some trees and landscaping as
493 part of their compensatory measures. Mr. Gonzales then advised the Commission that the
494 applicant was present and available to answer any questions as well as staff.
495

496 Chairman Chodun asked the applicant to come forward.
497

498 Steven Reyes
499 2235 Ridge Rd.
500 Rockwall, TX
501

502 The applicant provided further information in regards to the request.
503

504 Commissioner Womble made a motion to approve item SP2019-050 with staff recommendations
505 with Commissioner Fishman seconding the motion which passed by a vote of 6-0.
506

507 **12. SP2019-051 (David)**

508 Discuss and consider a request by Rachel Gruber of Perkins and Will on behalf of Jason Linscott of Texas
509 Health Hospital Rockwall for the approval of an amended site plan for a hospital (*Presbyterian Hospital*)
510 on a 18.871-acre parcel of land identified as Lot 23, Block A, Presbyterian Hospital of Rockwall Addition,
511 City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General
512 Retail (GR) District land uses, addressed as 3150 Horizon Road, and take any action necessary.
513

514 Planning Manager David Gonzales provided a brief explanation in regards to the request. Mr.
515 Gonzales reiterated that the applicant was requesting the expansion of the hospital which adds
516 an additional 84,000 square feet. He brought into account the cup (central utility plant) which will
517 be a little under 7,000 square feet. The applicant does meet all the standards required by the
518 Unified Development Code. The applicant is requesting a relief from the 432 caliper inches that is
519 essentially going to require an alternative tree mitigation settlement through the City Council. Mr.
520 Gonzales advised the Commission that the relief is a discretionary decision and if it is denied then
521 they would need to come back and the applicant needs to satisfy the mitigation. Three ways they
522 can do that would be to pay into the tree fund which is \$43,200, they can plant 432 inches onto the
523 site, or they can work with the Parks department to provide 432 inches to that. This would be
524 noted as a condition of approval to this request. They would need to come back and plat the entire
525 tract to plat that as one lot. The CUP would have to have landscape along the facility to prevent
526 notice to the residential district. At the end, it was noted that ARB recommended approval. Mr.
527 Gonzales then advised the Commission that the applicant was present and available for questions
528 as well as staff.

529 Commissioner Chodun asked whether it was possible to approve the site plan without approving
530 the tree mitigation with Planning Director Ryan Miller saying that they may want to take that in two
531 motions.
532

533 Commissioner Chodun asked that the applicant come forward.
534

535 Michael Kendall
536 6976 Santa Barbara
537

538 The applicant came forward and gave further information to the specific request regarding the tree
539 mitigation. He explained that he's asking the relief for two reasons. One being the bald cypress
540 trees are large and while it was shown on the original PD plan, it was not part of the underlined
541 zoning requirements. Also, the trees were planted 15 feet on center when they would originally be
542 thirty feet on center and have now become a maintenance and visual obstruction to the building.
543

544 Jason Linscott
545 1407 Corrara
546 McClendon-Chisholm, TX
547

548 The applicant came forward and provided further concerns in regards to the request. The main
549 issue being patient safety and whether patients can access or have better access to the hospital.
550

551 Commissioner Womble asked them if they considered relocating the trees around the area. Vice-
552 Chairman Welch asked whether they would be able to recycle the inches to the Parks department.
553

554 Commissioner Thomas made a motion to approve the site plan with Commissioner Womble
555 seconding the motion which passed by a vote of 6-0.
556

557 Commissioner Thomas made a motion for denial of alternative tree mitigation with Commissioner
558 Moeller seconding the motion to deny the alternative tree mitigation. Commissioner Thomas
559 removed his motion for denial. Chairman Chodun and Commissioners Welch and Moeller voted

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to deny the tree mitigation settlement and Commissioners Fishman, Thomas, and Womble approved the tree mitigation making the motion for denial fail with a vote of 3-3.

Rachel Gruber
2218 Bryan Street

Ms. Gruber came forward and wanted clarification in regards for the tree mitigation.

13. SP2019-052 (David)

Discuss and consider a request by David Hughes of Integrity Group, LLC on behalf of John Delin of RW Ladera, LLC for the approval of a site plan for an amenities center for the Ladera of Rockwall Subdivision being a 37.80-acre parcel of land identified as Lot 1, Block A, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85) for Single-Family 7 (SF-7) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Planning Manager David Gonzales provided a brief explanation in regards to the request. He explained how this project requires various steps for zoning and this would be the final step. This facility will have 122 particular units within the single lot. This site plan provides the amenities such as pickle ball court, putting green, and primary and secondary activity center among others. The ARB did recommend an approval for the project. Mr. Gonzales advised the Commission that the applicant were present and available for questions as well as staff.

David Hughes
361 W. Byron Nelson
Roanoke, TX

Ryan Delaney
361 W. Byron Nelson
Roanoke, TX

Commissioner Moeller made a motion to approve item SP2019-052 with staff recommendations with Commissioner Womble seconding the motion which passes by a vote of 6-0.

VII. DISCUSSION ITEMS

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

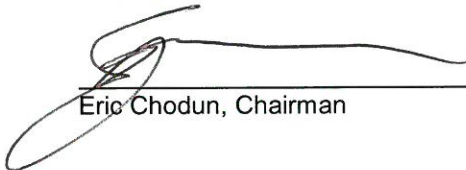
- ✓ P2019-048: Final Plat for Lot 1, Block A; Lot 1, Block B; Lot 1, Block C; and Lot 1, Block D, Rockwall Commercial Addition [Approved]
- ✓ P2019-049: Conveyance Plat for Lot 1, Block A, TAC Addition [Postponed]
- ✓ P2019-050: Replat for Lots 24 & 25, Rainbo Acres Addition [Postponed]

Planning Director, 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 8:39 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 28 day of January, 2020.


Eric Chodun, Chairman

Attest:

Angelica Gamez, Planning Coordinator

622
623

MINUTES



PLANNING AND ZONING WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JANUARY 28, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 **I. CALL TO ORDER**

3
4 Chairman Eric Chodun called the meeting to order at 6:02 PM. The Commissioners present at the meeting were Sedic Thomas,
5 John Womble, Tracey Logan, and Vice-Chairman Jerry Welch. Absent from the meeting were Commissioner Annie Fishman and
6 Mark Moeller. Staff members present were Planning and Zoning Director Ryan Miller, Planning Manager David Gonzales, Senior
7 Planner Korey Brooks, Planning and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams, and Civil Engineer Sarah
8 Johnston.

9
10 **II. OPEN FORUM**

11
12 Chairman Chodun explained how Open Forum is conducted and asked if anyone wished to speak to come forward at this
13 time. There being no one coming forward to speak Chairman Chodun closed the open forum.

14
15 **III. APPOINTMENTS**

- 16
17 1. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items
18 on the agenda requiring architectural review.

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

22
23 **IV. CONSENT AGENDA**

- 24
25 2. Approval of Minutes for the January 14, 2020 Planning and Zoning Commission meeting.

26
27 3. **P2020-002 (Korey)**

28 Consider a request by Michael Hunter of the Rockwall Housing Development Corporation for the approval of a replat of Lot 1, Block
29 A, RHDC Addition being a 0.11-acre parcel of land currently identified as a portion of Lot 4, Block H, Sanger Brothers Addition, City
30 of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, located at the northwest corner of the intersection of E.
31 Bourn Street and Peters Colony, and take any action necessary.

32
33 4. **P2020-003 (David)**

34 Consider a request by Dub Douphrate of Douphrate and Associates, Inc. on behalf of Bob and Pam Hawley for the approval of a
35 replat for Lot 7, Block A, Maverick Ranch Addition being a 1.55-acre parcel of land currently identified as Lot 5, Block A, Maverick
36 Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 196 & 216 Ranch Road,
37 and take any action necessary.

38
39 5. **P2020-004 (David)**

40 Consider a request by Anna C. Blackwell of Carrillo Engineering, LLC on behalf of Eddie Martin of Retail Partners, LLC for the
41 approval of a replat for Lots 29 & 30, Block A, Lake Ridge Estates Addition being a 1.1755-acre parcel of land identified as Lot 26 of
42 the Lake Ridge Estates Addition, City of Rockwall, Rockwall County, Texas, situated within the Ridge Road Retail Subdistrict of
43 Planned Development District 32 (PD-32), located within the Scenic Overlay (SOV) District, addressed as 2930 Ridge Road [FM-
44 740], and take any action necessary.

45
46 6. **P2020-005 (Korey)**

47 Consider a request by Kevin Patel of Triangle Engineering, LLC on behalf of Gene Cooper of Howell MTN RE, LLC for the approval
48 of a preliminary plat for a 39.53-acre tract of land identified as Lot 1, Block A, Rockwall Hospital Addition and Tract 18 of the J. D.
49 McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the
50 SH-205 Overlay (SH-205 OV) District, located at the northwest corner of the intersection of SH-276 and SH-205, and take any action
51 necessary.

52
53 Commissioner Logan made a motion to approve the consent agenda. Commissioner Thomas seconded the motion which passed by
54 a vote of 5-0 with Commissioners Moeller and Fishman absent.

59 **V. ACTION ITEMS**

60
61 **7. MIS2020-002 (David)**

62 Discuss and consider a request by Jake Fears, PE of Weir & Associates, Inc. on behalf of Chad DeBose of Foremark or the approval
63 of an amended tree mitigation plan in conjunction with an approved site plan for a multi-tenant retail building on a 2.542-acre tract of
64 land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned
65 Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV)
66 District, located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action
67 necessary.
68

69 Planning Manager David Gonzales provided a brief explanation and background of the request. He provided a revised report to the
70 Commission with a few changes in numbers. He explained to the Commission that they had been presented a site plan earlier this
71 year which included a treescape plan. The applicant is requesting to remove 17 more trees. The reason for this request is that these
72 are feature trees and cannot be removed without the Planning and Zoning Commission's approval. If this request is approved then it
73 will increase the applicant's tree mitigation balance to 1,029 inches, which will be due at the time of final plat. According to the UDC,
74 the Planning and Zoning Commission is responsible for reviewing and approving or disapproving treescape plans. Mr. Gonzales
75 advised the Commission that the applicant and staff were present and available for questions.
76

77 Chairman Chodun asked the applicant to come forward to answer any questions.
78

79 **Jake Fears**
80 2201 E. Lamar Blvd.
81 Arlington, TX
82

83 The applicant came forward and provided further information pertaining to the request. He stated that they had to remove one (1) tree
84 due to revised grading along the southwest corner of the building. He also explained that there was going to be an additional building
85 constructed near the southeast corner of the property where the a large number of trees are located; however, they were unable to
86 work out the placement of the building.
87

88 Chairman Chodun asked if there were further questions for the applicant. There being no further questions, he brought the item back
89 to the Commission for discussion or action.
90

91 Commissioner Logan gave further input and stated her disapproval for the cutting down of the feature trees. The applicant came
92 forward to readdress the Commission and provided additional information about which trees were different from the original site plan.
93

94 Commissioner Logan made a motion to approve item MIS2020-002 and approve the removal of tree #2474 only, disallowing the
95 removal of the remainder of the trees that are not necessary to be removed for construction of the building. Commissioner Womble
96 seconding the motion, which passes by a vote of 5-0 with Commissioners Moeller and Fishman absent.
97

98 **8. MIS2020-003 (David)**

99 Discuss and consider a request by Timothy Bates of Plano Marine on behalf of Jason Breland of Suntex Marina Investors, LLC for
100 the approval of a special exception to the screening requirements for an existing marina on a 6.282-acre tract of land identified as
101 Tracts 134, 134-14 & 134-15 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Agricultural
102 (AG) District, situated within the Lake Ray Hubbard Takeline Overlay (TL OV) District, located at the western terminus of Henry M.
103 Chandlers Drive, and take any action necessary.
104

105 Planning Manager David Gonzales provided a brief explanation and background of the request. He provided the applicant's letter in
106 addition to the exhibits. Mr. Gonzales explained how this case was tied to the Specific Use Permit (SUP) that had gone before the
107 City Council at their previous meeting. One of the reasons the applicants are coming forward is to provide the screening fence required
108 by the current Conditional Use Permit (CUP) ordinance. There was a wood fence in place that was taken down and the applicant
109 wanted to replace that with a six (6) foot masonry screening fence. Part of the ordinance requires that the fence have landscaping as
110 well. Mr. Gonzales reminded the Commission about the statements made by residents during the public hearing, and that they were
111 against incorporating the landscaping. The applicant's current request is asking for the permission to build the masonry fence with
112 the exception of not having any trees or having to plant any trees as required by the Unified Development Code. He also explained
113 that the public came out and did not want any of the trees obstructing the view. Mr. Gonzales told the Commission that it is a
114 discretionary decision from the Commission but it does require ¾ of the majority vote. With that, he stated that the applicant and staff
115 were available to answer questions.
116

117 Commissioner Chodun asked the applicant to come forward.
118

119 **Jason Breland**
120 1 Harborview Dr.
121 Rockwall, TX 75032

122 The applicant came forward and provided further information in regards to the request.
123
124

125 Commissioner Womble made a motion to approve item MIS2020-003 with Vice-Chairman Welch seconding the motion passed by a
126 vote of 5-0.
127

128 **9. MIS2020-004 (David)**

129 Discuss and consider a request by Rachel Gruber of Perkins and Will on behalf of Jason Linscott of Texas Health Hospital Rockwall
130 for the approval of an Alternative Tree Mitigation Settlement Agreement in conjunction with an approved site plan for a hospital
131 (Presbyterian Hospital) on a 18.871-acre parcel of land identified as Lot 23, Block A, Presbyterian Hospital of Rockwall Addition, City
132 of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses,
133 addressed as 3150 Horizon Road, and take any action necessary.
134

135 Planning Manager David Gonzales provided a brief explanation and background in regards to the request. He reminded the
136 Commission that the original site plan had been approved a couple of weeks ago. As part of that site plan, the applicant requested
137 an alternative tree mitigation settlement agreement for a 432-inch balance. In this request the applicant was requesting a waiver to
138 the full mitigation balance. Essentially, the Commission provided a recommendation of denial to the City Council, however the
139 applicant stated that they did not want to go forward with that request and withdrew the application. The applicant then submitted a
140 subsequent application in order to present an alternate plan this evening. This plan included increasing the number of inches that
141 are being removed from the previous site plan and including additional inches to be planted on site. Based on the UDC, there are
142 three (3) things they can do: [1] provide trees on site, [2] petition to parks and recreation department to accept a certain amount of
143 trees (which in this case there's a mitigation balance that would be equal to 65, three (3) inch caliper trees or 49, four (4) inch trees),
144 and [3]they could purchase preservation credits equal to 20% of the balance and provide the remainder in trees on-site or to the
145 Parks and Recreation Department. Mr. Gonzales explained how in this case, the applicant is wanting to purchase 20% of the mitigation
146 total of 818-inches. This would translate to 164-inches in the amount of \$16,400.00. With that there is still a remaining balance of
147 194-inches (i.e. less 20% and what is being planted on-site) that will need to be accounted for and to which the applicant is request
148 a full waiver. According to the alternative tree settlement agreement in the UDC, the City Council has the ability to approve an
149 alternative tree mitigation plan on a case by case basis pending a recommendation from the Planning and Zoning Commission. If this
150 were to be approved then \$16,400.00 would go towards the tree mitigation fund for the Parks and Recreation Department to put up
151 trees around the city. Mr. Gonzales advised the Commission that the applicant was here and available for questions as well as staff.
152

153 Chairman Chodun asked the applicant to come forward.
154

155 **Rachel Gruber**
156 2218 Bryan Street
157 Dallas, TX
158

159 The applicant came forward and provided further information in regards to the request. She explained how she went back to the client
160 and came up with another solution to approach the case. Ms. Gruber explained how for over half of the caliper inches that they are
161 removing, they are replacing with trees on-site to go towards total mitigation. She explained there was a letter included with an exhibit
162 that explained her request and showed the variety of trees on-site. According to Ms. Gruber, when the original site plan came in, there
163 were some bald cypress trees that had been planted 15-feet on center and she believes they are too close together for the varietal
164 of tree. She also stated that the 20% payment would be for trees that were planted above and beyond the requirements of the UDC
165 at the time the hospital was constructed. Another reason would be that they cause a visibility issue for the hospital for patients trying
166 to find the hospital from FM-740. She also stated that they would be incorporating some small ornamental trees on-site.
167

168 Vice- Chairman Welch and Commissioner Womble inquired further information in regards to the request.
169

170 Planning Manager David Gonzales explained how preservation credits work, stating that the maximum amount that you can request
171 is 20% of the total mitigation balance. However, the remaining balance is to be mitigated as well which is why the applicant is
172 additionally asking for a waiver of the remaining balance which would equate to a \$19,400 credit.
173

174 Planning and Zoning Director Ryan Miller provided a brief clarification in regards to the other discretionary options for the Commission.
175 He explained how the UDC states that only 20% is the maximum amount that can be taken administratively but thats only if you're
176 meeting the ordinance and providing 80% of the trees. He also stated that the Planning and Zoning Commission and City Council
177 have discretion with regard to what they approve (i.e. 20% or more) in an alternative tree mitigation settlement agreement.
178

179 Ms. Gruber, the applicant, later corrected herself and stated that they were only asking for 24% of the waiver for the overall mitigation
180 plan.
181

182 Planning and Zoning Director Ryan Miller advised the Commission that those trees were required for tree mitigation when the hospital
183 was built. He explained that those bald cypress trees were not planted above and beyond the requirements of the UDC but were used
184 to wipe out a previous mitigation balance.

185
186 Chairman Chodun asked if there were any further questions for the applicant and, there being no further questions, he brought the
187 item back to the Commission for discussion or action.

188
189 Commissioner Womble made a motion to deny item MIS2020-004 with Commissioner Logan seconding the motion. The motion was
190 approved by a vote of 4-1, with Vice-Chairman Welch dissenting.

191
192 **VI. DISCUSSION ITEMS**

193
194 **10. MIS2020-001 (David)**

195 Discuss and consider a request by Russell Martin of HFRPI, LLC for the approval of an Alternative Tree Mitigation Settlement
196 Agreement in conjunction with an approved site plan for a strip retail center on a 1.1755-acre parcel of land identified as Lot 26 of the
197 Lake Ridge Estates Addition, City of Rockwall, Rockwall County, Texas, situated within the Ridge Road Retail Subdistrict of Planned
198 Development District 32 (PD-32), located within the Scenic Overlay (SOV) District, addressed as 2930 Ridge Road [FM-740], and
199 take any action necessary.

200
201 Chairman Chodun asked the applicant to come forward.

202
203 **Russell Martin**

204 550 Bailey Ave.
205 Fort Worth, TX

206
207 Mr. Martin came forward and provided further information in regards to his request. He explained that he's requesting an alternate
208 mitigation for their strip retail center in lieu of providing funds. A pocket park would provide an entry way to the Harbor district and
209 allow them to place signage for the Harbor and the Glen Hill Cemetery. They would also like to help clean up the cemetery. Mr. Martin
210 reiterated that he would be providing the right of way for Glen Hill Way. There would be 668-inches of trees being removed but they
211 would also be providing trees on site.

212
213 Planning and Zoning Director Ryan Miller advised the Commission that the Parks and Recreation Board will be making a
214 recommendation in regards to the corner of land on the south side of Glen Hill Way. In addition, they will also get a recommendation
215 from Architectural Review Board (ARB) on the proposed signage design.

216
217 Chairman Chodun brought the item back to the Commission for questions and discussion.

218
219 There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled
220 meeting.

221
222 **11. P2020-006 (David)**

223 Discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Jeff Kennemer and Robert Witte of
224 Saddle Star South Holdings, LLC, William Thraikill of CDT Rockwall/2017 LLC, and Gwendolyn Reed for the approval of a master
225 plat/open space plan for the Saddle Star South Subdivision containing 176 single-family residential lots on a 70.408-acre tract of land
226 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,
227 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
228 Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of Featherstone Drive
229 John King Boulevard, and take any action necessary.

230
231 Chairman Chodun asked the applicant to come forward.

232
233 **Pat Atkins**

234 3076 Hays Drive
235 Rockwall, TX

236
237 Mr. Atkins came forward and advised the Commission that he had reviewed staff recommendations and is in agreement with them.
238 He then indicated that he was available to answer any questions.

239
240 Chairman Chodun brought the item back to the Commission for questions and discussion.

241
242 There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled
243 meeting on February 11th.

244
245 **12. SP2019-047 (David)**

246 Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of the owner Brad Bacon of Bacon Property, LLC
247 for the approval of a site plan for an office/warehouse building on a 3.57-acre parcel of land identified as Lot 1-M of the Bodin Industrial

248 Tract, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV)
249 District, addressed as 2055 Kristy Lane, and take any action necessary.
250

251 Planning Manager David Gonzales provided a brief explanation and background in regards to the request. He mentioned that the
252 ARB had approved the plan 7-0, but there were still some variances needed since the property was located in the IH-30 Overlay (IH-
253 30 OV) District. He explained that the applicant will be coming before the Commission with the variance requests as well as the
254 driveway request in two (2) weeks. With that, Mr. Gonzales advised the Commission that he was available to answer any questions.
255

256 There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled
257 meeting.
258

259 **13. SP2020-001 (Korey)**

260 Discuss and consider a request by Michael Legg of Legg Architecture, LLC for the approval of a site plan for a for a restaurant with
261 drive through (*i.e. Golden Chick*) on a 1.03-acre parcel of land identified as Lot 1, block A, Grandy's Addition, City of Rockwall,
262 Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 726 E.
263 IH-30, and take any action necessary.
264

265 Senior Planner Korey Brooks provided a brief explanation in regards to the request. Since there were structural changes being made
266 to the exterior, this case required review by the Architectural Review Board (ARB). He advised that the ARB had reviewed the case
267 and made recommendations, which were forwarded to the applicant. Mr. Brooks explained that those would be reviewed at the next
268 meeting on February 11th due to the applicant not being able to make it to the meeting.
269

270 Chairman Chodun brought the item back to the Commission for questions and discussion.
271

272 There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled
273 meeting.
274

275 **14. SP2020-002 (Korey)**

276 Discuss and consider a request by Greg Wallis of Mershawn Associates, LLC for the approval of a site plan for a medical office
277 building on a 0.45-acre parcel of land identified as Lot 10, Block A, Municipal Industrial Park Addition, City of Rockwall, Rockwall
278 County, Texas, zoned Light Industrial (LI) District, 855 Whitmore Drive, and take any action necessary.
279

280 Chairman Chodun asked the applicant to come forward.
281

282 **Greg Wallis**

283 1520 E I-30
284 Rockwall, TX
285

286 The applicant came forward and provided additional information in regards to the request. Mr. Wallis explained that they did not have
287 a chance to meet with Architectural Review Board (ARB) but reviewed the recommendations with Senior Planner Korey Brooks. They
288 will go back to the drawing board and resubmit changes next week. He added there was another variance in regards to the articulation.
289

290 Chairman Chodun brought the item back to the Commission for questions and discussion.
291

292 There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled
293 meeting on February 11th.
294

295 **15. Director's Report of post Council meeting outcomes of Planning & Zoning cases (Ryan).**
296

- 297 • P2019-049: Final Plat for Lot 1, Block A, TAC Rockwall Addition [*Postponed*]
- 298 • P2020-001: Replat for Lot 12, Block C, Ridgecrest Addition [*Approved*]
- 299 • SP2019-043: Alternative Tree Mitigation Plan for 407 Ranch Trail [*Approved*]
- 300 • Z2019-026: SUP for Chandler's Landing Marina (*1st Reading*) [*Denied*]
- 301 • Z2019-027: SUP for Big-Tex Trailers (*1st Reading*) [*Approved*]
- 302 • Z2019-028: Unified Development Code (*1st Reading*) [*Approved*]
- 303

304 Planning and Zoning Director, Ryan Miller, provided a brief update about the outcome of the above referenced case at the City Council
305 meeting.
306

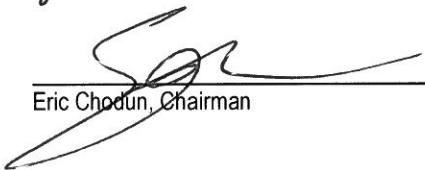
307 **VII. ADJOURNMENT**
308

309 Chairman Chodun adjourned the meeting at 7:05 PM.

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322

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

11 day of February, 2020.



Eric Chodun, Chairman

Attest:



Angelica Gamez, Planning Coordinator

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
FEBRUARY 11, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 **I. CALL TO ORDER**

3
4 Chairman Eric Chodun called the meeting to order at 6:00 PM. The Commissioners present at the meeting were John Womble, Tracey
5 Logan, Sedric Thomas, Mark Moeller, Annie Fishman, and Vice-Chairman Jerry Welch. Staff members present were Planning and
6 Zoning Director Ryan Miller, Planning Manager David Gonzales, Senior Planner Korey Brooks, Planning and Zoning Coordinator
7 Angelica Gamez, City Engineer Amy Williams, and Civil Engineers Jeremy White and Sarah Johnston.

8
9 **II. OPEN FORUM**

10
11 Chairman Chodun explained how Open Forum is conducted and asked if anyone wished to speak to come forward at this time.

12
13 Jim Turner
14 1691 Old. E. Quail Run Rd.
15 Rockwall, TX 75087

16
17 Mr. Turner came forward and addressed the Commission. He explained two (2) particular issues in regards to the rules and regulations
18 of John King. The first issue being the requests for tree mitigations from developers. Mr. Turner stated that there could only be a certain
19 amount of trees donated to the Parks department or placed in a tree bank. He expressed that by mitigating trees, developers gain
20 square footage, lots, and extra money. The second issue highly concerning him is the placement of a playground close to the street that
21 will eventually turn into a state highway. He worried about how they're going to be putting a state highway between two (2) schools. In
22 regards to the master plan issued at the time of building John King, Mr. Turner stated how none of what was promised had been
23 implemented. He understood that the master plan is a guideline but there was a reason why it was there.

24
25 Chairman Chodun asked Planning and Zoning Director Ryan Miller whether he wanted to provide input to address the concerns stated
26 by Mr. Turner.

27
28 Mr. Miller gave a brief background and explanation in regards to the concerns. He explained how the playground mentioned by Mr.
29 Turner is a private HOA playground that was placed when zoning came in in 2015 and setback requirements were thirty (30) feet off
30 the property line. The playground is actually built fifty-seven (57) feet off the right-of-way. The developer was asked to change the
31 location but he did not comply with that. Based on a safety standpoint, he was then asked to place some two (2) ton boulders to provide
32 separation and provide additional canopy trees between the playground and the boulders to better screen the area. The developer was
33 also asked to provide a wrought iron gates to prevent kids getting out of the area. Mr. Miler expressed how there are no legal
34 mechanisms in the ordinances to change the placement of that playground since it is a private HOA amenity.

35
36 Chairman Chodun asked if anyone else wished to speak to come forward at this time, there being no one else-Chairman Chodun closed
37 the Open Forum.

38
39 **III. APPOINTMENTS**

- 40
41 1. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items
42 on the agenda requiring architectural review.

43
44 A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the
45 Architectural Review Board meeting.

46
47 **IV. CONSENT AGENDA**

- 48
49 2. Approval of Minutes for the January 28, 2020 Planning and Zoning Commission meeting.

- 50
51 3. **P2020-006 (DAVID GONZALES)**

52 Consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners Jeff Kennemer and Robert Witte of Saddle
53 Star South Holdings, LLC, William Thrailkill of CDT Rockwall/2017 LLC, and Gwendolyn Reed for the approval of a Master

54 Plat/Open Space Plan for the Saddle Star South Subdivision containing 176 single-family residential lots on a 70.408-acre tract
55 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,
56 Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-
57 205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of
58 Featherstone Drive John King Boulevard, and take any action necessary.

59
60 **4. SP2020-002 (KOREY BROOKS)**

61 Discuss and consider a request by Greg Wallis of Mershawn Associates, LLC for the approval of a Site Plan for a medical office
62 building on a 0.45-acre parcel of land identified as Lot 10, Block A, Municipal Industrial Park Addition, City of Rockwall, Rockwall
63 County, Texas, zoned Light Industrial (LI) District, 855 Whitmore Drive, and take any action necessary.

64
65 Commissioner Thomas made a motion to approve the consent agenda. Commissioner Moeller seconded the motion which
66 passed by a vote of 7-0.
67

68 **V. ACTION ITEMS**

69
70 **5. MIS2020-001 (DAVID GONZALES)**

71 Discuss and consider a request by Russell Martin of HFRPI, LLC for the approval of an Alternative Tree Mitigation Settlement
72 Agreement in conjunction with an approved site plan for a strip retail center on a 1.1755-acre parcel of land identified as Lot 26
73 of the Lake Ridge Estates Addition, City of Rockwall, Rockwall County, Texas, situated within the Ridge Road Retail Subdistrict
74 of Planned Development District 32 (PD-32), located within the Scenic Overlay (SOV) District, addressed as 2930 Ridge Road
75 [FM-740], and take any action necessary.
76

77 Planning manager David Gonzales provided a brief explanation and background in regards to the request. He explained to the
78 Commission how a site plan for a strip retail center was approved in November and it's located in PD-32 (Planned Development
79 District 32), which is commonly referred to as the Harbor District. City Council replatted the site which included dedicating a right-
80 of-way for Glen Hill Way and creating an entrance into the Harbor District. At the time of approval of the replat, a condition was
81 established for the City Council to consider a request by the applicant for an Alternative Tree Mitigation Settlement Agreement for
82 the purpose of creating a park area for Lot 30. The treescape plan indicates a total of 557-inches being removed from the site and
83 requiring mitigation. After the removal of those inches, there is still a total mitigation balance due of 212-inches. Mr. Gonzales
84 explained that the applicant's request is intended to relieve the total mitigation balance by providing the City with the small park
85 that will contain an entry sign to the Harbor district, as well as trees and park benches. He further stated that the cost of the park
86 will be in excess of \$100,000 at the time of dedication to the City, and will exceed the cost of associated with the mitigation balance
87 due of 212-inches which is \$21, 200. According to the Unified Development Code (UDC), City Council has the ability to approve
88 an Alternative Tree Mitigation Settlement Agreement on a case-by-case basis pending a recommendation from the Planning and
89 Zoning Commission. Should this request be approved, the applicant's overall mitigation balance due of 212-inches would be
90 dissolved and the construction of the small park will move forward. Should it not be approved, the applicant must then settle the
91 remaining mitigation balance. On February 4, 2020, the Parks and Recreation Board reviewed the request for the pocket park and
92 approved a motion to recommend approval of the request to the Planning and Zoning Commission and City Council by a vote of
93 5-0. In addition, the Architectural Review Board (ARB) will provide a recommendation to the Planning and Zoning Commission
94 concerning the proposed signage at their meeting on February 11, 2020. Mr. Gonzales then advised the Commission that the
95 applicant and staff were present and available for questions.
96

97 Planning Director Ryan Miller added that there was no room on the property for additional trees which is why the applicant is having
98 to go through the tree mitigation plan.
99

100 Chairman Chodun asked the applicant to come forward.

101 Russell Martin
102 102 Smallwood Drive
103 Westworth Village, TX 76114
104
105

106 Mr. Martin came forward and gave a brief explanation of the request.
107

108 Commissioner Moeller made a motion to approve item MIS2020-001 with staff recommendations. Vice-Chairman Welch seconded
109 the motion which passed by a vote of 7-0.
110

111 **6. SP2019-047 (DAVID GONZALES)**

112 Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of the owner Brad Bacon of Bacon Property,
113 LLC for the approval of a Site Plan for an office/warehouse building on a 3.57-acre parcel of land identified as Lot 1-M of the

114 Bodin Industrial Tract, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30
115 Overlay (IH-30 OV) District, addressed as 2055 Kristy Lane, and take any action necessary.
116

117 Planning Manager David Gonzales provided a brief explanation and background in regards to the request. The applicant is
118 requesting the approval of a site plan that was shown at the January 28, 2020 meeting. There are several variances and exceptions
119 associated with this site plan such as building materials, building articulation, landscape screening fence, and driveway spacing
120 requirements. Back in January, the applicant indicated that they would be storing vehicles on the back side of the property and the
121 Unified Development Code (UDC) calls for that to be screened by two (2) options. Both of those options require three (3) tiered
122 screening and the applicant did make changes to the site where it would be possible to have. The applicant is also providing some
123 small trees, accent trees and canopy trees, and wrapping them around the east and west sides to provide the screening. The one
124 (1) item that needs to be brought up again is that the applicant is requesting to place a chain link fence with vinyl coating for the
125 three (3) tiered screening in lieu of a wrought iron fence. Mr. Gonzales noted that the proposed fence would be adjacent to other
126 industrial use properties and does not appear to have a negative impact on them. In the Light (LI) Industrial district, the chain link
127 fence with vinyl coating is allowable by right but it is a discretionary decision for the Planning and Zoning Commission which has
128 been included as a condition of approval.
129

130 Mr. Gonzales explained that based on the information provided by the applicant, the following seven (7) variances were identified
131 as requirements of the IH-30 Overlay (OV) and the UDC. When it comes to primary materials, in regards to the building materials,
132 the North and South building elevations meet the requirements. When the applicant met with the Architectural Review Board (ARB),
133 they asked that they make changes to the building to meet the articulation requirements. They also asked that the North side of
134 the building, which faces IH-30, be dressed up to resemble the South side of the building and meet the standards associated with
135 the IH-30 OV district. After changes were made by the applicant, ARB unanimously approved the request as well as the remaining
136 requested variances. The other remaining variances are associated with the East and the West sides of the building. The
137 requirements for stone are being met by all sides of the building except the East and West sides. In the case of the secondary
138 materials, the applicant is providing an exterior wood panel system on the primary entrance to the facility and on the rear of the
139 building and exceeds the permitted amount of metal/steel on the east and west building facades. With the secondary building
140 façade requirements, they are meeting it only on the front elevation of the building. According to the UDC, a four (4) sided structure
141 should have all four (4) matching sides which, in this case, the requirement is not meant on two (2) sides of the structure. Due to
142 the width of the site at the street and the fact that the property is partially only accessible by a cul-de-sac, the applicant is requesting
143 the variance to accommodate two (2) driveways for the purpose of providing two (2) points of ingress and egress.
144

145 The UDC states that in cases where variances or exceptions are being requested, the applicant shall provide compensatory
146 measures that directly offset the requested exception or variance. In this case, the applicant has provided letters explaining the
147 exceptions and variances being requested and the proposed compensatory measures for such. The Planning and Zoning
148 Commission is tasked with determining if the compensatory measures properly off-set the requested variances. Mr. Gonzales
149 explained that this is a discretionary decision for the Planning and Zoning Commission that requires approval by a super majority
150 vote or three fourths (3/4) of the majority vote. Although the ARB did not meet in December, they did provide recommendations in
151 January and passed a motion to approve the building elevations and the exceptions and variances associated with the building.
152 The Planning and Zoning Commission was given different options when approving the request such as the following: (1) Approving
153 the site plane separately; (2) Approve the variances all in one motion; or (3) Approve the variances one by one. Mr. Gonzales then
154 advised the Commission that the applicant and staff were present and available for questions.
155

156 Chairman Chodun asked the applicant to come forward.

157
158 Jeff Carroll
159 750 E. I-30
160 Rockwall, TX 75087
161

162 Mr. Carroll came forward and provided further information in regards to the request. He explained that the reason for not adding
163 stone to the west side of the building is because they will be starting construction on Phase 2 and he hoped that the trees would
164 provide sufficient coverage. Mr. Carroll did not provide a timeline for the beginning of construction for Phase 2.
165

166 Commissioner Thomas made a motion to approve the site plan for item SP2019-047 as well as the variances, with Commissioner
167 Womble seconding the motion which passed by a vote of 7-0.
168

169 VI. DISCUSSION ITEMS

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

- 171 • P2020-002: Replat for Lot 1, Block A, RHDC Addition [APPROVED]
- 172 • P2020-003: Replat for Lot 7, Block A, Maverick Ranch Addition [APPROVED]
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- 174

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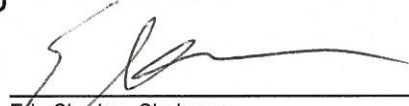
- P2020-004: Replat for Lots 29 & 30, Block A, Lake Ridge Estates Addition [APPROVED]
- P2020-005: Preliminary Plat for Lots 1-7, Block A, SH-276 Rockwall Addition [APPROVED]
- Z2019-027: 2nd Reading of SUP for Big Tex Trailers [APPROVED]
- Z2019-028: 2nd Reading Unified Development Code (UDC) [APPROVED]

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


VII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 6:36 pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this _____
_____ 25 day of February, 2020.



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
FEBRUARY 25, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Eric Chodun called the meeting to order at 6:00 PM. The Commissioners present at the meeting were Sedric Thomas,
5 Annie Fishman, and Vice-Chairman Jerry Welch. Absent from the meeting were Commissioners John Womble, Tracey Logan, and
6 Mark Moeller. Staff members present were Planning and Zoning Director Ryan Miller, Planning Manager David Gonzales, Senior
7 Planner Korey Brooks, Planning and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams, and Civil Engineers Jeremy
8 White and Sarah Johnston.
9

10
11 II. OPEN FORUM
12

13 Chairman Chodun explained how Open Forum is conducted and asked if anyone wished to speak to come forward at this
14 time.

15
16 Bob Wacker
17

18 Mr. Wacker came forward and gave a brief summary as to why he was in favor of the condominiums.
19

20 Chairman Chodun then asked if anybody else wished to come forward and speak and there being no one coming forward,
21 Chairman Chodun closed the open forum.
22

23 III. APPOINTMENTS
24

- 25 1. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items on
26 the agenda requiring architectural review.
27

28 A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were
29 discussed at the Architectural Review Board meeting.
30
31

32 IV. CONSENT AGENDA
33

- 34 2. Approval of Minutes for the February 11, 2020 Planning and Zoning Commission meeting.
35

36 3. P2020-007 (KOREY BROOKS)

37 Consider a request by John Arnold of BH Phase XI, LTD on behalf of the owners Cory Knowlton and Chuck Sinks for the approval of
38 a Final Plat for Lots 1-4, Block A, Breezy Hill Lane Addition being a 23.13-acre tract of land identified as Tract 33-1 & 33-02 of the J.
39 Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated at the
40 terminus of Breezy Hill Road, and take any action necessary.
41

42 4. P2020-008 (DAVID GONZALES)

43 Consider a request by Tom Martin of the Skorburg Co. on behalf of Tom Lynch of Pacesetter Homes, LLC for the approval of an
44 Amending Plat for the Gideon Grove Subdivision consisting of 71 single-family residential lots on a 29.182-acre tract of land identified
45 as Gideon Grove – North Addition, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District
46 77 (PD-77), situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of the intersection
47 of E. Quail Run Road and John King Boulevard, and take any action necessary.
48

49 5. P2020-009 (DAVID GONZALES)

50 Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of John Hammerbeck and Tony Scalise of Rockway
51 Partners, LLC for the approval of an Conveyance Plat for Lots 22 & 23, Block A, La Jolla Pointe Addition, Phase 2 being a 9.941-acre
52 tract of land identified as Lots 6, 7 & 20, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned
53 Commercial (C) District, situated within the Scenic Overlay (SOV) District and the IH-30 Overlay (IH-30 OV) District, situated south of
54 the intersection of Carmel Circle and Laguna Drive, and take any action necessary.
55

Vice-Chairman Welch made a motion to approve the consent agenda. Commissioner Fishman seconded the motion which passed by a vote of 4-0 with Commissioners Womble, Logan, and Moeller absent.

V. DISCUSSION ITEMS

6. Z2020-001 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 844 Zion Hill Circle, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief history in regards to the request and he advised the Commission that the applicant's contractor was present. In November, there was a permit issued for the construction of a car port. The car port needed a Specific Use Permit (SUP) since its size exceeded 500 square feet. A permit tech discussed this issue with the contractor, and to avoid the SUP process, the contractor revised the plans to show a smaller car port. However, when the revised site plans came through and were approved, an inspector went out and confirmed that the structure had already been constructed before the permit was approved. At the moment, there is a stop work order and the purpose of this application is to get the zoning in place, request a Specific Use Permit, and to make changes to the structure to where it'll be in compliance. Mr. Gonzales then advised the Commission that the applicant was present.

Chairman Chodun asked the applicant to come forward.

Chris Kehrer
410 Normandy Lane
Heath, TX 75032

The applicant came forward to provide a brief explanation in regards to the request. Mr. Kehrer explained that when they turned in permits on November 25, 2019, they were told that it would take a period of fifteen (15) days. He stated that they did start early with the foundation because they figured that if they got the foundation letter from the foundation engineer that they would sign off on that. Mr. Kehrer took responsibility for beginning the construction before the appropriate time. By the time they received the notice stating that they would need to go through the zoning process the project was already 90% complete. They did file another permit, which was approved, to bring the wall up on the building but decided against it when they noticed it would be too much air conditioning space.

Planning and Zoning Director Ryan Miller asked whether or not the building would have plumbing or not. The applicant stated that plumbing had been added to the back wall for one toilet or a shower. Mr. Miller then explained that it may come back as a secondary living quarters or guest quarters not as an accessory structure as there are multiple non-conformities with regards to the building.

The applicant's contractor, Mr. Kehrer, clarified that the intent for the building was for the applicant to be able to house his cars and other belongings to add value to the house. He also added that they would need to connect the structure to the house in order for them to be in compliance.

Commissioner Fishman asked for clarity in regards to the zoning on the property.

Chairman Chodun brought the item back to the Commission for questions and discussion. There being no further questions, he indicated that the case will return to the Commission for action at the next scheduled meeting on March 10, 2020. .

7. Z2020-002 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry 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 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 702 Parks Avenue, and take any action necessary.

Chairman Chodun asked whether or not the applicant was present.

Planning and Zoning Director Ryan Miller gave a brief overview as to why these cases were brought upon the Commission and why the applicants were requesting SUPs.

116 Reese Baez
117 1415 Open Bay Court
118 Rockwall, TX 75087
119

120 Mr. Baez came forward and added further information in regards to his request. He explained that the residence he was
121 wanting to build was going to be a two story house with hardie board siding with stone wainscoting that goes around the
122 perimeter of the building.
123

124 Chairman Chodun asked for clarification in regards to the being able to see the surrounding structures. He wanted to ensure
125 that consistency with the surrounding houses was not going to be the deciding factor in each case. Planning and Zoning
126 Director Ryan Miller assured him that they (The Commission) was given discretion with each request individually.
127

128 Chairman Chodun brought the item back to the Commission for questions and discussion. There being no further questions,
129 he indicated that the case will return to the Commission for action at the next scheduled meeting on March 10, 2020.
130

131 8. Z2020-003 (DAVID GONZALES)

132 Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of a
133 Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on
134 a 0.161-acre parcel of land identified as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-
135 Family 7 (SF-7) District, addressed as 610 Parks Avenue, and take any action necessary.
136

137 Chairman Chodun asked whether Planning Manager David Gonzales or the applicant from the case before, Reese Baez, had
138 anything to add since the properties being built on the lots were essentially the same. Neither one had any further comment.
139

140 Commissioner Fishman then asked whether there were other two story houses along the same street. Mr. Miller, Planning
141 and Zoning Director, explained that there were other houses similar to the ones being built on the same street.
142

143 Chairman Chodun brought the item back to the Commission for questions and discussion. There being no further questions,
144 he indicated that the case will return to the Commission for action at the next scheduled meeting on March 10, 2020.
145
146

147 9. Z2020-004 (KOREY BROOKS)

148 Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for
149 the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-
150 family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas,
151 zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as
152 705 Peters Colony, and take any action necessary.
153

154 Senior Planner Korey Brooks provided a brief history in regards to the request. He wanted to point out that the front garage
155 on the elevations is more forward than the rest of the home. Typically, homes have to have the garage recessed twenty (20)
156 feet from the front sides of the home whereas in this case the door is recessed behind and the garage is projected forward.
157 Normally, that circumstance would require an exception to be approved in the Southside Overlay District but since an SUP
158 has been requested then it has taken the place of the exception.
159

160 Chairman Chodun asked the applicant to step forward.
161

162 Ambrocio Ibarra
163 171 Crawford Lane
164 Royse City, TX 75189
165

166 The applicant came forward and wanted an explanation of the SUP process since it was his first time going through it. He
167 also asked what the timeline would be for his project to take place.
168

169 Planning and Zoning Director Ryan Miller gave further clarification to Mr. Ibarra's questions.
170

171 Chairman Chodun brought the item back to the Commission for questions and discussion, there being no further questions,
172 indicated the case will return to the Commission for action at the next scheduled meeting.
173
174
175

176 10. Z2020-005 (KOREY BROOKS)

177 Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio for
178 the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-
179 family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County, Texas,
180 zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as
181 703 Peters Colony, and take any action necessary.

182
183 Chairman Chodun asked whether Senior Planner Korey Brooks or the applicant, Mr. Ibarra, had anything to add since the
184 properties being built on the lots were essentially the same. Neither one had any further comment.

185
186 Chairman Chodun then brought the item back to the Commission for questions and discussion.

187
188 Commissioner Thomas asked if there were any concerns pertaining to the garage setback. Senior Planner Korey Brooks
189 explained that it was a discretionary decision for the Commission as well as City Council. He also added that there were
190 similar nearby properties in the neighborhood so they do blend in with the surrounding homes.

191
192 Chairman Chodun had a question regarding any issues with water or runoff and whether or not that issue gets looked at.
193 Planning and Zoning Director Ryan Miller clarified that Building Inspections will review a building plan on a lot by lot basis.

194
195 Senior Planner Korey Brooks added that there a Final Plat that came through the middle of last year in front of the
196 Commission so they have seen the plans before. Commissioner Fishman asked if they would be able to see any variations
197 on the homes and Mr. Brooks explained that the homes requesting to be built would be identical.

198
199 Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, advised
200 the applicant that the case will return to the Commission for action on March 10, 2020.

201
202 **11. Z2020-006 (KOREY BROOKS)**

203 Hold a public hearing to discuss and consider a request by the owner Greg Givens for the approval of a Specific Use Permit (SUP) for
204 an accessory building that exceeds the maximum size requirements on a one (1) acre parcel of land identified as Lot 2, Block B,
205 Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as
206 2308 Saddlebrook Lane, and take any action necessary.

207
208 Chairman Chodun asked Senior Planner Korey Brooks if the applicant was present and asked him to come forward.

209
210 **Greg Givens**
211 **2308 Saddlebrook Lane**
212 **Rockwall, TX 75087**

213
214 The applicant came forward and provided a brief explanation in regards to the request. He intends to build an oversize
215 detached garage with a driveway leading to the building. The reason for it being oversized is due to the size of his pickup
216 truck which will not fit in his current garage as well as his travel trailer. He wants it to be covered and secure to where nothing
217 is being laid out in the weather.

218
219 Chairman Chodun asked what the neighborhood looked like in regards to houses and structures. Senior Planner Korey
220 Brooks advised the Commission that there had been a similar case brought up to them prior and it had been denied. There
221 are other buildings in the neighborhood but they are brick and not metal buildings.

222
223 Commissioner Thomas remembered the prior case and asked the applicant what the reason was for not wanting to have a
224 brick building. The applicant, Mr. Givens, stated that it was mainly because of the cost of having to build a brick building.
225 Commissioner Thomas then advised Mr. Givens to be prepared to receive a number of people against the case due to the
226 results of the prior case named.

227
228 Chairman Chodun asked Planning and Zoning Director Ryan Miller if they could approve a case based on materials or if they
229 were simply approving the SUP. Mr. Miller explained that according to the City Attorney, material could be discussed or
230 conditioned through an SUP.

231
232 Vice- Chairman Welch asked what the necessary size was needed in order to approve the permit and Mr. Brooks explained
233 that the maximum square footage was 625 square feet.

234
235 Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, advised
236 the applicant that the case will return to the Commission for action on March 10, 2020.

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12. Z2020-007 (RYAN MILLER)

Hold a public hearing to discuss and consider a request for the approval of a Text Amendment to amend Article 08, Landscape and Screening, of the Unified Development Code (UDC) for the purpose of changing the fence standards for existing and infill single-family and duplex properties, and take any action necessary.

Director Ryan Miller came forward and provided a brief explanation in regards to the case. Prior to the January 21, 2020 City Council meeting, a work session had been held to review the fence standards that were approved. City Council directed Staff to make the a few changes to the Unified Development Code (UDC). Specifically, the section containing the standards for the Duplex and Infill Single Family Property fences such as fences in areas where they don't have Planned Development (PD) controls or any that were built without Homeowners Association (HOA) controls. The changes are as follows: remove the top rail and decorative cap requirement; remove the section about it being stained and sealed on both sides; remove the framing being placed on the public side when adjacent to an alleyway but have it remain when adjacent to a street or an adjoining property; remove the free of burrs and splinters requirement; and remove the ½ inch or greater fencing material requirement. Staff put together a set of languages addressing City Council's direction and presented it to them. The only change that was not made was the 1/2 inch or greater fencing material requirement due to the fact that there were only seven (7) or eight (8) products (fence pickets) that were smaller and were of composite material which would require an exception through the fence ordinance. City Council stated that these would be handled on a case by case basis. Mr. Miller advised the Commission that any input or discussion could be had concerning the changes and, ultimately, will be taken and presented to City Council. Mr. Miller then advised the Commission that he was available for questions.

Chairman Chodun asked if there were any other questions for Staff and, there being no further questions, indicated the case will return to the Commission for action at the next scheduled meeting.

13. Z2020-008 (KOREY BROOKS)

Hold a public hearing to discuss and consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne Russo of Home Depot USA, Inc. for the approval of a Specific Use Permit (SUP) to allow the *Rental, Sales and Service of Heavy Machinery and Equipment* in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1, Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30, and take any action necessary.

Senior Planner Korey Brooks advised the Commission that the applicant was present.

Chairman Chodun asked the applicant to come forward.

Tom Jones
5815 Meadow Crest
Dallas, TX 75230

Mr. Jones came forward and provided a brief explanation in regards to the request. Mr. Jones explained that he was requesting the outdoor storage for the ten (10) parking spots that are shown at the south end of the building. The rental equipment would be fully loaded on trailers and will be ready to be hooked up or connected to the rear of the vehicle.

Vice-Chairman Welch wanted to know what the difference between this case and a similar case brought before them some time before. Senior Planner Korey Brooks explained that, at the time this application came forward, it was not permitted in a Commercial (C) District. The Commission had previously looked at a text amendment that allowed this use in a Commercial (C) District with an SUP. Essentially, the request presented was the SUP that followed that text amendment.

Commissioner Fishman inquired about what kind of equipment would be used and whether or not the applicant would be doing this for all locations. Mr. Miller explained that they would be using Bobcats or small tract vehicles.

Chairman Chodun asked if there would be a cover provided or if the applicant had considered screening on the South side. The applicant had not considered screening but does have an opportunity to do landscaping, trees, or visual screening as suggested by the Planning and Zoning Commission. Mr. Miller then clarified that it is required by the ordinance to have a screening for the building.

Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, indicated the case will return to the Commission for action at the next scheduled meeting.

14. SP2020-003 (KOREY BROOKS)

298 Discuss and consider a request by Shannon Thomas of Rockwall Friendship Baptist Church for the approval of an Amending Site Plan
299 for a church on a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall
300 County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, located east
301 of the intersection of Justin Road and John King Boulevard, and take any action necessary.

302
303 **Senior Korey Brooks advised the Commission that the applicant was present.**

304
305 **Chairman Chodun asked the applicant to come forward.**

306
307 **Tom Jones (Engineer)/ Josh Heinbeck (Architect)**
308 **5815 Meadow Crest**
309 **Dallas, TX 75230**

310
311 **The applicant came forward and provided brief input in regards to the request. They are requesting the approval of an**
312 **Amended Site Plan, which had been approved some time back. He explained that Architectural Review Board (ARB) had**
313 **made recommendations regarding the site plan to which the applicant will be making changes to by the next week. Mr. Jones**
314 **then advised the Commission that he was available to answer any questions they may have.**

315
316 **Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, indicated**
317 **the case will return to the Commission for action at the next scheduled meeting on March 10, 2020.**

318
319 **15. SP2019-049 (KOREY BROOKS)**

320 Discuss and consider a request by Daniyal M. Awan of Plutus21 Development Fund 5, LLC on behalf of Water's Edge at Lake Ray
321 Hubbard Condominiums Owner's Association, Inc. for the approval of a Site Plan for two (2) multi-family apartment buildings on a
322 6.5995-acre parcel of land identified as Lot 1, Block A, Villas De Portofino Addition, City of Rockwall, Rockwall County, Texas, zoned
323 Planned Development District 22 (PD-22) for Marina, Retail, Office, and Apartment/Condominium land uses, addressed as 2000-2038
324 Portofino Circle, and take any action necessary.

325
326 **Chairman Chodun asked the applicant to come forward.**

327
328 **Daniyal M. Awan**
329 **3417 Meadows Drive**
330 **Rockwall, TX 75087**

331
332 **The applicant came forward and provided further information in regards to the request. Mr. Awan is requesting the approval**
333 **of a site plan for a development on the water for a condominium complex. This development was constructed back in 2004-**
334 **2006. Out of the eighty-five (85) approved condominiums, only seventy-three (73) were built and building structure number**
335 **two (2) was left unfinished and remains an empty piece of land. Since the building was originally set for eighty-five units,**
336 **including 85 mail boxes, then the applicant is proposing to add two (2) new buildings with six (6) units on each. Mr. Awan**
337 **went into further detail in regards to the different sizes and square footage of the units.**

338
339 **Vice- Chairman Welch asked whether this was a case that had been previously presented to the Commission. Senior Planner**
340 **Korey Brooks advised that it was the same case but the applicant had failed to make the revisions needed which then caused**
341 **the case to be denied. The applicant was then given another chance to resubmit his application with the revisions and**
342 **request.**

343
344 **Chairman Chodun asked if there were any other questions for the applicant and, there being no further questions, indicated**
345 **the case will return to the Commission for action at the next scheduled meeting on March 10, 2020.**

346
347 **16. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER)**

- 348
349
 - P2020-006: Preliminary Plat of Saddle Star South Subdivision [APPROVED]
 - MIS2020-001: Alternative Tree Mitigation Plan for 2930 Ridge Road [APPROVED]

350
351
352 **Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the**
353 **City Council meeting.**

354
355 **VI. ADJOURNMENT**

356
357 **Chairman Chodun adjourned the meeting at 6:48 pm.**

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370

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this _____
_____ 10 _____ day of March _____, 2020.



Eric Chodun, Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
MARCH 10, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Eric Chodun called the meeting to order at 6:01 PM. The Commissioners present at the meeting were John
5 Womble, Sedric Thomas, Mark Moeller, and Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning
6 Director Ryan Miller, Planning Manager David Gonzales, Senior Planner Korey Brooks, Planning and Zoning Coordinator
7 Angelica Gamez, City Engineer Amy Williams, and Civil Engineer Sarah Johnston.
8

9 II. OPEN FORUM
10

11 Chairman Chodun explained how Open Forum is conducted and asked if anyone wished to speak to come forward at this
12 time. There being no one coming forward, Chairman Chodun closed the Open Forum.
13

14 III. APPOINTMENTS
15

- 16 1. Appointment with Architectural Review Board representative to receive the Board's recommendations and comments for items
17 on the agenda requiring architectural review.
18

19 A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were
20 discussed at the Architectural Review Board meeting.
21

22 IV. CONSENT AGENDA
23

- 24 2. Approval of Minutes for the February 25, 2020 Planning and Zoning Commission meeting.
25

26 3. P2020-010 (KOREY BROOKS)

27 Discuss and consider a request by Rob Whittle for the approval of a Replat for Lot 24, Block E, Chandlers Landing, Phase 16
28 Addition being a 0.16-acre parcel of land identified as Lot 16, Block E, Chandlers Landing, Phase 16 Addition, City of Rockwall,
29 Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 295 Victory Lane,
30 and take any action necessary.
31

32 4. P2020-011 (DAVID GONZALES)

33 Discuss and consider a request by Jim Ziegler of Pegasus Ablon for the approval of a Replat for Lots 10, 11, & 12, Block A, Harbor-
34 Rockwall Addition being a 6.119-acre parcel of land identified as Lot 9, Block A, Harbor-Rockwall Addition, City of Rockwall,
35 Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District,
36 located at the southwest corner of the intersection of Lakefront Trail and the IH-30 frontage road, and take any action necessary.
37

38 5. SP2019-049 (KOREY BROOKS)

39 Discuss and consider a request by Daniyal M. Awan of Plutus21 Development Fund 5, LLC on behalf of Water's Edge at Lake Ray
40 Hubbard Condominiums Owner's Association, Inc. for the approval of a Site Plan for two (2) multi-family apartment buildings on a
41 6.5995-acre parcel of land identified as Lot 1, Block A, Villas De Portofino Addition, City of Rockwall, Rockwall County, Texas,
42 zoned Planned Development District 22 (PD-22) for Marina, Retail, Office, and Apartment/Condominium land uses, addressed as
43 2000-2038 Portofino Circle, and take any action necessary.
44

45 Vice Chairman Welch made a motion to approve the consent agenda. Commissioner Thomas seconded the motion which
46 passed by a vote of 5-0 with Commissioners Fishman and Logan absent.
47

48 V. PUBLIC HEARING ITEMS
49

50 6. Z2020-001 (DAVID GONZALES)

51 Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate
52 for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a one (1) acre parcel

53 of land identified as Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
54 addressed as 844 Zion Hill Circle, and take any action necessary.
55

56 Planning and Zoning Manager David Gonzalez provided brief information in regards to the request. Mr. Gonzalez explained
57 to the Commission that the applicant is requesting to rezone the property from Agricultural (Ag) District to Single-Family
58 One (SF-1) District in order to accommodate the request for a Specific Use Permit (SUP) for a secondary living unit, an
59 enlarged carport, and a detached garage. There was a structure that was built without a permit and the owner is now trying
60 to bring it into conformance. The Agricultural (Ag) District, which is where the house is located, does not allow for a carport
61 that exceeds 500 square feet or a detached garage that exceeds 620 square feet. The overall square footage of the structure
62 is 4,812 square feet. If this SUP is approved then the applicant would come before the Commission once more requesting to
63 have the oversized carport and the oversized guest quarters as well. The applicant will also have the option in connecting
64 the structures to the existing house. Should that have been done beforehand then the applicant would not have needed to
65 request an SUP. The applicant is requesting the zone change to Single-Family (SF-1) District to remain consistent with the
66 remainder of the neighborhood. As of right now, it meets all requirements to be zoned SF-1. According to the Hometown
67 Vision Comprehensive Plan, this property is located within the Northeast Residential District and designated for low density
68 residential land use. Mr. Gonzales provided the Commission with photos of the standing structure and explained the
69 elevations. He mentioned that there is a stop work order on this project until it can be resolved as three (3) citations have
70 been issued on this particular property. There were thirty-three (33) notices sent out in regards to this property with one
71 coming back in support of the request. There is a condition of approval within the draft ordinance where the applicant will
72 be required to request an SUP for or remove the illegal structure to bring it into compliance with the construction standard
73 that is required by the City's code. Mr. Gonzales advised the Commission that the applicant and Staff were present and
74 available for questions.
75

76 Chairman Chodun asked the applicant to come forward.

77
78 Chris Kehrer
79 410 Normandy Lane
80 Heath, TX 75032
81

82 The applicant came forward and gave a brief explanation in regards to the request.
83

84 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so, there being
85 no one indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for
86 discussion or action.
87

88 Vice Chairman Welch made a motion to approve item Z2020-001 with staff recommendations with Commissioner Moeller
89 seconding the motion which passed with a vote 5-0.
90

91 **7. Z2020-002 (DAVID GONZALES)**

92 Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of
93 a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home
94 on a 0.161-acre parcel of land identified as Lot 8, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-
95 Family 7 (SF-7) District, addressed as 702 Parks Avenue, and take any action necessary.
96

97 Planning and Zoning Manager David Gonzales provided brief information in regards to the request. The new requests have
98 come up due to the passing of a new ordinance passed in September 2019. He added that this particular request was being
99 made in conjunction to another request. The requests are being viewed separately since they are separate lots and owners.
100 The neighborhood is zoned Single Family 7 (SF-7) District and the particular area was platted in February 1913 and had 50'x
101 125' lots. After giving a brief history on the property, Mr. Gonzales informed staff that the lots in question had not been
102 replatted the same as others but were still considered lots of record. That being said, there are now three (3) separate parcels
103 that meet the SF-7 District standards causing them to be able to be sold separately and be constructed upon. The applicant
104 is requesting to construct a single family home in a vacant lot. According to Article 13, *Definitions*, of the Unified
105 Development Code (UDC), it defines Residential Infill in or Adjacent to an Established Subdivision as "the new development
106 of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed
107 parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out."
108 Mr. Gonzales explained that he was explaining the definition due to the fact that we had three (3) other cases referred to as
109 Residential Infills. According to the Permissible Uses listed in the UDC, there are five (5) listed. They are that an established
110 subdivision is established by five (5) lots or more and is more than ten (10) years old and is ninety (90%) percent developed.
111 It also indicates that any residential infill house must be located within five hundred (500) feet of a subdivision in order to go
112 through this process. The Planning and Zoning Commission and City Council are to consider the proposed size, location,

113 the architecture of the home compared to the existing housing, and make sure that all housing proposed during this sub-
114 section to be constructed architecturally similar or complementary to the existing housing. Mr. Gonzales explained that these
115 requirements set the parameters for the upcoming cases. Staff has provided an outline of what is existing in those homes.
116 There are a variety of homes built between the years 1929-1995 with minimal traditional styles, ranch style homes, and Tudor
117 homes. The applicant is proposing to construct a Craftsman style home on the property. There are also various building
118 materials being utilized in the neighborhood such as wood, Masonite, along with different types of sidings. The applicant is
119 wanting to use hardie board siding and stone to match some of the other siding that's there. The only difference that you
120 may see is that some homes in the neighborhood have front garages as opposed to the proposed design which will have a
121 back garage entry. Mr. Gonzales went on to show a blueprint of the home, explaining how the density does meet the
122 requirements of the SF-7 district. The approval of this request is discretionary to the Planning and Zoning Commission, as
123 well as City Council, pending finding that proposed house will not have a negative impact on the existing subdivision. Staff
124 sent out 115 notices to the properties within 500 feet and notified their appropriate Homeowners Associations within 1500
125 feet of the property. There were two (2) notices returned in favor of the case and two (2) against the case. There were also
126 four (4) returned emails opposed to the case as well. Mr. Gonzales then advised the Commission that the applicant and Staff
127 were present and available for questions.

128
129 Commissioner Chodun asked the applicant to come forward.

130
131 Reese Baez
132 1415 Open Bay Court
133 Rockwall, TX 75087
134

135 Mr. Baez came forward and provided further details in regards to the request. He mentioned that he was speaking on behalf
136 of the applicant. He went on to read a letter written by the applicant to the Commission.
137

138 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so at this time.
139

140 Jeff Carroll
141 804 Stimson Street
142 Rockwall, TX 75087
143

144 Mr. Carroll came forward and expressed his being in favor of the request. He wanted to reiterate that there was no variance
145 being asked in this case and the upcoming one. He also added that the Craftsman style really blends in with the rest of the
146 neighborhood and that both property owners that are coming tonight are trying to preserve the essence of the neighborhood.
147

148 Matthew Fuqua
149 604 Parks Avenue
150 Rockwall, TX 75087
151

152 Mr. Fuqua came forward and expressed his opposition in regards to the request. His main concern being having a three story
153 home next to a one story home.
154

155 Richard Allegretto
156 510 Parks Avenue
157 Rockwall, TX 75087
158

159 Mr. Allegretto came forward and expressed his opposition in regards to the request.
160

161 Julie Lindsey
162 605 Nash
163 Rockwall, TX 75087
164

165 Mrs. Lindsey came forward and expressed her opposition in regards to the request.
166

167 Amanda Henry
168 205 S. Clark Street
169 Rockwall, TX 75087
170

171 Mrs. Henry came forward and explained that she was the applicant on this case and wanted to provide further information in
172 regards to it. She explained that she understands the concerns of the neighborhood and clarified that it is only a two story

173 house with an attic on the second floor. She also added that she would be adding trees due to the older ones being cut down
174 for building purposes. The house also meets all setback requirements.

175
176 Chairman Chodun asked if anyone else who wished to speak to come forward and do so; there being no one indicating such,
177 Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

178
179 Chairman Chodun made a motion to approve item Z2020-002 with staff recommendations. Commissioner Thomas seconded
180 the motion which passed with a vote of 3-2, with Commissioners Moeller and Womble dissenting.

181
182 Director of Planning and Zoning Department Ryan Miller announced that the case would be presented at City Council on
183 March 16, 2020.

184
185 **8. Z2020-003 (DAVID GONZALES)**

186 Hold a public hearing to discuss and consider a request by Reese Baez on behalf of the owner Amanda Henry for the approval of
187 a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home
188 on a 0.161-acre parcel of land identified as Lot 7, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-
189 Family 7 (SF-7) District, addressed as 610 Parks Avenue, and take any action necessary.

190
191 Planning and Zoning Manager David Gonzales came forward and provided a brief background in regards to the request. He
192 mentioned that it was a similar case to the previous one and the house would located to the South of it. The home is that is
193 being requested would be a single story Craftsman style on the lot. The applicant is providing hardie board lap siding for the
194 gray house with white trim, along with composite shingles. The requested house would have a rear entry also. Staff sent out
195 115 notices to properties within 500 feet and notices to the Homeowners Associations within 1500 feet. There were two (2)
196 notices in favor, one (1) notice against, that were mailed back. There were also four (4) emails that were opposed to the
197 request as well. Mr. Gonzales also informed the Commission that the applicant, Meg Murphy, had written a letter and he
198 included it in the packet as well. With that, Mr. Gonzales advised the Commission that the applicant and Staff were present
199 and available for questions.

200
201 Chairman Chodun asked the applicant to come forward.

202
203 **Jeff Carroll**
204 804 Stimson Street
205 Rockwall, TX 75087

206
207 Mr. Carroll came forward and provided additional information and details in regards to the request.

208
209 **Megan Murphy**
210 804 Stimson Street
211 Rockwall, TX 75087

212
213 Mrs. Murphy came forward and read a letter she wrote explaining her background and her reasoning for wanting approval
214 on this case.

215
216 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so, there being
217 no one indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for
218 discussion or action.

219
220 Commissioner Thomas made a motion to approve item Z2020-003 with Commissioner Moeller seconding the motion which
221 passes by a vote of 5-0. Commissioner Chodun reminded the applicants that the case will be presented to City Council on
222 March 16, 2020.

223
224 **9. Z2020-004 (KOREY BROOKS)**

225 Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio
226 for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a
227 single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County,
228 Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District,
229 addressed as 705 Peters Colony, and take any action necessary.

230
231 Senior Planner Korey Brooks provided brief information in regards to the request. The applicant is requesting the approval
232 of an SUP to allow the construction of an infill on a residential home of an existing lot. The proposed home would be 2400

233 square feet and would be 100% brick. Mr. Brooks mentioned that all homes down Boydston and E. Ross streets all have
234 front-facing garages with twenty (20) foot setbacks and are similar in construction. The homes range in architectural style
235 and size going from 800 square feet to 1300 square feet and were built between 1957-2005. There is a mixture of wood siding,
236 Masonite, and brick homes. According to the Unified Development Code (UDC), front facing garages have to be set back
237 twenty (20) feet. In this case, it is reversed where the front garage is forward facing and the forward entry is recessed twenty
238 (20) feet behind that. On one elevation, it shows vinyl and hardie-wood siding but the applicant has stated that rear would be
239 brick and will generally match the surrounding homes in the neighborhood. Mr. Brooks then advised the Commission that
240 he was available for questions.

241
242 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so, there being
243 no one indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for
244 discussion or action.

245
246 Commissioner Thomas had a question in regards to the setbacks.

247
248 Commissioner Thomas made a motion to approve item Z2020-004 with Vice-Chairman Welch seconding the motion which
249 passed by a vote of 5-0.

250
251 **10. Z2020-005 (KOREY BROOKS)**

252 Hold a public hearing to discuss and consider a request by Ambrocio Ibarra on behalf of the owners Arturo and Jeaniffer Osornio
253 for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for the purpose of constructing a
254 single-family home on a 0.11-acre parcel of land identified as Lot 1, Block A, Sanger Addition, City of Rockwall, Rockwall County,
255 Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District,
256 addressed as 703 Peters Colony, and take any action necessary.
257

258
259 Senior Planner Korey Brooks provided brief information in regards to the request. He added that the only difference from
260 this request and the last request was that zero notices had been received in opposition of this request. Mr. Brooks also
261 explained that the elevations will be very similar buy will have different brick color.

262
263 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so, there being
264 no one indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for
265 discussion or action.

266
267 Vice-Chairman Welch made a motion to approve item Z2020-005 with the stipulation that brick color will be different or
268 contrasting to the previous case. Commissioner Thomas seconded the motion which passed by a vote 5-0.

269
270 **11. Z2020-006 (KOREY BROOKS)**

271 Hold a public hearing to discuss and consider a request by the owner Greg Givens for the approval of a Specific Use Permit (SUP)
272 for an accessory building that exceeds the maximum size requirements on a one (1) acre parcel of land identified as Lot 2, Block
273 B, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed
274 as 2308 Saddlebrook Lane, and take any action necessary.

275
276 Senior Planner Korey Brooks gave a brief background in regards to the request. The applicant is requesting an SUP to allow
277 a detached metal garage that exceeds the maximum size requirements for the area zoned Single-Family 16 (SF-16) District.
278 The proposed detached garage would be 1600 square feet and would be situated at the end of the existing driveway towards
279 the rear of the home. The detached garage would also have a lean to porch of approximately 400 square feet. The building
280 will be constructed of metal with one door and with windows on the front and on the side. Mr. Brooks pointed out that there
281 are currently several detached garages located within the subdivision with the majority of those constructed of brick and/or
282 hardie. There was a similar case reviewed by the Planning and Zoning Commission and City Council a few months back of
283 similar request within the same subdivision that was ultimately denied. He added that Staff mailed out twenty-one (21) notices
284 to occupants within 500 feet of the property and received four (4) notices and one (1) email in opposition and one (1) notice
285 in favor of the request. Mr. Brooks then advised the Commission that the applicant and Staff were present and available for
286 questions.

287
288 Chairman Chodun asked the applicant to come forward.

289
290 Greg Givens
291 2308 Saddlebrook Lane
292 Rockwall, TX 75087

293 Mr. Givens came forward and provided further information in regards to the request. He explained that the proposed structure
294 would be 1200 square feet as it is 30x40 feet. Mr. Givens explained that metal should not be a concern as it is an approved
295 building material within the new laws and the focus should be on the square footage. He then compared photos of other
296 garages located within the neighborhood with his. He mentioned that his garage would be hidden behind a wooden fence
297 with a motorized gate with only the top of the building showing. He added that his building would be made of metal with a
298 thirty (30) year paint life and the reason why he is requesting an oversized detached garage is because his pick-up truck will
299 not fit in his current garage. He wants his pick-up and the rest of his belongings together in one space and not be all over
300 the property. Mr. Givens stated that he cannot afford to use brick for the garage. The proposed structure would only take up
301 3% of his backyard and not the entire property and would keep all of his belongings safe.
302

303 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so at this time.
304

305 **Marty Wright**
306 2340 Saddlebrook Lane
307 Rockwall, TX 75087
308

309 Mr. Wright came forward and read a letter from his neighbor, Willard Thomas, who lives at 2337 Saddlebrook Lane, Rockwall,
310 TX 75087, being in favor of the request. He also added that his request was the case that had been denied a couple of months
311 ago and he voiced in favor of the request of well.
312

313 **Brandon Taylor**
314 2320 Saddlebrook Lane
315 Rockwall, TX 75087
316

317 Mr. Taylor came forward and voiced in favor of the request. He added that the maintenance should not be an issue with the
318 metal building as it is the responsibility of the owner.
319

320 **Janice Morchower**
321 144 Westwood
322 Rockwall, TX 75032
323

324 Mrs. Morchower came forward and expressed her opposition in regards to the request.
325

326 **Joyce Whisenhunt**
327 2381 Saddlebrook Lane
328 Rockwall, TX 75087
329

330 Mrs. Whisenhunt came forward and expressed her opposition to the request. Her main concern is that this will set a precedent
331 for the neighborhood and she is also worried from a safety aspect.
332

333 **Patti Muggeo**
334 2317 Saddlebrook Lane
335 Rockwall, TX 75087
336

337 Mrs. Muggeo came forward and expressed her opposition to the request. Her main concern is neighbors not maintaining
338 their detached garages.
339

340 **Jeff Baron**
341 2324 Saddlebrook Lane
342 Rockwall, TX 75087
343

344 Mr. Baron came forward and expressed his opposition to the request.
345

346 Chairman Chodun asked if anyone else wished to speak to come forward and do so, there being no one indicating such;
347 Chairman Chodun closed the public hearing.
348

349 Chairman Chodun asked the applicant to come forward and discuss any issues that were mentioned.
350

351 Mr. Givens came forward once again and stated that the proposed structure is not going to be a huge size and will have a
352 color scheme matching the house. He also stated that a metal building does increase your property value because people
353 want additional storage. Mr. Givens also read out emails in favor of his request.

354 Chairman Chodun brought item back to the Commission for discussion or action.

355
356
357 Commissioner Thomas made a motion to deny item Z2020-006 due to the size. Commissioner Womble seconded the motion
358 which end with a denial of 5-0.

359
360
361 **12. Z2020-007 (RYAN MILLER)**

362 Hold a public hearing to discuss and consider a request for the approval of a *Text Amendment* to amend Article 08, Landscape and
363 Screening, of the Unified Development Code (UDC) for the purpose of changing the fence standards for existing and infill single-
364 family and duplex properties, and take any action necessary.
365

366 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He mentioned that on
367 January 21, 2020, there was a meeting with City Council where they directed Staff to make changes to existing ordinances.
368 Specifically, they were looking to remove the decorative top rail/cap requirement, remove the stain and seal fence
369 requirement, remove the framing to be placed on the private side, and remove the comments of free of burrs and splinters.
370 The changes were made and updated copies of the draft ordinance were provided to the Commission. These changes will
371 make it less restrictive on existing neighborhoods that don't already have standards in a planned development district. A
372 fifteen (15) day notice was sent out in the Rockwall Herald Banner also. Mr. Miller then advised the Commission that he was
373 available for questions.
374

375 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so, there being
376 no one indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for
377 discussion or action.
378

379 Commissioner Moeller made motion to approve item Z2020-007 with Commissioner Thomas seconding the motion which
380 passes with a vote of 5-0.
381

382 **13. Z2020-008 (KOREY BROOKS)**

383 Hold a public hearing to discuss and consider a request by Scott Mommer of Lars Andersen & Associates, Inc. on behalf of Suzanne
384 Russo of Home Depot USA, Inc. for the approval of a Specific Use Permit (SUP) to allow the *Rental, Sales and Service of Heavy*
385 *Machinery and Equipment* in conjunction with an existing general retail store on an 11.389-acre parcel of land identified as Lot 1,
386 Block A, Home Depot-Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within
387 the IH-30 Overlay (IH-30 OV) District, addressed as 765 E. IH-30, and take any action necessary.
388

389 Senior Planner Korey Brooks provided a brief summary in regards to the request. The applicant is requesting an SUP for the
390 rental, sales, and service of heavy machinery and equipment on the subject property that is in conjunction with the existing
391 Home Depot store. The Home Depot is located in the IH-30 Overlay (IH-30) District and it is also located within a Commercial
392 (C) District. Mr. Brooks explained that the applicant is requesting to utilize ten (10) parking spaces to allow the outside
393 storage and display of heavy equipment. The Unified Development Code (UDC) allows this with a Specific Use Permit in a
394 Commercial (C) District and also requires that the storage area be screened by the appropriate methods listed in the UDC.
395 In this case, the applicant is requesting to screen on all three (3) sides (South, East, West) with a combination of wrought
396 iron fence and three tiered landscaping such as canopy trees, accent trees, and some shrubs. The Northern side will be
397 screened by IH-30 and the building. Staff mailed out fifty-three (53) notices to property owners and occupants and received
398 one (1) in favor of the request. Mr. Brooks then advised the Commission that the applicant and Staff were present and
399 available for questions.
400

401 Chainman Chodun asked the applicant to come forward.

402
403 Reese
404 6308 Windcrest Drive
405 Plano, TX 75024
406

407 The applicant came forward and mentioned he was available to answer any questions.

408
409 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so at this time.
410

411 Janice Morchowder
412 144 Westwood
413 Rockwall, TX 75032

414 Mrs. Morchowder came forward and expressed her opposition to the request due to the traffic it would cause.

415
416 Chairman Chodun asked the applicant to come forward if he wished to discuss the issues mentioned.

417
418 The applicant came forward and explained that there would not be more than ten (10) users at a given day, therefore not
419 being enough to cause traffic.
420

421
422 Chairman Chodun asked if anyone else wished to speak to come forward and do so, there being no one indicating such;
423 Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
424

425 Commissioner Thomas made a motion to approve item Z2020-008 with Vice-Chairman Welch seconding the motion which
426 passes by a vote of 5-0.
427

428 VI. ACTION ITEMS

429 14. SP2020-003 (KOREY BROOKS)

430 Discuss and consider a request by Shannon Thomas of Rockwall Friendship Baptist Church for the approval of an *Amending Site*
431 *Plan* for a church on a 6.03-acre tract of land being identified as Tract 2-4 of the D. Harr Survey, Abstract No. 102, City of Rockwall,
432 Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District,
433 located east of the intersection of Justin Road and John King Boulevard, and take any action necessary.
434
435

436 Senior Planner Korey Brooks provided a brief summary in regards to the request. The applicant is requesting an Amending
437 Site Plan for a house of worship off John King Blvd. and Justin Rd. This item had previously been approved by the
438 Commission but there was a change in architects and design of the building. The building has gone down to 17,000 square
439 feet. The applicant meets all but three (3) requirements designated by the UDC and they are as follows: the northeast and
440 east elevations do not meet requirements as it does not meet the 20% of stone needed on those elevations. During the ARB
441 meeting, however, the applicant did agree to provide stone on those elevations. In addition, the applicant is providing
442 compensatory measures to offset these variances by providing additional landscaping, 100% masonry, and additional
443 architectural elements on the front facade. Mr. Brooks then advised the Commission that the applicant and Staff were present
444 and available for questions.
445

446 Chairman Chodun asked the applicant to come forward.
447

448 Tom Jones
449 5815 Meadow Crest Drive
450 Dallas, TX 75230
451

452 Mr. Jones came forward and provided brief details in regards to the request. He mentioned the site plan is essentially the
453 same as the last one approved last August with the exception of the new architect making it smaller. He mentioned they
454 exceeded the minimum amount of landscaping required within the parking islands as well as in the detention areas.
455

456 Josh Heinback (architect)
457 500 Energy Way
458 Fort Worth, TX 76102
459

460 Mr. Heinback came forward and provided a brief summary of the request. He mentioned that they are proposing an 18,000
461 square foot, steel frame construction building. All of their articulation has been based on the building having four (4) sides.
462 After the ARB meeting, they agreed to duplicate enhancements on the Northeast façade.
463

464 Chairman Chodun asked if anyone wished to speak to come forward and do so, there being no one indicating such; Chairman
465 Chodun brought the item back to the Commission for discussion or action.
466

467 Commissioner Womble made a motion to approve item SP2020-003 with Architectural Review Board (ARB)
468 recommendations. Commissioner Thomas seconded the motion which passed by a vote 5-0.
469

470 VII. DISCUSSION ITEMS

471
472 15. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
473

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495
496
497

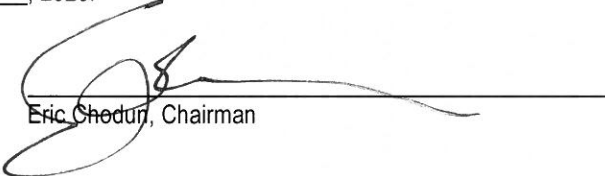
- P2020-007: Final for Lots 1-4, Block A, Breezy Hill Lane Addition [APPROVED]
- P2020-008: Amending Plat the Gideon Grove – North Subdivision [APPROVED]
- P2020-009: Conveyance Plat for Lots 22 & 23, Block A, La Jolla Pointe Addition, Phase 2 [APPROVED]

Planning and Zoning Director 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 public hearing at 8:17pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 17
day of April, 2020.


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 14, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 *IN LIEU OF ATTENDING IN PERSON AND IN AN EFFORT TO COMPLY WITH CDC RECOMMENDATIONS REGARDING*
3 *SOCIAL DISTANCING, SPECIAL NOTES PERTAINING TO "REMOTELY" OR "VIRTUALLY" PARTICIPATING IN TONIGHT'S*
4 *PLANNING AND ZONING COMMISSION WORK SESSION MEETING ARE AS FOLLOWS:*

5 6 SUBMIT COMMENTS VIA EMAIL

7
8 Citizens are encouraged to submit public forum comments at least 30 minutes in advance of the meeting by emailing them to
9 Planning@Rockwall.com. Please include your name and address when submitting comments. Also, please be concise and limit your comments
10 so that it may be read within three (3) minutes.

11 12 CITIZENS WATCHING THE MEETING

13
14 The public may watch the meeting *live* online by visiting the following link: <http://www.rockwall.com/meetings/video.asp>

15
16 NOTE: Please do not try to watch the meeting live and participate via ZOOM at the same time. There is a timing difference between the two
17 streams. If you feel you need to watch live and also participate (as an applicant *only*) in the meeting via ZOOM, please mute the live stream
18 audio (*as it is delayed compared to ZOOM*).

19 20 APPLICANTS PARTICIPATING IN THE MEETING

21
22 Applicants that wish to participate in the meeting virtually by joining with ZOOM, either via a computer, mobile device, and or telephone should
23 follow the following instructions:

- 24
25 (1) Register in advance to participate in the Planning and Zoning Commission Work Session meeting at this link:
26 https://us04web.zoom.us/webinar/register/WN_NoHYL8V0S9mJCMbgWmslhW
27 (2) After registering, you will receive a confirmation email containing information about joining the meeting. Alternatively, you can join via
28 telephone at:

29
30 US: (301) 715-8592 or (312) 626-6799
31 Webinar ID: 334-916-504

32
33 NOTE: Press *9 to request to speak or to cancel your request. You will be acknowledged to provide comments during the meeting.

34
35 SPECIAL NOTES: Only the two-way 'audio' feature of ZOOM will be utilized during the meeting. No ZOOM video will be used. If you are
36 watching remotely via the live stream, please note there is a seven (7) second delay, whereas, ZOOM is in real time.

38 39 I. CALL TO ORDER

40
41 Vice-Chairman Jerry Welch called the meeting to order at 6:04 PM. The Commissioners present at the meeting were Mark
42 Moeller, John Womble, Annie Fishman, and Sedric Thomas, and Tracey Logan. Absent from the meeting was Chairman Eric
43 Chodun. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David
44 Gonzales, and City Engineer Amy Williams. Absent from the meeting were Planning and Zoning Coordinator Angelica Gamez,
45 and Civil Engineers Sarah Johnston and Jeremy White.

46 47 II. OPEN FORUM

48
49 Vice-Chairman Welch explained how open forum is conducted and asked if anyone wished to speak to come forward at this
50 time. There being no one coming forward, Vice-Chairman Welch closed the open forum.

51 52 III. APPOINTMENTS

- 53
54 1. Appointment with the Planning and Zoning Director to receive the Architectural Review Board's recommendations and
55 comments for items on the agenda requiring architectural review.

57 Planning and Zoning Director Ryan Miller gave a brief summary of the recommendations provided by the Architectural
58 Review Board (ARB). The ARB meeting was cancelled due to City Council's April 6, 2020 proclamation, and were only able
59 to submit their comments electronically.

60
61 **IV. CONSENT AGENDA**

62
63 2. Approval of Minutes for the March 10, 2020 Planning and Zoning Commission meeting.

64
65 3. **P2020-012 (KOREY BROOKS)**

66 Consider a request by Steve Arze of Zaph & Ath Properties for the approval of a Replat for Lots 4 & 5, Block A, Landing Point
67 Addition being a 4.88-acre tract of land identified as Lot 1, Block A, Landing Point Addition, City of Rockwall, Rockwall County,
68 Texas, zoned Commercial (C) District, generally located north of the intersection of Airport Road and Industrial Boulevard, and take
69 any action necessary.

70
71 4. **P2020-013 (DAVID GONZALES)**

72 Consider a request by Cameron Slown of Teague, Nall and Perkins, Inc. on behalf of Tom Kirkland of Lakefront Trail Rockwall
73 Hotel, LP for the approval of a Replat for Lots 1 & 2, Block A, Shoreline Marriott Addition being a 3.025-acre tract of land identified
74 as Lot 1, Block A, Marriott Addition and Lot 5, Block A, Shoreline Plaza Addition, City of Rockwall, Rockwall County, Texas, zoned
75 Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2601 Lakefront Trail
76 and 2850 Shoreline Trail, and take any action necessary.

77
78 5. **P2020-014 (DAVID GONZALES)**

79 Consider a request by Cameron Slown of Teague, Nall and Perkins, Inc. on behalf of Dan Bobst of 101 Hubbard Dr., LLC for the
80 approval of a Replat for Lot 2, Block B, Harbor District Addition being a 2.893-acre tract of land identified as Lot 1, Block B, Harbor
81 District, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30
82 Overlay (IH-30 OV) District, generally located at the southwest corner of the intersection of Sunset Ridge Drive and the IH-30
83 Frontage Road, and take any action necessary.

84
85 6. **P2020-015 (DAVID GONZALES)**

86 Consider a request by Brian Wade of Raymond L. Goodson Jr., Inc. on behalf of Jason Linscott of Rockwall Regional Hospital, LLC
87 for the approval of a Replat for Lot 24, Block A, Presbyterian Hospital of Rockwall Addition being a 23.0927-acre tract of land
88 identified as Lots 6, 8, 9, 12 & 23, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas,
89 zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 3142-3150 Horizon Road
90 [FM-3097], and take any action necessary.

91
92 7. **P2020-016 (KOREY BROOKS)**

93 Consider a request by Ruben Segovia on behalf of Jose Valerio for the approval of a Replat for Lot 1, Block L, Lake Rockwall
94 Estates East Addition being a 0.33-acre tract of land identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development
95 No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-
96 7) District land uses, addressed as 257 & 269 Russell Drive, and take any action necessary.

97
98 8. **P2020-017 (KOREY BROOKS)**

99 Consider a request by Priya Acharya, PE of Weir & Associates, Inc. on behalf of Worth Williams of Moore Worth Investments, LLC
100 for the approval of a Replat for Lot 9, Block A, Lakeshore Commons Addition, being a 1.401-acre parcel of land currently identified
101 as Lot 8, Block A, Lakeshore Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District
102 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed
103 as 1979 N. Goliad Street [SH-205], and take any action necessary.

104
105 **Commissioner Mark Moeller made a motion to approve the consent agenda. Commissioner John Womble seconded the**
106 **motion which passed by a vote of 6-0 with Chairman Chodun absent.**

107
108 **V. ACTION ITEMS**

109
110 9. **MIS2020-005 (KOREY BROOKS)**

111 Discuss and consider a request by Jack Cannedy of Buzz Custom Fence on behalf of Adam Archer for the approval of a Special
112 Exception to the fence standards contained in Ordinance No. 19-08 and the Unified Development Code (UDC) for a 0.1843-acre
113 parcel of land identified as Lot 6, Block D, Park Place West, Phase II Addition, City of Rockwall, Rockwall County, Texas, zoned
114 Planned Development 8 (PD-8) for Single-Family 7 (SF-7) District land uses, and take any action necessary.

116 Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting approval for a special
117 exception of a fence material that is not permitted within Planned Development 59 (PD-59) District. As of now, this PD only
118 allows the use of three (3) building materials which are wrought iron, tubular steel, and vinyl. The applicant is proposing to
119 use SymTek material for his fence which is similar to vinyl but it is a composite polyethylene material. The fence will be six
120 (6) feet in height and have a thickness of two (2) inches. According to the Unified Development Code (UDC), the Planning
121 and Zoning Commission may consider alternative materials and/or alternative fence standards on a case-by-case basis. Staff
122 should note that the composite polyethylene material is very similar to a vinyl fence, and that there are currently several
123 vinyl fences in the Park Place Subdivision. It should also be noted that staff has spoken to a representative from the
124 Homeowner's Association (HOA) who expressed that there was no issue with this fence material. Mr. Miller advised the
125 Commission that the applicant was present as well as staff and were available for questions.

126
127 Jack Cannedy

128
129 The applicant raised his hand and provided further details in regards to the request. Mr. Cannedy explained that he has built
130 these kinds of fences all over Dallas and the material was very durable and essentially maintenance free.

131
132 Commissioner Annie Fishman made a motion to approve item MIS2020-005 with staff recommendations. Commissioner
133 Sedic Thomas seconded the motion which passes by a vote of 6-0 with Chairman Chodun absent.

134
135 10. MIS2020-006 (RYAN MILLER)

136 Discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf Northgate Rockwall LD LP for the approval
137 of an Exception to the utility placement requirements for overhead utilities in conjunction with a single-family residential subdivision
138 on a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County,
139 Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest
140 corner of the intersection of Stodghill Road [FM-3549] and Clem Road, and take any action necessary.

141
142 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. Mr. Miller reminded the
143 Commission that this property had come before them in June of last year for a zoning change from Agricultural (AG) district
144 to a Planned Development (PD) district. Upon approval of the zoning case, the applicant submitted a Master Plat and Site
145 Plan for the Northgate Subdivision, which is a 40-lot single-family subdivision with lots that are a minimum of one (1) acre in
146 size. Following these approvals, the applicant submitted a Preliminary Plat, which was approved by the City Council on
147 August 19, 2019. However, when the case was being reviewed by Engineering Department, a small issue came up in regards
148 to the overhead power lines. The applicant is expanding the roadway along Clem Road. He is required to build half of that
149 roadway along the entire length. In building that roadway, the overhead power lines will actually have to be moved in order
150 to allow the construction of the roadway. Our ordinance requires him to underground those utilities and he contacted
151 Farmers Electric and it was realized that it would be cost prohibitive if they underground those utilities. Mr. Miller then
152 showed the Commission a letter from Farmers Electric explaining the cost of the project. With that being said, the applicant
153 is proposing to allow those powerlines to remain above ground and in exchange he is willing to construct rest of the road
154 along his property. The applicant is putting in underground power lines throughout the rest of the development. The UDC
155 does call for underground power lines but it allows the Planning and Zoning Commission to review these on a discretionary
156 case by case basis. This case does require a ¾ majority vote from the Planning and Zoning Commission and City Council
157 for approval. Mr. Miller then advised the Commission that the applicant and Staff were present and available for questions.

158
159 Ryan Joyce

160
161 Mr. Joyce provided further details in regards to his request. He explained that they are requesting that the overhead lines
162 along Clem Road be left in place but will be relocated throughout the construction of Clem Road. Mr. Joyce went on to further
163 explain Exhibit B shown with the letter from Farmers Electric. He also stated that part of their agreement involves dedicating
164 the required right-of-way and constructing a 20-foot portion of this roadway. He then advised the Commission that he was
165 available for any questions.

166
167 Commissioner Sedic Thomas made a motion to approve item MIS2020-006 with staff recommendations. Commissioner Mark
168 Moeller seconded the motion which passes by a vote of 6-0 with Commissioner Chodun absent. .

169
170 VI. DISCUSSION ITEMS

171
172 11. Z2020-009 (DAVID GONZALES)

173 Hold a public hearing to discuss and consider a request by Brian Parsons on behalf of J. R. Fleming Investments for the approval
174 of a Specific Use Permit (SUP) for a New and/or Used Indoor Motor Vehicle Dealership/Showroom on an 11.153-acre parcel of land
175 identified as Lot 9, Block D, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial
176 (LI) District, addressed as 2635 Observation Trail, Suite 110, and take any action necessary.

177 Planning Director Ryan Miller advised the Commission that the applicant was present,

178
179 Brian Parsons/ Jeff Fleming

180 Mr. Parsons provided a brief summary in regards to his request. He explained that they had recently moved into a brand new
181 250,000 square foot building in Rockwall Technology Park. This structure has approximately 10,000 square feet known as
182 Suite 110. In their process of trying to obtain a Certificate of Occupancy, they learned that that 10,000 square foot space
183 would be used by Interstate Wire Classic Cars and is considered outside the scope of the zoning Light Industrial (LI) District.
184 Their request is to allow that 10,000 square feet to be allowed to be used for storage for special antique and vintage vehicles
185 owned by Mr. Fleming. Mr. Parsons advised the Commission that all of these vehicles would be indoors and none would be
186 visible from the street.
187

188
189 Mr. Miller, Director of Planning and Zoning department added that all of these cars being stored inside the space are
190 technically for sale but are part of a private collection. He also added that this is the same SUP put in place for antique car
191 show rooms that are mostly shown online.

192 Commissioner Annie Fishman wanted further elaboration on how the sales process works in this showroom.

193
194 Vice-Chairman Welch asked if there were any questions regarding item Z2020-009; there being none he brought the item
195 back to the Commission for questions and discussion.
196

197
198 There being no further questions Planning Director Ryan Miller indicated the case will return to the Commission for action
199 at the next scheduled meeting.
200

201 12. Z2020-010 (KOREY BROOKS)

202 Hold a public hearing to discuss and consider a request by Edwin Echols for the approval of a *Specific Use Permit (SUP)* for an
203 accessory building that exceeds the maximum square footage on an 0.28-acre parcel of land identified as Lot 17, Block B, Lakeridge
204 Park Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 204 Lakehill Drive,
205 and take any action necessary.
206

207 Planning Director Ryan Miller advised the Commission that the applicant was present.

208
209 Edwin Echols

210 Mr. Echols provided a brief summary in regards to his request. He explained that he wanted to get his wood-working hobby
211 out of his garage and into a larger facility. His plan was to install a 14' x24' shed with a porch on one end and a driveway on
212 the other as indicated on his floorplan. Also, he plans on adding installation to the interior of the building.
213

214
215 Planning Director Ryan Miller added further details in regards to Mr. Echols' request. He added that the surrounding
216 area/properties have accessory structures and the reason why this requires an SUP is because of its size. If the building is
217 architecturally similar to its primary structure and is visible from any public right-of-way then the permit is needed. He
218 explained that where the structure is to be located is only visible to the applicant and not to the public.
219

220 Vice-Chairman Welch asked if there were any questions regarding item Z2020-010; there being none he brought the item
221 back to the Commission for questions and discussion.
222

223 There being no further questions Planning Director Ryan Miller indicated the case will return to the Commission for action
224 at the next scheduled meeting.
225

226 13. Z2020-012 (KOREY BROOKS)

227 Hold a public hearing to discuss and consider a request by Ryszard M. Waszczuk of Richard Expo on behalf of Vartan Jizmejian
228 for the approval of a *Specific Use Permit (SUP)* for Residential Infill in an Established Subdivision for the purpose of constructing a
229 single-family home on a 0.1030-acre parcel of land identified as Lot 4, Block 111, B. F. Boydston Addition, City of Rockwall, Rockwall
230 County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO)
231 District, addressed as 706 Sherman Street, and take any action necessary.
232

233 Planning Director Ryan Miller advised the Commission that the applicant was present.

234
235 Ryszard Waszczuk
236

237 Mr. Waszczuk provided a brief summary in regards to his request. He explained that he's requesting to build a one-story
238 residential home. The requested home will look exactly like the neighboring house on the same side of the street.
239

240 Planning Director Ryan Miller added further details in regards to Mr. Wazczuk's request. He reminded the Commission that
241 the applicant is proposing similar housing to one of two properties shown at the last Planning and Zoning meeting.
242

243 Vice-Chairman Welch asked if there were any questions regarding item Z2020-012; there being none he indicated the case
244 will return to the Commission for action at the next scheduled meeting on April 28, 2020.
245

246 14. Z2020-014 (DAVID GONZALES)

247 Hold a public hearing to discuss and consider a request by Alejandro Portocarrero for the approval of a Specific Use Permit (SUP)
248 for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.23-acre parcel of land
249 identified as Lot 24, Block C, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
250 Development District 8 (PD-8) for single-family land uses, addressed as 328 Harborview Drive, and take any action necessary.
251

252 Planning Director Ryan Miller advised the Commission that the applicant was present.
253

254 Alejandro Portocarrero

255 Mr. Portocarrero provided a brief summary in regards to his request. He added that it is a single family residence that adhere
256 to the height and other requirements made by the Chandlers Landing Homeowners Association. He stated that there was a
257 drainage issue but it was able to be resolved.
258

259 Planning Director Ryan Miller added further details in regards to Mr. Portocarrero's request.
260

261 Vice-Chairman Welch asked if there were any questions regarding item Z2020-014; there being none he indicated the case
262 will return to the Commission for action at the next scheduled meeting on April 28, 2020.
263

264 15. Z2020-015 (RYAN MILLER)

265 Hold a public hearing to discuss and consider a request by Stephen Doyle of Structured Real Estate on behalf of Luke Alverson of
266 Capstar Holding Corporation for the approval of a Zoning Change from a Commercial (C) District and a Light Industrial (LI) District
267 to a Planned Development District (PD) for a 55.80-acre tract of land identified as Tract 22, 22-2, & 24 of the R. Irvine Survey,
268 Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District and Light Industrial (LI) District, generally
269 located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and take any
270 action necessary.
271
272

273 Planning Director Ryan Miller advised the Commission that there were multiple applicants present and they were presenting
274 a PowerPoint.
275

276 Stephen Doyle, Conor Keilty, Juliette Yu, Erich Wefing, Randy Eardley, Tim Homburg

277 Mr. Wefing provided a summary in regards to their request and went on to explain their PowerPoint presentation.
278

279 Vice-Chairman Welch asked if there were any questions regarding item Z2020-015; there being none he indicated the case
280 will return to the Commission for action at the next scheduled meeting on April 28, 2020.
281

282 16. SP2020-004 (DAVID GONZALES)

283 Discuss and consider a request by Jason Miller of Boucher Design Group on behalf of Peter Sisan of SDI Rockwall Holdings, LLC
284 for the approval of a Site Plan for a strip retail center on a 0.918-acre tract of land being identified as Lot 1, Block A, Mr. M. Addition,
285 City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses,
286 situated within the Scenic Overlay (SOV) District, addressed as 2901 Ridge Road, and take any action necessary.
287
288

289 Planning Director Ryan Miller advised the Commission that the applicant was present but due to technical difficulties then
290 he would be presenting the case and then provided a brief summary in regards to the request. He explained that this was the
291 old EZ Mart location near Horizon and Ridge Road. The applicant plans to redevelop the site into a retail strip center. Mr.
292 Miller added that as of right now, the building does have a lot of variances such as vertical and horizontal articulation, and
293 materials. The Board was looking for them to dress up the back side of the building. He then advised the Commission that
294 they would work with the ARB and the applicant and the case will be brought back to the Commission at the next meeting.
295

Vice-Chairman Welch asked if there were any questions regarding item SP2020-004; there being none he indicated the case will return to the Commission for action at the next scheduled meeting on April 28, 2020.

17. **SP2020-006 (KOREY BROOKS)**

Discuss and consider a request by Jared Helmberger, PE of Epsilon Land Development on behalf of Jim Vaudagna of Dallas East for the approval of a Site Plan for a *strip retail center and daycare facility* on a 6.28-acre parcel of land identified as Lot 5 of the Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally located on the southside of E. Ralph Hall Parkway west of the intersection of E. Ralph Hall Parkway and S. Goliad Street [SH-205], and take any action necessary.

Planning Director Ryan Miller advised the Commission that the applicant was present.

Jared Helmberger

Mr. Helmberger provided a brief summary in regards to his request. He explained that the Pinnacle Montessori Academy planned to purchase the 6 ½ acres and divide into two lots with the future lot remaining undeveloped. There will also be an after school building but for the purposes of the Board it is to be thought of as a retail shell building. The product is to be rent out by after school type activities or for any complementary uses for the daycare itself. He then advised the Commission that he was available for any questions.

Planning Director Ryan Miller added further details in regards to Mr. Helmberger's request. He explained that the ARB revised the elevations and they were looking for changes that could tie in the buildings to the rest of this which were more built towards a residential scale. They also wanted other building materials that were more complementary to the buildings across the street as well as more articulation on the smaller building. He indicated that they will work with the applicant to try to bring the building into conformance and provide compensatory measures to the Commission. He then advised the Commission that he was available for any questions as well.

Vice-Chairman Welch asked if there were any questions regarding item SP2020-006; there being none he indicated the case will return to the Commission for action at the next scheduled meeting on April 28, 2020.

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

- ✓ P2020-010: Replat for Lot 24, Block E, Chandlers Landing, Phase 16 Addition [APPROVED]
- ✓ P2020-011: Replat for Lot 10, 11 & 12, Block A, Harbor-Rockwall Addition [APPROVED]
- ✓ Z2020-001: Zoning Change from AG to SF-1 for 844 Zion Hill Circle [APPROVED; 1st READING]
- ✓ Z2020-002: SUP for Single Family Home on 702 Parks Street [APPROVED; 1st READING]
- ✓ Z2020-003: SUP for Single Family Home on 610 Parks Street [APPROVED; 1st READING]
- ✓ Z2020-004: SUP for Single Family Home on 705 Peters Colony [APPROVED; 1st READING]
- ✓ Z2020-005: SUP for Single Family Home on 703 Peters Colony [APPROVED; 1st READING]
- ✓ Z2020-006: SUP for an Accessory Building on 2308 Saddlebrook Lane [DENIED; 1st READING]
- ✓ Z2020-007: Text Amendment to Article 08, Landscape and Screening, of the UDC [APPROVED; 1st READING]
- ✓ Z2020-008: SUP for Rental, Sales and Service of Heavy Machinery on 765 E. IH-30 [APPROVED; 1st READING]

Planning Director, 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 7:40 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 12 day of May, 2020.


Jerry Welch, Vice-Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
APRIL 28, 2020 AT 6:00 PM VIA ZOOM

2 *IN LIEU OF ATTENDING IN PERSON AND IN AN EFFORT TO COMPLY WITH CDC RECOMMENDATIONS REGARDING*
3 *SOCIAL DISTANCING, SPECIAL NOTES PERTAINING TO "REMOТЕLY" OR "VIRTUALLY" PARTICIPATING IN TONIGHT'S*
4 *PLANNING AND ZONING COMMISSION WORK SESSION MEETING ARE AS FOLLOWS:*

6 SUBMIT COMMENTS VIA EMAIL

8 Citizens are encouraged to submit public forum comments at least 30 minutes in advance of the meeting by emailing them to
9 Planning@Rockwall.com. Please include your name and address when submitting comments. Also, please be concise and limit your
10 comments so that it may be read within three (3) minutes.

12 CITIZENS WATCHING THE MEETING

14 The public may watch the meeting *live* online by visiting the following link: <http://www.rockwall.com/meetings/video.asp>

16 NOTE: Please do not try to watch the meeting live and participate via ZOOM at the same time. There is a timing difference between the two
17 streams. If you feel you need to watch live and also participate (as an applicant *only*) in the meeting via ZOOM, please mute the live stream
18 audio (*as it is delayed compared to ZOOM*).

20 APPLICANTS AND CITIZENS PARTICIPATING IN THE MEETING

22 Applicants and citizens that wish to participate in the meeting virtually by joining with ZOOM, either via a computer, mobile device, and or
23 telephone should follow the following instructions:

25 (1) Register in advance to participate in the Planning and Zoning Commission Work Session meeting at this link:
26 https://us02web.zoom.us/webinar/register/WN_qCQILHbvTrmTKPdD_xjmmw

28 (2) After registering, you will receive a confirmation email containing information about joining the meeting. Alternatively, you can join via
29 telephone at:

31 US: (301) 715-8592 or (312) 626-6799 or (888) 788-0099
32 Webinar ID: 883-0444-4100

34 NOTE: Once the agenda item you would like to speak on has been presented by staff, you may hit the raise hand button (or press *9 for
35 telephone participants) to request to speak or to cancel your request. You will be acknowledged and prompted to provide comments
36 when it is your turn to speak during the meeting.

38 SPECIAL NOTES: Only the two-way 'audio' feature of ZOOM will be utilized during the meeting. No ZOOM video will be used. If you are
39 watching remotely via the live stream, please note there is a seven (7) second delay, whereas, ZOOM is in real time.

42 I. CALL TO ORDER

44 Chairman Eric Chodun called the meeting to order at 6:21 PM. The Commissioners present at the meeting were Jerry
45 Welch, John Womble, Annie Fishman, Sedric Thomas, Tracey Logan, and Mark Moeller. Staff members present were
46 Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, and City Engineer Amy
47 Williams. Absent from the meeting were Planning and Zoning Coordinator Angelica Gamez, and Civil Engineers Sarah
48 Johnston and Jeremy White.

50 II. OPEN FORUM

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

55 III. APPOINTMENTS

- 57 1. Appointment with the Director of Planning and Zoning to receive the Architectural Review Board's recommendations
58 and comments for items on the agenda requiring architectural review.
59

60 Planning and Zoning Director Ryan Miller gave a brief summary of the recommendations provided by the Architectural
61 Review Board (ARB).
62

63 IV. CONSENT AGENDA
64

- 65 2. Approval of Minutes for the April 14, 2020 Planning and Zoning Commission meeting.
66

67 3. **P2020-018 (DAVID GONZALES)**

68 Consider a request by Matthew Gardner of Half Associates on behalf of Reid Caldwell for the approval of a Replat for Lots 2 & 3,
69 Block D, Ellis Centre, Phase Two Addition being a 0.7.02-acre parcel of land identified as Lot 1, Block D, Ellis Centre, Phase Two
70 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the terminus of Alpha Drive, and
71 take any action necessary.
72

73 Vice-Chairman Welch made a motion to approve the consent agenda. Commissioner Thomas seconded the motion which
74 passed by a vote of 7-0.
75

76 V. PUBLIC HEARING ITEMS
77

78 4. **Z2020-009 (DAVID GONZALES)**

79 Hold a public hearing to discuss and consider a request by Brian Parsons on behalf of J. R. Fleming Investments for the approval
80 of a Specific Use Permit (SUP) for a New and/or Used Indoor Motor Vehicle Dealership/Showroom on an 11.153-acre parcel of
81 land identified as Lot 9, Block D, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Light
82 Industrial (LI) District, addressed as 2635 Observation Trail, Suite 110, and take any action necessary.
83

84 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant, Brian Parsons
85 on behalf of J. R. Fleming Investments, is requesting the approval of a Specific Use Permit (SUP) to allow a New and/or
86 Used Indoor Motor Vehicle Dealership/Showroom on the subject property. The applicant's letter requesting the SUP
87 indicates the indoor motor vehicle showroom includes a private collection of antique and/or special interest vehicles. The
88 business model is generally internet based with on hand inventory that is limited to the interior of the buildings showroom
89 floor. In addition, the applicant has indicated that only five (5) to ten (10) vehicles will be sold per year. Additionally, the
90 applicant's letter submitted with the SUP request indicates the area to be approximately 10,000 square feet within a 250,000
91 square foot building. If approved, the SUP would be limited to the enclosed 10,000 square foot building area designated in
92 the ordinance and addressed as 2610 Observation Trail, Suite 110. Per the Specific Use Permit (SUP) ordinance the
93 proposed land use could not expand beyond Suite 110, within the 228,000 square foot building. According to the Unified
94 Development Code (UDC), the applicant appears to be in conformance with the requirements. Staff should also note that
95 the Rockwall Economic Development Corporation (REDC) has contacted staff to state that they were not opposed to the
96 applicant's request. Based on this, the applicant's request does not appear to negatively impact the subject property or
97 surrounding properties; however, approval of this request is a discretionary decision for the City Council, pending a
98 recommendation from the Planning and Zoning Commission. Staff mailed 23 notices to property owners and residents
99 within 500-feet of the subject property. As a note, there are no Homeowner's Associations (HOA's) or Neighborhood
100 Organizations located within 1,500-feet of the subject property participating in the notification program. At the time this
101 case memo was drafted staff had not received any notices regarding the applicant's request.
102

103 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so, there being
104 no one indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for
105 discussion or action.
106

107 Vice-Chairman Welch made a motion to approve item Z2020-009. Commissioner Thomas seconded the motion which
108 passed by a vote of 7-0.
109

110 Chairman Chodun then advised the applicant that his case would be presented May 4, 2020 at the City Council meeting.
111

112 5. **Z2020-010 (RYAN MILLER)**

113 Hold a public hearing to discuss and consider a request by Edwin Echols for the approval of a Specific Use Permit (SUP) for an
114 accessory building that exceeds the maximum square footage and height on an 0.28-acre parcel of land identified as Lot 17,

115 Block B, Lakeridge Park Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed
116 as 204 Lakehill Drive, and take any action necessary.
117

118 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting
119 an accessory building that exceeds the maximum size for accessory structures in a Single-Family 10 (SF-10) District. The
120 Unified Development Code (UDC) allows a total of two (2) accessory building each being 144 square feet in size or one
121 accessory building that is 144 square feet and one detached garage that is 625 square feet. The accessory structures are
122 permitted to being fifteen (15) feet in height and had to be set up from all property lines by a minimum of three (3) feet. In
123 addition, the structures should be architecturally compatible with the primary structure and be situated behind the primary
124 structure so they are not visible from the street. Any structures not meeting those requirements are required to obtain a
125 Specific Use Permit. The applicant is proposing a 14 foot by 24 foot structure with a 6 foot by 14 foot porch, which adds up
126 to a total of 14 feet by 30 feet or 420 square feet, which exceeds the maximum size by 276 square feet. The overall height of
127 the structure will be 17 feet and 7 inches and the exterior will be clad in wood siding with the roof utilizing the matching
128 asphalt shingles making it complementary to the primary structure. Mr. Miller added that all Specific Use Permits were a
129 discretionary decision to the Planning and Zoning Commission and, as a result, staff mailed 41 notices to property owners
130 and occupants within 500-feet of the subject property. Staff also notified the Lakeside Village and Turtle Cove
131 Homeowner's Associations (HOA), which are the only HOA/Neighborhood Organizations that are within 1,500-feet of the
132 subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject
133 property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code
134 (UDC). At the time this report was drafted, staff received three (3) notices and two (2) online input forms (*from the same*
135 *address*) in favor of the applicant's request and one (1) notice opposed to the applicant's request. Mr. Miller advised the
136 Commission that the applicant and Staff were present to answer any questions.
137

138 Chairman Chodun asked if there were any questions for Staff.

139
140 Commissioner Logan had a question in regards to the neighborhood notification responses that were returned.

141
142 Chairman Chodun asked if the applicant was present online.

143
144 Edwin Echols (applicant)

145
146 Mr. Echols added further details in regards to the request.

147
148 Chairman Chodun asked if there were any other questions for the applicant.

149
150 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so, there being
151 no one indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for
152 discussion or action.
153

154 Commissioner Fishman made a motion to approve item Z2020-010 with staff recommendations. Commissioner Thomas
155 seconded the motion which passed by a vote of 6-1 with Commissioner Logan dissenting.
156

157 Chairman Chodun then advised the applicant that his case would be presented May 4, 2020 at the City Council meeting.
158

159 6. Z2020-012 (RYAN MILLER)

160 Hold a public hearing to discuss and consider a request by Ryszard M. Waszczuk of Richard Expo on behalf of Vartan Jizmejian
161 for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a
162 single-family home on a 0.1030-acre parcel of land identified as Lot 4, Block 111, B. F. Boydston Addition, City of Rockwall,
163 Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay
164 (SRO) District, addressed as 706 Sherman Street, and take any action necessary.
165

166 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He explained that the
167 applicant is requesting a Specific Use Permit for Residential Infill in an Established Subdivision for the purpose of
168 constructing a single family home. According to the Unified Development Code, an established subdivision is defined as
169 five (5) or more lots that are more than 90% developed and that have been in existence for ten (10) years. Also, according
170 to the Permissible Use charts, the Residential Infill in or adjacent to an Established subdivision requires an SUP on all of
171 our Residential districts. The Unified Development Code goes on to say that the Planning and Zoning Commission and City
172 Council shall consider the proposed size, location, and architecture of the home with the existing housing. Mr. Miller
173 explained what was provided in their packets such as picture of the proposed housing with the existing. The applicant is
174 requesting a kind of variance in regards to the garage. The garage requirements for the City require that the garage be set

175 back twenty (20) feet behind the front façade if it's facing towards the street. In this case, the garage is twenty (20) feet in
176 front of the front facade. Mr. Miller pointed out that the cases heard last times on the adjacent property had the same
177 housing plan and it is not abnormal in the Southside District. With that, Mr. Miller told the Commission has the Specific Use
178 Permits are discretionary to the Planning and Zoning Commission. We sent out 87 notices to the occupants and property
179 owners within 500 feet of the property and there were no HOA's to notify. We only received one notice email in favor of the
180 request and one in opposition.

181
182 Chairman Chodun asked if the applicant was present online.

183
184 Ryszard M. Waszcuk (applicant)

185
186 Mr. Waszcuk came on the line and provided further details in regards to his request. He explained that his design for the
187 residence was for a single family residence and not a duplex. Mr. Miller came forward and also explained what the
188 definition for a duplex was for clarification purposes.

189
190 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so, there being
191 no one indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for
192 discussion or action.

193
194 Commissioner Thomas made a motion to approve item Z2020-012 with Staff recommendations. Commissioner Womble
195 seconded the motion which passes by a vote of 7-0.

196
197 Chairman Chodun then advised the applicant that his case would be presented May 4, 2020 at the City Council meeting.

198
199
200 7. Z2020-014 (DAVID GONZALES)

201 Hold a public hearing to discuss and consider a request by Alejandro Portocarrero for the approval of a Specific Use Permit (SUP)
202 for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.23-acre parcel of
203 land identified as Lot 24, Block C, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
204 Development District 8 (PD-8) for single-family land uses, addressed as 328 Harborview Drive, and take any action necessary.
205

206 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting
207 a Residential Infill in an Established Subdivision. An established subdivision is defined as five (5) or more lots that are
208 more 90% developed and that have been in existence for ten (10) years as it states in the Unified Development Code. As
209 with the last case, the size, location, and architecture of the home must be compared to the existing homes in the
210 neighborhood. In this case, the applicant is proposing a modern architecture home and there is at least another modern
211 architecture residence in the adjacent lots. Due to it being located within a planned development, there are height
212 regulations to be followed. In this case, the applicant and the home do fall within conformance with the current ordinance.
213 Mr. Miller explained to the Commission that 115 notices were sent out to owners and occupants within 500 feet as well as
214 the Chandlers Landing HOAs (The Cabanas at Chandlers Landing, Match Point Townhomes, and the Spyglass Homeowner
215 Association). Prior to the meeting, we had received a neighbor opposing the request due to density. With that, Mr. Miller
216 advised the Commission that the applicant and staff were available to answer any questions.

217
218 Chairman Chodun asked if anyone had any questions for Staff.

219
220 Commissioner Womble asked about the lots existing grade which is about 6-8 feet below the rest of the houses. Mr. Miller
221 explained that the applicant would have to create a pad elevation first and then, once it's created, that will establish the
222 maximum height for the ordinance. The applicant has already provided the Building department with plans already
223 showing how they'll meet that pad elevation height and their proposed request is in conformance with that.

224
225 Commissioner Fishman asked Mr. Miller if some of the existing homes had to go through Planning and Zoning for
226 approval since they were all architecturally different. Mr. Miller explained that this new regulation of obtaining a Specific
227 Use Permit came into play on September 1, 2019, and therefore the existing homes did not have to go through the process.
228 This new rule of obtaining an SUP was created to give the Commission discretionary oversight over development.
229 However, Chandlers Landing has a wide range of architecture throughout from homes that have been built since its
230 inception in the 1970s all the way to present day.

231
232 Chairman Chodun asked if the applicant was present or on the line.

233
234 Alejandro Portocarrero (applicant)

236 Mr. Portocarrero came on and stated that he was available to answer any questions the Commission had.

237
238 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so, there being
239 no one indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for
240 discussion or action.

241
242 Commissioner Fishman made a motion to approve item Z2020-014 with Staff recommendations. Commissioner Thomas
243 seconded the motion which passes by a vote of 7-0.

244
245 Chairman Chodun then advised the applicant that his case would be presented May 4, 2020 at the City Council meeting.

246
247 8. Z2020-015 (RYAN MILLER) [APPLICANT REQUESTING WITHDRAWAL]

248 Hold a public hearing to discuss and consider a request by Stephen Doyle of Structured Real Estate on behalf of Luke Alverson of
249 Capstar Holding Corporation for the approval of a Zoning Change from a Commercial (C) District and a Light Industrial (LI) District
250 to a Planned Development District (PD) for a 55.80-acre tract of land identified as Tract 22, 22-2, & 24 of the R. Irvine Survey,
251 Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District and Light Industrial (LI) District,
252 generally located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and
253 take any action necessary.
254

255 Chairman Chodun indicated the applicant has requested to withdraw the case and Planning and Zoning Director Ryan
256 Miller added that since this was an advertised public hearing then it requires action by the Planning and Zoning
257 Commission. Chairman Chodun then asked if there was a reason given for the withdrawal. Mr. Miller explained that the
258 applicant is working with the seller of the property to assure the sale of the land and they also needed additional time to
259 work with Staff through some of the issues with the Planned Development district. The applicant did reassure Mr. Miller
260 that they do intend to resubmit at a later date. Chairman Chodun asked if there had been any notices in favor or opposed
261 to the case but there were none.

262
263 Commissioner Logan made a motion to accept the withdrawal of item Z2020-015. Commissioner Thomas seconded the
264 motion which passed by a vote of 7-0.
265

266 VI. ACTION ITEMS

267
268 9. SP2020-004 (DAVID GONZALES)

269 Discuss and consider a request by Jason Miller of Boucher Design Group on behalf of Peter Sisan of SDI Rockwall Holdings, LLC
270 for the approval of a Site Plan for a *strip retail center* on a 0.918-acre tract of land being identified as Lot 1, Block A, Mr. M.
271 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District
272 land uses, situated within the Scenic Overlay (SOV) District, addressed as 2901 Ridge Road, and take any action necessary.
273

274 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is proposing to
275 demolish the existing building to provide for a strip retail center that is approximately 5,400 square feet. This property is
276 also located in the Ridge Road Overlay district and as a result is subject to Planned Development 9 (PD-9) District
277 requirements as well as the Overlay district requirements. In this case, the applicant does meet the majority of those
278 requirements with the exceptions that are to be provided. Mr. Miller advised the Commission that there are several trees on
279 this property and the applicant's landscape plan does not indicate that they will be removing any of those trees. The
280 applicant is requesting variances to the building articulation requirements also. The Overlay District requires that all
281 buildings that are less than 6,000 square feet be required to have a pitched roof which is not shown by the applicant. Also,
282 the back and sides of the building are not finished with the architectural detailing as the front side is. The Planning and
283 Zoning Commission is the approving body for all variances and exceptions with any approval of these consisting of at
284 least four (4) in the affirmative and with three (3) votes approving of the decision. Mr. Miller then advised the Commission
285 that the applicant and staff were present and available to answer any questions.
286

287 Chairman Chodun asked if anyone had any questions for Staff.

288
289 Commissioner Womble asked if this building was going to be a complete demolition from the ground up or if it was going
290 to be a renovation. Mr. Miller then answered that this was going to be built from the ground up after the existing building is
291 demolished. Mr. Womble then asked if there are any environmental concerns with it being an old gas station but Mr. Miller
292 assured him there wouldn't be.
293

294 Chairman Chodun asked if the applicant was present or online.
295

296 Jason Miller (applicant)
297 6802 Male Ridge Street
298 Suite 200
299 Bellaire, TX 77401

300
301 Mr. Miller came on the line and provided further details in regards to his requests.
302

303 Chairman Chodun asked if anyone had any questions for the applicant.
304

305 Commissioner Thomas asked for any indication on what type of tenants are to be expected. Mr. Jason Miller answered that
306 he didn't have any specifics but at least half of the building would be a fast casual food restaurant and the other two
307 spaces were to be more service user such as an eye doctor's office.
308

309 Chairman Chodun asked if anyone wished to speak to come forward and do so, there being no one indicating such;
310 Chairman Chodun brought the item back to the Commission for discussion or action.
311

312 Commissioner Thomas made a motion to approve item SP2020-004. Commissioner Womble seconded the motion which
313 passed by a vote of 7-0.
314

315 10. SP2020-006 (RYAN MILLER) [**POSTPONED TO THE MAY 12, 2020 PLANNING AND ZONING COMMISSION MEETING**]

316 Discuss and consider a request by Jared Helmberger, PE of Epsilon Land Development on behalf of Jim Vaudagna of Dallas East
317 for the approval of a Site Plan for a *strip retail center and daycare facility* on a 6.28-acre parcel of land identified as Lot 5 of the
318 Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally
319 located on the southside of E. Ralph Hall Parkway west of the intersection of E. Ralph Hall Parkway and S. Goliad Street [*SH-*
320 *205*], and take any action necessary.
321

322 Planning and Zoning Director Ryan Miller advised the Commission that item SP2020-006 had been postponed to the next
323 meeting so no discussion or action was needed.
324

325 VII. DISCUSSION ITEMS
326

327 11. Z2020-011 (RYAN MILLER)

328 Hold a public hearing to discuss and consider a request by Marlyn Roberts for the approval of a Specific Use Permit (SUP) for an
329 *accessory building that exceeds the maximum square footage and height* on an 0.1865-acre parcel of land identified as Lot 5,
330 Block D, Waterstone Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District,
331 addressed as 323 Julian Drive, and take any action necessary.
332

333 Planning and Zoning Director Ryan Miller advised the Commission that the applicant was present online and would be
334 addressing his case.
335

336 Mr. Miller advised the Commission that the applicant provided a letter outlining his request. A draft ordinance will be put
337 together and brought back to the Commission. It does appear that the requested shed does meet the majority of the
338 requirements with the exception of the size and they will bring back a new analysis at the next meeting.
339

340 Marlyn Roberts (applicant)
341 323 Julian Drive
342 Rockwall, TX 75087
343

344 Vice-Chairman Welch added that he drove by the property and the shed was of massive size and he could not even tell that
345 there was a backyard. He then asked if the only options the applicant had if the item was to be declined tonight were to go
346 before City Council or be torn down. Mr. Miller answered that those were the only options.
347

348 The Commission was unable to make contact with the applicant.
349

350 Chairman Chodun asked if there were any other questions.
351

352 There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next
353 scheduled meeting.
354

355 12. Z2020-016 (DAVID GONZALES)

356 Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate
357 for the approval of a Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport
358 that does not conform to the requirements of the Unified Development Code (UDC) on a one (1) acre parcel of land identified as
359 Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as
360 844 Zion Hill Circle, and take any action necessary.

361
362 **Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He also reminded the**
363 **Commission that this came before them for a zoning change at the last meeting and it was approved to go from an**
364 **Agricultural (AG) District to a Single-Family 1 (SF-1) District. The reason why the applicant is pursuing this is the**
365 **property owner hired a contractor to build an accessory structure. A building permit was submitted but the structure that**
366 **was built did not meet anything that was on that building permit. It is a detached unit that had been plumbed out. Once**
367 **the Building Inspector realized this did not conform to the building permit, then it was turned over to the Planning and**
368 **Zoning department which is why the applicant is in the final zoning phase requesting a Specific Use Permit for the guest**
369 **quarters and secondary living unit. The applicant also has a carport that exceeds the maximum size by quite a bit. Mr.**
370 **Miller then turned it over to the applicant which is the contractor.**

371
372 **Chris Kehrer (applicant/contractor)**
373 **410 Normandy Lane**
374 **Heath, TX 75032**

375
376 **Mr. Kehrer added further details in regards to his case. He explained that plumbing was added and that they were**
377 **planning on attaching the structure to the rest of the house. The residents had pre-existing hail damage to their existing**
378 **house and so the structure was built. The structure is overhanging right now to be able to get attached to the primary**
379 **home. Since Mr. Kehrer did not handle the new roof for the old house, then he did not attach the new structure to the**
380 **existing one. The applicant then advised that he was available to answer any questions.**

381
382 **Chairman Chodun asked if there were any plans or specs available showing the finished result with the structure being**
383 **attached but the applicant said there were not.**

384
385 **Chairman Chodun then asked if there were any questions for the applicant.**

386
387 **Vice-Chairman Welch asked if there were any additional structures going in with the house but the applicant said**
388 **nothing else but the septic tank was going in.**

389
390 **Planning and Zoning Director Ryan Miller advised the Commission that a timeline of events will be provided to the**
391 **Commission as to how the construction and the rest of the project began on this property.**

392
393 **Mr. Kehrer then added that if the carport was too big then they had some ideas on how to reduce that with some**
394 **ornamental porch fencing that they can wrap around across the front and leave the garage doors open. This will drop the**
395 **carport size to roughly 1,100 square feet versus what it is now which is 1,620 square feet.**

396
397 **Chairman Chodun asked if there were any other questions.**

398
399 **There being no further questions, Chairman Chodun indicated that the case will return to the Commission for action at**
400 **the next scheduled meeting.**

401
402 13. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER)

- 403
404 ✓ P2020-012: Replat for Lots 4 & 5, Block A, Landing Point Addition [APPROVED]
405 ✓ P2020-013: Final Plat for Lots 1 & 2, Block A, Shoreline Marriott Addition [APPROVED]
406 ✓ P2020-014: Replat for Lot 2, Block B, Harbor District Addition [APPROVED]
407 ✓ P2020-015: Replat for Lot 24, Block A, Presbyterian Hospital of Rockwall Addition [APPROVED]
408 ✓ P2020-016: Replat for Lot 1, Block L, Lake Rockwall Properties Development No. 2 Addition [APPROVED]
409 ✓ P2020-017: Replat for Lot 9, Block A, Lakeshore Commons Addition [APPROVED]
410 ✓ MIS2020-006: Exception to the Undergrounding Requirements for Utilities for the Northgate Subdivision [APPROVED]

411
412 **Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the**
413 **City Council meeting.**

414
415 VIII. ADJOURNMENT

417 Chairman Chodun adjourned the meeting at 7:22 p.m.

418

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

420 28 day of April, 2020.

421

422

423

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425

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427

428

429


Eric Chodun, Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
MAY 12, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 *THE ROCKWALL PLANNING AND ZONING COMMISSION MEETING WILL BE HELD IN-PERSON AT ROCKWALL CITY HALL;*
3 *HOWEVER, AS AN ALTERNATIVE TO ATTENDING THE MEETINGS APPLICANTS, CITIZENS AND INTERESTED PARTIES*
4 *MAY JOIN REMOTELY VIA ZOOM (AUDIO PARTICIPATION ONLY). CITIZENS AND INTERESTED PARTIES MAY SUBMIT*
5 *COMMENTS BY EMAIL.*

6 7 SUBMIT COMMENTS VIA EMAIL

8
9 Citizens are encouraged to submit public forum comments at least 30 minutes in advance of the meeting by emailing them to
10 Planning@Rockwall.com. Please include your name and address when submitting comments. Also, please be concise and limit your comments
11 so that it may be read within three (3) minutes.

12 13 CITIZENS WATCHING THE MEETING

14
15 The public may watch the meeting *live* online by visiting the following link: <http://www.rockwall.com/meetings/video.asp>

16
17 NOTE: Please do not try to watch the meeting live and participate via ZOOM at the same time. There is a timing difference between the two
18 streams. If you feel you need to watch live and also participate (as an applicant *only*) in the meeting via ZOOM, please mute the live stream
19 audio (*as it is delayed compared to ZOOM*).

20 21 APPLICANTS AND CITIZENS PARTICIPATING IN THE MEETING

22
23 Applicants and citizens that wish to participate in the meeting virtually by joining with ZOOM, either via a computer, mobile device, and or
24 telephone should follow the following instructions:

25
26 (1) Register in advance to participate in the Planning and Zoning Commission Work Session meeting at this link:
27 https://us02web.zoom.us/webinar/register/WN_CwSi49fiQTck3xGzAurtQ.

28
29 (2) After registering, you will receive a confirmation email containing information about joining the meeting. Alternatively, you can join via
30 telephone at:

31
32 US: (301) 715-8592 or (312) 626-6799 or (888) 788-0099
33 Webinar ID: 841-7497-1526

34
35 *NOTE:* Once the agenda item you would like to speak on has been presented by staff, you may hit the raise hand button (or press *9 for
36 telephone participants) to request to speak or to cancel your request. You will be acknowledged and prompted to provide comments when
37 it is your turn to speak during the meeting.

38
39 *SPECIAL NOTES:* Only the two-way 'audio' feature of ZOOM will be utilized during the meeting. No ZOOM video will be used. If you are
40 watching remotely via the live stream, please note there is a seven (7) second delay, whereas, ZOOM is in real time.

41 42 43 I. CALL TO ORDER

44
45 **Vice-Chairman Jerry Welch called the meeting to order at 6:00 PM. The Commissioners present at the meeting were John**
46 **Womble, Annie Fishman, Sedric Thomas, and Mark Moeller. Chairman Eric Chodun and Commissioner Tracey Logan were**
47 **present via ZOOM. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager**
48 **David Gonzales, Planning and Zoning Coordinator Angelica Gamez and City Engineer Amy Williams. Absent from the**
49 **meeting were Civil Engineers Sarah Johnston and Jeremy White.**

50 51 II. OPEN FORUM

52
53 **Vice-Chairman Welch explained how open forum is conducted and asked if anyone wished to speak to come forward at this**
54 **time. There being no one coming forward, Vice-Chairman Welch closed the open forum.**

56 III. APPOINTMENTS

- 57
58 1. Appointment with the Director of Planning and Zoning to receive the Architectural Review Board's recommendations and comments
59 for items on the agenda requiring architectural review.

60
61 **A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were**
62 **discussed at the Architectural Review Board meeting.**

63
64 IV. CONSENT AGENDA

- 65
66 2. Approval of Minutes for the April 28, 2020 Planning and Zoning Commission meeting.

67
68 **Commissioner Thomas made a motion to approve the Consent Agenda. Commissioner Fishman seconded the motion**
69 **which passed by a vote of 7-0.**

70
71 V. PUBLIC HEARING ITEMS

- 72
73 3. **Z2020-011 (RYAN MILLER)**

74 Hold a public hearing to discuss and consider a request by Marlyn Roberts for the approval of a Specific Use Permit (SUP) for an
75 *accessory building that exceeds the maximum square footage and height* on an 0.1865-acre parcel of land identified as Lot 5, Block
76 D, Waterstone Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as
77 323 Julian Drive, and take any action necessary.

78
79 **Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting**
80 **a Specific Use Permit (SUP) for an accessory structure. This accessory structure was already installed and background**
81 **information was provided to the Commission. The applicant did contact Staff after it was realized that the contractor did**
82 **not pull a permit. The accessory structure itself is eleven (11) feet eight (8) inches making 192 square feet and it is located**
83 **in the rear yard. The accessory building has a gabled roof and consists of a brown color making it match the trim of the**
84 **primary structure. According to the Unified Development Code (UDC), accessory structures are allowed in a Single Family-**
85 **7 (SF-7) District. We allow either two (2) structures that are 144 square feet each or one (1) accessory structure at 144**
86 **square feet and one (1) detached garage at 625 square feet. In this case, there are no other accessory structures on the**
87 **property and the structure that was built exceeds the maximum allowable size by 48 square feet. There is another**
88 **accessory structure that is the same size and nearly as high as the requested one in the neighboring properties. The**
89 **structure that is requested here is not as visible as the one on the adjacent lot when driving down Yellowjacket Road. All**
90 **Specific Use Cases are discretionary decisions for City Council pending a recommendation from the Planning and Zoning**
91 **Commission. Mr. Miller explained that there was a draft ordinance included in the Commissioner's packets that detailed**
92 **the specific operational conditions for this case. With this being a Zoning case, Staff sent out 61 notices to property owners**
93 **and occupants within 500 feet of the subject property. Waterstone Estates Homeowners Association was also notified as**
94 **it was the only homeowners association (HOA) within 1500 feet of the subject property. At the time of making the packet,**
95 **there had only been two (2) notices received in favor of the request. There were three (3) additional notices received, all in**
96 **favor, including one from the Waterstone Estates HOA. Mr. Miller then advised the Commission that the applicant and Staff**
97 **were present and available for questions.**

98
99 **Vice-Chairman Welch asked the applicant to come forward.**

100
101 **Marlyn Roberts**
102 **323 Julian Drive**
103 **Rockwall, TX 75087**

104
105 **Mr. Roberts came forward and provided additional information in regards to the request.**

106
107 **Vice-Chairman Welch opened the public hearing and asked if anyone wished to speak to come forward and do so.**

108
109 **Commissioner Logan had a question as to whether or not a warning had been issued to the contractor for building the**
110 **structure without a permit. Planning Director Ryan Miller stated that a citation was not issued in this case and they were**
111 **made aware of having an issue by the applicant and not from Code Enforcement. The applicant contacted Staff and**
112 **submitted an application of their own volition so Staff did not send out anything to the contractor. Commissioner Moeller**
113 **agreed that there needs to be a proper process in place to note if citations had been issued. Commissioner Thomas asked**
114 **if the contractor had maybe reached out to the HOA and thought that was enough of an approval to install the accessory**
115 **structure. Mr. Miller answered that, to his knowledge, that had not occurred and the applicant was the one who realized a**
116 **permit was not issued.**

117 Vice-Chairman Welch closed the public hearing and brought the item back to the Commission for discussion or action.

118
119 Commissioner Thomas made a motion to approve item Z2020-011 with staff recommendations. Commissioner Womble
120 seconded the motion which passed by a vote of 7-0.

121
122 **4. Z2020-016 (DAVID GONZALES)**

123 Hold a public hearing to discuss and consider a request by Chris Kehrer of Titan Contractors on behalf of the owner David Choate
124 for the approval of a Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit and Carport
125 that does not conform to the requirements of the Unified Development Code (UDC) on a one (1) acre parcel of land identified as
126 Lot 8, Block B, Zion Hill Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as
127 844 Zion Hill Circle, and take any action necessary.

128
129 **Planning and Zoning Manager David Gonzales provided a brief summary and history in regards to the request. The single**
130 **family home, constructed in 1978, holds a primary structure that's 2,871 square feet. The applicant is requesting a**
131 **secondary structure that's 4, 812 square feet. In November of 2019, the applicant/contractor had submitted a building permit.**
132 **They were proposing to construct the 4, 812 square foot accessory structure that consisted of a carport, a covered porch**
133 **and a detached garage. During the permitting process, it was discovered that the carport and the detached garage were**
134 **larger than what is allowed by the Unified Development Code (UDC). At that time, the applicant was told that a Specific Use**
135 **Permit (SUP) would be required if he wanted to continue with that project. He then wanted to reduce the carport to avoid**
136 **the SUP process but there were a couple of other things he could do to help out as well. He could reduce the detached**
137 **garage to 625 square feet or less or he could attach the entire structure onto the primary structure and create an addition.**
138 **At that time, he was asked to submit an additional permit to go forward. In January 2020, the applicant did provide a revised**
139 **permit and proposed to remove the carport and add an eight (8) foot awning that would effectively attach that to the primary**
140 **structure. Building Inspectors went out that day and realized that the accessory structure had already been mostly**
141 **constructed so a stop-work order was issued and is still in effect today. The Inspector also noticed that there was plumbing**
142 **and a living area inside the detached garage portion so three (3) citations were issued. Staff then moved in and started**
143 **working with the applicant and giving him recommendations in regards to the project. One of them being to request an SUP**
144 **for the structure as is and do two (2) things-those being to rezone the property from Agricultural to Single Family-1, which**
145 **was approved in April 2020 and the other was to request a Specific Use Permit. According to UDC, they can have two (2)**
146 **accessory units but if you exceed the square footage on that then no other structures may be permitted on the property as**
147 **it is listed in the conditions of approval. Staff wanted to point out that the structure does need to be integrally attached to**
148 **the primary structure. Had the applicant done that since the beginning then he would have avoided this process with the**
149 **exception to the carport. If the structure is not integrally tied to the primary structure, then the applicant will be required to**
150 **go before the Board of Adjustment because the structure itself is within ten (10) feet of the other structure. It would require**
151 **the Board to make a positive ruling in favor of the applicant for that to remain as is. This is a discretionary decision for the**
152 **City Council pending a recommendation from the Planning and Zoning Commission. Staff sent out notices to 29 property**
153 **owners and occupants within 500 feet and did not receive any in favor or against. There are also no Homeowners**
154 **Associations within 1500 feet. Mr. Gonzales then showed photos of the structure to the Commission. He then advised the**
155 **Commission that the applicant and Staff were available for questions.**

156
157 Commissioner Chodun was inquiring about the status of the second permit and wanted clarification as to what the outcome
158 would be if the Specific Use Permit was approved tonight.

159
160 Planning Director Ryan Miller added brief details in regards to the case. He added that if the applicant attaches the structure
161 then it technically falls within code regulations because it would then become integrated to the primary structure. He
162 clarified that if the item gets approved by the Commission today then the applicant would be able to leave it as is. If the
163 Commission were to deny it today then the applicant would have the ability to submit a permit showing it being integrated
164 to the primary structure. Mr. Miller also pointed out that the roof of the accessory building was overhanging the primary
165 structure and it was much taller.

166
167 Vice-Chairman Welch asked the applicant to come forward.

168
169 **Chris Kehrer**
170 **410 Normandy Lane**
171 **Heath, TX 75032**

172
173 The applicant came forward and provided further details in regards to the request. He apologized in regards to the situation
174 and brought up a photo showing where there could be a breezeway crossing into the primary structure. If he is allowed to
175 do that then they would be in compliance.

176
177 Vice-Chairman Welch opened the public hearing and asked if anyone wished to speak to come forward and do so.

178 The applicant, Mr. Kehrer, added that he had not received any complaints from any neighbors.

179
180 Vice-Chairman Welch closed the public hearing and brought the item back to the Commission for discussion or action.

181
182 Commissioner Moeller stated that the item should be denied and go to Board of Adjustment. Chairman Chodun asked that they would
183 be creating a bad precedent if they approved the item.

184
185 Planning Director Ryan Miller explained that if the Specific Use Permit were approved then the Commission would be
186 approving two facets to that. The first being that the carport exceed the minimum requirements by 1,100 square feet and you
187 would be allowing the guest quarters/detached garage/carport to maintain the way it is today. The proposed structure can
188 stay as is unattached and the applicant would then have to go to Board of Adjustments if the motion is to approve. If the
189 Board of Adjustments approves it and allows him to have a variance then it can stay as it is today without attaching it to the
190 primary structure and does not need to attach it to the breezeway. If they deny it then he would have to attach it to the primary
191 structure. If the Commission denies the request then the applicant would have to do the following: bring the structure into
192 compliance meaning he would have to cut the carport down by 1,100 square feet, he would have to cut the accessory
193 structure down to 30% of the primary structure, and separate the detached garage and cut it down to 625 square feet
194 essentially removing the structure.

195
196 Chairman Chodun asked why they didn't require a breezeway in the ordinance. Planning Director Ryan Miller explained that
197 having the breezeway installed could be instilled as a condition of approval.

198
199 Commissioner Womble made a motion to deny item Z2020-016. Commissioner Moeller seconded the motion which passes
200 by a vote of 5-2 with Commissioner Thomas and Vice-Chairman Welch dissenting.

201
202 Planning and Zoning Manager David Gonzales explained that since the item was denied then it would go before the City
203 Council on May 18, 2020 and would require $\frac{3}{4}$ of majority vote for approval.

204
205 VI. ACTION ITEMS

206
207 5. SP2020-006 (RYAN MILLER)

208 Discuss and consider a request by Jared Helmberger, PE of Epsilon Land Development on behalf of Jim Vaudagna of Dallas East
209 for the approval of a *Site Plan* for a *strip retail center and daycare facility* on a 6.28-acre parcel of land identified as Lot 5 of the
210 Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally located
211 on the southside of E. Ralph Hall Parkway west of the intersection of E. Ralph Hall Parkway and S. Goliad Street [SH-205], and
212 take any action necessary.

213
214 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is proposing a
215 site plan for an 11,000 square foot daycare facility and a 6,000 square foot multi-tenant retail strip building. The majority of
216 the site plan meets all of the technical requirements but the applicant is requesting two variances in regards to the building
217 elevations that will require discretionary approval from the Commission. Neither building meets the primary building façade
218 articulation and the secondary building façade articulation. As compensatory measures, the applicant has provided a letter
219 outlining what they are proposing such as 21% stone on the strip retail building, 30% stone on the daycare facility, and a 20
220 foot landscape buffer in lieu of the required 10 foot buffer, and additional landscaping above and beyond the minimum
221 requirements. They are trying to adhere to as many of the Overlay District requirements even though this is in a straight
222 zone property. There are no material requirements on this building so this is what they are offering in lieu of meeting exact
223 articulation requirements. Mr. Miller then advised Staff that the applicant was present via ZOOM and both he and Staff were
224 available for any questions.

225
226 Commissioner Womble inquired about what the Architectural Review Board's opinion was in regards to the case. Mr. Miller
227 explained that the Architectural Review Board (ARB) reviewed this case on three (3) separate occasions and had several
228 recommendations. The applicant was willing to comply with the majority of the recommendations but the only one they had
229 difficulty complying with was bringing stone out on the strip retail building. Ultimately, the ARB voted unanimously to
230 recommend approval to the Commission.

231
232 Chairman Chodun asked whether or not traffic would be an issue in that area but Mr. Miller replied that the roadway was built
233 to handle that type of situation.

234
235 Jared Helmberger
236 811 S. Central Expressway
237 Richardson, TX 75080
238

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The applicant went on via ZOOM and provided a brief summary in regards to the request.

Commissioner Fishman inquired about whether or not the applicant had any secure tenants at the moment but the applicant explained confirmed that he did not.

Commissioner Chodun had a question in regards to the building's blue paint color but Mr. Miller explained that the applicant sent in a paint swatch and the color was more of a muted blue than what came across the elevations.

Commissioner Moeller made a motion to approve item SP2020-006 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 7-0.

VII. DISCUSSION ITEMS

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


- ✓ P2020-018: Replat for Lots 2 & 3, Block D, Ellis Centre, Phase Two Addition [APPROVED]
- ✓ Z2020-009: SUP for a New and/or Used Motor Vehicle Dealership/Showroom for Interstate Cars [APPROVED; 1st READING]
- ✓ Z2020-010: SUP for an Accessory Building for 204 Lakehill Drive [APPROVED; 1st READING]
- ✓ Z2020-012: SUP for a Residential Infill in an Established Subdivision for 706 Sherman Street [APPROVED; 1st READING]
- ✓ Z2020-014: SUP for a Residential Infill in an Established Subdivision for 328 Harborview Drive [APPROVED; 1st READING]


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

VIII. ADJOURNMENT

Vice-Chairman Welch adjourned the meeting at 6:47 pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this _____
26 day of May, 2020.


Eric Chodun, Chairman JERRY WELCH, VICE-CHAIRMAN

Attest:

Angelica Gamez, Planning and Zoning Coordinator

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
MAY 26, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 *IN LIEU OF ATTENDING IN PERSON AND IN AN EFFORT TO COMPLY WITH CDC RECOMMENDATIONS REGARDING*
3 *SOCIAL DISTANCING, SPECIAL NOTES PERTAINING TO "REMOTELY" OR "VIRTUALLY" PARTICIPATING IN TONIGHT'S*
4 *PLANNING AND ZONING COMMISSION WORK SESSION MEETING ARE AS FOLLOWS:*

5 6 SUBMIT COMMENTS VIA EMAIL

8 Citizens are encouraged to submit public forum comments at least 30 minutes in advance of the meeting by emailing them to
9 Planning@Rockwall.com. Please include your name and address when submitting comments. Also, please be concise and limit your comments
10 so that it may be read within three (3) minutes.

11 12 CITIZENS WATCHING THE MEETING

13
14 The public may watch the meeting *live* online by visiting the following link: <http://www.rockwall.com/meetings/video.asp>

15
16 NOTE: Please do not try to watch the meeting live and participate via ZOOM at the same time. There is a timing difference between the two
17 streams. If you feel you need to watch live and also participate (as an applicant only) in the meeting via ZOOM, please mute the live stream
18 audio (as it is delayed compared to ZOOM).

19 20 APPLICANTS PARTICIPATING IN THE MEETING

21
22 Applicants that wish to participate in the meeting virtually by joining with ZOOM, either via a computer, mobile device, and or telephone should
23 follow the following instructions:

- 24
25 (1) Register in advance to participate in the Planning and Zoning Commission Work Session meeting at this link:
26 https://us02web.zoom.us/webinar/register/WN_noSbluiHTjehUNVEHNqY4g
27 (2) After registering, you will receive a confirmation email containing information about joining the meeting. Alternatively, you can join via
28 telephone at:

29
30 US: (301) 715-8592 or (312) 626-6799
31 Webinar ID: 334-916-504

32
33 NOTE: Press *9 to request to speak or to cancel your request. You will be acknowledged to provide comments during the meeting.

34
35 SPECIAL NOTES: Only the two-way 'audio' feature of ZOOM will be utilized during the meeting. No ZOOM video will be used. If you are
36 watching remotely via the live stream, please note there is a seven (7) second delay, whereas, ZOOM is in real time.

37 38 39 I. CALL TO ORDER

40
41 **Vice-Chairman Jerry Welch called the meeting to order at 6:10 PM. The Commissioners present at the meeting were John Womble,**
42 **Sedric Thomas, and Mark Moeller. Chairman Eric Chodun, Commissioners Tracey Logan and Annie Fishman were present via**
43 **ZOOM. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales,**
44 **Planning and Zoning Coordinator Angelica Gamez and City Engineer Amy Williams. Absent from the meeting were Civil Engineers**
45 **Sarah Johnston and Jeremy White.**

46 47 II. OPEN FORUM

48
49 **Vice-Chairman Welch explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.**
50 **There being no one coming forward, Vice-Chairman Welch closed the open forum.**

51 52 III. APPOINTMENTS

- 53
54 1. Appointment with the Planning and Zoning Director to receive the Architectural Review Board's recommendations and comments
55 for items on the agenda requiring architectural review.

56
57 **Planning and Zoning Director Ryan Miller gave a brief summary of the recommendations provided by the Architectural Review**
58 **Board.**

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IV. CONSENT AGENDA

- 2. Approval of Minutes for the May 12, 2020 Planning and Zoning Commission meeting.

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

V. ACTION ITEMS

3. MIS2020-007 (RYAN MILLER)

Discuss and consider a request by Diane Mullenix for the approval of a Special Exception to the fence standards for an existing single-family home on a 0.0810-acre parcel of land identified as Lot 8, Block F, Chandlers Landing, Phase 17 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development 8 (PD-8) for Single-Family 10 (SF-10) District land uses, addressed as 5541 Canada Court, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting a special exception for the purpose of permitting a fence that was already built. The applicant is requesting this for a townhome and the townhome that is currently on the property is 1,534 square feet and was built in 1987. Originally, the applicant was looking to rehab a 44 foot section of their fence and received approval by their homeowners association. However, the applicant was unaware that they needed a permit from the City in order to build/replace anything over 25 linear feet or anything over five (5) posts. Upon realizing that she needed a permit, the applicant did submit an application but the material she used was pine. According to the Unified Development Code, the approved material is cedar and it should be about an inch and a half thick. She applied for a special exception and it allows the Planning and Zoning Commission to look at alternatives on a case by case basis and approve alternative materials then what the fencing ordinance allows. The approval of any exception is a discretionary decision to the Planning and Zoning Commission. Mr. Miller then advised Staff that the applicant and Staff were present to answer questions.

Vice-Chairman Welch had a question in regards to the Commission only being able to make a decision on the fence material and not on the lattice work that sits on top of the fence. Planning and Zoning Director Ryan Miller explained that the lattice work is comparable to others in the area. He also added that the structure of it does meet the code as opposed to the material.

Vice-Chairman Welch asked if the applicant was present.

Since the applicant was not present Vice-Chairman Welch asked brought the item back to the Commission for discussion or action.

Commissioner Thomas made a motion to approve item MIS2020-007 with staff recommendations. Commissioner Womble seconded that motion which passed by a vote of 7-0.

VI. DISCUSSION ITEMS

4. Z2020-018 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Rex and Beverly Fithian 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 3.03-acre parcel of land identified as Lot 1, Block A, Hodgdon Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 1055 Dalton Road, and take any action necessary.

Planning and Zoning Director Ryan Miller advised the Commission that the applicants were present and asked them to come down.

Rex Fithian
1055 Dalton Road
Rockwall, TX

The applicant came forward and provided a brief summary in regards to the request. He also wanted clarification as to the description "Residential Infill in an Established Subdivision." Planning and Zoning Director Ryan Miller explained that the term "Residential Infill" was adopted in September 1, 2019 and that ordinance requires any infill development in an established subdivision, what the meaning of "subdivision" be required to obtain a Specific Use Permit (SUP). The ordinance also requires any home within 500 feet of an established subdivision to be notified to ensure that the discretionary oversight

119 is paid, and isn't adverse to the current aesthetics of those subdivisions. In this case, the applicant is adjacent to the
120 neighborhood to the East and they share a common boundary so that is why the SUP was enforced. Mr. Miller explained to
121 the board that this home faces Dalton Road, is on a larger estate lot, which means the applicant is building a larger estate
122 home as shown in the exhibits in the PowerPoint. Another thing to point out is that the plans indicate a future guest house
123 and accessory structure that will be built at the same time as the primary home. Planning and Zoning Director Ryan Miller
124 explained that he had already spoken to the applicant and the accessory structure does meet all of the requirements but the
125 applicant will have to submit another SUP for the guest house. With that being said, the request does meet all other zoning
126 requirements.

127
128 Vice-Chairman Welch asked whether or not the applicant would have to pay dues to a Homeowners Association but Mr.,
129 Miller explained that the applicant does not live within the neighborhood so he wouldn't be responsible for that.

130
131 There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the
132 next scheduled meeting on June 9, 2020.

133
134
135 **5. Z2020-019 (RYAN MILLER)**

136 Hold a public hearing to discuss and consider a request by J. W. Jones for the approval of a Specific Use Permit (SUP) for
137 Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.33-acre parcel of land
138 identified as a portion of Lot 1050 and all of Lot 1051, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas,
139 zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and
140 take any action necessary.
141

142 **The applicant came forward.**

143
144 **J.W. Jones**
145 **555 North 5th Street**
146 **Suite 114**
147 **Garland, TX 75040**
148

149 The applicant (JW Jones) came forward and provided a brief summary in regards to the request. He explained that the
150 applicants are currently living in a mobile home on the lot but will remove it once the home is completed. He added that they
151 had spoken to Building Inspections department and they were told that they did not need a Specific Use Permit until they
152 submitted their plans so he recommended that a better process take place.
153

154 Chairman Chodun had a question in regards to the location of the mobile home but the applicant explained that the family
155 will be living in it until the house is built. Planning and Zoning Director Ryan Miller clarified that the utilities will not be turned
156 on in the house until the existing mobile home is removed.
157

158 Planning and Zoning Director Ryan Miller asked whether or not there was not going to be a garage on the house or if the
159 carport was going to be left in place. Mr. Jones replied that there is not an existing carport in the area, only a small covered
160 patio that's part of the existing mobile home.
161

162 There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the
163 next scheduled meeting on June 9, 2020.
164

165 **6. Z2020-020 (RYAN MILLER)**

166 Hold a public hearing to discuss and consider a request by Brian Bader on behalf of Victoria Kaprantzas for the approval of a
167 Specific Use Permit (SUP) for Secondary Living Unit/Guest Quarters/Accessory Dwelling Unit and Carport on a 0.81-acre tract of
168 land identified as Tract 27 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single-Family
169 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1308 Ridge Road, and take any action
170 necessary.
171

172 **The applicant came forward.**

173
174 **Brian Bader/Victoria Kaprantzas**
175 **20603 CR 31**
176 **Quinlan, TX 75474**
177

178 The applicant came forward and provided a brief summary in regards to the request. He explained that the adjacent property
179 of the house was built in 1983 and the original house was built in the late 1960s. Both of these will be completely renovated.
180 The plan for this new living area is for the daughter of Victoria Kaprantzas to move in. He added that Carroll Architects will
181 be drawing up the plans for the renovation.

182
183 Planning and Zoning Director Ryan Miller added that the reason this project was going before the Commission was that the
184 applicant indicated that the home was built in 1978 and it was 1,800 square feet. The Planning and Zoning Department allows
185 accessory dwelling units to be up to 30% of the main structure, which in this case, the main structure is 3,276 square feet.
186 Additionally, they are adding a carport exceeding the maximum size allowed which is 500 square feet. The carport is also
187 supposed to be integrated to the primary structure and not the accessory structure as shown in this case. In order to begin
188 construction, the family would have to demolish the existing garage and demolition was started without a permit. The
189 applicant did have one taken out by the time the meeting had begun making the property in compliance.

190
191 Commissioner Logan asked if it were two different properties instead of one. Mr. Miller explained that the building footprint
192 on this building was not changing because there is an older structure out on the property with a detached garage. In the
193 ordinance located inside the Commissioner's packets, there was a condition put in place that reads that the property cannot
194 be subdivided in a manner that would make these two properties separate.

195
196 Mr. Miller then asked if the applicant could provide the Commission with any elevations as to how the carport was going to
197 be arranged.

198
199 There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the
200 next scheduled meeting on June 9, 2020.

201
202 **7. Z2020-021 (DAVID GONZALES)**

203 Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an
204 Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a four (4) acre tract of land identified as a portion of
205 Tract 44-01 of the W. W. Ford Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
206 generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.
207

208
209 The applicants came forward.

210 **Cathy Wallace**
211 330 H. Wallace Lane
212 Rockwall, TX 75032

213
214 **Amie Wallace**
215 2305 Falls View
216 Rockwall, TX 75087

217
218 The applicant came forward and provided a brief summary in regards to the request. Planning and Zoning Manager David
219 Gonzales added that the applicants will be returning to request to rezone the property to Single-Family Estate 2.0 (SFE-2.0)
220 lots.

221
222 There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the
223 next scheduled meeting on June 9, 2020.

224
225 **8. Z2020-022 (RYAN MILLER)**

226 Hold a public hearing to discuss and consider a request by Brad Johnson for the approval of a Specific Use Permit (SUP) for
227 Detached Garage that exceeds the maximum square footage on a 0.666-acre parcel of land identified as Block 38 of the B. F.
228 Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Kernodle
229 Street, and take any action necessary.
230

231
232 The applicant came forward.

233 **Brad Johnson**
234 803 Kernodle Street
235 Rockwall, TX 75087
236

237 The applicant came forward and provided a brief summary in regards to the request. The applicant would like to build a three
238 car detached garage with a concrete drive which can happen by extending the driveway he has now.
239

240 Chairman Chodun asked how tall the garage would be and the applicant replied that it would be 13 feet 6 inches. The pitch
241 will be slightly lower than the primary residence. The applicant explained that the lot slopes on the west making the garage
242 seem almost 2 feet lower than the primary home. He also added that he's putting in a 25 foot wide sliding gate across the
243 driveway coming off of the main house.
244

245 Commissioner Moeller asked if the existing shed would be removed after the fact but the applicant explained that it was
246 already gone. The only other structure with the house would be the detached garage.
247

248 Commissioner Logan asked what kind of material would be used for the building. The applicant replied that it would be a
249 metal building.
250

251 Planning and Zoning Director Ryan Miller asked that the structure does meet all the area and zoning requirements with the
252 exception of the size. According to the Unified Development Code, the accessory structure should be architecturally
253 compatible with the primary structure. In this case, that will be a discretionary decision throughout the SUP process. If
254 approved, the lot backs up to a street and we require the same front yard setbacks to any area where it lies adjacent to the
255 street. Mr. Miller pointed out that there are other houses in the area that have accessory structures that were acquired before
256 the Unified Development Code came into place. Also, if approved, the applicant would have to follow up with an application
257 to the Board of Adjustments to allow the encroachment into the 20 feet. Mr. Miller explained that the way the property slopes
258 back towards the north side makes it almost impossible for the applicant to meet the 20 foot setback and still provide the
259 detached garage next to the driveway.
260

261 The applicant, Mr. Johnson, wanted further clarification in regards to the size variance.
262

263 Commissioner Logan asked if the neighbors would be asked for their opinion and Mr. Miller replied that notices had been
264 sent out to all homeowners and occupants within 500 feet.
265

266 The applicant added that there are several houses with a detached garage but unsure of how many are metal buildings.
267

268 There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the
269 next scheduled meeting on June 9, 2020.
270

271 9. P2020-019 (DAVID GONZALES)

272 Discuss and consider a request by Robert Gunby of Royse City Business Ventures for the approval of a Replat for Lot 9, Block C,
273 Remington Park, Phase 2 Addition being a 3.04-acre tract of land identified as Lots 1 & 2, Block C, Remington Park, Phase 2
274 Addition, Rockwall County, Texas, situated within the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall, addressed as 3958
275 & 3966 Ruger Drive, and take any action necessary.
276

277 The applicant came forward.
278

279 Luis De La Fuente
280 8235 Douglas Ave.
281 Suite 350
282 Dallas, TX 75225
283

284 The applicant came forward and provided a brief summary in regards to this request. He advised that they would like to add
285 another building that will be approximately 28,000 square feet. In order to do that, the building would be crossing property
286 lines. Essentially, they would like to joint he lots in order to have the building there.
287

288 Chairman Chodun asked what was located in the area surrounding the lot due to it looking vacant on the maps. Planning
289 and Zoning Director Ryan Miller answered that there are mostly industrial buildings on those properties. He added that any
290 engineering work needed to be done should go through the City of Rockwall's Engineering department.
291

292 There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the
293 next scheduled meeting on June 9, 2020.
294

295 10. P2020-020 (DAVID GONZALES)

296 Discuss and consider a request by Clint Vincent of Bloomfield Homes, LP for the approval of a Final Plat for Phase 1 of the Terracina
297 Estates Subdivision consisting of 110 single-family lots on a 54.995-acre portion of a larger 81.49-acre tract of land identified as

298 Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, Planned Development District
299 82 (PD-82) for Single-Family 10 (SF-10) District land uses, situated on the west side of Rochelle Road south of SH-276, and take
300 any action necessary.

301
302 **Planning and Zoning Manager David Gonzales advised the Commission that the applicants were present online via ZOOM**
303 **but failed to make a connection.**

304
305 **Planning and Zoning Director Ryan Miller explained to the Commission that the only reason why the case is coming before**
306 **them is because the case is also going to be presented to the Parks Board. The case would have to meet all of the technical**
307 **requirements of the Planned Development.**

308
309 **There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the**
310 **next scheduled meeting on June 9, 2020.**

311
312 **11. P2020-021 (DAVID GONZALES)**

313 Discuss and consider a request by Angel Hernandez for the approval of a *Preliminary Plat* for Lots 1-5, Block A, Hernandez Addition
314 being a ten (10) acre tract of land identified as Tract 8-05 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas,
315 situated within the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall, addressed as 3533 Backland Road, and take any action
316 necessary.
317

318 **The applicant came forward.**

319
320 **Angel Hernandez**
321 **593 Sun Valley Drive**
322 **Royse City, TX 75189**

323
324 **The applicant came forward and provided a brief summary in regards to the request. His father bought 10 acres in hopes of**
325 **dividing it and having his children live there. He added that there was a metal building and a mobile home on the property**
326 **which they want to be placed on separate lots if the request is granted. He explained that during moratorium he received**
327 **approval by the county to purchase and deliver his mobile home on what would be the third lot. After conversation with**
328 **Rockwall County, he was informed that he would have to subdivide the property. He cleared up a comment in regards to**
329 **them wanting to sell the last two lots of the land and stated that that was not true. He asked whether or not he did have to**
330 **subdivide the property and also whether or not he had to add the \$200,000- \$300,000 concrete road that was requested in**
331 **order for them to live there.**

332
333 **Planning and Zoning Manager David Gonzales explained that this was a preliminary plat that was turned in with the purpose**
334 **of subdividing the land which is why the applicant is being asked to. Also, if he's looking to go that route then he would need**
335 **to follow the guidelines for City of Rockwall's Interlocal agreement.**

336
337 **Planning and Zoning Director Ryan Miller asked the applicant if Rockwall County was asking the applicant to subdivide**
338 **because he was looking to get a septic permit. The applicant replied that he was correct. Mr. Miller added that the applicant**
339 **cannot subdivide the property in four (4) lots in the manner he presented because he does not have access. Even if the**
340 **applicant does put in a cross access easement, the Interlocal agreement requires that there be a public roadway to connect**
341 **those properties. Mr. Miller explained that the plat does not meet technical requirements at the moment and, by law, they**
342 **would have to deny it unless the applicant reconfigures the plat. The applicant is having to subdivide the property because**
343 **anytime that you want to divide lots smaller than ten (10) acres you have to go through a zoning process to ensure that a lot**
344 **is not created without access.**

345
346 **The applicant asked if he built the required roadway then would he be within requirements of subdividing the property in the**
347 **form presented. Mr. Miller replies that he would be within requirements because then all properties n that lot would have**
348 **access. The applicant asked if the road could be gravel but they replied that it has to be concrete.**

349
350 **City Engineer Amy Williams asked if the applicant of he only had one (1) existing water tie in on the property. The applicant**
351 **replied that right now there are two (2) water meters from Blackland Water Supply and a third one was to be put in for his**
352 **home coming in July. Mrs. Williams replied that Blackland Water Supply is not allowed to put another meter in off their line.**
353 **She explains that the City of Rockwall supplies them water and they are over their allotted number of meters. The will not be**
354 **able to issue another meter until there is an agreement worked out with the City of Rockwall.**

355
356 **Planning and Zoning Director Ryan Miller added that the Planning and Zoning commission is not able to permit the**
357 **applicant's home but only to act as the approving body to the preliminary and final plats. These have technical criteria which**
358 **the applicant needs to meet. One of the criteria is that utilities be provided to that property but the water provider cannot**

359 provide anybody else water until they work out a new contract with the City of Rockwall. In order to plat the property, the
360 applicant must put in the roadway and provide the Commission with a will=serve letter from Blackland Water Supply stating
361 that they can serve him.
362

363 There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the
364 next scheduled meeting on June 9, 2020.
365

366 12. SP2020-005 (DAVID GONZALES)

367 Discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of Grey Stogner of Metroplex Acquisition Fund,
368 LP for the approval of a Site Plan for a *daycare center* on an eight (8) acre tract of land being identified as a portion of Lot 8, Block
369 A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for
370 General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located north of the intersection
371 of Stone Creek Drive and Miramar Drive, and take any action necessary.
372

373 The applicant came forward.
374

375 Clay Cristy
376 1903 Central Drive
377 Bedford, TX 76021
378

379 The applicant came forward and provided a brief summary in regards to the request. He added that it would be a standard
380 Primrose School that would have infant sized children all the way up to grade school. Average pick up times would be drop
381 off at 6:00 AM and pick up by 6:00 PM. The daycare center would have backyard playground equipment that requires to meet
382 the state's requirements and he has discussed with Staff some requirements that would need to be followed in order to make
383 it. Mr. Cristy then advised the Commission that he was available for questions.
384

385 Chairman Chodun asked if the case had gone through Architectural Review Board.
386

387 Clay Cristy added that ARB had reviewed the building and the material and were not fond of the cultured stone which is the
388 standard for Primrose's material selection. He added that he will be going back with the architects to see about a more
389 natural stone as opposed to the cultured stone and present it next time.
390

391 There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the
392 next scheduled meeting on June 9, 2020.
393

394 13. SP2020-009 (RYAN MILLER)

395 Discuss and consider a request by Mallory Laremore on behalf of Corby Bell and Mandy Norman for the approval of a Site Plan for
396 an office building on a 0.330-acre tract of land identified as Tract 23 of the B. J. T. Lewis Survey, Abstract No. 255, City of Rockwall,
397 Rockwall County, Texas, zoned Planned Development District 53 (PD-53) for Residential-Office (RO) District land uses, situated
398 within the Scenic Overlay (SOV) District, addressed 1006 Ridge Road, and take any action necessary.
399

400 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting to
401 convert the existing home into a residential office building which is allowed in the Residential Office District. This case
402 came as a referral from Code Enforcement due to the applicant starting to operate in the building before anything was done
403 to the structure including not acquiring a Certificate of Occupancy. The applicant was told they were not allowed to operate
404 until they go through this process so they engaged an engineer and provided plans. There were some recommendations
405 made including rearranging some of the parking areas and they indicated they were going to comply with that. There were
406 also several landscaping requirements that were associated with this property. Specifically, there were the Overlay District
407 requirements along Ridge Road, tree requirements along Summit, and the required increased screening when there is a
408 residential and non-residential property next to each other. We allow them to decrease that in a Residential Office District by
409 putting in a wood fence for maintaining the residential look. The resident to the North went through a process with the
410 Planning and Zoning Department and they planted crape myrtles along their fence- we are asking that the applicant continue
411 following this same trend. Everything else falls within compliance since nothing is being removed or added to the exterior
412 of the building and the use for the office would be for a title company. Mr. Miller advised the Commission that he was
413 available to answer any questions.
414

415
416 There being no further questions Vice-Chairman Welch indicated the case will return to the Commission for action at the
417 next scheduled meeting on June 9, 2020.
418

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

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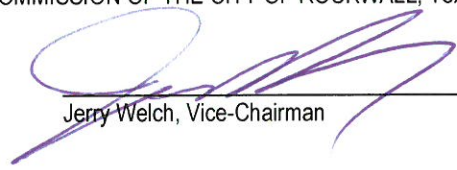
- Z2020-011: SUP for an Accessory Building at 323 Julian Drive (**APPROVED; 1st READING**)
- Z2020-016: SUP for a Secondary Living Unit/Guest Quarters and Carport at 844 Zion Hill Circle (**APPROVED; 1st READING**)(tabled to June 30th meeting)

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

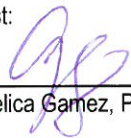
VII. ADJOURNMENT

Vice-Chairman Welch adjourned the meeting at 7:10 p.m.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this _____
_____ 9 day of June, 2020.



Jerry Welch, Vice-Chairman

Attest:


Angelica Gamez, Planning and Zoning Coordinator

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JUNE 9, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Eric Chodun called the meeting to order at 6:01 PM. The Commissioners present at the meeting were John
5 Womble, Annie Fishman, Sedric Thomas, Tracey Logan, Jerry Welch and Mark Moeller. Staff members present were
6 Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and
7 Zoning Coordinator Angelica Gamez and City Engineer Amy Williams. Absent from the meeting were Civil Engineers Sarah
8 Johnston and Jeremy White.
9

10 II. OPEN FORUM
11

12 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this
13 time. There being no one coming forward, Chairman Chodun closed the open forum.
14

15 III. APPOINTMENTS
16

- 17 1. Appointment with an Architectural Review Board representative to receive the Board's recommendations and comments for items
18 on the agenda requiring architectural review.
19

20 Planning and Zoning Manager David Gonzales explained to the Commission that there was only one case for the
21 Architectural Review Board to review so he could explain their comments and recommendations when the item came up
22 on the agenda.
23

24 IV. CONSENT AGENDA
25

- 26 2. Approval of Minutes for the May 26, 2020 Planning and Zoning Commission meeting.
27

28 3. **P2020-019 (DAVID GONZALES)**

29 Discuss and consider a request by Robert Gunby of Royse City Business Ventures for the approval of a Replat for Lot 9, Block C,
30 Remington Park, Phase 2 Addition being a 3.04-acre tract of land identified as Lots 1 & 2, Block C, Remington Park, Phase 2
31 Addition, Rockwall County, Texas, situated within the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall, addressed as 3958
32 & 3966 Ruger Drive, and take any action necessary.
33

34 4. **P2020-020 (DAVID GONZALES)**

35 Discuss and consider a request by Clint Vincent of Bloomfield Homes, LP for the approval of a Final Plat for Phase 1 of the Terracina
36 Estates Subdivision consisting of 110 single-family lots on a 54.995-acre portion of a larger 81.49-acre tract of land identified as
37 Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, Planned Development District
38 82 (PD-82) for Single-Family 10 (SF-10) District land uses, situated on the west side of Rochelle Road south of SH-276, and take
39 any action necessary.
40

41 Commissioner Moeller made a motion to approve the Consent Agenda. Vice-Chairman Welch seconded the motion which
42 passed by a vote of 7-0.
43

44 V. PUBLIC HEARING ITEMS
45

46 5. **Z2020-018 (RYAN MILLER)**

47 Hold a public hearing to discuss and consider a request by Rex and Beverly Fithian for the approval of a Specific Use Permit (SUP)
48 for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 3.03-acre parcel of land
49 identified as Lot 1, Block A, Hodgdon Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-
50 1.5) District, addressed as 1055 Dalton Road, and take any action necessary.
51

52 Planning and Zoning Director Ryan Miller provided a summary in regards to the request. The applicant is requesting a
53 Specific Use Permit (SUP) for a Residential Infill adjacent to an Established Subdivision. The established subdivision is

54 directly adjacent to the subject property. We define an established subdivision as any subdivision greater than five (5) lots
55 that are 90% developed and are greater than ten (10) years old. In this case, the subdivision directly east of the subject
56 property is the Shores North subdivision. The subject property is physically separated from this subdivision by a tree stand
57 which wraps around the back side of the property. The back of the property is a flood plain and that flood plain encompasses
58 the back property line. The applicant is proposing to construct a large estate style single-family home and does appear to
59 be in compliance with all requirements for the Single-Family Estate 2.0 (SFE-2.0) District. The applicant is also proposing an
60 accessory structure which also meets all of the City's accessory structure requirements and therefore, will not require an
61 SUP and is allowed by right. This is a discretionary case for the City Council pending a recommendation from the Planning
62 and Zoning Commission. Staff sent out 72 notices on May 27, 2020 to residents and property owners within 500 feet and
63 there were three (3) notices in favor of the applicant's request that were returned. The Homeowners Associations (HOAs) at
64 Promenade Harbor, Rockwall Shores, and Shores at Lake Ray Hubbard were the only HOAs that are within 1500 feet of the
65 subject property and were notified of the case. Mr. Miller advised the Commission that the applicant and staff were present
66 to answer questions.

67
68 Chairman Chodun asked for questions from the Commission.

69
70 Commissioner Fishman asked where the access to the home was. Planning and Zoning Director Ryan Miller replied that
71 Dalton Road would be the access road. There is a driveway backed to a 60 foot setback and that would connect to the main
72 house.

73
74 Chairman Chodun asked the applicant to come forward.

75
76 Rex Fithian
77 653 Mission Drive
78 Rockwall, TX 75087

79
80 The applicant came forward and advised the Commission that he was available to answer any questions.

81
82 Chairman Chodun opened up the public hearing and asked if anyone wished to speak to come forward and do so at this
83 time; there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the
84 Commission for discussion or action.

85
86 Commissioner Moeller made a motion to approve item Z2020-018 with staff recommendations. Commissioner Womble
87 seconded the motion which passed by a vote of 7-0.

88
89 Chairman Chodun advised the applicant that the next City Council meeting would be June 15, 2020.

90
91
92 **6. Z2020-019 (RYAN MILLER)**

93 Hold a public hearing to discuss and consider a request by J. W. Jones for the approval of a Specific Use Permit (SUP) for
94 Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.33-acre parcel of land
95 identified as a portion of Lot 1050 and all of Lot 1051, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas,
96 zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and
97 take any action necessary.

98
99 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The subject property is located
100 in Planned Development District 75 (PD-75) which is the Lake Rockwall Estates subdivision. It does have an underlined
101 zoning of Single-Family 7 (SF-7) District and the actual subject property sits on about a lot and a half. As part of the conditions
102 of approval, the applicant is being asked to replat the property prior to the receiving of a building permit. The applicant is
103 requesting an SUP for a Residential Infill in an Established Subdivision. Again, we define an established subdivision as any
104 subdivision greater than five (5) lots that are 90% developed and is greater than ten (10) years old. In this case, Lake Rockwall
105 Estates has been in existence prior to 1968, considered to be more than 90% developed and consists of five (5) lots. The
106 majority of the homes along Chris Drive are modular homes with some traditional housing adjacent to the street. The
107 applicant is proposing to build a traditional single-family home made of mostly brick construction with some stone accents
108 and hardie board on the front. One thing to point out is the applicant is not proposing to build a garage, however, this is not
109 uncharacteristic of other houses in the area. The applicant will be removing the modular home but will leave the concrete
110 drive in place. Staff is requiring that they leave two (2) off street parking spaces as a condition of approval so if they leave
111 that concrete driveway then they would be meeting the requirements. This is a zoning case discretionary to the Planning and
112 Zoning Commission and 161 notices were mailed out to residents and property owners. There were only two (2) in favor of
113 the request that were returned to Staff. Also, there are no Homeowners Associations located within 1500 feet, therefore, no
114 HOAs were notified. Mr. Miller then advised the Commission that the applicant and Staff were present to answer questions.

115
116 Chairman Chodun asked for questions from the Commission.

117
118 Chairman Chodun asked the applicant to come forward.

119
120 J.W. Jones
121 555 N. 5th Street
122 Garland. TX 75040
123

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

125
126 Commissioner Logan asked if the driveway would be connected once the modular home was gone. The applicant, Mr. Jones,
127 replied that there will be a sidewalk leading from the current sidewalk to the house.
128

129 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so at this time;
130 there being no one indicating such, Chairman Chodun closed the public hearing and brought the item back to the
131 Commission for discussion or action.
132

133
134 Commissioner Thomas made a motion to approve item Z2020-021. Vice-Chairman Welch seconded the motion which passed
135 by a vote of 7-0.

136 Chairman Chodun advised the applicant that the next City Council meeting would be June 15, 2020.
137

138 7. Z2020-020 (RYAN MILLER)

139 Hold a public hearing to discuss and consider a request by Brian Bader on behalf of Victoria Kaprantzas for the approval of a
140 Specific Use Permit (SUP) for Secondary Living Unit/Guest Quarters/Accessory Dwelling Unit and Carport on a 0.81-acre tract of
141 land identified as Tract 27 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Single-Family
142 10 (SF-10) District, situated within the Scenic Overlay (SOV) District, addressed as 1308 Ridge Road, and take any action
143 necessary.
144

145 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The subject property is located
146 on the west side of Ridge Road and it is zoned Single Family 10 (SF-10) District. Currently situated on the property is 3,276
147 square foot single-family home that was constructed in 1975 and at the rear of the property there is a 1,478 square foot
148 accessory building built in 1978. Prior to the applicant taking over the property, this was being used as a detached garage
149 with a portion being an accessory dwelling unit or guest quarters. The applicant is requesting a Specific Use Permit (SUP)
150 to convert the remainder of this detached garage into a secondary living unit and add a carport facing Ridge Road. According
151 to the Unified Development Code (UDC), a secondary living unit/guest quarters/accessory dwelling unit is allowed to be 30%
152 of the main structure and cannot be conveyed separately. The building footprint of the primary structure is 3,276 square feet
153 which would allow a 982.2 square foot accessory dwelling unit. The current accessory dwelling unit is estimated to be
154 approximately 545 square feet. The applicant is proposing to expand this to the full 1,848 square feet which would be 865.2
155 square feet larger than what we currently permit. This would equate to 56.41% of the primary structure's building footprint.
156 The UDC allows carports up to 500 square feet as long as they're attached to the primary structure and are architecturally
157 integrated into that structure. In this case, the applicant is proposing a 28x21 foot carport which is 588 square feet and will
158 be architecturally integrated into the accessory building which means that they would share a common roofline. The
159 applicant's request is 88 square feet over what is permitted and the accessory structure will be attached to the secondary
160 structure. Staff should point out that due to the slope of the property the majority of this structure will be slightly visible from
161 the Ridge Road. The applicant is also proposing to upgrade the exterior of the building from galvanized metal to a hardie
162 board material. Staff sent out 48 notifications to residents and property owners within 500 feet on May 27, 2020. As of tonight,
163 there have been two (2) notices mailed back in favor of the applicant's request. The Waterstone Estates HOA was also notified
164 as it was the only HOA within 1500 feet of the subject property. Mr. Miller then advised the Commission that the applicant
165 and Staff were present to answer questions.
166

167 Chairman Chodun asked for questions from the Commission.

168
169 Chairman Chodun asked the applicant to come forward.

170
171 Brian Bader
172 20603 CR 331
173 Quinlan. TX 75474
174

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

176 Commissioner Thomas had a question in regards to the access to the secondary structure of the house. The applicant replied
177 that there is a radius drive along the front of the house and there will be an additional driveway going down to the carport.
178

179
180 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward at this time.

181
182 **Ron Mason**
183 **1402 Ridge Road**
184 **Rockwall, TX 75087**
185

186 The applicant, Mr. Mason, came forward and asked if the exterior of the building was going to be 100% hardie board. He was
187 under the impression that some portion of the secondary building would have to be brick. Planning and Zoning Director
188 Ryan Miller explained that recently the State legislature passed HB2439 inhibiting cities from regulating building materials
189 in the majority of districts. As long as the building meets the building code then they are allowed to use hardie board. Mr.
190 Mason also asked how close the new carport would be from the property line to which Mr. Miller replied that the applicant
191 was told it had to be a minimum of six (5) feet from the property line in order to be in compliance with the setbacks. Mr.
192 Mason then asked the number of bedrooms and bathrooms the unit have and Mr. Miller replied that it would have two (2)
193 bedrooms and two (2) bathrooms with a laundry room, living area, and kitchen. Mr. Mason then asked what was the maximum
194 number of people that would be allowed to live within the unit should it be sold. Mr. Miller stated that the City could not
195 regulate that issue. Mr. Mason then explained that the view of the house from his property was much different than what
196 the rest of the public would see. He was inquiring if there could be any fencing required on the south side of the property so
197 the view would be obstructed. Mr. Miller then added that the City cannot require anybody to build a fence on a residential
198 property.
199

200 Chairman Chodun asked if anyone else wished to speak to come forward and do so at this time; there being no one indicating
201 such, Chairman Chodun closed the public hearing and asked the applicant to come back and address questions.
202

203 The applicant, Mr. Bader, came forward again and stated that the intent would be wrought iron all around the house except
204 for the right of the house which would be cedar for privacy.
205

206 Commissioner Womble asked if this was not part of the Scenic Overlay and why the Commission did not have a say in
207 building requirements. Planning and Zoning Director Ryan Miller explained that the property was in the Scenic Overlay but
208 the conditions are only applicable to commercial properties. Commissioner Womble then asked if what was requested was
209 basically twice as large as what was allowed in living quarters to which Mr. Miller replied that it was.
210

211 Commissioner Fishman asked if there was anything restricting this property from becoming a rental property should
212 ownership change. Mr. Miller explained that the City does not have anything to regulate that type of usage.
213

214 Commissioner Womble explained that while he liked the idea of improvement, he could not fully support the request because
215 of the size.
216

217 Commissioner Logan agreed with Commissioner Womble in regards to the size but liked the fact that they would be getting
218 rid of the prior garage.
219

220 Commissioner Moeller added that he is not concerned with the size given that the public in general would not be able to see
221 it from Ridge Road.
222

223 Vice-Chairman Welch made a motion to approve item Z2020-020 with staff recommendations. Commissioner Thomas
224 seconded the motion which passed by a vote of 6-1, with Commissioner Womble dissenting.
225

226 Chairman Chodun advised the applicant that the next City Council meeting would be June 15, 2020.
227

228 **8. Z2020-021 (DAVID GONZALES)**

229 Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a *Zoning Change* from an
230 Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a four (4) acre tract of land identified as a portion of
231 Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
232 generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.
233

234 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is
235 requesting to rezone a four (4) acre portion of a 259 acre tract which is known as the Wallace tract. The applicant is requesting
236 to take the four (4) acre tract, subdividing it by 2 for the purpose of constructing single-family homes in this tract. Most of

237 the homes are zoned Agricultural (Ag) District and, therefore, should the request be approved then the subject property
238 would need to conform to all requirements for Single-Family Estate 2.0 (SFE-2.0) lots. The request does comply with the LDR
239 designation that's contained in the Comprehensive Plan. Staff mailed out 8 notices to residents and property owners within
240 500 feet of the subject property and none were mailed to HOAs as there are none within 1500 feet. There was one (1) notice
241 returned in favor of the request. Mr. Gonzales advised the Commission that the applicants and Staff were present to answer
242 questions.

243
244 Chairman Chodun asked the applicants to come forward.

245
246 Cathy Wallace
247 330 H. Wallace Road
248 Rockwall, TX 75032

249
250 Amie Wallace
251 2305 Falls View
252 Rockwall, TX 75087

253
254 Donnie Wallace
255 2305 Falls View Drive
256 Rockwall, TX 75087

257
258 The applicants came forward and advised they were ready to answer any questions.

259
260 Chairman Chodun opened up the public hearing and asked if anybody wished to speak to come forward at this time.

261
262 Jackson Hunt
263 191 Jeff Boyd Road
264 Rockwall, TX 75087

265
266 Mr. Hunt came forward and asked if the family was going to build two (2) houses since it was wanting to be rezoned to Single
267 Family 2.0. Planning and Zoning Director Ryan Miller answered that it means they would have a minimum lot size of two (2)
268 acres. Mr. Gonzales then added that the four (4) acre tract would be subdivided into 2 separate tracts and there could be a
269 max of one house per tract.

270
271 Chairman Chodun asked if anyone else wished to speak to come forward and do so at this time; there being no one indicating
272 such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

273
274 Commissioner Thomas made a motion to approve item Z2020-021. Commissioner Womble seconded the motion which
275 passed by a vote of 7-0.

276
277 Chairman Chodun advised the applicant that the next City Council meeting would be June 15, 2020.

278
279 **9. Z2020-022 (RYAN MILLER)**

280 Hold a public hearing to discuss and consider a request by Brad Johnson for the approval of a *Specific Use Permit (SUP)* for
281 *Detached Garage* that exceeds the maximum square footage on a 0.666-acre parcel of land identified as Block 38 of the B. F.
282 Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Kernodle
283 Street, and take any action necessary.

284
285 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting to
286 construct a detached garage on the northern portion of the property that exceeds the maximum size. The proposed garage
287 would be 30x40 or 1200 square feet and made out of metal. The structure would be twelve (12) feet in height and be situated
288 near the front façade of the primary structure. It would also be behind a six (6) foot sliding gate that the applicant is proposing
289 to place there as well. He would also be extending the driveway up to the building allowing it to act as a detached garage.
290 The Unified Development Code (UDC) does allow for one (1) detached garage up to 625 square feet along with one accessory
291 structure up to 144 square feet. In this case, the proposed garage is 575 square feet over what is permitted. The UDC does
292 give the Planning and Zoning Commission the ability to review these on a case by case basis through the Specific Use Permit
293 process. The applicant stated that this property would be constructed with a brick ledge for the future inclusion of a brick
294 façade. Mr. Miller advised the Commission that the applicant and Staff were present and available for questions.

295
296 Chairman Chodun asked for questions from the Commission.

298 Commissioner Logan asked if the building materials could be regulated in Old Rockwall. Mr. Miller replied that if the structure
299 met all of the requirements then it could be built out of metal. Through the Specific Use Permit process, the Commission is
300 given more latitude to look at each request. If the building were 625 square feet then a building could be made out of metal.

301
302 Chairman Chodun opened the public hearing and asked the applicant to come forward.

303
304 Brad Johnson
305 803 Kernodle Street
306 Rockwall, TX 75087

307
308 The applicant, Mr. Johnson, came forward and provided additional information in regards to the request.

309
310 Chairman Chodun asked if there would be any screening provided. The applicant explained that he was only doing three (3)
311 bay garage doors across the front.

312
313 Planning and Zoning Director Ryan Miller explained that the property is uniquely faced due to the fact that it has a street on
314 the front and back. The Unified Development Code requires that anywhere adjacent to the street meet the front setback
315 requirements. The applicant's backyard is backing up to the street so, if approved, the applicant must go through Board of
316 Adjustments but he has a good case due to the unique shape and nature of the lot.

317
318 Commissioner Logan acknowledged the brick ledge and asked if there were any plans of constructing the rest out of brick.
319 Mr. Johnson replied that they do have plans to finish off the rest of it but due to other projects they are unable to build it out
320 of brick at this time. Commissioner Logan was concerned with metal buildings in town.

321
322 Chairman Chodun asked if anyone else wished to speak to come forward and do so at this time; there being no one indicating
323 such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

324
325 Commissioner Moeller made a motion to approve item Z2020-022 with staff recommendations. Commissioner Fishman
326 seconded the motion.

327
328 Commissioner Logan added that she thinks this building will be a lot more visible than the one mentioned earlier in the
329 meeting.

330
331 Commissioner Thomas added that although he would like for the structure to be constructed out of brick, he still thinks it is
332 going to being value to the property.

333
334 The item Z2020-022 passed by a vote 5-2 with Commissioner Womble and Commissioner Logan dissenting.

335
336 Chairman Chodun advised the applicant that the next City Council meeting would be June 15, 2020.

337
338 VI. ACTION ITEMS

339
340 10. P2020-021 (DAVID GONZALES)

341 Discuss and consider a request by Angel Hernandez for the approval of a Preliminary Plat for Lots 1-5, Block A, Hernandez Addition
342 being a ten (10) acre tract of land identified as Tract 8-05 of the J. Merriman Survey, Abstract No. 155, Rockwall County, Texas,
343 situated within the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall, addressed as 3533 Backland Road, and take any action
344 necessary.
345

346 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. This is a ten (10) acre
347 piece of land and the applicant is requesting to layout five (5) residential lots on this particular tract. Due to the new Interim
348 Interlocal Agreement, this request needs to go through the Preliminary Plat process. The applicant is required to meet all of
349 the conditions within that. There was an item that was turned in by the applicant and his surveyor where he was trying to
350 meet the minimum requirements, however, it does not meet the standards required by the agreement. If a recommendation
351 for denial is forwarded by the Planning and Zoning Commission then we recommend a denial without prejudice which would
352 allow the applicant to resubmit this at his convenience without having to wait a year to reapply. Should the Commission
353 choose that then there will be conditions of approval such as the following: the applicant is required to provide a will-serve
354 letter from Blackland Water Supply Company, they are required to provide a letter for the septic systems that will be provided
355 for wastewater, and we are also requiring letters from the three entities. There are two of their easements located between
356 Lots 2 and 3 and the letters must state that it is okay to cross their easements with the 60 foot private roadway. Mr. Gonzales
357 advised the Commission that Staff was present to answer questions.
358

359 Chairman Chodun asked for questions from the Commission.
360

361 Commissioner Logan wanted clarification as to how many mobile homes were present on the property and how many more
362 the applicant was wanting to place. Mr. Gonzales explained that the applicant is required to have water and sewer and those
363 are challenges at this time.
364

365 Planning and Zoning Director Ryan Miller explained to the Commission that the permitting has to go through Rockwall
366 County. The only thing Staff looks at is the plat and it does not meet the technical requirements therefore that request for
367 denial without prejudice is wanted.
368

369 Commissioner Thomas made a motion to deny without prejudice for item P2020-021. Commissioner Moeller seconded the
370 motion which passed by a vote of 7-0.
371

372 11. SP2020-005 (DAVID GONZALES)

373 Discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of Grey Stogner of Metroplex Acquisition Fund,
374 LP for the approval of a *Site Plan* for a *daycare center* on an eight (8) acre tract of land being identified as a portion of Lot 8, Block
375 A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for
376 General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located north of the intersection
377 of Stone Creek Drive and Miramar Drive, and take any action necessary.
378

379 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. He explained that the
380 applicant met with the Architectural Review Board and they are forwarding a recommendation of approval including the
381 variances that are associated with the applicant's request. The daycare center that is requested is allowed by right under the
382 General Retail (GR) District and is the underlined development for Planned Development 70 (PD-70) District. The submitted
383 site plan package is in compliance with PD-70 and the technical requirements of the Unified Development Code (UDC). The
384 applicant is requesting two (2) variances associated with the request. A letter was provided by the applicant describing the
385 compensatory measures that will take place due to requesting the variances. The first will be for the building articulation of
386 the structure. The UDC requires horizontal articulation/vertical articulation and the applicant meets the horizontal articulation
387 on three sides. The provided additional gables on the front side to provide some relief for the façade. The General Overlay
388 District standards calls for exterior materials to be 90% masonry and a maximum of 50% cementitious type of material. In
389 this case, the applicant is providing a hardie plank lap siding around the structure where it exceeds the 50% on three sides.
390 According to the Unified Development Code, an applicant is allowed to request variances and exceptions in a request. The
391 applicant has indicated an increase in the amount of stone, addition of decorative shutters, adding gables to provide relief,
392 along with an addition of a cupola with a weather vane at the top of the building by the primary entrance. This decision does
393 provide approval of a ¾ majority vote. Mr. Gonzales advised the Commission that the applicant and Staff were present and
394 available for questions.
395

396 Commissioner Logan had a question in regards to the traffic flow in the location. Mr. Gonzales explained that the area is not
397 considered a heavy user area.
398

399 Vice-Chairman Welch wanted to know how many children the daycare would be serving. He also had a question in regards
400 to the total amount of brick being used.
401

402 Drew Denosky
403 1903 Central Drive
404 Bedford, TX 76021
405

406 The applicant came forward to state that they had met with the Architectural Review Board and they had requested a different
407 stone as well as the decorative shutters and the cupola. He added that the maximum amount of kids that the daycare could
408 hold would be 120 children. The way the daycare operates is that the parents will park and then walk in.
409

410 Vice-Chairman Welch had a question as to what a cupola was.
411

412 Commissioner Thomas asked if the Homeowners association was notified but Mr. Gonzales stated that this did not require
413 mail outs.
414

415 Commissioner Moeller made a motion to approve item SP2020-005 with staff recommendations. Vice-Chairman Welch
416 seconded the motion which passed by a vote of 7-0.
417

418 12. SP2020-009 (RYAN MILLER)

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Discuss and consider a request by Mallory Laremore on behalf of Corby Bell and Mandy Norman for the approval of a Site Plan for an office building on a 0.330-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 1006 Ridge Road, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting to convert the single-family home into a residential office building. It is located within Planned Development District 53 (PD-53) which allows these conversions through the site plan process. Everything the applicant is proposing meets all of the technical requirements and the only reason why the case is coming before the Commission is because a while back we approved and planted for the resident to the west an alternative screening plan. The applicant was having an issue with people accessing the commercial property thru his residential drive so the City planted crape myrtles along two (2) of those properties that are adjacent to it. Since it is an alternative screening plan, we have asked the applicant to comply with that, which they've indicated they will do, but it has to be presented because it does represent a variance to the City's standards. Approval of this would require a ¾ majority voter and the city is in favor of this because it is at the resident's request. Mr. Miller advised the Commission that the applicant and Staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Dub Douphrate
2235 Ridge Road
Rockwall, TX 75087

Commissioner Womble made a motion to approve item SP2020-009. Commissioner Thomas seconded the motion which passed by a vote of 7-0.

VII. DISCUSSION ITEMS

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

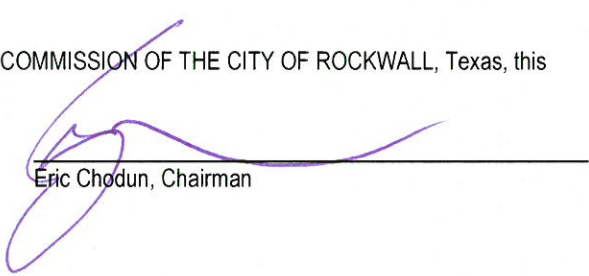
- ✓ Z2020-011: SUP for an Accessory Building at 323 Julian Drive (APPROVED; 2ND READING)

Planning and Zoning Director 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 7:15pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
14 day of July, 2020.


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
JUNE 30, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

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I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:04 PM. The Commissioners present were John Womble, Tracey Logan, Mark Moeller, Annie Fishman, Sedric Thomas and Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, and City Engineer Amy Williams. Absent from the meeting were Planning and Zoning Coordinator Angelica Gamez 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 Chairman to receive the Architectural Review Board's recommendations and comments for items on the agenda requiring architectural review.

Planning and Zoning Director Ryan Miller explained that the recommendations made by the Architectural Review Board would be explained with each case.

IV. CONSENT AGENDA

- 2. **P2020-023 (HENRY LEE)**
Discuss and consider a request by Chris Fergusson, PE of Kimley-Horn & Associates on behalf of Dennis Bailey of Rockwall County for the approval of a replat for Lot 2, Block A, Rockwall Law Enforcement Center Addition being a 13.3597-acre parcel of land identified as Lot 1, Block A, Rockwall Law Enforcement Center Addition and Lot 1, Block 1, Cedar Grove Christian Church Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 810 & 950 T. L. Townsend Drive, and take any action necessary.
- 3. **P2020-024 (HENRY LEE)**
Discuss and consider a request by Bill Thomas of Engineering Concepts & Design, LP on behalf of Ridge Pointe Horizon, LP for the approval of a replat for Lots 7 & 8, Block A, Maverick Ranch Addition being a 2.113-acre parcel of land identified as Lot 6, Block A, Maverick Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 5701 – 5739 Horizon Road [FM-3097], and take any action necessary.
- 4. **P2020-025 (HENRY LEE)**
Discuss and consider a request by Zan Gates of Eric L. Davis Engineering on behalf of Jimmy McClintock of Washington Place on Highway 66 for the approval of a replat for Lots 4 & 5, Block A, Washington Place Addition being a 0.987-acre parcel of land identified as a portion of Block 14, Lowe & Allen Addition and a 0.28-acre portion of Lot 2-R, Block A, Washington Place Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 409 W. Washington Street, and take any action necessary.
- 5. **P2020-026 (HENRY LEE)**
Discuss and consider a request by Craig Smiley of USA Professional Services Group, Inc. on behalf of Clay Shipman for the approval of a replat for Lot 24, Block A, La Jolla Pointe Addition, Phase 2 being a 1.280-acre parcel of land identified as Lot 21, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1020 La Jolla Pointe Drive, and take any action necessary.

Commissioner Mark 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

6. **Z2020-023 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by James Best 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 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.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the case. The applicant is requesting a Specific Use Permit (SUP) for a single-family home in the Fox Chase neighborhood on the northeast corner of Shadydale and Ridge Road. There are a couple of subdivisions requiring this property to get an SUP such as Chandlers Landing and the Fox Chase, as well as the Benton Woods subdivision. This would be a 7,000 square foot single-family house and the primary building material would be stucco. Mr. Miller advised the Commission that the case would be brought back on July 14, 2020 for a Public Hearing and he was available to answer questions.

Commissioner Chodun asked if anyone had any questions for Staff. There being none Chairman Chodun indicated the case will return to the Commission for action at the next scheduled meeting on July 14, 2020.

7. **Z2020-024 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Chris Cuny, PE of Teague, Nall & Perkins on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Zoning Amendment to Planned Development District 78 (PD-78) [Ordinance No. 15-24] for the purpose of changing the concept plan and development standards on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary.

Planning and Zoning Director Ryan Miller advised the Commission that the applicant was present and Chairman Chodun asked the applicant to come forward.

Chris Cuny
825 Waters Drive
Allen, TX 75013

The applicant came forward and provided a brief summary in regards to the request. The reason for rezoning the property is to increase the density and create a new category of lots. The applicant then gave background information regarding Planned Development 78 and went thru a PowerPoint presentation. He would like the Commission to consider rezoning a portion of the planned development to convert a portion of the 9,600 square foot lots to 32,670 square foot lots. Mr. Cuny explained that they will not replat into the floodplain and will instead leave that as open space. The total number of lots created would then decrease from 507 to 428. The sewer service would turn into a two (2) stage process. During Stage I, there would be aerobic systems with drip irrigation versus spray systems. Stage II includes the connection to the sanitary sewer system by each resident. Connection to the City Sewer, when available, would be mandatory and shall be at the cost of the homeowner. Mr. Cuny explained that the Planned Development would incorporate the following: two (2) lakes, open space, biking trails, a community center and pool, and 55 acres for use as a public park. The applicant then advised the Commission that he was available for questions.

Commissioner Womble asked why the applicant was going for more density overall. The applicant answered that the zoning change would be needed to start construction since the project had been still since 2015. From past projects, the larger lots seemed to have been more successful.

Commissioner Fishman asked City Engineer Amy Williams if the City had ever used the desired OSSF aerobic systems in a planned development before. Ms. Williams answered that it had but they were in 1 acre or 1 ½ acre lots. Planning and Zoning Director Ryan Miller added that the City's OSSF program was run by the County who reviews all OSSF systems running inside the City and have an Interlocal Agreement that facilitates it. Through that, we have to meet the City's lot size requirements in order for them to review those. In the past, we have approved OSSF systems in as small as one (1) acre but have never gone below the acre mark on new developments. The reason why is because when we go below an acre and a half, we have to facilitate an outside engineer who will have to sign off and inspect those systems. The City has approved them in other Planned Developments but never in any lots the size of an acre.

Commissioner Logan asked if the 4,000- 5,000 square foot area was usable in any way or could you plant on top of it. Mr. Cuny answered that it is usable and that present developments such as Kingsbridge are using the drip system irrigations there. Terrabella in Heath also uses these systems which is how he got familiar with them. You would be able to plant on top but cannot place any trees there. Commissioner Logan then had a question in regards to the financials of the project.

118 She also asked whether the developer would be required to still pay the impact fees. Planning and Zoning Director Ryan
119 Miller answered that the builder would be responsible for paying those impact fees still. Mr. Cuny added that that is
120 something he would have to talk to the City about participating in a discount since they're going to be building the systems
121 but no agreements have been made at the moment. Mr. Miller explained that whenever total costs come up, then the
122 discount Mr. Cuny was looking for would have to be entertained and approved by City Council.

123
124 Commissioner Moeller stated that there were two (2) areas in the original concept plan that required sprinkler systems and
125 he wanted to know if that was still something that would still take place. Mr. Cuny answered that given the size of the home
126 then most likely they would have a sprinkler system but that is a detail that would still need to be worked out.
127 Commissioner Moeller explained that due to the fire suppression system that they would require sprinkler systems
128 regardless of the size of the home.

129
130 Chairman Chodun asked City Engineer Amy Williams if there would be City water issued for sure. Ms. Williams answered
131 that there was already city water there. She added that they were doing some major infrastructure work in this project. Mr.
132 Cuny answered that city water would be used for this and that the main issue was the wastewater. With wastewater, the
133 lines will be there but there would be a connection and disconnection fee.

134
135 Chairman Chodun asked if there were any further questions for the applicant and Planning and Zoning Director Ryan Miller
136 added some points for clarification. He explained that the ordinance given that night did not reflect the changes made and
137 the updated ordinance would be presented at the next meeting. He also stated that the applicant mentioned everything
138 that Staff recommended except for two (2) things. One being the boulevard that was the spine street that ran through the
139 development has been shortened through just the first phase and that stops at the roundabout by the larger lots. The
140 second being that 1.2 miles of trail has been taken out from the original request. Mr. Miller stated that the developer would
141 meet the anti-monotony requirements, the updated fence standards, and the new setbacks for flat furniture garages and
142 those changes will be issued at the next meeting as well. One last thing that would be required for this project is a letter
143 from the NRCS essentially stating that this development can happen because there are two (2) NRCS lights on this
144 property. This will not come into play until the site plan phase.

145
146 There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next
147 scheduled meeting on July 14, 2020.

148
149 8. Z2020-025 (RYAN MILLER)

150 Hold a public hearing to discuss and consider a request by Hallie Fleming for the approval of a *Specific Use Permit (SUP)* for a
151 *General Retail Store and Hair Salon and/or Manicurist* on a 0.2254-acre parcel of land identified as Lot 1, Block A, Arventures
152 Studio Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office
153 (RO) District, addressed as 507 N. Goliad Street, and take any action necessary.

154
155 Planning and Zoning Director Ryan Miller advised the Commission that the applicant was present and Chairman Chodun
156 asked the applicant to come forward.

157
158 Hallie Fleming
159 507 N. Goliad Street
160 Rockwall, TX 75087

161
162 The applicant came forward and provided a brief summary in regards to the request. She explained that due to Covid-19,
163 her goal is to help keep businesses afloat and provide a larger retail space and bring in one chair for a mixologist.

164
165 Planning and Zoning Director Ryan Miller added that the business has grown organically and it is no longer the type of
166 business that the City had originally issued a Certificate of Occupancy (CO) for. The applicant was asked to find a way to
167 find as much flexibility as possible to allow them to be an incubator space and the idea to bring this through is to facilitate
168 that request. In regards to parking, the parking requirement was sufficient when they got the original SUP. Since they
169 aren't changing the floor area then the parking requirement does not change either. There also has not been any code
170 violations related to parking. The only violation they had was in 2019 for parking a popsicle ice cream truck in the middle
171 of the yard. Mr. Miller advised the Commission that a copy of the draft ordinance was placed in their packets and it shows
172 the operational guidelines, with the only addition to facilitate allowing to have one hair salon manicurist limited to one (1)
173 chair. Mr. Miller then advised the Commission that he was available for questions.

174
175 Commissioner Fishman asked the applicant how she handled the advertising and signage of the building. Ms. Fleming
176 answered that the signage would not change.

178 There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next
179 scheduled meeting on July 14, 2020.
180

181 9. **Z2020-026 (DAVID GONZALES)**

182 Hold a public hearing to discuss and consider a request by Jake Fears, PE of Wier & Associates, Inc. on behalf of Chad DuBose of
183 JCDB Goliad Holdings, LLC for the approval of a *Specific Use Permit (SUP)* for *Restaurant with Drive-Through, Less Than 2,000*
184 *SF* on a 2.542-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County,
185 Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay
186 (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.
187

188 **Planning and Zoning Manager David Gonzales advised the Commission that the applicant was present and Chairman Chodun**
189 **asked the applicant to come forward.**
190

191 **Priya Acharia**
192 **2201 E. Lamar Boulevard, Suite 200E**
193 **Arlington, TX 76006**
194

195 **The applicant provided a brief summary in regards to the request. They are requesting an SUP for a restaurant with a drive-**
196 **thru at the northwest corner of SH205 and Pecan Valley Drive. The SUP is needed due to the fact that the establishment is**
197 **less than 2,000 square feet.**
198

199 **Commissioner Logan made a comment stating that other restaurants have failed to take place there due to not having the**
200 **proper placing.**
201

202 **Commissioner Fishman thought that the last time the Commission reviewed something like this they thought a drive-thru**
203 **was not feasible. Mr. Gonzales explained that last time they had the drive coming out of Pecan Valley and they weren't able**
204 **to do that due to spacing requirements. This plan has its drive coming out of Quail Run and not Pecan Valley Drive.**
205

206 **Commissioner Womble asked if the applicant knew of how many variances would be requested and what they would be. Ms.**
207 **Acharia replied that she was not aware of any at the moment. Mr. Gonzales added that there was going to be some**
208 **landscaping requirements such as headlight screening.**
209

210 **Commissioner Thomas asked what kind of concept was going to be in the establishment. The applicant answered that it**
211 **might possibly be a Smoothie King or something of that nature.**
212

213 **There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next**
214 **scheduled meeting on July 14, 2020.**
215

216 10. **Z2020-027 (RYAN MILLER)**

217 Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a *Specific Use Permit (SUP)* for
218 a *General Retail Store and Banquet Facility/Event Hall* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition,
219 City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District,
220 situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and take any action
221 necessary.
222

223 **Planning and Zoning Director Ryan Miller advised that the applicant was present and asked him to come forward.**
224

225 **Kurt Naumann**
226 **168 Stoneleigh Drive**
227 **Heath, TX 75032**
228

229 **The applicant provided a brief summary in regards to the request. He explained that their request is to bring an upscale cigar**
230 **lounge to the area similar to the one they have in McKinney. He wants to create an environment for cigar enthusiasts and**
231 **believes Downtown Rockwall would be a great place for it. In addition, they would offer BYOB so patrons can bring in their**
232 **own spirits that they like to pair with their cigars.**
233

234 **Planning and Zoning Director Ryan Miller added that the establishment is Our House and is currently a banquet facility and**
235 **event home. The applicant would just be adding to the retail store aspect and will keep renting out the event home in that**
236 **manner. We have carried over the previous requirements to the previous SUP even though this new one would supersede**
237 **that. As part of that SUP, the applicant received a waiver to pave the cross axis easement until the property facing Alamo**

238 Street was converted to Commercial, and eventually brought in as a Commercial property. We've had to put that back into
239 this SUP in order for that to still be valid and that would be a part of the approval process. Mr. Miller advised the Commission
240 that Staff was present to answer any questions.
241

242 There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next
243 scheduled meeting on July 14, 2020.
244

245 11. **Z2020-028 (RYAN MILLER)**

246 Hold a public hearing to discuss and consider a request by Lucas Altoe on behalf of STAR Hubbard, LLC for the approval of a
247 Zoning Amendment to Planned Development District 10 (PD-10) for the purpose of allowing an office on a 32.6546-acre parcel of
248 land identified as Lot 1, Block A, Mansions Family Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development
249 District 10 (PD-10) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV)
250 District, addressed as 1650 S. John King Boulevard, and take any action necessary.
251

252 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting to
253 add the Office Use to this property but since it is in a Planned Development, and PD-10 is large, then all those property
254 owners had to be notified. The applicant is requesting to turn his space into a co-working space and in order to do that
255 then the entire Planned Development district must be amended. There have been many ordinances in this planned
256 development throughout the years, and there was only one line added to the ordinance for this request. Mr. Miller then
257 advised the Commission that he was available for questions.
258

259 There being no questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled
260 meeting on July 14, 2020.
261

262 12. **Z2020-029 (DAVID GONZALES)**

263 Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an
264 Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of
265 Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
266 generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.
267

268 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. Since the last meeting
269 the family has decided to forego two (2) acres of the property. They are still going forward with the zoning change on the
270 remaining two (2) acres for a single-family home. Mr. Gonzales then advised the Commission that he was available to answer
271 any questions.
272

273 There being no questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled
274 meeting on July 14, 2020.
275

276 13. **P2020-022 (DAVID GONZALES)**

277 Discuss and consider a request by Ryan Joyce of Northgate Rockwall LD, LP for the approval of a Final Plat for the Northgate
278 Subdivision being a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall,
279 Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at
280 the southwest corner of the intersection of Stodghill Road [FM-3549] and Clem Road, and take any action necessary.
281

282 Planning and Zoning Manager David Gonzales advised the Commission that the applicant was present but the only reason
283 this item is listed under Discussion Items is due to the fact that it needs to go through the Parks and Recreation Board for
284 recommendation. He explained that this will be in the Consent Agenda at the next meeting.
285

286 Chairman Chodun asked if the applicant had anything to add to come forward at this time.
287

288 Ryan Joyce
289 1189 Waters Edge Drive
290 Rockwall, TX 75087
291

292 The applicant came forward and thanked the Commission for their support with this project. At the moment, they have sold
293 out about 80% of their lots.
294

295 There being no questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled
296 meeting on July 14, 2020.
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14. **SP2020-010 (DAVID GONZALES)**

Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of Adat Estate of Vats Akhil and Deepti for the approval of a Site Plan for a *medical office building* on a 0.70-acre parcel of land being 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.

Planning and Zoning Manager David Gonzales advised the Commission that the applicant was present and Chairman Chodun asked them to come forward.

Greg Wallis
1520 E. I-30
Rockwall, TX 75087

The applicant came forward and provided a brief summary in regards to the request. He explained that this will be a 7,200 square foot medical office housing two doctors, general practice, and psychiatry. A large extension of it will be an imaging center with X-Rays and MRIs/CTs. The center portion of the building will hold an open lease until they find a use for it. They are asking for one (1) variance along the back with the horizontal articulation and the Architectural Review Board did not have a problem with the situation. Additional landscape will be provided as well as an overage on the masonry requirement. There will also be a spring wall added to the back due to the Ag and the school considered Residential. Mr. Wallis then advised the Commission that he was available to answer questions.

Mr. Gonzales added that the Architectural Review Board did review this and they'll be forwarding a recommendation of approval including the variance requested and the variance that will come in front of the Commission during the site plan process.

There being no questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled meeting on July 14, 2020.

15. **SP2020-011 (DAVID GONZALES)**

Discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Ed Burke of Channell Commercial Corporation for the approval of an Amended Site Plan for an existing industrial building on an 18.762-acre parcel of land identified as Lot 2, Block A, Channell Subdivision Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 John King Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The request would be associated with Phase II of an outside storage area. He then advised the Commission that he was available for questions.

Chairman Chodun asked what he meant by outside storage area. Mr. Gonzales explained that there was some additional product that they had along with extra storage space. They are required to screen the storage with a screening wall so the details of that will come during the site plan process. The screening walls need to be at least one (1) foot higher than what is being stored along with additional landscaping. Planning and Zoning Director Ryan Miller added that this will be one of the variances associated with this. The applicant is going to be proposing a smooth face wall, which was approved during the first phase because it was a part of Corporate Landing. They will also be requesting a drive way variance due to them adding a second driveway along Industrial Blvd.

Commissioner Moeller asked if this new driveway was for access to the storage area. Mr. Gonzales replied that it would create access to Phase I portion as well. Commissioner Moeller then asked if this driveway would be lightly used. Mr. Gonzales replied that there would be a future building coming in as well as additional parking making the drive way highly used.

Commissioner Fishman asked if there were any concessions requested for the variances wanted. Mr. Gonzales answered that any variance requires two (2) compensatory measures and those would be covered during the site plan phase.

There being no further questions Chairman Chodun indicated the case will return to the Commission for action at the next scheduled meeting on July 14, 2020.

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

- ✓ P2020-019: Replat for Lot 9, Block C, Remington Park, Phase 2 Addition [APPROVED]
- ✓ P2020-020: Final Plat for Terracina Estates, Phase 1 Addition [APPROVED]

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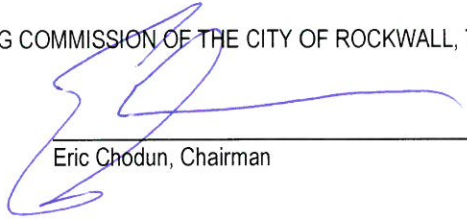
- ✓ Z2020-016: SUP for a *Guest Quarters/Secondary Living Unit, Detached Garage and Carport* for 844 Zion Hill Circle [APPROVED; 1st READING]
- ✓ Z2020-018: SUP for *Residential Infill Adjacent to an Established Subdivision* for 1055 Dalton Road [APPROVED; 1st READING]
- ✓ Z2020-019: SUP for *Residential Infill in an Established Subdivision* for 247 Chris Drive [APPROVED; 1st READING]
- ✓ Z2020-020: SUP for a *Guest Quarters/Secondary Living Unit and Carport* for 1308 Ridge Road [APPROVED; 1st READING]
- ✓ Z2020-021: Zoning Change (AG to SFE-2.0) [WITHDRAWN]
- ✓ Z2020-022: SUP for a *Detached Garage* for 803 Kernodle Street [APPROVED; 1st READING]

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

VI. ADJOURNMENT

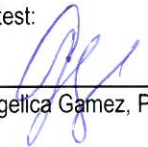
Chairman Chodun adjourned the meeting at 7:06 pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
14 day of JULY, 2020.



Eric Chodun, Chairman

Attest:



Angelica Gamez, Planning and Zoning Coordinator

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JULY 14, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Eric Chodun called the meeting to order at 6:03 PM. Commissioners present were John Womble, Tracey Logan, Sedric Thomas, Annie
5 Fishman, and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Mark Moeller. Staff members present were Planning and
6 Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica
7 Gamez, and City Engineer Amy Williams. Absent from the meeting were Civil Engineers Jeremy White and Sarah Johnston.
8

9 II. OPEN FORUM

10 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being no
11 one coming forward, Chairman Chodun closed the open forum.
12

13
14 III. CONSENT AGENDA

15
16 1. Approval of Minutes for the June 9, 2020 Planning and Zoning Commission meeting.
17

18 2. Approval of Minutes for the June 30, 2020 Planning and Zoning Commission meeting.
19

20 3. **P2020-022 (DAVID GONZALES)**

21 Consider a request by Ryan Joyce of Northgate Rockwall LD, LP for the approval of a Final Plat for the Northgate Subdivision being
22 a 61.45-acre tract of land identified as Tract 4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County,
23 Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, located at the southwest
24 corner of the intersection of Stodghill Road [FM-3549] and Clem Road, and take any action necessary.
25

26 4. **P2020-027 (HENRY LEE)**

27 Consider a request by Brandon Davidson of Corwin Engineering, Inc. on behalf of Paul Taylor of Paul Taylor Homes Limited for the
28 approval of a Replat for Lot 33, Block A, Ridgecrest Addition being a 0.3017-acre parcel of land identified as Lot 24, Block A,
29 Ridgecrest Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81) for Single-Family
30 10 (SF-10) District land uses, addressed as 2605 Cypress Drive, and take any action necessary.
31

32 Commissioner Logan made a motion to approve the consent agenda. Commissioner Womble seconded the motion which passed by a
33 vote of 6-0, with Commissioner Moeller absent.
34

35 IV. PUBLIC HEARING ITEMS

36
37 5. **Z2020-023 (RYAN MILLER)**

38 Hold a public hearing to discuss and consider a request by James Best for the approval of a Specific Use Permit (SUP) for
39 Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 2.60-acre parcel of land
40 identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District,
41 addressed as 54 Shadydale Lane, and take any action necessary.
42

43 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting a Specific
44 Use Permit for a Residential Infill Adjacent to an Established Subdivision for the purpose of constructing a single-family home.
45 According to the Unified Development Code (UDC), all proposed residential infill housing that is in or adjacent to an Established
46 Subdivision requires a Specific Use Permit (SUP). In this case, an established subdivision is defined as any subdivision that consists
47 of five (5) or more lots, is more than 90% developed, and has been in existence for more than 10 years. The subject property is adjacent
48 to Fox Chase subdivision Phase I, and Phase 10 & 19 of the Chandlers Landing subdivision. The Planning and Zoning Commission are
49 tasked with considering the proposed size, location, architecture of the home compared to the existing homes in the established
50 subdivision. The property in this case is removed from any of the established subdivisions. This is a discretionary decision for the City
51 Council pending a recommendation from the Planning and Zoning Commission. With this being a zoning case, notices were sent out to
52 82 property owners/residents within 500 feet of the subject property. Homeowners Associations (HOAs) in Benton Woods, Chandlers
53 Landing, Rainbow Lakes, and Fox Chase were notified as well as they were the only HOAs within 1,500 feet of the subject property. Mr.
54 Miller advised the Commission that the applicant and Staff were present and available to answer questions.
55

56 Chairman Chodun asked the applicant to come forward.
57

58 James Best/ Kimberly Best
59 7235 S. FM 549
60 Heath, TX 75032
61

62 The applicant came forward and stated that they look forward to their new house and moving to Rockwall.
63

64 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so at this time.
65

66 Chris Cuny
67 4730 Pin Oaks Circle
68 Rockwall, TX 75032
69

70 Mr. Cuny came forward and expressed his approval of the request.
71

72 Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
73

74 Commissioner Thomas made a motion to approve item Z2020-023. Commissioner Womble seconded the motion which passed by a vote
75 of 6-0.
76

77 Chairman Chodun advised the applicant that the case will go before the City Council on July 20, 2020.
78

79 6. **Z2020-024 (RYAN MILLER)**

80 Hold a public hearing to discuss and consider a request by Chris Cuny, PE of Teague, Nall & Perkins on behalf of the Nick
81 DiGiuseppe of Discovery Lakes, LLC for the approval of a Zoning Amendment to Planned Development District 78 (PD-78)
82 [Ordinance No. 15-24] for the purpose of changing the concept plan and development standards on a 316.315-acre tract of land
83 identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of
84 Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-
85 Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any
86 action necessary.
87

88 Planning and Zoning Director Ryan Miller provided a brief summary of the request. The applicant is requesting to amend the Planned
89 Development (PD) and change the concept plan. The current PD allows for nine (9) acres of non-residential land uses, 11-acre public park,
90 30+ acres of open space, 62 acres of flood plain, and 203 acres of residential land area. The residential land area consists of 3 different lot
91 product types: 121, 80' x 120' foot lots; 127, 70' x 110' lots; and 259, 60' x 110' lots. The total number of houses allowed in this PD is 507. In
92 his new concept plan, the applicant is wanting to reduce the number of homes down to 428 by creating a new larger lot product. This would
93 increase the size of the 80' lots to 80' x 200' lots, with a minimum square footage size of 32,670 square feet. Other changes in the planned
94 development include removing the 11-acre park, and reducing the trail system by 1.2 miles of trail. The applicant has also agreed to increase
95 the anti-monotony standards to the City's current anti-monotony standards and change the fence standards to the current fence standards.
96 Mr. Miller explained that the applicant would be required to improve half the roadway of Rochelle Road and also build all of Discovery Blvd.
97 from the point of Rochelle Road to the point where the property kind of splits. They are also responsible for a 16-inch water line along 276
98 and a 12-inch along Rochelle Road, and a 12-inch along Discovery Blvd. The waste water is currently being studied by the City at the Sabine
99 Creek Plant. When this PD originally came thru, it was granted a waiver to allow flat front entry garages. Lot type A was granted 40% flat front
100 entry, Lot type B was granted 33% flat front entry, and Lot type C was granted 67% flat front entry. As a compensatory measure, the applicant
101 has agreed to meet the 25-foot setback that is currently called out in the Comprehensive Plan for flat front entry garages. The area where
102 they are not conforming to the City's code is relating to roof pitch. As a compensatory measure, they have increased the masonry percentage
103 in the planned development district. Another subject area not meeting the code would be the onsite sewage facilities. They are requesting
104 to provide OSSF septic systems on Lot type A to go ahead and start construction while they're waiting on the study results to come back
105 from Sabine Creek. Currently, the City does not operate its own septic program as it has an Interlocal Agreement with Rockwall County to
106 inspect all onsite sewage. City Council has granted the use of OSDF systems in the past but only on lots greater than an acre. However, they
107 have stipulated three requirements: The OSSF must be designed by a professional, they must stamp and sign a copy of the OSSF Plan and
108 have that be submitted to the Building Inspections department at the time of permitting, and have the OSSF systems inspected by a City
109 approved Inspector, which again would be up to the County. The applicant would be meeting all three of those standards along with three
110 other standards basically ensuring that the required sewer infrastructure will be provided with each phase regardless if OSSFs are approved.
111 The second provision is that all homes are to be constructed with a secondary connection to make it easier to disconnect OSSFs and connect
112 with the sewage system-this would be done at the owner's expense. The third and final provision is that a disclosure will be provided in the
113 closing paperwork for each lot stating that the property owner will be responsible for connecting to the sanitary sewer and paying impact
114 fees at the sole cost of the homeowner. The applicant has addressed most of Staff's recommendations, specifically we asked them to
115 incorporate the new fence and anti-monotony requirements. We also asked that they take the lots fronting onto the boulevard, which was
116 established at the work session but does not show on the concept plan. They did, however, bump the front yard setback to 25 feet which
117 would create more separation off the roadway. This case is a discretionary decision for the Planning and Zoning Commission and City
118 Council and, with it being a zoning case, staff sent out 13 notices to everybody within 500 feet of the subject property. The Timber Creek HOA
119 was the only association notified and located within 1,500 feet of the property. Mr. Miller advised the Commission that the applicant and Staff
120 were present to answer questions.
121

122 Commissioner Womble requested further elaboration in regards to the roof pitch requirement and how it was going to be modified.
123

124 Commissioner Logan wanted clarification on which lots needed the septic systems and what the City would provide for those back lots.

125
126 Commissioner Fishman asked about the transition of the lots and wanted explanation in regards to the systems left underground. She also
127 asked if there would be any concerns using the systems on lots less than an acre since the City hadn't done it before.
128

129 Commissioner Thomas asked how much impact fees would be once sewer is available.
130

131 Commissioner Womble asked if we had deferred the impact fees to other homeowners. Mr. Miller replied that the City cannot charge fees to
132 the homeowner until they've impacted the system.
133

134 Chairman Chodun asked the applicant to come forward.
135

136 Chris Cuny
137 2 Horizon Court
138 Heath, TX 75032
139

140 Mr. Cuny came forward and provided further details in regards to his request. He explained that his intent is not to do the old fashioned septic
141 systems but rather the aerobic systems with the drip irrigation. With a drip irrigation system, the system will evaporate but won't spray. He
142 indicated that they are waiting on the results from the lab at NTMWD to explain what the cost is and what the route is to go to the Sabine
143 Creek. He stated that they expected the results to be expensive. The developers are wanting to get something started on the project and he
144 reiterated that these homes would be in the \$750,000- \$1 million range. Mr. Cuny told the Commission that he has worked on areas in and
145 out of the City and they have been less than acre and the systems do still work and they meet all of the TCQ standards.
146

147 City Engineer Amy Williams advised the Commission that the impact fees would differ depending on the meter size. For larger lots, a 1-inch
148 meter is normally used, and would cost the homeowner over \$6,000 on impact fees. If the homeowner goes to a 5/8 meter, the cost would
149 \$2,400.
150

151 Chairman Chodun opened the public hearing and asked if anyone wishing to speak to do so at this time.
152

153 Dan Winstead
154 1631 Chesterwood Drive
155 Rockwall, TX 75032
156

157 Mr. Winstead came forward and asked if the applicant have a time frame for when they expect the septic survey back and what are the costs
158 of waiting for it to come back? City Engineer Amy Williams answered that the draft should be back anytime now.
159

160 Chairman Chodun asked if there were any other questions; there being none, Chairman Chodun closed the public hearing and brought the
161 item back to the Commission for discussion or action.
162

163 Commissioner Womble asked if it was a bit premature to vote on this item since the report is expected back any day now. The applicant
164 replied that they were going to put sewer in regardless but there would be some issues that take time since neither studies nor permits had
165 been approved yet. Commissioner Womble stated that some of them may be okay with the decision be temporary but not permanent.
166

167 Commissioner Logan stated she did a bit of research and wanted to know if it matters about what the natural ground is. Mr. Cuny explained
168 that the soil does not matter because the top layer is completely excavated and will cause the water to evaporate. She added that the grass
169 seemed very green and healthy and had no odor at all.
170

171 Vice-Chairman Welch explained that he had some concerns and was not comfortable with the plan.
172

173 Commissioner Logan made a motion to approve item Z2020-024. Commissioner Fishman seconded the motion which passed by a vote of 5-
174 1, with Vice-Chairman Welch dissenting.
175

176 **7. Z2020-025 (RYAN MILLER)**

177 Hold a public hearing to discuss and consider a request by Hallie Fleming for the approval of a Specific Use Permit (SUP) for a
178 General Retail Store and Hair Salon and/or Manicurist on a 0.2254-acre parcel of land identified as Lot 1, Block A, Artventures
179 Studio Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office
180 (RO) District, addressed as 507 N. Goliad Street, and take any action necessary.
181

182 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He explained that the business is operating
183 under an existing Specific Use Permit (SUP) but that the business has evolved over time incorporating a hair salon and retail products.
184 The original SUP was issued in 2013 and, as part of that, they received variances to the parking and paving standards. According to the
185 Unified Development Code, a hair salon and retail sales would require an SUP in this district so amending the SUP doesn't change the
186 function of the property but instead brings her into conformance with the current codes. Mr. Miller advised the Commission that the
187 applicant and Staff were present and available to answer questions.
188

189 Chairman Chodun asked the applicant to come forward.
190

191 Hallie Fleming

192 507 N. Goliad Street
193 Rockwall, TX 75087

194
195 Mrs. Fleming came forward and provided further details in regards to the request.
196

197 Chairman Chodun opened the public hearing and asked anyone wishing to speak to come forward at this time. There being no one
198 indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
199

200 Vice-Chairman Welch made a motion to approve item Z2020-025 with staff recommendations. Commissioner Thomas seconded the motion
201 which passed by a vote of 6-0.
202

203 Chairman Chodun advised the applicant that the case will go before the City Council on July 20, 2020.
204

205 **8. Z2020-026 (DAVID GONZALES)**

206 Hold a public hearing to discuss and consider a request by Jake Fears, PE of Wier & Associates, Inc. on behalf of Chad DuBose of
207 JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Drive-Through, Less Than 2,000
208 SF on a 2.542-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County,
209 Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay
210 (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.
211

212 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting the approval
213 of a Specific Use Permit for a Restaurant Drive-Thru located in PD-65, in General Retail district. There are some conforming standards
214 associated with a restaurant less than 2,000 square feet with a drive-thru. There are a couple of conditions associated with this such as: a
215 drive-thru lane shall not have access to local residential streets; additional landscaping is required to prevent the impairment of visibility
216 by using headlight screening; and also, they must have a minimum of 6 car stacking, which this is the only condition the applicant meets.
217 This case is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. This
218 project is a limited service restaurant meaning that it does not provide any inside seating. This being a zoning case, 35 notices were sent
219 out and Staff were opposed to the request. Mr. Gonzales advised the Commission that the applicant and staff were present and available
220 for questions.
221

222 Commissioner Womble asked if there was a requirement where they also can't be close to the adjacent properties or if it was possible to
223 have a driveway that complies with everything in this case. Mr. Gonzales answered that it would have to meet the 100-foot distance as
224 well. Commissioner Womble then asked if it was physically possible to meet those 100-foot setbacks. City Engineer Amy Williams
225 answered that there was a huge box culvert and they're kind of constrained at the edge of Pecan Valley due to the floodplain and those
226 culverts.
227

228 Commissioner Logan asked if they could have a driveway on along 205 and if the City currently allows left turns on Pecan Valley. Staff
229 answered that they would not be able to have the driveway along there and that the City does allow left turns on Pecan Valley. She also
230 asked if there were any concerns with the traffic that would be generated there.
231

232 Chairman Chodun asked City Engineer Amy Williams if Quail Run could handle that kind of traffic to which Ms. Williams answered that
233 yes they could. Chairman Chodun then asked what the future landing map shows regarding this property and it shows it to be commercial
234 retail.
235

236 Chairman Chodun asked the applicant to come forward.
237

238 Casey Orr
239 121 S. Main Street
240 Henderson, TX 75654
241

242 The applicant came forward and provided further details in regards to the request. Ms. Orr realized that there were several easements on
243 the site plan that was submitted and the lift station had been removed. She added that, as this project moves forward, she would like to
244 coordinate with the City to see if any of those easements had been abandoned and help clean up the site. She also would like to add more
245 landscaping along the street.
246

247 Vice-Chairman Welch wanted confirmation as to what kind of business would take place there since there had been talks about it being a
248 Smoothie King. Ms. Orr explained that they are meeting the City's stacking requirements and, out of respect to the client, could not disclose
249 what type of business it would be. She was only allowed to say that it was a reputable smoothie or coffee franchise with no seating inside
250 and no tables out front.
251

252 Commissioner Womble asked if the permit's use could be limited based on the franchise but Mr. Miller stated that we can only limit it
253 based on land use. He mentioned that the way the SUP is set up is that the business must be a limited service. Mr. Miller did point out that
254 the applicant's site had gotten bigger going from 700 square feet to 1250 square feet.
255

256 Ms. Orr explained that they designed as big a building as they thought would fit and they were hoping to utilize some of the parking spaces
257 on the site to the north. She added that the applicant was hopeful that they would be able to share parking spaces if necessary.
258

259 Mr. Miller added that the City would not consider shared parking because that meant using public right-of way to access the restaurant
260 and it was a safety issue.

261
262 Chairman Chodun opened up the public hearing and asked anyone wishing to speak to come forward at this time.

263
264 Lanty Dean
265 216 W. Quail Run Rd.
266 Rockwall, TX 75087

267
268 Mr. Dean came forward and expressed his disapproval of the loss of the trees and opposition to the request overall.

269
270 Michael Hunter
271 220 W. Quail Run Road
272 Rockwall, TX 75032

273
274 Mr. Hunter came forward and explained his concerns and opposition of the request due to traffic.

275
276 Trent Hyde
277 218 W. Quail Run Road
278 Rockwall, TX 75087

279
280 Mr. Hyde came forward and expressed his opposition of the request due to traffic.

281
282 Bob Wacker
283 309 Featherstone
284 Rockwall, TX 75087

285
286 Mr. Wacker came forward and hoped that there would be some trees left when the project is done. He also expressed his opposition to the
287 request due to the traffic that would develop. He asked that if the request did pass then to please insist on landscaping to hide the
288 dumpster.

289
290 Dan Winstead
291 1631 Chesterwood Drive
292 Rockwall, TX 75087

293
294 Mr. Winstead came forward and asked if the applicant had a business plan showing peak times that customers would be going to the
295 restaurant.

296
297 Chairman Chodun asked if there were any other questions; there being none he closed the public hearing and called the applicant forward
298 to address comments.

299
300 Ms. Orr came forward and stated she appreciated the feedback. She also added that she could create a trip generation report to study peak
301 hours and weekday.

302
303 Chairman Chodun brought the item back to the Commission for discussion or action.

304
305 Vice-Chairman Welch asked if they could restrict the size of the main building as a part of the SUP and if parking could be tied up to the
306 parking lot to the north.

307
308 Commissioner Fishman stated that she feels they do not have enough information to make the decision.

309
310 Commissioner Thomas agreed with Commissioner Fishman and said that if the applicant were to show more plans and explain what the
311 business will be to help ease some of the concerns.

312
313 Chairman Chodun agreed with them both and expressed his traffic concerns.

314
315 Commissioner Fishman made a motion to deny item Z2020-026. Commissioner Logan seconded the motion to deny which passed by a
316 vote of 5-1 with Vice-Chairman Welch dissenting.

317
318 Mr. Gonzales added that with the recommendation of denial, the item must have a ¾ majority vote from City Council in order to move
319 forward.

320
321 9. **Z2020-027 (RYAN MILLER)**

322 Hold a public hearing to discuss and consider a request by Leslie & Scott Milder for the approval of a *Specific Use Permit (SUP)* for
323 a *General Retail Store* and *Banquet Facility/Event Hall* on a 0.66-acre parcel of land identified as Lot 1, Block A, Our House Addition,
324 City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District,
325 situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 803 N. Goliad Street, and take any action
326 necessary.

328 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. In 2015, the subject property received a
 329 SUP allowing for a banquet facility known as Our House. The applicant is requesting the approval of a SUP to supersede the current SUP
 330 ordinance and establish a new one allowing a general retail store and banquet facility. The banquet would still be operated in the same
 331 manner but the general retail store that would be added to the property would be a cigar store. According to the Unified Development
 332 Code, both of these land uses require a specific use permit in the Residential Office District. As part of the original approval, the applicant
 333 was granted a waiver to defer the construction of the 24-foot cross axis easement. However, this was delayed until the property to the
 334 southwest changes their zoning to a Commercial zoning and site plans that and converts it to a non-residential land use from a residential
 335 land use. Due to the fact that this was tied into the original SUP, it was carried over into this additional ordinance which is a condition of
 336 approval. This request is discretionary to the Planning and Zoning Commission with the only change being the addition of the general
 337 retail store. Staff sent out notices to the property owners and residents within 500-feet of the subject property and received three (3) back
 338 in favor of the request. Mr. Miller advised the Commission that the applicant and staff were present and available for questions.

339
 340 Chairman Chodun asked the purpose was for having the cross-axis easements.

341
 342 Vice-Chairman Welch asked if smoking was approved inside the cigar shop and they are as long as they provide ash trays.

343
 344 Commissioner Fishman asked for the hours of operation. They are Monday thru Sunday 7am-8pm.

345
 346 Chairman Chodun asked the applicant to come forward.

347
 348 Kurt Naumann
 349 168 Stoneleigh Drive
 350 Heath, TX 75032

351
 352 The applicant came forward and showed a couple of short videos in regards to his request.

353
 354 Commissioner Fishman wanted further clarification in regards to the usage of the banquet facility at the same time as having the
 355 retail store open. She also asked if alcohol was permitted but it would not be.

356
 357 Chairman Chodun opened the public hearing and asked anybody wishing to speak to come forward at this time.

358
 359 Jon Hickerson
 360 506 Wildwood Terrace
 361 Rockwall, TX 75087

362
 363 Mr. Hickerson came forward and expressed his opposition of the request due to traffic.

364
 365 Chairman Chodun asked if anyone else wished to speak; there being no one, Chairman Chodun closed the public hearing and brought
 366 the item back to the Commission for discussion or action.

367
 368 Vice-Chairman Welch made a motion to approve item Z2020-027 with staff recommendations. Commissioner Fishman seconded the
 369 motion which passed by a vote of 6-0.

370
 371 Chairman Chodun advised the applicant that the case will go before the City Council on July 20, 2020.

372
 373 10. **Z2020-028 (RYAN MILLER)**

374 Hold a public hearing to discuss and consider a request by Lucas Altoe on behalf of STAR Hubbard, LLC for the approval of a
 375 Zoning Amendment to Planned Development District 10 (PD-10) for the purpose of allowing an office on a 32.6546-acre parcel of
 376 land identified as Lot 1, Block A, Mansions Family Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development
 377 District 10 (PD-10) for Multi-Family 14 (MF-14) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY OV)
 378 District, addressed as 1650 S. John King Boulevard, and take any action necessary.

379
 380 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He mentioned that there is a
 381 clubhouse/workout facility on the development along with a space where a spa ended up operating out of. The spa was never issued a
 382 Certificate of Occupancy and eventually it went out of business. The applicant contacted Staff to ask about where land uses were applicable
 383 and, unfortunately, only multi-family uses were available. He was looking to establish a co-working space, which required a change to the
 384 entire Planned Development District. The only thing being requested with this case is to allow an office or co-working space. Should this
 385 request and zoning change be approved then the applicant must apply for a Certificate of Occupancy for the business. Staff sent out
 386 notices to all property owners and residents within 500-feet and all Homeowners Associations within 1500-feet. Mr. Miller then advised the
 387 Commission that the applicant and Staff were present and available for questions.

388
 389 Commissioner Womble asked if the co-working space would be for the residents of the facility or open to the public as well. Mr. Miller
 390 replied that it would be open to the general public.

391
 392 Chairman Chodun asked if there was an age restriction to the residents there.

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

394
395
396 Russell Darrington
397 1028 Redwood Trail
398 Rockwall, TX 75087
399

400 Mr. Darrington came forward and stated that he wanted to see if his business would be permissible for this type of environment. His
401 business would consist of having an outpatient office and using the fitness space as well.
402

403 Mr. Miller explained that that would not be a permitted use in a co-working space because that would be a medical office use. Permitted
404 uses would consist of renting out offices for work and does not qualify as a medical usage since that requires a higher ratio. Staff does
405 not have the ability to amend the request without the applicant's say so, therefore, Staff is required to take this item forward.
406

407 Dan Winstead
408 1631 Chesterwood Drive
409 Rockwall, TX 75087
410

411 Mr. Winstead came forward and wanted clarification as to the applicant wanting to use the existing building without having any
412 construction take place. He also asked if there was any traffic estimation but Mr. Miller explained that the property is already over parked
413 for the facility so it should not be an issue.
414

415 Russell Darrington
416 1028 Redwood Trail
417 Rockwall, TX 75087
418

419 Mr. Darrington came forward once again and wanted clarification in regards to parking.
420

421 Chairman Chodun asked if anyone else wished to speak; there being no one doing such, Chairman Chodun closed the public hearing and
422 brought the item back to the Commission for discussion or action.
423

424 Commissioner Womble expressed being in favor of the request. Commissioner Thomas explained that it was a smart idea as well.
425

426 Commissioner Thomas made a motion to approve item Z2020-028. Commissioner Womble seconded the motion which passed by a vote
427 of 5-1, with Chairman Chodun dissenting.
428

429 11. Z2020-029 (DAVID GONZALES)

430 Hold a public hearing to discuss and consider a request by Donald and Cathy Wallace for the approval of a Zoning Change from an
431 Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a two (2) acre tract of land identified as a portion of
432 Tract 44-01 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,
433 generally located northeast of the intersection of H. Wallace Lane and Horizon Road [FM-3097], and take any action necessary.
434

435 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting the zoning
436 change from Agricultural (AG) District to Single-Family Estate 2.0 (SFE-2.0) for the purpose of constructing a home on a 2-acre piece of
437 land. There are some infrastructure requirements that will be taken care of during the final plat as well as sewer improvements that the
438 applicant will have to do such as installing an OSSF system for the property. Staff sent out eight (8) notices to homeowners and residents
439 within 500-feet but did not receive any back. Mr. Gonzales then advised the Commission that the applicant and Staff were present and
440 available for questions.
441

442 Chairman Chodun asked the applicant to come forward
443

444 Cathy Wallace
445 338 Wallace Lane
446 Rockwall, TX 75032
447

448 Mrs. Wallace came forward and explained her reasoning for coming before the Commission again.
449

450 Chairman Chodun opened the public hearing and asked anyone wishing to speak to come forward at this time; there being no one doing
451 such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
452

453 Commissioner Thomas made a motion to approve item Z2020-029 with staff recommendations. Commissioner Fishman seconded the
454 motion which passed by a vote of 6-0.
455

456 V. ACTION ITEMS

457
458 12. SP2020-010 (DAVID GONZALES)

459 Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of Adat Estate of Vats Akhil and Deepti for the
460 approval of a Site Plan for a *medical office building* on a 0.70-acre parcel of land being identified as Lot 6, Block A, Ellis Centre #2
461 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV)
462 District, located at the western corner of the intersection of Alpha Drive and Beta Drive, and take any action necessary.
463

464 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is coming forward to
465 request the approval of a site plan for a medical office facility about 7,200 square feet. With the exception of the variances being requested,
466 the submitted site plan, landscape plan, photometric plans, and building elevations generally conform to the technical requirements in the
467 districts. The applicant is required to screen LI property from the Residential use property with a minimum of a 6-foot high masonry
468 screening with canopy trees planted on 20-foot centers. As an alternative, the Commission can consider a wrought iron fence and a three
469 tiered screening along the rear property line. At the moment, there are four (4) variances associated with the request: horizontal
470 articulation, architectural standards (four sided architecture), screening from the residential, and maximum slope for a detention pond. To
471 offset the variances and as a condition of approval, the applicant is required to screen the detention system with a combination of trees
472 and shrubs which would cause him to revise the landscape plans. According to the UDC, an applicant may request the Planning and
473 Zoning Commission to grant an exception to any provisions portrayed in the General Overlay District standards. In this case, the applicant
474 shall provide compensatory measures that directly offset the exceptions and/or variances. The applicant is indicating that they increased
475 landscaping including additional accent trees and shrubs, and increased masonry percentages on the building as well. The Architectural
476 Review Board met two weeks ago and they forwarded a recommendation of approval of the elevations including the variances being
477 requested. Mr. Gonzales advised the Commission that the applicant and Staff were present and available for questions.
478

479 Commissioner Womble wanted explanation as to why they could not meet articulation on the back side of the building.
480

481 Chairman Chodun asked the applicant to come forward.
482

483 Greg Wallis
484 1520 E. I-30
485 Rockwall, TX 75087
486

487 Mr. Wallis came forward and provided additional details regarding his request as well as an explanation in regards to the articulation.
488

489 Vice-Chairman Welch made a motion to approve item SP2020-010 with staff recommendations. Commissioner Thomas seconded the
490 motion which passed by a vote of 6-0.
491

492 13. **SP2020-011 (DAVID GONZALES)**

493 Discuss and consider a request by Mark W. Pross of Pross Design Group, Inc. on behalf of Ed Burke of Channell Commercial
494 Corporation for the approval of an Amended Site Plan for an existing industrial building on an 18.762-acre parcel of land identified
495 as Lot 2, Block A, Channell Subdivision Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District,
496 situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 John King Boulevard, and take any action
497 necessary.
498

499 Planning and Zoning Manager David Gonzales provided a brief summary and history in regards to the request. The applicant is
500 requesting an amended site plan that has three (3) variances associated with it. Back in July 2014, a site plan was approved by City
501 Council that contained variances on parking, building materials, building articulation, lighting, and landscaping. The same site plan
502 came before the Commission last year in December and it was to establish some areas for their outside storage around the facility, as
503 well to realign the western drive, and layout additional parking for the structure. The applicant is coming back with Phase II which is on
504 the western portion of the property and has provided a landscape plan. Due to this area being a Light Industrial District, there are
505 residential fence standards that indicate that a non-residential area cannot have a front yard fence. The fence they are providing is an
506 8-foot tall smooth concrete wall adjacent to Justin Blvd., and on the northern side of the area there will be a wrought iron fence with
507 landscaping spaced out at 20-foot centers to provide the screening with a vinyl coated chain link fence. The non-residential fence will
508 be a discretionary decision to the Planning and Zoning Commission and one that the applicant is requesting. According to the Unified
509 Development Code, any outside storage of materials are supposed to be screened from the public view and the screening has to be at
510 least a foot taller than what is being screened as well. This will then require a masonry fence with trees on 20-foot centers. In this case
511 the applicant is requesting a smooth concrete wall that will match the building, with the purpose being to match what is already existing
512 there. Back in 2014, the City Council did approve a smooth face for what they have out there on the property now. On the north side of
513 the property, the applicant is proposing to use Nellie R. Stevens in order to screen that portion of the storage area. The outside storage
514 requirements call for the Planning and Zoning Commission to consider an alternative screening method such as a wrought iron fence
515 with three tiered screening, or a wrought iron fence and 2 rows of staggered evergreen trees and one row of canopy trees. Also, they
516 have included a drive approach on the western side along Industrial Boulevard which will be tied in with the existing fire lane. According
517 to the Engineering Standards of Design, when you have a collector then they require 200 feet of spacing and the proposed drive
518 approach now is 111 feet. Staff wanted to point out that there will be limited access for the new drive due to it being a gated drive
519 approach. Staff is recommending that they use a wrought iron fence instead of an opaque one. Mr. Gonzales reminded the Commission
520 that the distance requirements are also a discretionary decision to the Commission. The majority of the applicant's exceptions/requests
521 are to maintain the general aesthetic already established on the property. They are the driveway spacing, the screening standards and
522 the front yard fencing are all discretionary decisions for the Commission and $\frac{3}{4}$ majority vote is required to approve the request. Mr.
523 Gonzales then advised the Commission that the applicant and Staff were present to answer questions.
524

525 Chairman Chodun asked the applicant to come forward

526
527 **Mark Cross**
528 5310 Harvest Hill Road
529 Dallas, TX 75230
530

531 Mr. Cross came forward and provided additional details in regards to this request. He explained that there may be plans for a future
532 building but, in the meantime, they wanted to take advantage of the site and the outside storage. He explained that he requested a
533 concrete wall to match what was already existing but he would talk to the owner about doing a decorative gate to get the item approved.
534 He also added that due to the site on the west narrowing down then it does not leave them with enough room to meet the current
535 standards. He then advised that he was available for questions.
536

537 Planning and Zoning Director Ryan Miller told the applicant that there was a wall along Industrial Blvd. that needed to be moved back
538 due to there being a 30-inch NTMWD line.
539

540 Commissioner Womble wanted further clarification as to the necessity of the drive on the west side. He also asked if they could vote on
541 the items separately to which Mr. Miller indicated they could.
542

543 The Planning and Zoning Commission decided to vote on the items individually.
544

545 Commissioner Womble made a motion to deny the driveway spacing in item SP2020-011. Commissioner Thomas seconded the motion
546 which passed by a vote of 5-1, with Vice-Chairman Welch dissenting.
547

548 Commissioner Womble made a motion to approve the screening standards on item SP2020-011 with staff recommendations.
549 Commissioner Thomas seconded the motion which passed by a vote of 6-0.
550

551 Commissioner Womble made a motion to approve the front-yard facing fence on item SP2020-011. Commissioner Thomas seconded
552 the motion which passed by a vote of 6-0.
553

554 Commissioner Womble made a motion to approve the site plan on SP2020-011. Commissioner Thomas seconded the motion which
555 passed by a vote of 6-0.
556

557 VI. DISCUSSION ITEMS
558

559 14. Director's Report of post City Council meeting outcomes for development cases (**RYAN MILLER**).
560

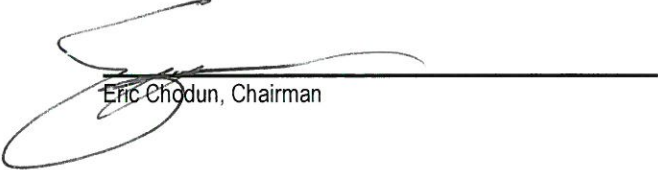
- 561 ✓ P2020-023: Replat for Lot 2, Block A, Rockwall Law Enforcement Center Addition [APPROVED]
- 562 ✓ P2020-024: Replat for Lots 7 & 8, Block A, Maverick Ranch Addition [APPROVED]
- 563 ✓ P2020-025: Replat for Lots 4 & 5, Block A, Washington Place Addition [APPROVED]
- 564 ✓ P2020-026: Replat for Lot 24, Block A, La Jolla Pointe, Phase 2 Addition [APPROVED]
- 565 ✓ Z2020-018: SUP for *Residential Infill Adjacent to an Established Subdivision* for 1055 Dalton Road (APPROVED; 2ND READING)
- 566 ✓ Z2020-019: SUP for *Residential Infill in an Established Subdivision* for 247 Chris Drive (APPROVED; 2ND READING)
- 567 ✓ Z2020-020: SUP for a *Guest Quarters/Secondary Living Unit and Carport* for 1308 Ridge Road (APPROVED; 2ND READING)
- 568 ✓ Z2020-022: SUP for a *Detached Garage* for 803 Kernodle Street (APPROVED; 2ND READING)
- 569

570 Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council
571 meeting.
572


573 VII. ADJOURNMENT
574

575 Chairman Chodun adjourned the meeting at 8:49 PM.
576

577 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
578 28 day of July, 2020.
579

580
581 
582 Eric Chodun, Chairman
583

584 Attest:

585 
586 Angelica Gamez, Planning and Zoning Coordinator

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JULY 28, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

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I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:01 PM. Commissioners present were John Womble, Tracey Logan, 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, and City Engineer Amy Williams.

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 July 14, 2020 Planning and Zoning Commission meeting.
3. **P2020-028 (HENRY LEE)**
Consider a request by Hellen Byrd of Platinum Construction on behalf of Ron Valk of Saro Partners, LLC for the approval of a Replat for Lot 9, Block A, Bodin Industrial Tract being a 2.21-acre parcel of land identified as Lot 6, Block A, Bodin Industrial Tract, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1491 T. L. Townsend Drive, and take any action necessary.

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

V. DISCUSSION ITEMS

4. **Z2020-030 (RYAN MILLER)**
Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage 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 Breezy Drive, and take any action necessary.

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 summary in regards to the request. He explained that he was doing some remodeling and removed a shed and poured some concrete for a driveway. His goal was to place another shed on his property but, due to the layout, he was limited as to the placement. He worked with an Inspector who informed him of the requirements he would need to follow to add a shed. He started the process by wanting a detached garage but decided to present it as an accessory structure. The accessory structure is over the maximum square footage allowed which is why he is requesting the approval of a special use permit today.

Planning and Zoning Director Ryan Miller provided additional details in regards to the request. He explained that the applicant's structure is encroaching into the 6-foot side yard setback. Staff would need revised exhibits to clear that issue up or the applicant will need to go to Board of Adjustments first if he wants to proceed with that location. Mr. Miller added that that process would be a separate process that

58 would take place before the special use permit process. Currently, the applicant's structure exceeds the overall size but does meet the
59 height and other requirements in the Single-Family 10 (SF-10) District.

60
61 Commissioner Womble asked what the setbacks were and if the accessory structure would match the build of the house. Mr. Klecha stated
62 that he would have it match as much as he could but the rest would be hardie-board siding to match the color of his home.

63
64 Commissioner Logan asked if it would be a metal building to which Mr. Klecha answered that it would be a wooden structure with a metal
65 roof.

66
67 The applicant added that he does have future plans of insulating the structure, adding electricity and air conditioning, but no plumbing.

68
69 Chairman Chodun wanted further explanation in regards to the encroachment issue. Mr. Miller explained that the City requires a 6-foot
70 separation for the majority of accessory structures with the exception of small portable buildings which can be as close as 3-feet. Staff is
71 also requiring a structural engineer to review this project to ensure that the structure won't affect the retaining wall.

72
73 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
74 Commission for action at the next scheduled meeting on August 11, 2020.

75
76 **5. Z2020-031 (RYAN MILLER)**

77 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.
78 Rockwall 2017, LLC for the approval of a Zoning Amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39]
79 for the purpose of amending the development standards contained in Ordinance No. 16-39 for a 70.408-acre tract of land identified
80 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
81 Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass
82 Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard
83 and Featherstone Drive, and take any action necessary.

84
85 Chairman Chodun asked the applicant to come forward.

86
87 Pat Atkins
88 3076 Hays Lane
89 Rockwall, TX 75087

90
91 Mr. Atkins came forward and provided a brief summary in regards to the request. He is requesting the approval of a modification to the
92 garage requirements in the proposed Saddle Star Estates. Taylor Morrison would be the builder on Phase III of the project with the 80-foot
93 lots. Phase I and II already have the 70-foot products with the variation of 50% front and 50% swing. For Phase III, he is asking for 70%
94 swing and 30% front. Allowing them those percentages helps Taylor Morrison build the desired products.

95
96 Planning and Zoning Director Ryan Miller added additional details in regards to the request. Under the current ordinance, it allows for 50%
97 flat front entry and that's where the garage is even with the front façade 20-feet away from the street. Also, 50% are traditional or j-swing
98 where you come in at a hook and the garage faces the side property line. The yellow area shown calls for the 30% flat front entry and 70%
99 j-swing. Mr. Atkins is proposing to change it to allow 30% flat-front entry and then 70% j-swing or traditional swing. The change that the
100 applicant is bringing in would allow for, instead of the traditional j-swing that has a 2-car garage, he would allow for a 1-car garage and a
101 2-car garage facing the street. The reason it does not meet our current standards is because that garage would be setback ten (10) feet
102 which is less than twenty (20) feet from the front façade. Ultimately, the applicant is requesting to increase the number of non-conforming
103 garages allowed in the subdivision.

104
105 Vice-Chairman Welch asked if the 2-car garages would be on the swing or in the front. Mr. Miller answered that it allows for both due to
106 70% either being swing or have the new arrangement which is a modified swing.

107
108 Commissioner Womble wanted further elaboration as to why the applicant was requesting this. Mr. Atkins replied that it would give the
109 builder flexibility in providing a point of refinement and variation.

110
111 Commissioner Logan asked about the setback variations. She wanted to ensure that the City was still getting the 25-foot setback.

112
113 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
114 Commission for action at the next scheduled meeting on August 11, 2020.

115
116 **6. Z2020-032 (RYAN MILLER)**

117 Hold a public hearing to discuss and consider a request by Erick Cruz Mendoza for the approval of a Specific Use Permit (SUP) for
118 Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.165-acre parcel of land
119 identified as Lot 873-A, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development
120 District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary.

122 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. Staff wanted to ensure that the proposed
123 home was in line with the remainder of the community. Staff would still provide a windshield study and RCAD information showing what's
124 in the area. The proposed home appears to match all the requirements for a Single-Family 7 (SF-7) District. The garage is just narrowly
125 behind the front façade of the house but this is not atypical of home in Lake Rockwall Estates. He then advised the Commission that this
126 case will come back before the Commission for action on August 11, 2020.

127
128 **7. P2020-029 (DAVID GONZALES)**

129 Discuss and consider a request by DR Horton – Texas, LTD on behalf of DMDS Land Company, LLC for the approval of a
130 Preliminary Plat for River Rock Trails, Phase 1A Addition being a 35.28-acre portion of a larger 1,225.721-acre tract of land identified
131 as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial
132 Jurisdiction (ETJ), generally north of the intersection of FM-548 and High Plains Trail, and take any action necessary.
133

134 Chairman Chodun asked the applicant to come forward.

135
136 **Jeff Miles**
137 802 N. Kealy Ave.
138 Lewisville, TX 75057
139

140 Mr. Miles came forward representing DR Horton and provided a brief summary in regards to the request. He expressed that they had
141 experienced challenges with the utilities for that land due to it being situated within the City of Rockwall's Extraterritorial Jurisdiction
142 (ETJ). Mr. Miles has spoken with Blackland Water Supply, as they are the main water provider in the area, in regards to them working with
143 the City to increase the capacity of the water. They also explained to him that there are other sources available as well for their
144 development. They will also be providing a will-serve letter to the City from Blackland Water Supply. In regards to sewer, he mentioned
145 that this property is in a WCID, which is a sewer district, and it was created in 2012 due to there not being a closer provider for at least
146 five miles. This will allow Mr. Miles to service their land and other future land as well. There are various gas easements that run across this
147 property along with a spine road that'll run thru the property. Mr. Miles mentioned that there would be numerous parks, amenity centers,
148 and trails.
149

150 Planning and Zoning Director Ryan Miller asked if the TCQ had approved the WCID yet to which Mr. Miles answered that it had been in
151 place since 2012.
152

153 Chairman Chodun asked how many phases in total there would be and what the anticipated takedown schedule would be. Mr. Miles replied
154 that there would be about 25-30 phases and that they planned on being out here for the next twenty years.
155

156 Vice-Chairman Welch asked if they were still restricted to 60-foot lots and 12-foot space between homes. Planning and Zoning Manager
157 David Gonzales answered that those requirements for zoning within City limits and not in the ETJ.
158

159 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
160 Commission for action at the next scheduled meeting on August 11, 2020.
161

162 **8. SP2020-012 (DAVID GONZALES)**

163 Discuss and consider a request by Cody Johnson of Cody Johnson Studio, LLC on behalf of Jose Campos of Hines for the approval
164 of a Site Plan for the *amenities center* for the Saddle Star Estates Subdivision being a 0.782-acre portion of a larger two (2) acre
165 tract of land identified as Tract 1 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned
166 Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass
167 Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action
168 necessary.
169

170 Chairman Chodun asked the applicant to come forward.

171
172 **Cody Johnson**
173 8720 Pine Valley Dr.
174 McKinney, TX 75070
175

176 Mr. Johnson came forward and provided a brief summary in regards to the request. The applicant explained that this amenity center is
177 required in the PD and they're proposing a clubhouse, swimming pool, community garden, and playground. There are plans under review
178 to extend the streets and utility services to the site.
179

180 City Engineer Amy Williams added that the City does not have the right to serve water so they cannot be tapping into the water line
181 until we get a right-to-serve from Mount Zion.
182

183 Planning and Zoning Manager David Gonzales added that since ARB recommended a motion for approval on this item then it would be
184 placed under Consent Agenda at the next meeting.
185

186 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
187 Commission for action at the next scheduled meeting on August 11, 2020.
188

189 9. **SP2020-013 (HENRY LEE)**

190 Discuss and consider a request by Lee Hoffman of Camp Constriction Services on behalf of Yao Wang of WDC Pebblebrook
191 Apartments, LLC for the approval of a Site Plan for the amenities center for the Pebblebrook Apartment Complex being a 11.579-
192 acre parcel of land identified as Lot 1, Block A, Pebblebrook Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family
193 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1410 S. Goliad Street, and take any
194 action necessary.
195

196 Chairman Chodun asked the applicant to come forward.
197

198 Lee Hoffman
199 5423 Bear Creek Court
200 Irving, TX 75061
201

202 Mr. Hoffman came forward and provided a brief summary in regards to the request. The applicant is adding to an existing amenity area at
203 the Pebblebrook Apartment Complex.
204

205 Planner Henry Lee identified that there was one exception with the property which would be for roof pitch. They will be providing canopy
206 trees which would serve as compensatory measures.
207

208 Commissioner Logan asked where the amenity center was going to be on the property.
209

210 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
211 Commission for action at the next scheduled meeting on August 11, 2020.
212

213 10. **SP2020-015 (HENRY LEE)**

214 Discuss and consider a request by Nate Colbert on behalf of Proton PRC LTD for the approval of a Site Plan for incidental display
215 in conjunction with retail store with gasoline sales on a 0.483-acre parcel of land identified as a portion of Lot 1 of the Stonebridge
216 Center Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-66 Overlay
217 (SH-66 OV) District, addressed as 715 W. Rusk Street, and take any action necessary.
218

219 Chairman Chodun asked the applicant to come forward.
220

221 Nate Colbert
222 402 Country Ridge Rd.
223 Rockwall, TX 75087
224

225 Mr. Colbert came forward and provided a brief history in regards to the request. Over the past four months, he has had 2 tables set up at
226 the current gas station selling fruits and vegetables. He was told he was not allowed to run the stand without a Special Events Permit so
227 he obtained one but it only allows him to sell and setup once a month. His goal is to have the corner store be an actual neighborhood
228 corner store. He explained that it would primarily be Saturdays outside by the gas pumps but would like to have the flexibility to do it other
229 days as well. He also mentioned that nothing is set up for permanent storage and it gets taken up every night.
230

231 Commissioner Womble asked if he was seeking approval for just the weekends or if he was looking to continue doing this at leisure. He
232 also asked about the placement of the tables and asked if right now they were set up next to a functioning pump. Mr. Miles added that they
233 would like the leisure to show the zones A or B shown by the pumps or use the space in a parking spot that is not required.
234

235 Planner Henry Lee explained a brief history to the Commission in regards to the Commission. This case was referred to Staff from Code
236 Enforcement and since this was a case of incidental display then he would need to submit a limited site plan. The Special Events Permit
237 that he obtained was only valid until July 15, 2020, and the applicant had his tables set up this weekend, making him in violation of this
238 and if it continues then action would have to be taken by the Code Enforcement department. In terms of the site plan, there have been
239 three (3) exemptions identified which would require six (6) compensatory measures and, if nothing else is changed, then there are two (2)
240 other exemptions making the total five (5) exemptions with ten (10) compensatory measures. Currently, the limited site plan also does not
241 meet any of our incidental display standards.
242

243 Planning and Zoning Director Ryan Miller added that the property is not zoned for what the applicant is requesting and does not meet any
244 of the requirements for incidental display. Effective, the Commission is being asked to waive all the requirements to allow the applicant to
245 operate incidental display in the parking area in vehicular zones and away from the building.
246

247 Vice-Chairman Welch asked about a BBQ truck located on the property. The applicant replied that it is operated by him and his brother
248 and they have been permitted by the City to sell at that location.
249

250 Commissioner Logan asked the applicant if he was able to sell the produce inside the store. Mr. Colbert replied that they do but they can't
251 stage it all inside. Commissioner Logan then asked if they were able to have a display outside of the store but due to the small square
252 footage, and the existing propane and ice machine, then they are very limited in space available for incidental display.

253
254 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
255 Commission for action at the next scheduled meeting on August 11, 2020.
256

257 **11. SP2020-017 (DAVID GONZALES)**

258 Discuss and consider a request by Jimmy McClintock of HWY 66 Properties, LP for the approval of a Site Plan for an office building
259 on a 0.28-acre parcel of land identified as Lot 2-R, Block A, Washington Place Addition, City of Rockwall, Rockwall County, Texas,
260 zoned Downtown (DT) District, addressed as 407 W. Washington Street, and take any action necessary.
261

262 Chairman Chodun asked the applicant to come forward.

263
264 **Ross Ramsey**
265 2235 Ridge Road
266 Rockwall, TX 75032
267

268 Mr. Ramsey came forward and provided a brief summary in regards to the request. He explained that last December the Commission
269 approved the adjacent property which was for a 16,000 square foot building. They are now seeking approval of a 4,000 square foot, two
270 story office building similar in character but different in color to the previous one that was approved. They also will not be asking for any
271 variances and added that this building was already 50% leased.
272

273 Chairman Chodun asked if the ARB had any issues with the rendering items. Mr. Gonzales added that ARB had a few recommendations
274 that were forwarded to the applicant so there will be slight changes next time it comes before the Commission.
275

276 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
277 Commission for action at the next scheduled meeting on August 11, 2020.
278
279

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

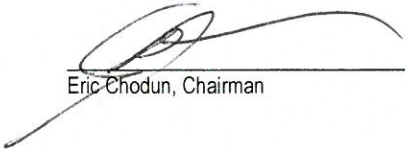
- 281
- 282 • P2020-019: Final Plat for the North Gate Subdivision [APPROVED]
 - 283 • P2020-020: Replat for Lot 33, Block A, Ridgecrest Addition [APPROVED]
 - 284 • Z2020-023: SUP for Residential Infill Adjacent to an Established Subdivision for 54 Shadydale Lane [APPROVED; 1st READING]
 - 285 • Z2020-024: Zoning Amendment to Planned Development District 78 (PD-78) [APPROVED; 1st READING]
 - 286 • Z2020-025: SUP for a General Retail Store and Hair Salon and/or Manicurist for 507 N. Goliad Street [APPROVED; 1st
287 READING]
 - 288 • Z2020-026: SUP for a Restaurant with Drive-Through, Less Than 2,000 SF at 150 Pecan Valley Drive [WITHDRAWN; 1st
289 READING]
 - 290 • Z2020-027: SUP for a General Retail Store and Banquet Facility/Event Hall for 803 N. Goliad Street [APPROVED; 1st READING]
 - 291 • Z2020-028: Zoning Amendment to Planned Development District 10 (PD-10) [APPROVED; 1st READING]
 - 292 • Z2020-029: Zoning Change (AG to SFE-2.0) [APPROVED; 1st READING]
- 293

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

297 **VI. ADJOURNMENT**

298
299 Chairman Chodun adjourned the meeting at 6:59 PM.
300

301 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
302 11 day of August, 2020.
303

304
305 
306 _____
307 Eric Chodun, Chairman

307 Attest:
308 
309 _____
310 Angelica Gamez, Planning and Zoning Coordinator
311

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
AUGUST 11, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

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I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:03 PM. Commissioners present were John Womble, Tracey Logan, Sedric Thomas, Annie Fishman, and Mark Moeller. Absent from the meeting was 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, and Civil Engineer Jeremy White. Absent from the meeting were City Engineer Amy Williams and Civil Engineer Sarah Johnston.

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.

Planning and Zoning Director Ryan Miller 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 July 28, 2020 Planning and Zoning Commission meeting.
- 3. **SP2020-012 (DAVID GONZALES)**
Discuss and consider a request by Cody Johnson of Cody Johnson Studio, LLC on behalf of Jose Campos of Hines for the approval of a Site Plan for the *amenities center* for the Saddle Star Estates Subdivision being a 0.782-acre portion of a larger two (2) acre tract of land identified as Tract 1 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 south of Featherstone Drive, and take any action necessary.
- 4. **SP2020-017 (DAVID GONZALES)**
Discuss and consider a request by Jimmy McClintock of HWY 66 Properties, LP for the approval of a Site Plan for an *office building* on a 0.28-acre parcel of land identified as Lot 2-R, Block A, Washington Place Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 407 W. Washington Street, and take any action necessary.

Commissioner Sedric Thomas made a motion to approve the consent agenda. Commissioner John Womble seconded the motion which passed by a vote of 6-0 with Vice-Chairman Welch absent.

V. PUBLIC HEARING ITEMS

- 5. **Z2020-030 (RYAN MILLER)**
Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an *accessory building that exceeds the maximum square footage* 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. The applicant is requesting approval of a Specific Use Permit (SUP) of an accessory building that exceeds the maximum square footage. According to the Unified Development Code (UDC), an accessory building in a Single-Family 10 (SF-10) District is limited to 144 square feet with a 3-foot rear setback, a 6-foot side setback, and a 15-foot total overall height. The structure is also required to be 6-feet from the primary structure. According to the new plans provided, the applicant is now in compliance with all setback and height requirements even though the structure itself is 359 square feet. The exterior of the structure is going to be a smart lap-siding and a standing seam metal roof which will be complimentary to the primary structure. Any approval of a specific use permit is a discretionary decision for the City Council pending a

58 recommendation from the Planning and Zoning Commission. In accordance with all zoning case, Staff sent out 100 notices to property
59 owners and residents within 500-feet of the subject property on July 23, 2020. Any Homeowners Associations within 1500- feet of the
60 property were also notified. Mr. Miller mentioned that one of the conditions of approval of this case was that the applicant was required,
61 if approved, to submit a letter from a structural engineer certifying that the recently built retaining wall can support that building's weight
62 before a building permit is issued. Mr. Miller advised the Commission that the applicant and Staff were present to answer questions.
63

64 Commissioner Logan had a question in regards to the retaining wall on the property and on the carports on the area.

65 Commissioner Womble had a question in regards to the property blocking the lake views.

66
67 Commissioner Fishman asked if this was the only accessory structure on the property and, if approved, would it limit the applicant to
68 have additional ones in the future.
69

70
71 Chairman Chodun asked the applicant to come forward.

72
73 Mark Klecha
74 407 W. Washington Street
75 Rockwall, TX 75087
76

77 Mr. Klecha came forward and was prepared to answer additional questions.

78
79 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so at this time.
80

81 Doug Hamilton
82 1774 Baywatch Drive
83 Rockwall, TX 75087
84

85 Mr. Hamilton came forward and provided a brief history of himself and his property and explained that the structure would not obstruct
86 the lake views from the property. He expressed his favor in regards to the request.
87

88 Chairman Chodun asked if there was anyone else who wished to speak. There being no one doing such, Chairman Chodun closed the
89 public hearing and brought the item back to the Commission for discussion or action.
90

91 Commissioner Logan expressed her opposition to the size of the accessory structure.
92

93 Commissioner Moeller shared concerns with Commissioner Logan in regards to size but understood there was confusion surrounding
94 the case and why the applicant started the process beforehand.
95

96 Commissioner Womble expressed his opposition in regards to the size of the structure as well.
97

98 Chairman Chodun expressed his being in favor of the request.
99

100 Commissioner Moeller made a motion to approve item Z2020-030 with staff recommendations. Commissioner Fishman seconded the
101 motion which passed by a vote of 4-2, with Commissioners Logan and Womble dissenting.
102

103 Chairman Chodun advised the applicant that the case would go before the City Council on August 17, 2020.
104

105 6. Z2020-031 (RYAN MILLER)

106 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.
107 Rockwall 2017, LLC for the approval of a Zoning Amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39]
108 for the purpose of amending the development standards contained in Ordinance No. 16-39 for a 70.408-acre tract of land
109 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,
110 zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-
111 Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King
112 Boulevard and Featherstone Drive, and take any action necessary.
113

114 Planning and Zoning Director Ryan Miller provided a brief background in regards to the request. The property was originally zoned in
115 2016 and is commonly referred to Saddle Star Estates South. At the time of approval, the original zoning allowed 113 lots that were 70 x
116 125-foot and all the garage orientations were either a traditional swing or j-swing with both of these conforming to the requirements of
117 the Unified Development Code at that time. In October of 2016, the applicant requested to amend the Planned Development district to
118 add 25 lots along with adding additional area to the Planned Development district. Along with this request, the applicant also requested
119 to allow 80% front entry garages in the subdivision and was ultimately approved 50% front entry by the City Council. In September 2019,
120 the applicant submitted a subsequent request to amend the Planned Development District to add 38 additional lots to bring the total to
121 176 lots. All of the proposed 80x100 foot lots were to have a traditional swing or j-swing orientation. The request brought before the
122 Commission tonight is for the applicant to have the ability have 30% of the lots in a flat front entry format. The remaining 70% of the lots
123 are to be either in a traditional swing or modified swing format. Mr. Miller then explained the four (4) different format for the garages

124 requested. If this is approved, it would have the effect of either allowing the current 50% flat front entry that he has today up to 54%.
125 However, as a compensatory measure the applicant has agreed to set the flat front entry product back to 25-feet creating a relief down
126 the wall of the housing. In accordance with a zoning case, Staff sent out 32 notices to property owners and residents within 500-feet of
127 the subject property. Any Homeowners Associations located within 1500-feet of the subject property were also notified. Mr. Miller then
128 advised the Commission that the applicant and Staff were available to answer questions.
129

130 Chairman Chodun asked the applicant to come forward.

131
132 Pat Atkins
133 3076 Hays Lane
134 Rockwall, TX 75087
135

136 Mr. Atkins came forward and provided additional details in regards to the request. He then went on to present a PowerPoint to the
137 Commission. He explained his desire to bring other builders to Rockwall and to add the change of the garages to the draft ordinance.
138

139 Commissioner Logan asked if the single front facing car garage had the potential to turn into an interior space.
140

141 Chairman Chodun opened the public hearing and asked anyone wishing to speak to come forward at this time.
142

143 Bob Wacker
144 309 Featherstone Drive
145 Rockwall, TX 75087
146

147 Mr. Wacker came forward and expressed his being in favor to the request. He explained the difference between a traditional and a j-
148 swing garage.
149

150 Chairman Chodun asked if there was anyone else who wished to speak. There being no one doing such, Chairman Chodun closed the
151 public hearing and brought the item back to the Commission for discussion or action.
152

153 Commissioner Logan made a motion to approve item Z2020-031. Commissioner Womble seconded the motion which passed by a vote of
154 6-0.
155

156 Chairman Chodun advised the applicant that the case would go before the City Council on August 17, 2020.
157

158 7. **Z2020-032 (RYAN MILLER)**

159 Hold a public hearing to discuss and consider a request by Erick Cruz Mendoza for the approval of a Specific Use Permit (SUP)
160 for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.165-acre parcel of
161 land identified as Lot 873-A, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
162 Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any
163 action necessary.
164

165 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting the approval of
166 an SUP for a Residential Infill in an Established Subdivision. According to the Unified Development Code, an established subdivision is
167 defined as any subdivision that has been in existence for 10 years and consists of more than 5 lots and is 90% developed. Mr. Miller
168 explained to the Commission that they should consider whether the proposed home's size, location, and architecture to determine
169 whether it is architecturally similar or complementary to the existing housing. The only thing that should be mentioned is that they are
170 proposing a nearly flat front entry garage and our Code requires that the garage be setback 20-feet behind the front façade. However, it
171 should be noted that this is not an unfamiliar garage configuration compared to the existing homes in the area. With this being a zoning
172 case, Staff sent out 120 notices to all property owners and residents within 500-feet of the subject property. There were no Homeowners
173 Associations that needed to be notified. Mr. Miller then advised the Commission that the applicant and Staff were present and available
174 to answer questions.
175

176 Commissioner Fishman asked why the applicant was unable to meet the setback orientation.
177

178 Chairman Chodun asked the applicant to come forward.
179

180 Erick Cruz Mendoza
181 4100 Andys Lane
182 Parker, TX 75002
183

184 The applicant came forward and provided additional details in regards to the request. He wanted clarification in regards to the setbacks.
185

186 Commissioner Logan asked how long the driveway is.
187

188 Commissioner Moeller added that this would be a benefit to the community.
189

190 Commissioner Fishman added that it is consistent with the neighborhood.

191
192 Chairman Chodun asked if there was anyone else who wished to speak. There being no one doing such, Chairman Chodun closed the
193 public hearing and brought the item back to the Commission for discussion or action.

194
195 Commissioner Thomas made a motion to approve item Z2020-032 with staff recommendations. Commissioner Fishman seconded the
196 motion which passed by a vote of 6-0.

197
198 Chairman Chodun advised the applicant that the case would go before the City Council on August 17, 2020.

199
200 VI. ACTION ITEMS

201
202 8. **P2020-029 (DAVID GONZALES)**

203 Discuss and consider a request by DR Horton – Texas, LTD on behalf of DMDS Land Company, LLC for the approval of a
204 Preliminary Plat for River Rock Trails, Phase 1A Addition being a 35.28-acre portion of a larger 1,225.721-acre tract of land
205 identified as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's
206 Extraterritorial Jurisdiction (ETJ), generally north of the intersection of FM-548 and High Plains Trail, and take any action
207 necessary.
208

209 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is proposing the first phase
210 of a multi-phase development and the Commission will only decide on the 35 acres brought before them. The applicant is requesting the
211 approval of a preliminary plat that consists of 176 single-family residential lots over 35 acres. This case is being reviewed in accordance
212 with the Interim Local Cooperation Agreement between Rockwall County and the City of Rockwall. The plat is subject to meet the
213 standards contained in Exhibit A of that agreement as well as the standards in our Design and Construction Manual. The submitted
214 preliminary plat does adhere to all the requirements of the Inter-local Agreement and the applicant has also submitted preliminary
215 drainage and utility plans. With the exception of excluding the water facilities, the applicant's plans do seem to be in conformance to the
216 Inter-local Cooperation Agreement. According to Chapter 38, there's a statement that states that any land proposed for development in
217 the City and its extraterritorial jurisdiction must be served adequately by essential public facilities and services including water,
218 wastewater, and roadways. The applicant's submission does appear to be sufficient for all public facilities with the exception of water. At
219 the work session, Staff suggested that they bring a will-serve letter for this site. Currently, the City of Rockwall is the water provider for
220 Blackland and their contract indicates that Blackland can only receive water from the City of Rockwall and the North Texas Municipal
221 Water District. That contract also holds a maximum number of connections and, currently, Blackland is in violation of the contract as
222 they exceed the number of connections allowed. Blackland is trying to change the contract with the City but nothing has been worked
223 out or finalized as of now. Without that contract being in place, the letter provided by Blackland does not suffice to prove that they can
224 provide service now or in the future. Because of that, Staff recommends that this be denied without prejudice to allow the applicant
225 resubmit this once the contract's been worked out and the proof of water service can actually be verified. Mr. Miller then advised the
226 Commission that the applicant and Staff were present and available to answer any questions.

227
228 Chairman Chodun asked if there was anything that the applicant could have done to get the case approved.

229
230 Commissioner Logan asked if the 40-foot lots in the comprehensive plan are standard or sub-standard but Mr. Miller added that this site
231 is not subject to zoning.

232
233 Commissioner Womble asked if there was a reason why the applicant is being penalized if they had no decision in the matter.

234
235 Chairman Chodun asked the applicant to come forward.

236
237 Nathan Thompson
238 DR Horton

239
240 Mr. Horton explained that he did not have anything to add but was available to answer questions.

241
242 Commissioner Moeller made a motion to deny item P2020-029 without prejudice. Commissioner Logan seconded the motion which
243 passed by a vote of 6-0.

244
245 9. **SP2020-013 (HENRY LEE)**

246 Discuss and consider a request by Lee Hoffman of Camp Constriction Services on behalf of Yao Wang of WDC Pebblebrook
247 Apartments, LLC for the approval of a Site Plan for the amenities center for the Pebblebrook Apartment Complex being a 11.579-
248 acre parcel of land identified as Lot 1, Block A, Pebblebrook Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-
249 Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1410 S. Goliad Street, and
250 take any action necessary.
251

252 Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the approval of a site plan for an
253 amenities center at Pebblebrook Apartments. The applicant's scope of work is mostly in compliance with the fact of one (1) exemption
254 in regards to the roof pitch. Mr. Lee advised the Commission that the Architectural Review Board had approved the elevations. As a

255 compensatory measure, the applicant is proposing to take the existing building materials and bringing them into better conformance
256 with our Unified Development Code. They will also be adding three (3) 4-inch large canopy trees.
257

258 Chairman Chodun asked the applicant to come forward.

259
260 Lee Hoffman
261 5423 Bear Creek Court
262 Irving, TX 75061
263

264 Mr. Hoffman came forward and was ready to answer questions.

265
266 Commissioner Womble made a motion to approve item SP2020-013 with ARB recommendations. Commissioner Fishman seconded the
267 motion which passed by a vote of 6-0.
268

269 10. **SP2020-015 (HENRY LEE)**

270 Discuss and consider a request by Nate Colbert on behalf of Proton PRC LTD for the approval of a Site Plan for incidental display
271 in conjunction with retail store with gasoline sales on a 0.483-acre parcel of land identified as a portion of Lot 1 of the Stonebridge
272 Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the SH-66
273 Overlay (SH-66 OV) District, addressed as 715 W. Rusk Street, and take any action necessary.
274

275 Planner Henry Lee came forward and provided a brief summary in regards to the request. He explained that the applicant is requesting
276 incidental display in conjunction with retail store and gasoline sales. This case was referred to Staff by Code Enforcement who informed
277 the applicant that this would be considered incidental display and would require an updated and approved site plan. During the site
278 plan's revision, the applicant asked how they could continue their display which then a Special Events Permit was issued from July 2nd
279 to July 15th. However, the site plan that was being presented does not meet any of the City's standards listed for incidental display in our
280 Unified Development Code (UDC) nor have any compensatory measures been provided. Staff has identified five (5) exemptions as listed
281 in the case memo. Mr. Lee added that this request is best served by a Special Events permit, which are only allowed three (3) times a
282 year, and the applicant has already used one of these. This request will also require $\frac{3}{4}$ majority vote from the Planning and Zoning
283 Commission.
284

285 Commissioner Moeller asked what the compensatory measures would have to be provided by the applicant.
286

287 Chairman Chodun asked the applicant to come forward.

288
289 Nathan Colbert
290 402 Country Ridge
291 Rockwall, TX 75087
292

293 The applicant came forward and provided a brief summary in regards to the request. Mr. Colbert explained the different zones that were
294 shown in his site plan. He added that regardless of the outcome tonight, he would like to apply to sell his produce in area "C" shown on
295 his site plan, which is adjacent to the building and is essentially an extra parking spot. He then advised the Commission that he was
296 available to answer questions.
297

298 Commissioner Fishman asked if the applicant would be holding this on a consistent day-to-day basis.

299
300 Commissioner Logan would like to see this business succeed but was unsure how the applicant would overcome all the stipulations
301 asked of him.
302

303 Commissioner Moeller agreed with Commissioner Logan but explained that the applicant would have to work with Staff more on the
304 compensatory measures.
305

306 The applicant stated that he is willing to work with the City to come up with a solution to continue to sell.

307
308 Commissioner Womble asked why the extra parking space was rejected by Staff as a potential option to set up.
309

310 Planning and Zoning Director Ryan Miller explained that the applicant brings in a food truck periodically, using the onsite parking to
311 where the applicant does not have 13 true parking spaces. The food truck itself is required to have two (2) empty spaces. If there are
312 essentially six (6) parking spaces taken away then this business would be parking deficient. Ideally the applicant would find another way
313 to do this and be in compliance with the code. He also mentioned that if the applicant was requesting an increased amount of Special
314 Events permits then that issue would have to go through City Council and it would take an amendment to the Code. This has been
315 brought up to the City Council before on another occasion and has not passed.
316

317 Commissioner Womble then asked the applicant if he would have the food truck out there at the same time as the farmers market.
318

319 Mr. Miller added that the food truck is an airstream and it is 13-feet long taking up more than one parking space.
320

321 Commissioner Chodun stated that he was in agreeance with the Commissioners and he knew the applicant's intentions were good but
322 maybe the applicant need to have more discussions with the City to reach a resolution.
323

324 Commissioner Logan then asked for clarification on what exactly they were voting on.
325

326 Mr. Miller explained that the approval would be of incidental display. And the applicant would be requesting 5 variances and it would
327 cause 10 compensatory measures.
328

329 Mr. Miller explained that the applicant is requesting to amend the site plan to add the incidental display. Incidental display has very
330 specific standards in the Code. What the applicant is requesting to do is similar to outside sales which are not allowed and the only way
331 to facilitate it would be through the incidental display. The incidental display outlines exactly what you can and cannot do and the
332 applicant does not meet the majority of those requirements. Each one that he does not meet is a variance or exception and the only way
333 to request exceptions in the code is to provide offsetting compensatory measures. In this case, the applicant is requesting five (5)
334 variances and, in order to meet the code, he would need to provide ten (10) offsetting compensatory measures. There is not enough
335 space for him to be able to meet those measures so he is basically requesting the exceptions not in conformance to the code. What the
336 Commission would be approving would be a request that doesn't conform to the incidental display requirements.
337

338 Commissioner Womble made a motion to deny item SP2020-015 without prejudice. Commissioner Thomas seconded the motion which
339 passed by a vote of 6-0.
340

341 VII. DISCUSSION ITEMS

342 11. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
343
344

- 345 • P2020-028: Replat for Lot 9, Block A, Bodin Industrial Tract [APPROVED]
- 346 • Z2020-023: SUP for *Residential Infill Adjacent to an Established Subdivision* for 54 Shadydale Lane [APPROVED; 2ND
347 READING]
- 348 • Z2020-024: Zoning Amendment to Planned Development District 78 (PD-78) [APPROVED; 2ND READING]
- 349 • Z2020-025: SUP for a *General Retail Store and Hair Salon and/or Manicurist* for 507 N. Goliad Street [APPROVED; 2ND
350 READING]
- 351 • Z2020-027: SUP for a *General Retail Store and Banquet Facility/Event Hall* for 803 N. Goliad Street [APPROVED; 2ND
352 READING]
- 353 • Z2020-028: Zoning Amendment to Planned Development District 10 (PD-10) [APPROVED; 2ND READING]
- 354 • Z2020-029: Zoning Change (AG to SFE-2.0) [APPROVED; 2ND READING]

355
356 Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council
357 meeting.
358

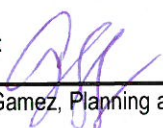
359 VIII. ADJOURNMENT

360 Chairman Chodun adjourned the meeting at 7:25 PM.
361

362
363 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
364 25 day of August, 2020.
365
366

367 
368 _____
369 Eric Chodun, Chairman

369 Attest:

370 
371 _____
372 Angelica Gamez, Planning and Zoning Coordinator

MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
AUGUST 25, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Eric Chodun called the meeting to order at 6:01 PM. Commissioners present were John Womble, Tracey Logan, Sedric Thomas,
5 Annie Fishman and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Mark Moeller. Staff members present were
6 Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and Zoning
7 Coordinator Angelica Gamez, and City Engineer Amy Williams.

8
9 II. OPEN FORUM

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

12
13
14 III. APPOINTMENTS

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

18
19 A representative from the Architectural Review Board was not present and Planning and Zoning Director Ryan Miller advised the
20 Commission that recommendations made by the Board would be discussed with each case.

21
22 IV. CONSENT AGENDA

- 23
24 2. Approval of Minutes for the August 11, 2020 Planning and Zoning Commission meeting.

25
26 3. **P2020-031 (DAVID GONZALES)**

27 Consider a request by Kerry Joshua Sparks for the approval of a *Final Plat* for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land
28 identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's
29 Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-
30 552, and take any action necessary.

31
32 4. **P2020-033 (HENRY LEE)**

33 Consider a request by Cameron Slown of Teague, Nall, and Perkins, Inc. on behalf of Dan Bobst of Harbor Heights Investors, LP for the approval
34 of a *Replat* for Lot 6, Block A, Harbor District Addition being a 2.06-acre parcel of land identified as Lot 1, Block A, Harbor District Addition, City of
35 Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District,
36 addressed as 2701 Sunset Ridge Drive, and take any action necessary.

37
38 Vice-Chairman Welch made a motion to approve the consent agenda. Commissioner Sedric Thomas seconded the motion which passed
39 by a vote of 6-0 with Commissioner Moeller absent.

40
41 V. DISCUSSION ITEMS

42
43 5. **Z2020-033 (HENRY LEE)**

44 Hold a public hearing to discuss and consider a request by Patrick Wells for the approval of a *Specific Use Permit (SUP)* for Residential Infill in an
45 Established Subdivision for the purpose of constructing a single-family home on a 0.216-acre parcel of land identified as Lot 3, Block A, Richard
46 Harris #3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 210 Wade Street, and take any
47 action necessary.

48
49 Chairman Chodun asked the applicant to come forward.

50
51 Patrick Wells
52 210 Wade Drive
53 Rockwall, TX 75087

54
55 The applicant came forward and provided a brief summary in regards to the request. He explained that his family is downsizing and are
56 ready to build their forever home. He added that he turned in updated plans after speaking with Craig Foshee in regards to the easements
57 and encroachment.

58
59 Commissioner Womble asked if there would be a housing analysis shown at the public hearing.

60
61 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
62 Commission for action at the next scheduled meeting on September 15, 2020.

- 63
64 6. **Z2020-034 (RYAN MILLER)**

65 Hold a public hearing to discuss and consider a request by Major Rush for the approval of a Specific Use Permit (SUP) for Residential Infill in an
66 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,
67 Chandler's Landing, Phase 20, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family
68 residential land uses, addressed as 118 Mischief Lane, and take any action necessary.

69
70 Chairman Chodun asked the applicant to come forward.

71
72 Hunter Sonnen (representative)
73 4435 Middleoak Grove
74 Katy, TX 77494
75

76 The representative came forward and provided a brief summary in regards to the request. He indicated that their main issue was having
77 the front facing garage without the 20-foot recessed from the front façade. Mr. Sonnen added that they did research on the neighborhood
78 and found that 15 of about 21 homes there were built in a similar style and feels that the requested home is harmonious with the
79 subdivision.

80
81 Planning and Zoning Director Ryan Miller advised the Commission that pictures of the surrounding homes in the area were added to their
82 packets. He also stated that the Commission's approval of the waiver would not set a precedence in the neighborhood as there were
83 already homes of a similar style. Mr. Miller then advised the applicant's representative that Staff had been contacted by the Homeowners
84 Association of the neighborhood and they wanted the applicant to meet with them as the requested home does not meet their deed
85 restrictions.

86
87 Vice-Chairman Welch asked what the distance was from the garage to the front of the street.

88
89 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
90 Commission for action at the next scheduled meeting on September 15, 2020.

91
92 7. Z2020-035 (RYAN MILLER)

93 Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a Specific Use Permit
94 (SUP) for a Restaurant with 2,000 SF or More with Drive-Through/Drive-In for the purpose of constructing a restaurant with drive-through on a
95 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
96 Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action
97 necessary.
98

99 Chairman Chodun asked the applicant to come forward.

100
101 Casey Orr (Engineer)
102 121 S. Main Street
103 Henderson, TX 75654
104

105 Mike Stansburg (Director of Development)
106 101 E. Cherokee Street
107 Jacksonville TX 75766
108

109 Mr. Stansburg came forward and provided a brief background and summary of the request. He added that they have other preliminary
110 layouts based on comments that they had received. He added that they also have some questions in regards to primary façade facing of
111 the building and the articulation they would need to comply with. He then advised that they were available to address any concerns or
112 questions the Commission had.

113
114 Planning and Zoning Director Ryan Miller provided additional details in regards to the request. He clarified that the location was not in the
115 Downtown (DT) District and was not located in any Overlay (OV) Districts either. Mr. Miller added that it is zoned Planned Development
116 and it does have Residential adjacency on two (2) sides and street frontage on the other 2 sides. He added that the proposed use clearly
117 states that they cannot take access from a residential street but the alleyway behind the proposed restaurant is considered a residential
118 street. The applicants currently have a drive off of 205 and if they reorient it to W. Bourn Street then they would need to seek a variance to
119 the driveway spacing requirement. There were also some issues with residential adjacency that were detailed in the project comments
120 such as the location of the speaker box adjacent to the residential areas. Staff also asked for screening exhibits to tie down the screening.
121 Due to the large issue of residential adjacency, Staff made a recommendation that the applicants limit the hours of operation to help
122 accommodate the issue.

123 Commissioner Logan advised that it was a tricky location and would be surprised if the applicant did not receive feedback from the
124 neighbors.

125
126 Chairman Chodun asked if their intention was to stay open 24 hours but the applicant suggested that it would not be a 24-hour location
127 but hours had not been finalized yet. He also asked what prompted the change in configuration of the restaurant.

128
129 Planning and Zoning Director Ryan Miller advised that that would be a tough sell and a discretionary decision for TX dot.

130
131 Commissioner Fishman asked if this was the standard size of a Taco Bell and asked if the parking requirement was met.

132
133 Chairman Chodun asked if there were any traffic studies conducted in the area.

134 Commissioner Thomas advised what the peak times would be at the restaurant.

135
136 Vice-Chairman Welch suggested to the applicant that it would be nice to have the residents located on the west in favor of the request.

137
138 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
139 Commission for action at the next scheduled meeting on September 15, 2020.
140

141
142 8. Z2020-036 (RYAN MILLER)

143 Hold a public hearing to discuss and consider a request by Nabiha Saeed of Symonds Flags and Poles, Inc. on behalf of Clay Cooley for the
144 approval of a Specific Use Permit (SUP) to allow a structure that exceeds 60-feet in height in a Light Industrial (LI) District for the purpose of
145 constructing a flag pole on an existing motor vehicle dealership (i.e. Clay Cooley Hyundai) being a 4.39-acre parcel of land identified as Lot 1,
146 Block 1, Rockwall Recreational Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30
147 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary.
148

149 Chairman Chodun asked the applicant to come forward.

150
151 Steve Symonds
152 7503 Flagstone Drive
153 Fort Worth, TX 76118
154

155 The applicant came forward and showed a video regarding the request. He added that the owners are very much for the request and what
156 they believe in.
157

158 Planning and Zoning Director Ryan Miller provided additional detail sin regards to the request. He explained that flag poles are required
159 to meet the same height standards as a structure. Due to them being in a Light Industrial (LI) District, it does grant them higher height
160 limitation of up to 60 feet but anything over that is required to get a Specific Use Permit (SUP) with the maximum cutoff being 120 feet.
161

162 Vice-Chairman Welch asked about the size of the flag would be.

163
164 Commissioner Fishman asked what safety considerations should be considered when having something that tall.

165
166 Vice-Chairman Welch asked about the height of the 2 large flag poles in Rowlett. He also asked if there was a certain height of the flag pole
167 where it requires a light for airplanes.
168

169 Chairman Chodun asked if there would a precedence set in Rockwall or if they could limit what the flag says. Mr. Miller advised that the
170 Commission would be approving the height of the pole and not the message.
171

172 Commissioner Womble asked if there was a reason why they could not dictate what is flown on the pole.
173

174 Commissioner Thomas added that the flag poles would draw attention to the other dealerships.
175

176 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
177 Commission for action at the next scheduled meeting on September 15, 2020.
178

179 9. Z2020-037 (RYAN MILLER)

180 Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad
181 Holdings, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-
182 acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned
183 Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as
184 150 Pecan Valley Drive, and take any action necessary.
185

186 Chairman Chodun asked the applicant to come forward.
187

188 Casey Orr
189 121 S. Main Street
190 Henderson, TX 75654
191

192 The applicant came forward and provided a brief summary in regards to the request. She advised that she had provided traffic counts from
193 other restaurants as was requested at the previous meeting.
194

195 Planning and Zoning Director Ryan Miller provided additional details in regards to the request. He added that Staff had begun to advertise
196 the case again in accordance with the new application and has already received notices from the neighborhood that will be provided at
197 the public hearing.
198

199 Commissioner Thomas added that disclosure of the restaurant would've been nice the first time it was submitted. He also asked the
200 applicant to consider losing the drive through option as it might help the case.
201

202 Commissioner Fishman asked if what was pictured was what would be going in. Planning and Zoning Director Ryan Miller added that the
203 elevations do not meet any of the Overlay (OV) District standards so what is pictured is not what will be going in.

204
205 Commissioner Womble asked where the side screening would go.

206
207 Commissioner Logan asked if the applicant was presenting the same case and only adding the use and an informal survey. She added
208 that the neighbors might still feel nervous about the traffic.

209
210 Commissioner Womble asked if this piece of land was intended to be Commercial. Mr. Miller explained that this piece of land was attached
211 to the adjoining property and it has a floodplain running through the middle of it. The remaining piece of land is just the corner which is
212 why they are struggling on how to utilize the land.

213
214 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
215 Commission for action at the next scheduled meeting on September 15, 2020.

216
217 10. Z2020-038 (HENRY LEE)

218 Hold a public hearing to discuss and consider a request by Ruben Segovia on behalf of Jose E. Valerio for the approval of a Specific Use Permit
219 (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.33-acre tract of land identified
220 as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
221 Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 257 & 269 Russell Drive, and take any action
222 necessary.

223
224 Chairman Chodun asked the applicant to come forward.

225
226 Ruben Segovia
227 9512 Teagarden
228 Dallas, TX 75217

229
230 The applicant came forward and provided a brief summary in regards to the request. He explained that one of the primary issues they
231 had with the land was that it needed a septic tank. In order for the construction to be approved, they needed to replat the lots to turn it
232 into one (1) lot.

233
234 Commissioner Logan asked if there was a sewer system located in the middle of Lake Rockwall Estates or why the applicant needed to
235 have a septic system.

236
237 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
238 Commission for action at the next scheduled meeting on September 15, 2020.

239
240 11. SP2020-018 (DAVID GONZALES)

241 Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Russell Phillips of Harbor LakePointe Investors,
242 LLC for the approval of an Amended Site Plan for a 265-unit condominium development situated on a 7.58-acre tract of land identified as Lots 6A,
243 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and Lot 4, Block 18, Moton Addition, City of Rockwall, Rockwall County,
244 Texas, zoned Planned Development District 32 (PD-32), located south of the intersection of Summer Lee Drive and Glen Hill Way, and take any
245 action necessary.

246
247 Chairman Chodun asked the applicant to come forward.

248
249 Jimmy Strohmeyer
250 2701 Sunset Ridge
251 Rockwall, TX 75032

252
253 The applicant came forward and provided brief summary in regards to the request. He explained that the only difference with this building
254 and the one previously presented was a color change. They are wanting to do this in order to distinguish the building from the adjacent
255 condos.

256
257 Planning and Zoning Manager David Gonzales advised that the Architectural Review Board (ARB) was forwarding a recommendation for
258 approval on this case. Mr. Gonzales then added that the waivers and variances associated with this case will be discussed at the next
259 meeting.

260
261 Vice-Chairman Welch asked if this project would consist of condos or apartments.

262
263 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the
264 Commission for action at the next scheduled meeting on September 15, 2020.

265
266 12. SP2020-020 (DAVID GONZALES)

267 Discuss and consider a request by Todd Winters of Engineering Concepts & Design, LP on behalf of Clint Vincent of Bloomfield Homes LP for the
268 approval of a Site Plan for Phase 1 of the Terracina Estates Subdivision consisting of 110 single-family lots on a 50.154-acre portion of a larger
269 81.49-acre tract of land identified as Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, Planned

Development District 82 (PD-82) for Single-Family 10 (SF-10) District land uses, situated on the west side of Rochelle Road south of SH-276, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Jim Douglas
2309 K Avenue
Plano, TX 75074

Mr. Douglas came forward and provided a brief summary in regards to the request. He added that they had received comments from Staff and were in the process of addressing those. Mr. Douglas stated that the case would be presented the next week at the Parks Board meeting.

Planning and Zoning Manager David Gonzales added that this case was required to go before the Parks Board for a recommendation. Once a recommendation has been made for the case, then this item will more likely come back to the Commission on the Consent Agenda of the Public Hearing.

Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the Commission for action at the next scheduled meeting on September 15, 2020.

13. SP2020-022 (DAVID GONZALES)

Discuss and consider a request by Kevin Lawson of Lawson Real Estate Holdings, LLC for the approval of a Site Plan for an office building on a 0.47-acre parcel of land identified as Lot 5, Block A, Landing Point Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1505 Airport Road.

Chairman Chodun asked the applicant to come forward,

Kevin Lawson
207 Stonebridge Drive
Rockwall, TX 75087

Mr. Lawson came forward and provided a brief summary in regards to the request. Their objective is to build a professional office space and would occupy about 60% of the building. They would move from Rowlett with existing staff as well.

Planning and Zoning Manager David Gonzales added that the Architectural Review Board (ARB) reviewed the case and would be forwarding a recommendation for approval. He also added that there would be a change in the elevations but ARB was okay with the change.

Planning and Zoning Director Ryan Miller added that there were no variances associated with the case so it will be located in the Consent Agenda at the Public Hearing.

Chairman Chodun asked about the number of Staff that Mr. Lawson would be bringing over from the previous office.

Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to the Commission for action at the next scheduled meeting on September 15, 2020.

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

- P2020-029: Preliminary Plat for RiverRock Trails Subdivision [NO ACTION TAKEN]
- Z2020-030: SUP for an Accessory Building for 1748 Lake Breeze Drive [APPROVED; 1st READING]
- Z2020-031: Zoning Amendment to Planned Development District 79 (PD-79) [APPROVED; 1st READING]
- Z2020-032: SUP for a Residential Infill in an Established Subdivision for 481 Blanche Drive [APPROVED; 1st READING]

Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting. He also thanked Tracey Logan and Annie Fishman for their time and service serving on the Planning and Zoning Commission.

VI. ADJOURNMENT

Chairman Chodun adjourned the meeting at 6:59 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
15 day of September, 2020.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
SEPTEMBER 15, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Eric Chodun called the meeting to order at 6:01 PM. Commissioners present were John Womble, Sedric Thomas, Derek Deckard,
5 Mark Moeller and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Jean Conway. Staff members present were
6 Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and Zoning
7 Coordinator Angelica Gamez, and City Engineer Amy Williams.
8

9 II. OPEN FORUM
10

11 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being
12 no one coming forward, Chairman Chodun closed the open forum.
13

14 III. CONSENT AGENDA
15

16 1. Approval of Minutes for the August 25, 2020 Planning and Zoning Commission meeting.
17

18 2. **P2020-034 (DAVID GONZALES)**

19 Consider a request by Chad DuBose of JCDB Holdings, LLC for the approval of a Final Plat for Lots 1, Block A, Pecan Valley Retail Addition
20 being a 2.356-acre tract of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned
21 Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV)
22 District, addressed as 150 Pecan Valley Drive and 3005 N. Goliad Street [SH-205], and take any action necessary.
23

24 3. **SP2020-020 (DAVID GONZALES)**

25 Discuss and consider a request by Todd Winters of Engineering Concepts & Design, LP on behalf of Clint Vincent of Bloomfield Homes LP for
26 the approval of a Site Plan for Phase 1 of the Terracina Estates Subdivision consisting of 110 single-family lots on a 50.154-acre portion of a
27 larger 81.49-acre tract of land identified as Tract 16 of the J. A. Ramsay Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas,
28 Planned Development District 82 (PD-82) for Single-Family 10 (SF-10) District land uses, situated on the west side of Rochell Road south of SH-
29 276, and take any action necessary.
30

31 4. **SP2020-022 (DAVID GONZALES)**

32 Discuss and consider a request by Kevin Lawson of Lawson Real Estate Holdings, LLC for the approval of a Site Plan for an *office building* on a
33 0.47-acre parcel of land identified as Lot 5, Block A, Landing Point Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C)
34 District, addressed as 1507 Airport Road.
35

36 Vice-Chairman Welch made a motion to approve the consent agenda. Commissioner Thomas seconded the motion which passed by a
37 vote of 6-0 with Commissioner Dr. Jean Conway absent.
38

39 IV. PUBLIC HEARING ITEMS
40

41 5. **Z2020-033 (HENRY LEE)**

42 Hold a public hearing to discuss and consider a request by Patrick Wells for the approval of a Specific Use Permit (SUP) for *Residential Infill in*
43 *an Established Subdivision* for the purpose of constructing a single-family home on a 0.216-acre parcel of land identified as Lot 3, Block A,
44 Richard Harris #3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 210 Wade Street,
45 and take any action necessary.
46

47 Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the approval of a Specific Use Permit
48 (SUP) for a single-family home in the Richard Harris Addition. The proposed home will face east onto Wade Drive and will be
49 complementary to the surrounding housing. The request is due to the fact that the lots are in an established subdivision defined as
50 being in existence for ten (10) years and being more than 90% developed. According to the Unified Development Code (UDC), the
51 Planning and Zoning Commission must consider the proposed site location and architecture of the home compared to the existing
52 housing. Staff sent out 50 notices to property owners and residents within 500-feet of the subject property but did not receive any
53 back. The Park Place Homeowners Association was also notified as it is the only HOA within 1500-feet of the subject property.
54

55 Chairman Chodun asked the applicant to come forward.
56

57 Patrick Wells
58 711 Stillwater Drive
59 Rockwall, TX 75087
60

61 The applicant came forward and provided additional details regarding his request. Mr. Wells then advised the Commission that he had
62 brought colored renderings, requested at the prior meeting, to show the Commission.
63

64 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
65 doing such; Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
66

67 Commissioner Womble asked to see the colored renderings and also asked if there were any variances associated with the request.
68

69 Commissioner Moeller made a motion to approve item Z2020-033 with staff recommendations. Commissioner Womble seconded the
70 motion which passed by a vote of 6-0.
71

72 Chairman Chodun advised the applicant that the case would go before the City Council on September 21, 2020.
73

74 6. Z2020-034 (RYAN MILLER)

75 Hold a public hearing to discuss and consider a request by Major Rush for the approval of a Specific Use Permit (SUP) for Residential Infill in an
76 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,
77 Chandler's Landing, Phase 20, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family
78 residential land uses, addressed as 118 Mischief Lane, and take any action necessary.
79

80 Director of Planning and Zoning Ryan Miller advised the Commission that the applicant requested to withdraw the case as they would
81 like more time to work with the Chandlers Landing Homeowners Association. Due to the case being advertised and notices being sent
82 out, then Staff is required to put it on the agenda and the Planning and Zoning Commission is required to act on it.
83

84 Vice-Chairman Welch made a motion to accept the withdrawal of item Z2020-034. Commissioner Thomas seconded the motion which
85 passed by a vote of 6-0.
86

87 7. Z2020-035 (RYAN MILLER)

88 Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a Specific Use Permit
89 (SUP) for a Restaurant with 2,000 SF or More with Drive-Through/Drive-In for the purpose of constructing a restaurant with drive-through on a
90 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
91 Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action
92 necessary.
93

94 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is requesting the approval
95 of a Specific Use Permit (SUP) for a Restaurant with more than 2,000 square feet with a drive thru. Specifically, the applicant is
96 proposing a 2,053 square foot fast food restaurant described as a Taco Bell. As shown in the concept plan, both the drive thru lane and
97 the bail out lane will run adjacent to south side Goliad Street with the building being oriented towards W. Bourn Street. The parking area
98 will be adjacent to the alleyway in the back. Based on the movement and widening that must be done, it will be required to seek TXDot
99 approval and will also require a variance which was listed as a condition of approval as well as a requirement for a traffic impact
100 analysis. The reason for an SUP in a General Retail (GR) District is that generally these districts are in close proximity to residential
101 districts. The UDC lays out specific criteria for this particular type of use in this district and states that drive thru lanes shall not be
102 located on local residential streets. Also, additional screening shall be installed adjacent to drive thru lanes to impair visibility of
103 headlights, and a minimum of six (6) standard size motor vehicles can be stacked on site from the point of order. In this case, the
104 applicant is showing conformance to the screening and stacking requirements. The other aspect of this case is residential adjacency
105 which is along the southern and western boundaries. Our ordinance states that anytime certain uses are over 150-feet of residential
106 districts, they require additional screening. With this case, there are 2 aspects that are specifically called out in the ordinance that gives
107 the Commission discretion to the screening being proposed. Staff also added noted as a condition of approval that a noise study be
108 conducted on the property. Mr. Miller reminded Staff that they had asked the applicant to limit its business hours at the previous work
109 session but the applicant has chosen not to limit hours and continue with the normal operating hours. Normally, Staff would like to limit
110 those hours to something more reasonable due to the residential adjacency. Specific Use Permits are discretionary to the City Council
111 pending a recommendation from the Planning and Zoning Commission. With this being a zoning case, Staff sent out 107 notices to
112 property owners and residents living within 500-feet of the subject property. Staff also notified the Stone Bridge Meadows Association
113 which was the only HOA within 1500-feet of the subject property. Mr. Miller advised the Commission that the applicant and Staff were
114 present and available to answer questions.
115

116 Vice-Chairman Welch had a question in regards to the request of limiting hours.
117

118 Chairman Chodun asked the applicant to come forward.
119

120 Michael Stansbury
121 101 E. Cherokee
122 Jacksonville, TX 75766
123

124 Mr. Stansbury came forward and provided additional details and background in regards to the request. He pointed out some items
125 regarding the original site plan and the updated plan where changes were made. Mr. Stansbury mentioned the hours of operation and
126 how they could not change them due to the fact that 20% of all transactions were made between 9pm to close. He also addressed the
127 other comments made about safety, crime, and loitering.
128

129 Commissioner Moeller asked about the driveway off of Goliad and what the timeline was in getting together with TXDot to talk about the
130 matter.
131

132 Commissioner Deckard also asked what the timeline was for talking to TX Dot. Mr. Miller addressed the question and explained what the
133 process would be for getting together for TXDot.

134
135 Commissioner Thomas asked if the applicant if they had considered public density with the project

136
137 Commissioner Womble asked about the entrance and its placement and the reasoning behind it.

138
139 Commissioner Deckard wanted clarification in regards to traffic and streets patrons would be using.

140
141 Commissioner Womble asked if which entrance would be the most preferable one.

142
143 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward.

144
145 Justin Scroggs
146 1512 S. Alamo Road
147 Rockwall, TX 75087

148
149 Mr. Scroggs came forward and expressed his opposition to the case. His main concerns are traffic, noise and light pollution, and
150 loitering.

151
152 Chuck Scroggs
153 813 S. Alamo Road
154 Rockwall, TX 75087

155
156 Mr. Scroggs came forward and expressed his opposition in regards to the case. His main concern is his house losing value.

157
158 Chris Brannon
159 810 S. Alamo Road
160 Rockwall, TX 75087

161
162 Mr. Brannon came forward and expressed his opposition in regards to the request.

163
164 Joe Rochier
165 901 S. Alamo Road
166 Rockwall, TX 75087

167
168 Mr. Rochier came forward and expressed his opposition in regards to the request.

169
170 Chairman Chodun asked if anyone else wished to speak; there being no one doing such. Chairman Chodun closed the public hearing
171 and asked the applicant to come forward once again to respond to comments.

172
173 Mr. Stansberry (applicant) came forward and responded to comments made by property owners and residents.

174
175 Chairman Chodun brought the item back to the Commission for discussion or action.

176
177 Commissioner Deckard asked what the permitted use was at the moment. Commissioner Moeller expressed that he disagreed with the
178 location of the restaurant. Chairman Chodun also expressed his disapproval to the request.

179
180 Vice-Chairman Welch made a motion to deny item Z2020-035. Commissioner Moeller seconded the motion to deny which passed by a
181 vote of 6-0.

182
183 Director of Planning and Zoning Ryan Miller advised the applicant and Commission that based on tonight's motion that the case would
184 go before the City Council on September 21, 2020 and will require a ¾ majority vote.

185
186 8. **Z2020-036 (RYAN MILLER)**

187 Hold a public hearing to discuss and consider a request by Nabih Saeed of Symonds Flags and Poles, Inc. on behalf of Clay Cooley for the
188 approval of a *Specific Use Permit (SUP)* to allow a *structure that exceeds 60-feet in height in a Light Industrial (LI) District* for the purpose of
189 constructing a flag pole on an existing motor vehicle dealership (*i.e. Clay Cooley Hyundai*) being a 4.39-acre parcel of land identified as Lot 1,
190 Block 1, Rockwall Recreational Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30
191 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary.

192
193 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. Mr. Miller also provided background in
194 regards to the variances requested in the past by the applicant. All of these were approved and the dealership was founded in 2012. This
195 time the applicant is requesting to establish a flag pole up to 120-feet. According to the Unified Development Code, a flag pole is treated
196 the same as any structure meaning it is subject to the same height requirements. With this property being in a Light Industrial (LI)
197 district, structures are allowed to go up to 60-feet by right and also allows the ability for additional height up to 120-feet with a Specific
198 Use Permit. In this case, the applicant is requesting the maximum at 120-feet for a flag pole. Since this is requires an SUP, it is a
199 discretionary decision to the City Council pending a recommendation from the Planning and Zoning Commission. Staff sent out 16

200 notices to property owners and resident within 500-feet of the subject property. Mr. Miller advised the Commission that the applicant and
201 Staff were present to answer questions.

202
203 Chairman Chodun asked the applicant to come forward.

204
205 Steve Symonds
206 7503 Flagstone
207 Fort Worth, TX 76118

208
209 Mr. Symonds (representative) came forward and advised that he was ready to answer questions.

210
211 Commissioner Deckard asked what the pole was rated for and how big the flag was that it could fly.

212
213 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time.

214
215 Bob Wacker
216 309 Featherstone
217 Rockwall, TX 75087

218
219 Mr. Wacker came forward and asked if staff could limit the permit to only display the American flag.

220
221 Chairman Chodun asked if anyone else wished to speak; there being no one doing such, Chairman Chodun closed the public
222 hearing and brought the item back for discussion or action.

223
224 Commissioner Thomas expressed his concern as to not being able to dictate what could be flown on the pole.

225
226 Commissioner Moeller expressed that the 60-foot limit is appropriate and did not support anything higher than 60 feet.

227
228 Commissioner Deckard asked if this would be the highest structure in Rockwall.

229
230 Commissioner Moeller made a motion to deny item Z2020-036. Commissioner Womble seconded the motion which passed by a vote of
231 5-1 with Vice-Chairman Welch dissenting.

232
233 Chairman Chodun advised the applicant that based on tonight's motion that the case would go before the City Council on September 21,
234 2020 and will require a ¾ majority vote.

235
236 9. **Z2020-037 (RYAN MILLER)**

237 Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad
238 Holdings, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a
239 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned
240 Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed
241 as 150 Pecan Valley Drive, and take any action necessary.

242
243 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant originally requested the
244 approval of an SUP for the restaurant with less than 2,000 square feet in a General Retail (GR) District. It went to the work session and
245 was withdrawn by the applicant at that time. The applicant resubmitted the same request and took it forward to which she was ultimately
246 denied by this Board and requesting to withdraw the case at City Council. The proposed request has now been submitted three times
247 and it is the same that was proposed last time with the exception of knowing what the restaurant is and the applicant adding a walking
248 trial. As was explained earlier, certain uses are not permitted in GR areas due to their close proximity to residential streets. In this case,
249 the applicant does meet the screening requirements and stacking requirements. Quail Run Road is considered to be a residential
250 roadway and what is not being met is that their only access road is off of that residential roadway. Other non-conformance issues are
251 the lack of parking spaces and the trash enclosure is facing Pecan Valley which, according to the ordinance, cannot be facing a public
252 street. Another waiver would be the driveway spacing requirement as it is only 37 feet from the intersection where the minimum is 100-
253 feet. Staff sent out 35 notices to property owners and residents within 500-feet of the subject property and 13 came back in opposition of
254 the case with 1 being in favor. Staff also notified the Shores at Lake Ray Hubbard, Random Oaks, Stone Creek, Quail Run, and Lakeview
255 Summit Homeowner Associations as they were the ones within 1500-feet from the subject property. Mr. Miller then advised that the
256 applicant and Staff were present and available to answer questions.

257
258 Commissioner Deckard asked what the max capacity would be at the restaurant.

259
260 Chairman Chodun asked if there was an issue with part of the property being in a flood zone.

261
262 Chairman Chodun asked the applicant to come forward.

263
264 Casey Orr (Engineer)
265 121 S. Main Street
266 Henderson, TX 75654

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333

The applicant came forward and provided additional details and background in regards to the request. She addressed some of the resident's concerns from the neighborhood responses. She also added that the busiest hour would consist of 24 transactions and their busiest hour does not coincide with rush hour.

Commissioner Thomas asked what the proposed hours of operation and peak hours would be. Ms. Orr answered that she would defer to the developer.

Chairman Chodun asked the developer to come forward.

Chad DuBose
7218 Colgate Avenue
Dallas, TX 75225

Mr. Dubose came forward and announced the hours of operation would be 9:00am- 9:00pm and the peak hours would be midday from 10:00am- 4:00pm. He also mentioned that 30% of the transactions would be in store and 70% would take place in the drive thru.

Director of Planning and Zoning Ryan Miller asked how many employees typically would be working in the establishment. Mr. Dubose answered that there would be anywhere between 2-4 employees depending on the store volume or peak hours.

Commissioner Deckard asked if there was any access to the sidewalk from the north and south entries.

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

Lanty Dean
216 W. Quail Run Road
Rockwall, TX 75087

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

Jim Turner
1691 E. Quail Run
Rockwall, TX 75087

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

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

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

Michael Hunter
220 N. Quail Run Road
Rockwall, TX 75087

Mr. Hunter 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 doing such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Cary Albert
14114 Dallas Parkway
Dallas, TX 75240

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

Mr. Dubose came forward and expressed details of concern in regards to the comments made on the architectural details of the restaurant along with providing additional stacking requirements details.

Chairman Chodun asked if there were any other questions for the applicant.

Vice-Chairman Welch asked if Pecan Valley Drive was a dead end. He also wanted further information on the parking situation for employees and customer; also whether or not the specific use permit would stay with the franchise or with the land.

Commissioner Deckard stated that his only concern was the parking deficiency in the situation.

334 Commissioner Thomas added that the applicant would not be able to do this without a drive thru since it would cut into their sales and
335 he could not support the project.

336
337 Commissioner Thomas made a motion to deny item Z2020-037. Commissioner Moeller seconded the motion to deny which passed by a
338 vote of 4-2 with Commissioner Deckard and Vice-Chairman Welch dissenting.

339 Based on the motion made tonight, item Z2020-037 will go before City Council on September 21, 2020 and will require a ¾ majority vote.
340

341
342 10. **Z2020-038 (HENRY LEE)**

343 Hold a public hearing to discuss and consider a request by Ruben Segovia on behalf of Jose E. Valerio for the approval of a Specific Use Permit
344 (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.33-acre tract of land
345 identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 2 Addition, City of Rockwall, Rockwall County, Texas,
346 zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 257 & 269 Russell Drive, and take
347 any action necessary.

348
349 Planner Henry Lee provided a brief summary in regards to the request. He explained that the applicant is requesting an approval for an
350 SUP for a single-family home facing west on Russell Drive and will be complementary to the existing housing. Due to the Lake Rockwall
351 Estates being an established subdivision, then the request of a residential infill requires an SUP. An established subdivision is defined
352 as one that is more than 90% developed and has been in existence for 10 years. The UDC requires that the Commission consider the
353 location, size, and architectural build to the existing housing. Staff sent out 144 notices to property owners and residents living within
354 500-feet of the subject property.

355
356 Chairman Chodun asked the applicant to come forward

357
358 Ruben Segovia
359 710 Teagarden
360 Dallas, TX 75217

361 Mr. Segovia came forward and advised the Commission that he was available to answer questions.

362
363 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
364 doing such; Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

365
366 Commissioner Moeller made a motion to approve item Z2020-038 with staff recommendations. Commissioner Womble seconded the
367 motion which passed by a vote of 6-0.

368
369 Chairman Chodun advised the applicant that the case would go before the City Council on September 21, 2020.
370

371
372 V. ACTION ITEMS

373
374 11. **SP2020-018 (DAVID GONZALES)**

375 Discuss and consider a request by Jimmy Strohmeier of Strohmeier Architects, Inc. on behalf of Russell Phillips of Harbor LakePointe
376 Investors, LLC for the approval of an Amended Site Plan for a 265-unit condominium development situated on a 7.58-acre tract of land identified
377 as Lots 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and Lot 4, Block 18, Moton Addition, City of Rockwall, Rockwall
378 County, Texas, zoned Planned Development District 32 (PD-32), located south of the intersection of Summer Lee Drive and Glen Hill Way, and
379 take any action necessary.

380
381 Planning and Zoning Manager David Gonzales provided a brief summary and background in regards to the request. The applicant is
382 amending the site plan but, technically, he is only changing the colors of the building. The architecture is the same and the only
383 change would be in the color of the stucco and a change in stone. The applicant is proposing a white building with gray accents. This
384 case went before the Architectural Review Board three (3) weeks ago and the Board is forwarding a recommendation of approval.
385 Also, the colors in the stone were a part of the original approval in 2018 so it needed to come back before the Commission to take it
386 into consideration. Staff is also including all the recommendations of approval that were approved in 2018. Mr. Gonzales then advised
387 the Commission that he was available to answer questions.

388
389 Chairman Chodun asked what the vote at ARB was. He also asked if this was going to be the first building in that Planned
390 Development that was allowed a color change like the one proposed.

391
392 Vice-Chairman Welch asked for the reasoning behind the change of color.

393
394 Commissioner Womble advised that he agreed with the recommendation from ARB.

395
396 Commissioner Womble made a motion to approve item SP2020-018 with ARB recommendations. Commissioner Thomas seconded
397 the motion which passed by a vote of 6-0.

398
399 VI. DISCUSSION ITEMS

400
401 12. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

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- P2020-031: Final Plat for Lot 1, Block A, Sparks Six Addition [APPROVED]
- P2020-033: Replat for Lot 6, Block A, Harbor District Addition [APPROVED]
- Z2020-030: SUP for an Accessory Building for 1748 Lake Breeze Drive [APPROVED; 2ND READING]
- Z2020-031: Zoning Amendment to Planned Development District 79 (PD-79) [APPROVED; 2ND READING]
- Z2020-032: SUP for a Residential Infill in an Established Subdivision for 481 Blanche Drive [APPROVED; 2ND READING]


Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting. He also welcomed Derek Deckard to the Planning and Zoning Commission and advised that a new member will be present at the next meeting.

VII. ADJOURNMENT

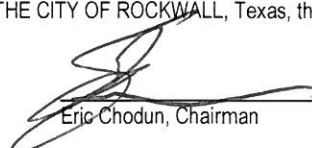
Chairman Chodun adjourned the meeting at 8:04 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
29 day of September, 2020.

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 29, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 **Chairman Chodun called the meeting to order at 6:03 PM. Commissioners present were John Womble, Derek Deckard, Sedric Thomas,**
5 **Mark Moeller, Jean Conway, and Vice-Chairman Jerry Welch. Staff present were Director of Planning and Zoning Ryan Miller, Planning**
6 **Manager David Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams, and Civil**
7 **Engineers Sarah Johnston and Jeremy White.**
8

9 II. OPEN FORUM

10 **Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There**
11 **being no one coming forward, Chairman Chodun closed the open forum.**
12
13

14 III. APPOINTMENTS

- 15
16 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments
17 for items on the agenda requiring architectural review.
18

19 **Director of Planning and Zoning Ryan Miller advised the Commission that the cases submitted did not require review by the Architectural**
20 **Review Board.**
21

22 IV. CONSENT AGENDA

- 23
24 2. Approval of Minutes for the September 15, 2020 Planning and Zoning Commission meeting.
25

26 3. **P2020-035 (DAVID GONZALES)**

27 Consider a request by Brad Williams of Winstead PC on behalf of Brian Thornton of Mountainprize, Inc. for the approval of a Replat for Lot 3,
28 Block A, Woods at Rockwall Addition being a 2.46-acre parcel of land identified as a portion of Lots 1 & 2, Block A, Woods at Rockwall Addition,
29 City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at
30 the intersection of Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.
31

32 4. **P2020-038 (HENRY LEE)**

33 Consider a request by Clay Cristy of ClayMoore Engineering on behalf of Grey Stogner of Metroplex Acquisition Fund, LP for the approval of a
34 Replat for Lots 10 & 11, Block A, Stone Creek Retail Addition being an eight (8) acre parcel of land identified as Lot 8, Block A, Stone Creek Retail
35 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses,
36 situated within the North SH-205 Overlay (N. SH-205 OV) District, generally located north of the intersection of Stone Creek Drive and Bordeaux
37 Drive, and take any action necessary.
38

39 5. **P2020-041 (HENRY LEE)**

40 Consider a request by Brad Bacon of Bacon Property, LLC for the approval of a Final Plat for Lot 1, Block A, Bacon Addition being a 3.57-acre
41 tract of land identified as Lot 1-M of the Bodin Industrial Tract, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-
42 30 Overlay (IH-30 OV) District, addressed as 2055 Kristy Lane, and take any action necessary.
43

44 6. **P2020-042 (DAVID GONZALES)**

45 Discuss and consider a request by Wesley & Carlee Kuenstler and Bandon & Pare Underwood for the approval of a Final Plat for Lots 1 & 2, Block
46 A, K. U. Ranch and Rec Addition being a 6.83-acre tract of land identified as Tract 26 of the J. P. Davis Survey, Abstract No. 249, Collin County,
47 Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), address 11644 County Road 536, and take any action necessary.
48

49 **Commissioner Sedric Thomas made a motion to approve the consent agenda. Commissioner Derek Deckard seconded the motion which**
50 **passed by a vote of 7-0.**
51

52 V. ACTION ITEMS

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54 7. **MIS2020-012 (HENRY LEE)**

55 Discuss and consider a request by Harold D. Fetty III on behalf of Robert Avalos and Latonia Baker for the approval of a Miscellaneous Case for
56 a special request in accordance with the requirements of Planned Development District 75 (PD-75) [Ordinance No. 16-01] for a 0.179-acre tract
57 of land identified as Lots 280 & 281, Block B, Rockwall Lake Estates #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
58 Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 840 & 848 Lakeside Drive, and take any action
59 necessary.
60

61 **Planner Henry Lee provided a brief summary in regards to the request. Based on aerial imagery from 2005, the driveway on the on 848**
62 **Lakeside appears to slightly be on property 840 Lakeside Drive. According to the applicant, the property was about to be sold and the**
63 **encroachment was discovered by the surveyor. This issue needs to be corrected on the replat in order to be considered complete. Right**
64 **now, both of the properties are considered non-conforming to the Planned Development 75 (PD-75) District requirements. The**
65 **applicant's request would increase the size of 848 Lakeside to 4,576 square feet but reduce the size of 840 to 3,238 square feet. This**

change would bring 848 Lakeside closing to conforming to the lot size requirements for PD-75; however, it increases the non-conformance of 840 Lakeside. This comes before the Planning and Zoning Commission because in PD-75 allows City Council to consider all special requests for all issues not relating to land use. With this, City Council would be considering the request to allow 840 Lakeside Drive to a minimum lot size of 3,238 square feet. All other requirements concerning this request deem to be legally conforming or non-conforming. Staff does want to point out that Lake Rockwall Estates Subdivision has other similar non-conformities that have been documented in this area. Any special request is a discretionary for City Council pending a recommendation from the Planning and Zoning Commission. If this is approved, then the item must come back for approval of the replat.

Vice-Chairman Welch asked if both parties were in agreement and Chairman Chodun asked how this issue came about.

Vice-Chairman Welch made a motion to approve item MIS2020-012 with staff recommendations. Commissioner Womble seconded the motion which passed by a vote of 7-0.

VI. PUBLIC HEARING ITEMS

8. Z2020-037 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He advised the Commission that they had voted to deny this request twice in the past. The first time it was withdrawn and returned and the second time it was taken to City Council, where the applicant submitted changes last minute that reduced the square footage of the building. The reason why the change is important is that it reduced the number of variances requested. According to the Unified Development Code (UDC), new matters of evidence not presented to the Planning and Zoning Commission are required to be remanded back to the Commission for consideration. In this case, the only thing that has changed is the reduction of the building by 200 square feet, which does reduce the parking variance, but the applicant is still requesting variances to the land use requirements, the driveway spacing requirements, and the dumpster orientation. Staff would like to add that there was an additional notice received in opposition to the request. The Commission is required to hold a public hearing tonight and Mr. Miller advised that he was present and available to answer questions.

Commissioner Deckard asked if this was considered to go through a floodplain study or if there were any other engineering issues involved.

Chairman Chodun asked the applicant to come forward but the applicant was not present.

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

Bob Wacker
309 Featherstone
Rockwall, TX 75032

Mr. Wacker came forward and provided his opinion and summary in regards to the request.

Mr. Miller added that the applicant had not provided any additional information in regards to the case.

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.

Vice-Chairman Welch made a motion to approve item Z2020-037 with staff recommendations. Deckard seconded the motion and a brief discussion took place.

Commissioner Moeller expressed his disapproval in regards to the request as did Commissioner Womble and Commissioner Thomas. Commissioner Conway found the turn onto Pecan Valley to be dangerous and could not support the request either. Chairman Chodun then indicated they would take a vote on the item.

After a vote, item Z2020-037 was denied by a vote of 5-2 with Commissioner Deckard and Vice-Chairman Welch dissenting.

VII. DISCUSSION ITEMS

9. Z2020-039 (RYAN MILLER)

Hold a public hearing to discuss and consider approval of a Text Amendment to Article 05, District Development Standards, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the accessory structure standards, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He explained that two weeks ago, Staff held a work session with City Council concerning accessory structures and specifically the data based on how many cases Staff has recently received without having the proper permits and how building standards were vague. Ultimately, it was decided that there

134 wasn't a problem with the ordinance but they wanted Staff to bring forward some clarifications to the ordinance. Since then, Staff has
135 worked with the Plans Examiner to reexamine the ordinance further and Staff will later provide visual images of how or where accessory
136 structures can fit. A finalized copy of the ordinance will be brought to the next meeting. As of right now, most of the clarifications deal
137 with detached garages and what constitutes a driveway. This will also breakdown covered porches, carports, and pergolas into separate
138 sections as well as explain the different standards for each. In addition, City Council also directed Staff to make changes to the Building
139 Permit application, the building permit fee schedule, and Staff has already put in place a penalty for contractors who do work without a
140 permit. At the moment, all contractors who do work within the City are required to register with us and are charged a \$100.00 fee. Any
141 contractor that does work without a permit in the City of Rockwall will have their contractor's license revoked and will have to reapply
142 for it. The fully developed amendment for the Unified Development Code will be presented at the next meeting. Mr. Miller advised the
143 Commission that Staff sent out a 15-day notice as required by State law and he was available to answer questions.

144
145 Vice-Chairman Welch asked if the contractor registration fee was in place now or was it recently added. Commissioner Womble asked
146 if there was any discussion in regards to the size of the accessory structures.

147
148 Commissioner Chodun asked if anyone had any other questions. There being none Chairman Chodun indicated the case will return to
149 the Commission for action at the next scheduled meeting on October 13, 2020.

150
151 10. Z2020-040 (RYAN MILLER)

152 Hold a public hearing to discuss and consider approval of a Text Amendment to the Master Thoroughfare Plan contained in the OURHometown
153 Vision 2040 Comprehensive Plan for the purpose of changing the alignment and designation of Pecan Valley Drive, and take any action necessary.

154
155 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. Mr. Miller explained that the City recently
156 got some land by Pecan Valley and was dedicated to the City by the owner of that property. As of right now, the City does not have any
157 plans for the land but they are looking for ways to put the properties on the south side of West Quail Run on the City sewer system. In
158 order to do that, one of the ideas was to take a portion of the property and adding on two (2) lots to facilitate that purchase in the future.
159 Under the City's guidelines, it is believed that that piece of property will be a part of the Pettinger Preserve in the future or used in some
160 similar manner. The roadway extending from Pecan Valley to Random Oaks is no longer in need of being a minor collector. What is
161 being requested is potentially removing Random Oaks, Bending Oaks Trail, and Pecan Valley from the Master Thoroughfare Plan. That
162 will allow Staff to move the two (2) lots over and put them outside of the flood plain before they are put out to bid. Mr. Miller then advised
163 that he was available to answer questions.

164
165 Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the
166 Commission for action at the next scheduled meeting on October 13, 2020.

167
168 11. P2020-036 (DAVID GONZALES)

169 Discuss and consider a request by T. Zachary Grimes of Cross Engineering Consultants, Inc. on behalf of Russell Phillips of Harbor LakePointe
170 Investors, LLC for the approval of a Final Plat for Lots 1, 2, & 3, Block A, Harbor Hills Addition being a 7.538-acre tract of land identified as Lots
171 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and all of Lots 3 & 4, Block 18, Moton Addition, City of Rockwall, Rockwall
172 County, Texas, zoned Planned Development District 32 (PD-32), located south of the intersection of Summer Lee Drive and Glen Hill Way, and
173 take any action necessary.

174
175 Planning Manager David Gonzales advised the Commission that the only reason why the case was coming before them tonight was
176 because it had to be presented at the Park Board meeting as well. It will be under the Consent Agenda portion at the next meeting.

177
178 Vice-Chairman Welch asked what the path was that ran by the cemetery and over into Summer Lee. Mr. Miller stated that it was dedicated
179 as right-of-way at one point but it was never developed.

180
181 Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the
182 Commission for action at the next scheduled meeting on October 13, 2020.

183
184 12. P2020-037 (DAVID GONZALES)

185 Discuss and consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat
186 for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland
187 Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the
188 terminus of Farm Lane east of Anna Cade Road, and take any action necessary.

189
190 Planning Manager David Gonzales explained that the property was in the Extraterritorial Jurisdiction (ETJ) and will go to Rockwall
191 County for their review as well prior to approval. This is a request for a development of nine (9) 5-acre lots and once it goes thru all the
192 technical requirements then it will return to the Commission for approval.

193
194 Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the
195 Commission for action at the next scheduled meeting on October 13, 2020.

196
197 13. P2020-039 (DAVID GONZALES)

198 Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC
199 for the approval of a Master Plat and Open Space Master Plan for the Discovery Lakes Subdivision consisting of 428 single-family residential lots
200 on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract
201 No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-

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Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary.

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Planning Manager David Gonzales advised the Commission that the only reason why the case was coming before them tonight was because it had to be presented at the Park Board meeting as well.

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Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the Commission for action at the next scheduled meeting on October 13, 2020.

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14. **P2020-040** (DAVID GONZALES)

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Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the approval of a Preliminary 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 northside of SH-276 east of the intersection of SH-276 and Rochelle Road, and take any action necessary.

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Planning Manager David Gonzales advised the Commission that the only reason why the case was coming before them tonight was because it had to be presented at the Park Board meeting as well. It will be under the Consent Agenda portion at the next meeting if they present a Master Plan of the project on time.

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Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the Commission for action at the next scheduled meeting on October 13, 2020.

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15. **SP2020-025** (HENRY LEE)

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Discuss and consider a request Harper J. Kuper of SVEA Industrial II, LLC for the approval of a Site Plan for the expansion of an existing industrial facility on a 1.915-acre tract of land being identified as a portion of Lot 3 and all of Lot 3A-R, Block C, Ellis Centre #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1203 Sigma Court, and take any action necessary.

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Planner Henry Lee provided a brief summary in regards to the request. This case is coming before the Commission due to Staff finding issues on their photometric plan. If the issues are resolved then the request will be approved administratively. If they are not resolved then the case will be presented again at the next meeting.

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Commissioner Chodun asked if anyone had any questions. There being none Chairman Chodun indicated the case will return to the Commission for action at the next scheduled meeting on October 13, 2020.

233

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

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- P2020-034: Final Plat for Lot 1, Block A, Pecan Valley Retail Addition [APPROVED]
- Z2020-033: SUP for a Residential Infill in an Established Subdivision for 210 Wade Drive [APPROVED; 1st READING]
- Z2020-035: SUP for a Restaurant, 2,000 SF or More, with Drive-Through for 902 & 906 S. Goliad Street [WITHDRAWN]
- Z2020-036: SUP for a Structure that Exceeds 60-Feet in a Light Industrial (LI) District for 1540 E. IH-30 [DENIED]
- Z2020-037: SUP for a Restaurant, Less Than 2,000 SF, with Drive-Through for 150 Pecan Valley Drive [REMANDED BACK TO THE PLANNING AND ZONING COMMISSION]
- Z2020-033: SUP for a Residential Infill in an Established Subdivision for 257 & 269 Russell Drive [APPROVED; 1st READING]

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Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting. Mr. Miller also mentioned that the city of Rockwall was recognized as the #4 Best Place to Live in the US by Money Magazine. He also recognized both of the new Commissioners, Derek Deckard and Dr. Jean Conway, and welcomed them to the Commission.

243

VIII. ADJOURNMENT

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Chairman Chodun adjourned the meeting at 6:41 PM.


245
246

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

13 day of October, 2020.

247
248

Attest:



Angelica Gomez, Planning and Zoning Coordinator



Eric Chodun, Chairman

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MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
OCTOBER 13, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Eric Chodun called the meeting to order at 6:00 PM. Commissioners present were John Womble, Derek Deckard, Sedric
5 Thomas, Jean Conway, Mark Moeller, and Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Director Ryan
6 Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica Gamez, City
7 Engineer Amy Williams and Civil Engineers Sarah Johnston and Jeremy White.
8

9 II. OPEN FORUM
10

11 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There
12 being no one coming forward, Chairman Chodun closed the open forum.
13

14 III. CONSENT AGENDA
15

16 1. Approval of Minutes for the September 29, 2020 Planning and Zoning Commission meeting.
17

18 2. **P2020-036 (DAVID GONZALES)**

19 Discuss and consider a request by T. Zachary Grimes of Cross Engineering Consultants, Inc. on behalf of Russell Phillips of Harbor LakePointe
20 Investors, LLC for the approval of a Final Plat for Lots 1, 2, & 3, Block A, Harbor Hills Addition being a 7.538-acre tract of land identified as Lots
21 6A, 7A & 8A, Isaac Brown Addition, and a portion of Lots 3 & 4, Block 16 and all of Lots 3 & 4, Block 18, Moton Addition, City of Rockwall,
22 Rockwall County, Texas, zoned Planned Development District 32 (PD-32), located south of the intersection of Summer Lee Drive and Glen Hill
23 Way, and take any action necessary.
24

25 3. **P2020-037 (DAVID GONZALES)**

26 Discuss and consider a request by Bart Carroll, RPCS of Carroll Consulting Group on behalf of Kurt Avery for the approval of a Preliminary Plat
27 for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition being a 48.583-acre tract of land identified as Tracts 5 & 5-1 of the J. Strickland
28 Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at
29 the terminus of Farm Lane east of Anna Cade Road, and take any action necessary.
30

31 4. **P2020-039 (DAVID GONZALES)**

32 Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes,
33 LLC for the approval of a Master Plat and Open Space Master Plan for the Discovery Lakes Subdivision consisting of 428 single-family
34 residential lots on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco
35 Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR)
36 District and Single-Family 10 (SF-10) District, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and
37 take any action necessary.
38

39 5. **P2020-040 (DAVID GONZALES)**

40 Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes,
41 LLC for the approval of a Preliminary Plat for Phase 1 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a
42 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,
43 Texas, zoned Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District, generally located on the northside of SH-276 east
44 of the intersection of SH-276 and Rochelle Road, and take any action necessary.
45

46 Chairman Eric Chodun made a motion to approve all items on the consent agenda except for items #4 and #5. Commissioner Sedric
47 Thomas seconded the motion which passed by a vote of 7-0.
48

49 IV. PUBLIC HEARING ITEMS
50

51 6. **Z2020-039 (RYAN MILLER)**

52 Hold a public hearing to discuss and consider approval of a Text Amendment to Article 05, District Development Standards, of the Unified
53 Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the accessory structure standards, and take any action
54 necessary.
55

56 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He briefed the Commission on the
57 work session held on September 8, 2020 and how City Council wanted changes and specifications to help clarify the District
58 Development Standards. The new text amendment makes several clarifying points about detached garages as well as providing a
59 definition for a standard sized motor vehicle. Since the work session, Staff has worked with the Building Permit technicians to see
60 what other issues they were coming across and, based on that, staff broke out the carports, pergolas, and covered porches which had
61 been in one section together before. Each was broken down to their own individual section where Staff added language clarifying
62 those. Mr. Miller explained that there was also a 1 page handout that was created that was intended to convey those standards in a
63 picture form as provided in the packet Commissioners received. Staff also sent out a 15-day notice as required by the Unified
64 Development Code (UDC). Mr. Miller then advised the Commission that he was available to answer questions.

65
66 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no
67 one indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or
68 action.
69

70 Vice-Chairman Welch made a motion to approve item Z2020-039 with staff recommendations. Commissioner Moeller seconded the
71 motion which passed by a vote of 7-0.
72

73 7. **Z2020-040 (RYAN MILLER)**

74 Hold a public hearing to discuss and consider approval of a Text Amendment to the Master Thoroughfare Plan contained in the OURHometown
75 Vision 2040 Comprehensive Plan for the purpose of changing the alignment and designation of Pecan Valley Drive, and take any action
76 necessary.
77

78 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He explained that the City was deeded
79 an 11.7 acre tract of land at the corner of Pecan Valley and Quail Run Road. Currently, Pecan Valley is shown as a minor collector
80 connecting to Random Oaks and running through this property. Random Oaks runs from Pecan Valley and W. Quail Run Road all the
81 way up to Bending Oaks Trail. Mr. Miller explained that a resident came forward and requested that the City try to provide several of the
82 homes along W. Quail Run with sanitary sewer. Staff found that those homes are currently on septic and the City had recently extended
83 the lines along the southern part adjacent to Pecan Valley. The ideal would be to cut out two (2) individual lots and put them for sale thru
84 the bid process with that money potentially paying for the sanitary sewer improvements for those five (5) homes. Staff did notice that
85 this road created an issue with trying to establish those two (2) lots specifically. If Staff accounted for the right-of-way for that road then
86 it would push one of the lots into the floodplain area. When reexamining the area, Staff also reexamined the land uses considering that
87 the 11-acres was city land and was not anticipated to be developed with the same commercial uses as is currently allowed thru the
88 zoning. It was then determined that the minor collector was no longer needed to connect with Random Oaks. This prompted Staff to
89 bring the issue before the Planning and Zoning Commission and the City Council. Staff was required to bring this item forward as an
90 amendment to the Comprehensive Plan which would then require a public hearing with the Commission and at City Council. This item
91 was also advertised in a 15-day notice in the Rockwall Herald Banner in accordance with the City's charter. Mr. Miller then advised the
92 Commission that he was available to answer questions.
93

94 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
95 doing such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
96

97 Commissioner Thomas made a motion to approve item Z2020-040. Commissioner Moeller seconded the motion which passed by a vote
98 of 7-0.
99

100 V. ACTION ITEMS

101 102 8. **MIS2020-011 (HENRY LEE)**

103 Discuss and consider a request by J. W. Jones for the approval of a Miscellaneous Case for a special request in accordance with the
104 requirements of Planning Development District 75 (PD-75) [Ordinance No. 16-01] for a 0.33-acre parcel of land identified as a portion of Lot
105 1050 and all of Lot 1051, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75
106 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and take any action necessary.
107

108 Planner Henry Lee provided a brief summary in regards to the request. He explained that the subject property is located at 247 Chris
109 Drive and most of the surrounding lots have mobile homes or single-family homes. The applicant had been approved for a Specific Use
110 Permit (SUP) for a Residential Infill and when work had begun they encountered a public sewer line not within the easement near the
111 east side of the property line. Therefore, the applicant is requesting an encroachment on the front yard building setback with a minimum
112 of 1-foot 6-inches which would reduce the front yard setback to 18-feet 6-inches. However, Staff believes a minimum of 3 feet should be
113 requested to ensure that the home is far enough away for any future services the City may need to do. This means applicants need to
114 request a 17-foot front yard setback which would approve the rear of the home would be 6-feet 6-inches away. When reviewing this
115 request, it does not appear to create a hardship or the applicant and approving the request would not change the essential character of
116 the neighborhood. A condition of approval would be that the subject property would need to be replatted to adjust the utility easement to
117 ensure that the existing sewer line is located within the 10-foot easement.
118

119 Commissioner Womble asked if the property below is closer to the street then the current post would be.
120

121 Commissioner Moeller added that Lake Rockwall Estates was a unique area and added that this would be one of many issues they would
122 encounter as its being developed.
123

124 Commissioner Deckard asked if the property to the south was a mobile home as well.
125

126 Commissioner Thomas made a motion to approve item MIS2020-011 with staff recommendations. Commissioner Moeller seconded the
127 motion which passed by a vote of 7-0.
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129 VI. DISCUSSION ITEMS

130 131 9. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

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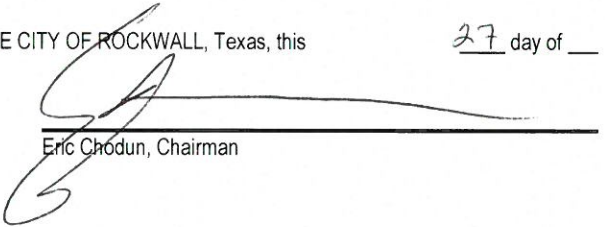
- ✓ P2020-035: Replat for Lot 3, Block A, Woods at Rockwall Addition [APPROVED]
- ✓ P2020-038: Replat for Lots 10 & 11, Block A, Stone Creek Retail Addition [APPROVED]
- ✓ P2020-041: Final Plat for Lot 1, Block A, Bacon Addition [APPROVED]
- ✓ P2020-035: Final Plat for Lots 1 & 2, Block A, K. U. Ranch and Rec Addition [APPROVED]
- ✓ Z2020-033: SUP for a Residential Infill in an Established Subdivision for 210 Wade Drive [APPROVED; 2ND READING]
- ✓ Z2020-037: SUP for a Restaurant, Less Than 2,000 SF, with Drive-Through for 150 Pecan Valley Drive [DENIED]
- ✓ Z2020-038: SUP for a Residential Infill in an Established Subdivision for 257 & 269 Russell Drive [APPROVED; 2ND READING]
- ✓ MIS2020-012: Special Request for 840 & 848 Lakeside Drive [APPROVED]

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

VII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 6:16 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 27 day of October, 2020.


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
OCTOBER 27, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Eric Chodun called the meeting to order at 6:02 PM. Commissioners present were John Womble, Derek Deckard, Sedric Thomas,
5 Jean Conway, Mark Moeller, and Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Director Ryan Miller,
6 Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica Gamez, City Engineer Amy
7 Williams and Civil Engineers Sarah Johnston and Jeremy White.
8

9 II. OPEN FORUM
10

11 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being
12 no one coming forward, Chairman Chodun closed the open forum.
13

14 III. APPOINTMENTS
15

- 16 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for
17 items on the agenda requiring architectural review.
18

19 A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the
20 Architectural Review Board meeting.
21

22 IV. CONSENT AGENDA
23

- 24 2. Approval of Minutes for the October 13, 2020 Planning and Zoning Commission meeting.
25

26 3. **P2020-039 (DAVID GONZALES)**

27 Consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the
28 approval of a Master Plat and Open Space Master Plan for the Discovery Lakes Subdivision consisting of 428 single-family residential lots on a
29 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No.
30 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family
31 10 (SF-10) District land uses, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action
32 necessary.
33

34 4. **P2020-040 (DAVID GONZALES)**

35 Consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Nick DiGiuseppe of Discovery Lakes, LLC for the
36 approval of a Preliminary Plat for Phase 1 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a 36.42-acre tract
37 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
38 Development District 78 (PD-78) for Single-Family 10 (SF-10) District land uses, generally located on the northside of SH-276 east of the
39 intersection of SH-276 and Rochelle Road, and take any action necessary.
40

41 5. **P2020-043 (DAVID GONZALES)**

42 Consider a request by Tony Degelia of A & W Surveyors, Inc. on behalf of Siren Brewing Company, LLC for the approval of a Replat for Lot 2 of
43 the Cain Properties No. 1 Addition being a 1.233-acre parcel of land identified as Lot 1 of the Cain Properties No. 1 Addition, City of Rockwall,
44 Rockwall County, Texas, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, and take any action necessary.
45

46 6. **P2020-045 (HENRY LEE)**

47 Consider a request by John F. Dudek for the approval of a Replat for Lot 57 of Chandler's Landing, Phase 2 being a 0.248-acre tract of land
48 identified as Lots 35 & 36 of Chandler's Landing, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-
49 8) for single-family residential land uses, addressed as 428 Columbia Drive, and take any action necessary.
50

51 7. **SP2020-026 (DAVID GONZALES)**

52 Consider a request by Clay Cristy of ClayMoore Engineering on behalf of Grey Stogner of Metroplex Acquisition Fund, LP for the approval of an
53 Amended Site Plan for a daycare center on an eight (8) acre tract of land being identified as a portion of Lot 8, Block A, Stone Creek Retail
54 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses,
55 situated within the Scenic Overlay (SOV) District, generally located north of the intersection of Stone Creek Drive and Miramar Drive, and take any
56 action necessary.
57

58 8. **SP2020-029 (RYAN MILLER)**

59 Discuss and consider a request by Meg Murphy of Triton General Contractors on behalf of Jason Potts for the approval of an Amended Site Plan
60 to convert an existing restaurant into an office building on a 1.346-acre tract of land identified as Lot 16, Block A, La Jolla Pointe Addition, Phase
61 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated with the IH-30 Overlay (IH-30 OV) District, addressed as 560
62 E. IH-30, and take any action necessary.
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64 Vice-Chairman Jerry Welch made a motion to approve the consent agenda. Commissioner Mark Moeller seconded the motion which passed
65 by a vote of 7-0.

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V. ACTION ITEMS

9. MIS2020-013 (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 the construction of a 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. The applicant is requesting the approval of a special exception to the fence standards of an existing infill. They are requesting to construct a pre-cast masonry fence but staff wanted to point out that there are no other masonry fences near the property. The typical for this kind of property are transparent fences such as wrought iron, picket, or split rail. The fence would go along the east side of the property adjacent to the alley and turn west to go 80-feet along Shadydale Lane. The Planning and Zoning Commission may consider these alternate materials or the alternative fence standards on a case-by-case basis. However, all of these requests are a discretionary decision for the Planning and Zoning Commission.

Commissioner Deckard wanted further clarification in regards to the fence.

Chairman Chodun asked the height of the fence.

Commissioner Womble asked if they would have to continue on with the same fence or would it be different along the way.

Commissioner Conway added that it did not detract from any continuity.

Vice-Chairman Welch asked if the City had not wanted to use this kind of fence due to the reaction of the soil.

Vice-Chairman Welch made a motion to approve MIS2020-013 with staff recommendations. Commissioner Conway seconded the motion which passes by a vote of 7-0.

10. MIS2020-014 (RYAN MILLER)

Discuss and consider a request by Sandie Wood for the approval of a Special Exception to the material standards for residential fences to allow a previously constructed chain-link fence on a 3.574-acre parcel of land identified as Lot 1, Block A, Wood Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 207 Wade Drive, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. In 2019, the applicant applied for a Specific Use Permit (SUP) for this property for a guest quarters and secondary living unit but was ultimately withdrawn. However, shortly after in June 2019, the applicant submitted a building permit for a 6,350 square foot single-family home. Sometime during the construction of the home, a building inspector noticed that the applicant had constructed a 6-foot chain link fence on the southern property line. According to the building department staff, multiple conversations concerning the fencing of this property had taken place prior to and after the issuance of the building permit for the single-family home. During these conversations, Staff explained that a building permit would be required for any fencing on the property and the material requirements for residential fences. In addition, the significant amount of floodplain on this property was also discussed and that chain-link fencing was not permitted in those areas. On August 3rd, the applicant did submit for a building permit to get the fence permitted but that was denied on August 19th because chain link fencing is not allowed in a residential district. Replacements of existing chain link fences are allowed but only with black vinyl, mesh-coated chain link. New chain link fences are not permitted on any residential property. Ultimately the applicant did apply for a miscellaneous case in accordance with the Unified Development Code (UDC) which allows the Planning and Zoning Commission to consider alternative materials that are permitted and does not include chain link. Mr. Miller wanted to note that there is a barbed wire fence that was removed and then put back on the property. The reason why this is important is because barbed wire is not permitted inside the City and once it was removed from the property then it wasn't supposed to be out back. Mr. Miller explained that there were many recommendations made in regards to this request. Specifically, if the Planning and Zoning Commission does choose to approve this, that the applicant is required to remove the portions of the fence that are currently on the floodplain. Staff would like this done within 30 days as written in the case memo. Also if approved, Staff would like for the motion to include something in regards to removing the barbed wire fence. Mr. Miller then advised the Commission that Staff was present and available to answer any questions.

Commissioner Deckard asked the location of the barbed wire fence.

Commissioner Womble asked what was allowed in the floodplain.

Commissioner Deckard asked if there would be any materials that would be permitted in the floodplain.

Vice-Chairman Welch made a motion to deny MIS2020-014. Commissioner Womble seconded the motion which passed by a vote of 7-0.

VI. DISCUSSION ITEMS

11. Z2020-043 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Maxwell Fisher, AICP of Master Plan on behalf of Wolverine Self-Storage Investments-Rockwall EDP, LLC for the approval of an amendment to an existing Specific Use Permit for the purpose of increasing the number of storage units permitted by Ordinance No. 14-25 to account for the number of storage units constructed on a 2.857-acre parcel of land identified as Lot 4, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 1245 SH-276, and take any action necessary.

132 Planner Ryan Miller advised that his applicant was present and had prepared a presentation for the Commission. He also advised that
133 Staff had prepared a case memo due to it being a unique circumstance.

134
135 Chairman Chodun asked the applicant to come forward.

136
137 Maxwell Fisher
138 2201 Main Street
139 Dallas, TX 75201
140

141 The applicant came forward and provided a presentation in regards to the request. He is basically asking the Commission to adjust and
142 align the SUP ordinance text to match with what is on the ground today. There is a 200 square foot difference on area along with the
143 difference in units. The ordinance states 579 units and the applicant is asking for 794 units. At the moment, there are 778 units used.

144
145 Mr. Miller added details in regards to the case. He stated that when this request came through, it was indicated on the SUP, the site plan,
146 the engineering plans, and the cover page of the building permit that the total overall would be 579 units. There is a discrepancy
147 between the numbers of units they counted on the building plans with what we counted. The applicants counted 27 units and
148 Staff counted 872 units. He also reminded the Commission that the current code only allows 125 units per acre. The applicants were
149 already approved for more than that at 203 units per acre.

150
151 Commissioner Womble asked if there was any reason why this high of the number was not approved at the time of the original case based
152 on the discussion. Mr. Miller advised that he would provide the minutes from the original meeting to the Commission.

153
154 Vice-Chairman Welch asked what the ramifications of the property would be. Mr. Miller explained that the applicant was trying to sell the
155 property at the moment and the zoning right now does not allow for what they built. That is why the applicant is requesting to have the
156 Commission approve what they built so they can sell the property.

157
158 Commissioner Deckard asked how many units per acre were allowed.

159
160 Commissioner Thomas asked if there was any discussion in regards to only the 579 units being approved or did the applicant
161 just build what they thought was to scale.

162
163 Commissioner Moeller asked for the minutes regarding this case when it was originally requested.

164
165 Commissioner Deckard asked how this case got to this point and how it got thru building inspections and other departments
166 without anybody noticing the discrepancy. He also asked what the ramifications would be if this is denied? The applicant said that they
167 would have to put people out and will have revenue reduced.

168
169 Chairman Chodun asked if the SUP mentioned the number of units and if it was presented during a public hearing.

170
171 Commissioner Conway stated that they felt like they have been pushed into a corner and pushed into a decision.

172
173 Chairman Chodun asked if maybe the city is somewhat culpable in the result of this case.

174
175 Vice-Chairman Welch asked how the city benefited from this value wise and tax wise.

176
177 Commissioner Thomas asked if there had been any changes such as additional units added since the original request.

178
179 After further discussion, Chairman Chodun asked if anyone had any further questions. There being none, Chairman Chodun
180 indicated the case will come back to the Commission on November 10, 2020 for discussion or action.

181
182 12. **Z2020-044 (HENRY LEE)**

183 Hold a public hearing to discuss and consider a request by Casey Cox of Costal Plains Estates for the approval of a Specific Use Permit (SUP)
184 for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.21-acre parcel of land identified as
185 Lot 24, Block A, Chandler's Landing, Phase 7, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-
186 family residential land uses, addressed as 102 Thistle Place, and take any action necessary.
187

188 Due to the applicant not being present, Planner Henry Lee advised that this request would require a garage variance as the
189 garage is not setback 20-feet from the front facade. However, given the fact that this is in Chandlers Landing, this is not atypical for the
190 neighborhood.

191
192 Chairman Chodun asked if anyone had any further questions; there being none, Chairman Chodun indicated the case will come back to
193 the Commission on November 10, 2020 for discussion or action.

194
195 13. **Z2020-045 (RYAN MILLER)**

196 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
197 Investment, LP for the approval of a Zoning Change form a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a Planned
198 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,

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

Chairman Chodun asked the applicant to come forward.

Ryan Joyce
1189 Waters Edge
Rockwall, TX 75032

Adam Buzek
Skorburg Company

Mr. Buzek came forward and gave a brief summary in regards to his request. He added that it is 121-acres and it is a mixture of 60-70 foot by 120-foot deep lots. Mr. Buzek added that this would be similar to Breezy Hill development.

Chairman Chodun asked if anyone had any further questions; there being none, Chairman Chodun indicated the case will come back to the Commission on November 10, 2020 for discussion or action.

14. Z2020-046 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Mike Whittle of Whittle & Johnson Custom 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 0.15-acre parcel of land identified as Lot 24, Block E, Chandler's Landing #16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 295 Victory Lane, and take any action necessary.

Due to the applicant not being present, Planner Henry Lee explained that this request will also require a variance due to the garage being in front of the front façade.

Chairman Chodun asked if anyone had any further questions; there being none, Chairman Chodun indicated the case will come back to the Commission on November 10, 2020 for discussion or action.

15. Z2020-047 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Mitchell Fielding of F2 Capital Partners, LLC on behalf of Alex Freeman for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses on a 26.012-acre tract of land identified as Tract 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.

Chairman Chodun asked the applicant to come forward.

Mitchell Fielding
4232 Ridge Road, Suite 104
Heath, TX 75032

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

Chairman Chodun asked what the future land use was for this property.

Planning and Zoning Manager David Gonzales added that they will be using OSSF (onsite sewer facilities). That will be an exception that will be requested through City Council pending a recommendation from the Planning and Zoning Commission.

Commissioner Moeller asked about the fire issue with sprinklers due to the one way in/ne way out system.

Commissioner Conway asked if they had planned any walking trails to enhance the area.

Chairman Chodun asked if anyone had any further questions; there being none, Chairman Chodun indicated the case will come back to the Commission on November 10, 2020 for discussion or action.

16. P2020-044 (DAVID GONZALES)

Discuss and consider a request by Pat Atkins of KPA Consulting on behalf of Pat Atkins of CDGT/Rockwall/2016, LLC for the approval of a Preliminary Plat for the Saddle Star North Subdivision consisting of 92 single-family residential lots on a 44.56-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, generally located at the northwest corner of the intersection of FM-552 and John King Boulevard, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

264 Planning and Zoning Manager David Gonzales added that this case must go before the Parks Board due to it being a preliminary plat. This
265 item will come back on the Consent Agenda for the November 10, 2020 meeting.
266

267 Pat Atkins
268 3076 Hays Lane
269 Rockwall, TX 75087
270

271 Mr. Atkins came forward and provided additional details in regards to the case.
272

273 Chairman Chodun asked if anyone had any further questions; there being none, Chairman Chodun indicated the case will come back to
274 the Commission on November 10, 2020 for discussion or action.
275

276 17. P2020-046 (DAVID GONZALES)

277 Discuss and consider a request by Humberto Johnson of the Skorburg Co. on behalf of the Gideon Grove Addition, LTD for the approval of a
278 Preliminary 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
279 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
280 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
281 and John King Boulevard, and take any action necessary.
282

283 Planning and Zoning Manager advised the Commission that one again this case must go before the Parks Board due to it being a
284 preliminary plat. This case will come back on the Consent Agenda for the November 10, 2020 meeting.
285

286 Chairman Chodun asked the applicant to come forward.
287

288 Humberto Johnson Jr.
289 8214 Westchester Drive, Suite 900
290 Dallas, TX 75225
291

292 The applicant came forward and was prepared to answer questions.
293

294 Chairman Chodun asked if anyone had any further questions; there being none, Chairman Chodun indicated the case will come back
295 to the Commission on November 10, 2020 for discussion or action.
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297 18. SP2020-027 (HENRY LEE)

298 Discuss and consider a request by Cameron Slown of F. C. Cuny on behalf of the owner N & H Legacy for the approval of a Site Plan for a multi-
299 tenant retail building on a 2.22-acre tract of land identified as Lots 8 & 11, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall County,
300 Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, situated at the southeast corner of the intersection
301 of Andrews Drive and Horizon Road [FM-3097], and take any action necessary.
302

303 Planner Henry Lee explained that the ARB has approved this given that they flatten the roof projection and ask for a variance since it
304 does not meet their articulation standards.
305

306 Chairman Chodun asked the applicant to come forward.
307

308 Jimmy Strohmeier
309 2701 Sunset Ridge
310 Rockwall, TX 75032
311

312 The applicant came forward and explained that the site plan was approved in 2016 and it did not change it but it did expire so he has to
313 bring it back. He then gave a brief summary in regards to it.
314

315 Chairman Chodun asked if anyone had any further questions; there being none, Chairman Chodun indicated the case will come back
316 to the Commission on November 10, 2020 for discussion or action.
317

318 19. SP2020-028 (DAVID GONZALES)

319 Discuss and consider a request by Darrel Kotzur, PE of KSA Engineers on behalf of the owner Mary Courtin of Courtin Dental for the approval of
320 a Site Plan for a daycare facility and a medial office on a 1.743-acre tract of land identified as a portion of Lot 9, Block A, Flagstone Corners
321 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 54 (PD-54) for Commercial (C) District land uses, situated
322 at the southeast corner of the intersection of E. Ralph Hall Parkway and Mims Road, and take any action necessary.
323

324 Due to the applicant not being present, Planning and Zoning Manager David Gonzales provided a brief summary in regards to the
325 request. He explained that Staff will speak to the applicant about the changes that need to be made, the ARB concerns, and the variances
326 that must be requested. The applicant did submit an amended site plan that day but, based on the shot clock that Staff has with the
327 HB3167, the applicant may not meet the 30-day requirement. Staff will then discuss this issue with them and see if they are going to
328 withdraw the case and then resubmit it another time or if they are going to be able to make all the necessary changes that Staff is going
329 to require including what ARB is requesting.
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Commissioner Moeller asked about the fence around the daycare and its placement. He asked what kind of fence it would be and what it would look like.

Chairman Chodun asked if anyone had any further questions; there being none, Chairman Chodun indicated the case will come back to the Commission on November 10, 2020 for discussion or action.

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

- P2020-036: Final Plat for Lots 1, 2, & 3, Block A, Harbor Hills Addition [APPROVED]
- P2020-037: Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition [APPROVED]
- Z2020-039: Text Amendment to Article 05, District Development Standards, of the UDC [APPROVED; 1st READING]
- Z2020-040: Text Amendment to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan [APPROVED; 1st READING]
- MIS2020-011: Special Request for 247 Chris Drive [APPROVED]


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

VII. ADJOURNMENT

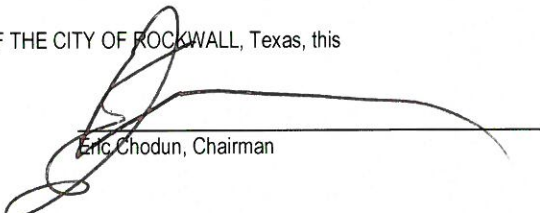
Chairman Chodun adjourned the meeting at 7:17 pm

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
10 day of November, 2020.

Attest:



Angelica Garnez, Planning and Zoning Coordinator



Eric Chodun, Chairman

MINUTES

PLANNING AND ZONING COMMISSION MEETING CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS NOVEMBER 10, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Eric Chodun called the meeting to order at 6:00 PM. Commissioners present were John Womble, Derek Deckard, Sedric
5 Thomas, Jean Conway, Mark Moeller, and Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Manager David
6 Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams and Civil Engineers Sarah
7 Johnston and Jeremy White. Absent from the meeting was Planning and Zoning Director Ryan Miller.
8

9 II. OPEN FORUM
10

11 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There
12 being no one coming forward, Chairman Chodun closed the open forum.
13

14 III. CONSENT AGENDA
15

16 1. Approval of Minutes for the October 27, 2020 Planning and Zoning Commission meeting.
17

18 2. **P2020-044 (DAVID GONZALES)**

19 Discuss and consider a request by Pat Atkins of KPA Consulting on behalf of Pat Atkins of CDGT/Rockwall/2016, LLC for the approval of a
20 Preliminary Plat for the Saddle Star North Subdivision consisting of 92 single-family residential lots on a 44.56-acre tract of land identified as
21 Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80)
22 for Single-Family 8.4 (SF-8.4) District land uses, generally located at the northwest corner of the intersection of FM-552 and John King
23 Boulevard, and take any action necessary.
24

25 3. **P2020-046 (DAVID GONZALES)**

26 Discuss and consider a request by Humberto Johnson of the Skorburg Co. on behalf of the Gideon Grove Addition, LTD for the approval of a
27 Preliminary 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
28 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
29 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
30 Road and John King Boulevard, and take any action necessary.
31

32 **Vice-Chairman Jerry Welch made a motion to approve the consent agenda. Commissioner Sedric Thomas seconded the motion which
33 passed by a vote of 7-0.**
34

35 IV. PUBLIC HEARING ITEMS
36

37 4. **Z2020-043 (RYAN MILLER)**

38 Hold a public hearing to discuss and consider a request by Maxwell Fisher, AICP of Master Plan on behalf of Wolverine Self-Storage
39 Investments-Rockwall EDP, LLC for the approval of an amendment to an existing Specific Use Permit for the purpose of increasing the number
40 of storage units permitted by Ordinance No. 14-25 to account for the number of storage units constructed on a 2.857-acre parcel of land
41 identified as Lot 4, Block A, Platinum Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as
42 1245 SH-276, and take any action necessary.
43

44 Planning and Zoning Manager David Gonzalez provided a brief summary in regards to the request. The applicant, Maxwell Fisher, came
45 in two weeks ago to explain the purpose of the Specific Use Permit request and indicated that the property was for sale. When they
46 found that the property was for sale, they encountered a few discrepancies with what was approved with the Specific Use Permit and
47 what was actually constructed. Now, the owner is here to request the approval of a Specific Use Permit that is going to correct these
48 discrepancies to allow for the number of units constructed. During that time, the Commission asked Staff to provide additional
49 information such as Meeting Minutes, staff reports, ordinances, and things of that nature. Mr. Gonzales that staff provided the
50 Commission with a detailed report or the approval process, to the site plan process and to the engineering process. All of the instances
51 where we have those approved plans show 579-units for this facility. The applicant has provided a letter of explanation for some of
52 these items that are different to what's shown in the Specific Use Permit. The number of units that was approved by the SUP was 579-
53 units and the actual number of units that were constructed were 778-units. Staff reviewed the building plans and counted 872-units that
54 were identified. The unit density as allowed by the SUP were 203-units per acre and the actual density for what was constructed was 272-
55 units. The UDC requires 3 parking spaces as well as 1-per-100 units that are built. Mr. Gonzales went ahead and explained a few other
56 discrepancies with the SUP. The applicant is requesting the approval of 794-units to allow the maximum of 778-units. The maximum
57 density that would then be approved would 278-units per acre. Staff sent out 23 notices to property owners and occupants within 1500-
58 feet of the property. Prior to this meeting, staff had received 1 in favor of the request. All homeowner associations within 1500-feet of the
59 subject property were notified as well. Staff noted that the only detail not changing was going to be the outside of the building as that
60 was to remain the same. Mr. Gonzales advised the Commission that the applicant and staff were present and available to answer
61 questions.
62

63 Commissioner Womble asked if they increased the number of units from the past work session.
64

65 Commissioner Deckard asked if any of the applicants from the original development team were present or if the people present were a
66 secondary unit.

67
68 Chairman Chodun asked the applicants to come forward.

69
70 Bill Dahlstrom
71 2323 Ross Avenue, Suite 600
72 Dallas, TX 75201
73

74 The applicant came forward and provided a brief summary in regards to the request. He clarified that the new owner of the storage
75 facility was not the original applicant from the past SUP.

76
77 Benjamin Carr
78 7715 McGill Heights Rd.
79 Charlotte, NC 28277
80

81 Mr. Carr came forward and spoke in regards to the ownership of the project. He added that they have owned the property for the last four
82 years but never accepted them so they never got far in the process to notice the discrepancies. Mr. Carr explained that whether or not
83 their request gets approved that they have a bank loan tied to this property. He stated that when the property was acquired in January
84 2017, there were over 870-units on the property and they bought it at 10% occupancy. He believes that they have a facility that is serving
85 the community at its maximum ability today with the number of units. If they were to have to reduce the unit count then it would mean
86 evicting tenants.

87
88 Commissioner Deckard asked if the original developing ownership had zero interest currently in this project at the moment. Mr. Carr
89 answered that one individual from that entity has a small LP invested in the project. Commissioner Deckard also had a question in
90 regards to the number of units in the building as well as questioning the justification for the indoor storage facility. He stated that it sets
91 a precedence when approving this item.

92
93 Mr. Carr explained that they relied heavily on the CO and they feel it would not set a precedence due to City Staff saying that they will
94 change their process when reviewing plans.

95
96 Commissioner Moeller asked if this was the first multi-storage facility in Rockwall. He added that what bothered him was what Mr. Fisher
97 mentioned at the work session that he had done about 50 of these facilities and knows that these facilities are built for 800-1000 units.
98 He explained that Mr. Fisher was aware of the capacity of the building but was still presenting only 579 units. He also asked Mr. Carr if
99 this was brand new construction when they acquired the building. Mr. Carr replied that it was at about 7-8% and the building itself had
100 been opened for about 30 days.

101
102 Chairman Chodun asked if the potential buyer alerted the seller of the discrepancy in the units.

103
104 Commissioner Thomas asked if there was an increase in the number of units when it first came in. He then asked Mr. Carr if there was
105 any conversation with the developer of the original plans.

106
107 Vice-Chairman Welch added that his problem goes back to what was approved and built and with setting the precedence with this
108 request.

109
110 Chairman Chodun advised the Commission that he wonders if they would vote differently had the request been brought up a different
111 way without having built it.

112
113 Commissioner Conway asked what would happen if they do not recommend approval.

114
115 Mr. Dahlstrom added that 570 units would not work with this type of business and finances would be affected.

116
117 Vice-Chairman Welch asked if they do not settle then what happens next. He also asked what the occupancy was at the moment.

118
119 Commissioner Moeller explained that there was deception involved that bothers him but he also does not like the fact that tenants would
120 need to be kicked out.

121
122 Mr. Dahlstrom asked that the Commission focus mainly on the land use instead of setting a precedence.

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

125
126 Steve Curtis
127 2130 FM 1141
128 Rockwall, TX 75087
129

130 Mr. Curtis came before the commission and expressed his opposition in regards to the request.

131
132 Chairman Chodun asked if anyone else wished to speak; there being no one doing such, Chairman Chodun closed the public hearing
133 and asked if the applicant wished to come back up and address the comments.

134 Commissioner Thomas added that he feels like they should not be getting involved in any legal matters.
135
136

137 Chairman Chodun added that if this were to be denied then it would affect both the applicant and the community. He does not believe
138 there would be a density issue involved.
139

140 Vice-Chairman Welch made a motion to deny item Z2020-043 as discussed. Commissioner Thomas seconded the motion and the motion
141 to deny passed by a vote of 5-2 with Commissioner Moeller and Chairman Chodun dissenting.
142

143 Due to the Commission forwarding a recommendation for denial, Planning and Zoning Manager David Gonzales added that this would
144 require ¾ majority vote for approval at the next City Council meeting.
145

146 5. **Z2020-044 (HENRY LEE)**

147 Hold a public hearing to discuss and consider a request by Casey Cox of Costal Plains Estates for the approval of a Specific Use Permit (SUP)
148 for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.21-acre parcel of land identified as
149 Lot 24, Block A, Chandler's Landing, Phase 7, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for
150 single-family residential land uses, addressed as 102 Thistle Place, and take any action necessary.
151

152 Planner Henry Lee provided a brief summary in regards to the request. The proposed single-family home meets all of the density and
153 dimensional requirements within the Unified Development Code with the exception of the garage orientation. The applicant indicated
154 that the garage will be 1-foot in front of the front façade as opposed to the 20-feet behind the front façade as indicated in the Unified
155 Development Code. This orientation is not uncharacteristic for the neighborhood and the home directly to the south also has a garage in
156 front of the front façade. Should this request be approved by the Planning and Zoning Commission and City Council then the
157 requirement would be waived. On October 17, 2020, staff mailed out 159 notices to property owners and occupants within 500-feet. All
158 homeowners associations within 1500-feet of the subject property were notified as well. Mr. Lee explained that this case is a
159 discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission.
160

161 Chairman Chodun asked the applicant to come forward.
162

163 Casey Cox
164 102 Thistle Place
165 Rockwall, TX 75087
166

167 The applicant came forward and provided additional details in regards to the request.
168

169 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
170 doing such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
171

172 Commissioner Moeller made a motion to approve item Z2020-044 with staff recommendations. Commissioner Womble seconded the
173 motion which passed by a vote of 7-0.
174
175

176 6. **Z2020-045 (RYAN MILLER)**

177 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
178 Investment, LP for the approval of a Zoning Change form a Single-Family 16 (SF-16) District and Neighborhood Services (NS) District to a
179 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.
180 Gass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District and Neighborhood Services
181 (NS) District, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.
182

183 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting to use
184 this space in a Planned Development District. The Neighborhood Services (NS) component would be taken away and converted into a
185 Planned Development (PD) that would allow for Single-Family 10 (SF-10) District uses on the property. There are 265-units that are going
186 to be 60's and 70's throughout the development. Part of what was shown on the concept plan are 193 60's (60x120) and 72 70's (70x120)
187 which gives a density of 2.19. There is a concept plan in the PD site plan phase for an amenity center in the center of this development
188 along with trail systems. Part of the request is that the applicants are providing front entry garages to the development. Approximately,
189 65% of these homes will be the traditional swing or j-swing garages with 35% being flat front entry garages. The developer is requesting
190 to set the garages back 5-feet to compensate for the flat front entry. The applicant will have to come back and indicate where the right-of-
191 way dedication will be along FM 1141 due to the 42-feet that is required. He will also be required to perform an infrastructure study to
192 ensure there will be capacity from the Stoney Hollow lift station. A flood plain study will also be necessary to delineate the fully
193 developed 100-year flood plain. Mr. Gonzales advised the Commission that there would be a couple of variances associated with the
194 request. If the zoning change is approved then there would have to be a change to the Comprehensive Plan and Future Land Use Plan in
195 that the portion for Commercial Retail would be changed to a low density Residential area. Mr. Gonzalez advised that this was a
196 discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Staff sent out 37
197 notices to property owners and occupants living within 500-feet of the subject property. All homeowners associations within 1500-feet of
198 the property were notified as well. Prior to this meeting, Staff received one email in opposition to this request. Mr. Gonzales then
199 advised the Commission that the applicant and Staff were present and available to answer questions.
200

201 Commissioner Womble asked for clarification on the reduction of the landscape buffer.

202
203 City Engineer Amy Williams wanted to clarify that the tract to the South was a City Park and not considered Agricultural or AG. She also
204 added that an infrastructure study was being conducted at the moment.

205
206 Chairman Chodun asked the applicant to come forward.

207
208 Adam Buczek
209 8214 Westchester, Suite 900
210 Dallas, TX 75225

211
212 Mr. Buczek came forward and provided a lengthy presentation in regards to the request.

213
214 Commissioner Thomas asked if there were any concerns in regards to the wideness of the street and if there were any plans to
215 expand FM 1141 out. He also asked how big the trail system was.

216
217 Commissioner Moeller asked City Engineer Amy Williams if North Country Lane was on the Master Thoroughfare Plan. Ms. Williams
218 answered that it was on the plan to be a 4-lane roadway.

219
220 Commissioner Conway expressed that she would like to see the developments not be so rectangular or straight through. She would
221 prefer streets that have a little bit more curve to them.

222
223 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward and do so at this time.

224
225 Jim Turner
226 1691 E. Old Quail Run Road
227 Rockwall, TX 75087

228
229 Mr. Turner came forward and expressed his opposition to the request.

230
231 Steve Curtis
232 2130 FM 1141
233 Rockwall, TX 75087

234
235 Mr. Curtis came forward and expressed his opposition in regards to the request.

236
237 Chairman Chodun asked if anyone else wished to speak to come forward at this time; there being no one doing such, Chairman Chodun
238 closed the public hearing and brought the item back to the Commission for discussion or action.

239
240 Chairman Chodun asked the applicant if he would like to come up to address the comments made.

241
242 Mr. Buczek came forward and addressed the comments.

243
244 Chairman Chodun asked if there were changes to the Future Land Use map and also asked for further explanation in regards to
245 Neighborhood Services.

246
247 Vice-Chairman Welch asked if they could break out the exception to the dimensional requirements with this request.

248
249 Commissioner Thomas asked if there were any plans for any road expansion on FM 1141.

250
251 Commissioner Moeller added that he would prefer to leave the zoning as is and keep more estate lots.

252
253 Commissioner Thomas made a motion to deny item Z2020-045. Commissioner Moeller seconded the motion which passed by a vote of 4-
254 3 with Commissioners Womble, Deckard, and Welch dissenting.

255
256 7. **Z2020-046 (HENRY LEE)**

257 Hold a public hearing to discuss and consider a request by Mike Whittle of Whittle & Johnson Custom Homes for the approval of a Specific Use
258 Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.15-acre parcel of
259 land identified as Lot 24, Block E, Chandler's Landing #16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8
260 (PD-8) for single-family residential land uses, addressed as 295 Victory Lane, and take any action necessary.

261

262 Planner Henry Lee provided a brief summary in regards to the request. The proposed single-family home meets all the density and
263 dimensional requirements within the Unified Development Code with the exception of the garage orientation. The applicant is proposing
264 to place the garage 19-feet in front of the front façade of the home as opposed to 20-feet behind the front façade as is required. However,
265 this orientation is not uncharacteristic to the neighborhood. Should the Planning and Zoning Commission and City Council approve this
266 request, then this requirement would be waived. On October 20, 2020, staff mailed out 129 property owners and occupants living within
267 500-feet of the subject property. All Homeowners Associations within 1500-feet of the area were notified as well. Prior to the meeting,

268 staff did receive one email in opposition of the request. Mr. Lee advised the Commission that approval of this request is a discretionary
269 decision for City Council pending a recommendation from the Planning and Zoning Commission.
270

271 Chairman Chodun asked the applicant to come forward.

272
273 Dan Warlow
274 125 Deverson Drive
275 Rockwall, TX 75087
276

277 The applicant came forward and advised that he was available to answer questions.

278
279 Commissioner Moeller asked what the issue was concerning traffic.
280

281 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward and do so at this time. There
282 being no one doing such; Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or
283 action.
284

285 Commissioner Womble made a motion to approve item Z2020-046. Commissioner Deckard seconded the motion which passed by a vote
286 of 7-0.
287

288 8. **Z2020-047 (DAVID GONZALES)**

289 Hold a public hearing to discuss and consider a request by Mitchell Fielding of F2 Capital Partners, LLC on behalf of Alex Freeman for the
290 approval of a Zoning Change form an Agricultural (AG) District to a Planned Development District for Single-Family 1 (SF-1) District land uses
291 on a 26.012-acre tract of land identified as Tract 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas,
292 zoned Agricultural (AG) District, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action
293 necessary.
294

295 Chairman Chodun advised the Commission that Staff had received a request to withdraw from the applicant.

296
297 Commissioner Moeller made a motion to approve the request to withdraw item Z2020-047. Commissioner Thomas seconded the motion
298 which passed by a vote of 7-0.
299

300 V. ACTION ITEMS
301

302 9. **SP2020-027 (HENRY LEE)**

303 Discuss and consider a request by Cameron Slown of F. C. Cuny on behalf of the owner N & H Legacy for the approval of a Site Plan for a multi-
304 tenant retail building on a 2.22-acre tract of land identified as Lots 8 & 11, Block 1, Alliance Addition, Phase 2, City of Rockwall, Rockwall
305 County, Texas, zoned Planned Development District 57 (PD-57) for Commercial (C) District land uses, situated at the southeast corner of the
306 intersection of Andrews Drive and Horizon Road [FM-3097], and take any action necessary.
307

308 Planner Henry Lee provided a brief summary in regards to the request. In January of 2017, a site plan was approved for this location but
309 it expired and the applicant decided to resubmit this request. The applicant is proposing a 21,200 square foot multi-tenant one story
310 building constructed of stone, brick, and stucco. His request meets all the density requirements within the Unified Development Code
311 (UDC) but the proposed building does not meet the articulation requirements. Their compensatory measure for this is the use of 100%
312 masonry materials and incorporating 46% stone. All requests and exceptions are a discretionary decision for the Planning and Zoning
313 Commission and require a majority vote. On October 27, 2020, the Architectural Review Board (ARB) approved the proposed building
314 elevations except for them wanting an arched element on the western façade to be flattened which the applicant did correct. A condition
315 of approval is the submission of a treescape plan for review by staff before engineering plans may be submitted.
316

317 Chairman Chodun asked the applicant to come forward.

318
319 Jimmy Strohmeyer
320 2701 Sunset Ridge
321 Rockwall, TX 75032
322

323 Mr. Strohmeyer came forward and provided additional details in regards to his request.
324

325 Commissioner Thomas made a motion to approve item SP2020-027 with staff recommendations. Vice-Chairman Welch seconded the
326 motion which passed by a vote of 7-0.
327

328 VI. DISCUSSION ITEMS
329

330 10. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
331

- 332 • P2020-036: Final Plat for Lots 1, 2, & 3, Block A, Harbor Hills Addition [APPROVED]
- 333 • P2020-037: Preliminary Plat for Lots 1-9, Block A and Lot 1, Block X, Avery Farm Addition [APPROVED]
- 334 • Z2020-039: Text Amendment to Article 05, District Development Standards, of the UDC [APPROVED; 1st READING]

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- Z2020-040: Text Amendment to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan [APPROVED; 1st READING]
- MIS2020-011: Special Request for 247 Chris Drive [APPROVED]

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

VII. ADJOURNMENT

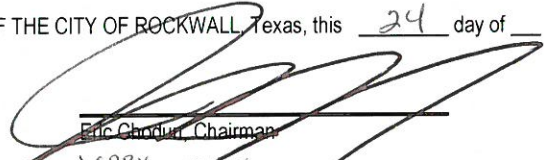
Chairman Chodun adjourned the meeting at 8:05 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 24 day of November, 2020.

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 24, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Vice-Chairman Welch called the meeting to order at 6:01 PM. Commissioners present were John Womble, Mark Moeller, and Jean
5 Conway. Absent from the meeting were Chairman Eric Chodun and Commissioners Derek Deckard and Sedric Thomas. Staff members
6 present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning
7 and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams, and Civil Engineer Sarah Johnston.
8

9 II. OPEN FORUM
10

11 Vice-Chairman Welch explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There
12 being no one coming forward, Vice-Chairman Welch closed the open forum.
13

14 III. APPOINTMENTS
15

- 16 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments
17 for items on the agenda requiring architectural review.
18

19 A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the
20 Architectural Review Board meeting.
21

22 IV. CONSENT AGENDA
23

- 24 2. Approval of Minutes for the November 10, 2020 Planning and Zoning Commission meeting.
25

26 3. **P2020-048** (DAVID GONZALES)

27 Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval
28 of a Replat for Lots 4-7, Block A, Dalton Goliad Addition being a 5.683-acre parcel of land identified as Lot 2, Block A, Dalton Goliad Addition, City
29 of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the N. SH-205 Overlay (N. SH-205 OV) District, generally
30 located on the west side of SH-205 north of the intersection of SH-205 and FM-552, and take any action necessary.
31

32 4. **SP2020-030** (DAVID GONZALES)

33 Discuss and consider a request by Jason Linscott of Texas Health Hospital Rockwall for the approval of an Amended Site Plan for the central
34 utility plant associated with an existing hospital (*i.e. Presbyterian Hospital of Rockwall*) that is situated on a 17.562-acre parcel of land identified
35 as Lot 23, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9
36 (PD-9) for General Retail (GR) District land uses, addressed as 3150 Horizon Road, and take any action necessary.
37

38 Commissioner Womble made a motion to approve the consent agenda. Commissioner Moeller seconded the motion which passed by
39 a vote of 4-0 with Chairman Chodun and Commissioners Deckard and Thomas absent.
40

41 V. ACTION ITEMS
42

43 5. **MIS2020-015** (DAVID GONZALES)

44 Discuss and consider a request by Gary Gordon for the approval of a Special Exception to allow a front yard fence on a 0.687-acre parcel of land
45 identified as Lot 1, Block A, Barz Acre Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as
46 222 W. Quail Run Road, and take any action necessary.
47

48 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting a front
49 yard fence for the property. The fence will be a wrought iron fence to exceed 48-inches in height. The proposed fence will be 52-inches
50 tall and there will be a decorative metal design attached at the top. Mr. Gonzales then advised the Commission that the applicant and
51 staff were present and available for questions.
52

53 Vice-Chairman Welch asked the applicant to come forward.
54

55 Gary Gordon
56 222 W. Quail Run
57 Rockwall, TX 75032
58

59 Mr. Gordon came forward and provided an explanation in regards to is request. His main reasoning for the fence was due to having
60 safety issues. He stated that if he was only allowed to do the 48-inhces then he would abide by that.
61

62 Vice-Chairman Welch asked if there were any pictures showing the proposed décor of the fence.

63 Commissioner Moeller asked about the fence being in the right-of-way and if the applicant would be willing to move it back the
64 appropriate distance.

65
66 Commissioner Womble made a motion to approve item MIS2020-015 at 48-inches out of the right-of-way and within property lines.
67 Commissioner Moeller seconded the motion which passed by a vote of 4-0.
68

69 6. MIS2020-017 (RYAN MILLER)

70 Discuss and consider a request by Jim Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LLP for the approval of a *Miscellaneous*
71 *Request* for a variance to the underground utility requirements stipulated by the Municipal Code of Ordinances and the Unified Development Code
72 (UDC) for a 1.064-acre parcel of land identified as Lot 11, Block A, The Rockwall-Harbor Addition, City of Rockwall, Rockwall County, Texas,
73 zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, generally located between 2125 & 2600
74 Lakefront Trail, and take any action necessary.
75

76 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting the approval
77 of a variance to the underground utilities located between 2125 & 2600 Lakefront Trail. Mr. Miller explained that the applicant is currently
78 constructing a 375-unit condominium building addressed as 2600 Lakefront Trail. As part of that case. The applicant was proposing to
79 construct a public garage for the Harbor retail. After going through all the necessary approvals, the applicant is now in the construction
80 phase of his projects. During the construction, he came upon an issue. Currently, there are above ground power lines that run along
81 Lakefront Trail and cross roughly in the middle of the proposed parking garage then continue in the right-of-way of Lakefront Trail to
82 Summer Lee. At the corner of the property there is a pole and underneath that area are 2 RCBs (reinforced concrete boxes) that run
83 parallel there. The applicant is trying to underground the utilities as they're doing with the rest of the site but they're having a problem
84 with it. Staff and the applicant met with Oncor who stated that these utilities may not be undergrounded in this area. What the applicant's
85 only recourse is to come before the Planning & Zoning Commission and ask to be allowed to leave above ground utilities in this corner.
86 Mr. Miller advised the Commission that the applicant and Staff were present and available for questions.
87

88 Vice-Chairman Welch asked the applicant to come forward.

89
90 Jim Ziegler
91 6205 Wichita Trail
92 Flower Mound, TX 75022
93

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

95
96 Commissioner Womble asked what the long term plan was and if the applicant exhausted all efforts to find another solution.
97

98 Commissioner Conway made a motion to approve item MIS2020-017. Commissioner Womble seconded the motion which passed by a
99 vote of 4-0.
100

101 VI. DISCUSSION ITEMS

102
103 7. Z2020-041 (RYAN MILLER)

104 Hold a public hearing to discuss and consider approval of a *Text Amendment* to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV)*
105 *District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending
106 the requirements for land use and development within the *Lake Ray Hubbard Takeline*, and take any action necessary.
107

108 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. Mr. Miller explained that there was a work
109 session held with City Council in which they, at the direction of Mayor Pruitt, requested that Staff review the Takeline. Specifically, the
110 task was to provide clear requirements with regards to the land uses, building materials, and construction standards currently permitted
111 in the Takeline. Also, Staff was tasked to provide incentives for more property owners to take advantage of leasing the Takeline
112 properties. Another thing Staff did was take properties who have larger amounts of Takeline and changed the way that those are
113 measured to allow structures to be put down closer to the boat docks. Staff also reduced the cost of Takeline ordinances for both people
114 seeking new leases from \$600 to \$200 as well as the annual renewal of a lease from \$350 to \$100. Standards for sea walls and erosion
115 control of the shoreline were also added to the ordinance. Mr. Miller then advised the Commission that this item will come back for
116 action at the next meeting and that he was available for questions.
117

118 Vice-Chairman Welch if this had any impact on existing property owners who lease the Takeline already.

119 Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.
120

121 8. Z2020-048 (HENRY LEE)

122 Hold a public hearing to discuss and consider a request by Brenda Kennedy for the approval of a *Specific Use Permit (SUP)* for *Residential Infill*
123 *in an Established Subdivision* for the purpose of constructing a single-family home on a 0.34-acre parcel of land identified as Lot 1, Block A,
124 Richard Harris Subdivision #5, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 701 T. L. Townsend
125 Drive, and take any action necessary.
126

127 Planner Henry Lee provided a brief summary in regards to the request and advised that his applicant was present.
128

129 Vice-Chairman Welch asked the applicant to come forward.

131 Brenda Kennedy
132 1630 Shores Blvd.
133 Rockwall, TX 75087

134
135 The applicant came forward and provided additional details in regards to the request.

136
137 Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

138
139 9. Z2020-049 (HENRY LEE)

140 Hold a public hearing to discuss and consider a request Sam Hernandez for the approval of a Specific Use Permit (SUP) for Residential Infill
141 Adjacent to an Established Subdivision for the purpose of constructing a single-family home on a 0.2342-acre parcel of land identified as Lot 48
142 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential
143 Neighborhood Overlay (SRO) District, addressed as 304 E. Bourn Street, and take any action necessary.

144
145 Planner Henry Lee advised that the applicant was present.

146
147 Vice-Chairman Welch asked the applicant to come forward.

148
149 Sam Hernandez & Vanessa Hernandez.
150 6914 Field Lark Rd
151 Arlington, TX 76002

152
153 The applicant came forward and provided a brief summary in regards to this request.

154
155 Commissioner Womble asked why the applicant could not meet the requirement without redesigning. Mr. Miller added that that will not
156 solve the problem because it's measured from the front façade.

157 Commissioner Moeller asked if there was another lot next to it and if it was developable.

158 Commissioner Conway asked if there was room for a large two story house on the lot.

159
160 Planner Henry Lee added that they are proposing to do ethos or stucco on their building elevations.

161
162 Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

163
164 10. Z2020-050 (HENRY LEE)

165 Hold a public hearing to discuss and consider a request Perry Bowen on behalf of Kyle Bryan for the approval of a Specific Use Permit (SUP) for
166 Residential Infill Adjacent to an Established Subdivision for the purpose of constructing a single-family home on a 0.9655-acre parcel of land
167 identified as Lot A, Block 107, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed
168 as 501 S. Clark Street, and take any action necessary.

169
170 Vice-Chairman Welch asked the applicant to come forward.

171
172 Perry Bowen
173 230 Myers Rd
174 Heath, TX 75032

175
176 The applicant came forward and provided a brief summary in regards to the request.

177
178 Planner Henry Lee added that this request would also require a variance for the garage setback.

179
180 Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

181
182 11. Z2020-051 (HENRY LEE)

183 Hold a public hearing to discuss and consider a request Travis Redden for the approval of a Specific Use Permit (SUP) for Residential Infill
184 Adjacent to an Established Subdivision for the purpose of constructing a single-family home on a 0.30-acre parcel of land identified as Lot 8, Block
185 A, Shadydale Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single-Family 8.4
186 (SF-8.4) District land uses, addressed as 38 Shady Dale Lane, and take any action necessary.

187
188 Vice-Chairman Welch asked the applicant to come forward.

189
190 Travis Redden
191 1115 Concan Drive
192 Forney, TX 75126

193
194 The applicant came forward and provided a brief summary in regards to the request.

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Planner Henry Lee added that Staff found during the housing analysis that most of the homes were brick or stone entirely with the exception of one home. The proposed home would consist of brick and siding.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

12. Z2020-052 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Thomas Jones of Tomden Engineering, LLP on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for 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 Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 5651 SH-276, and take any action necessary.

Vice-Chairman Welch asked the applicant to come forward.

Tom Jones
5815 Meadowcrest Drive
Dallas, TX 75230

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

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

13. Z2020-053 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by David Meinhardt of Meinhardt & Associates, PLLC on behalf of Ed Burke of Channell Commercial Corporation for the approval of a Zoning Change from a Light Industrial (LI) District to a Planned Development District for Light Industrial (LI) District land uses on an 18.762-acre parcel of land identified as Lot 2, Block A, Channell Subdivision, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 Justin Road, and take any action necessary.

Planning and Zoning Director Ryan Miller advised that his applicant was present. He reminded the Commission that this is an existing facility at the corner of John King and Justin Road.

Vice-Chairman Welch asked the applicant to come forward.

Bill Channell
1700 Justin Road
Rockwall, TX 75087

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

Mr. Miller that there will be an amphitheater that will be visible from John King. It will encroach into those areas with a wall structure but it won't change the existing appearance of the building. The new building will also be visible from John King but will face onto Justin Road. The applicant will also be adding some sale canopies in the parking areas.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

14. Z2020-054 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Corky Belanger for the approval of a Specific Use Permit from an accessory structure on a 0.161-acre parcel of land identified as Lot 9, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 707 Parks Avenue, and take any action necessary.

Vice-Chairman asked the applicant to come forward.

Corky Belanger
707 Parks Avenue
Rockwall, TX 75087

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

Planner Henry lee added that the proposed accessory structure is nearly 50% of the primary structure.

Mr. Miller asked if Mr. Belanger was adhering to both of the setbacks along the back of the property. Commissioner Moeller asked if there were any other buildings in the back of the property.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

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15. **P2020-047 (DAVID GONZALES)**

Discuss and consider a request by Pat Atkins of KPA Consulting on behalf of Pat Atkins of CDT Rockwall 2017, LLC for the approval of a Preliminary 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.

Planning and Zoning Manager David Gonzales advised that his applicant was present but the only reason the item was on the Discussion Items was because it needs to go before the Parks Board. This case will come back on Consent Agenda at the next meeting. He also added that the property is under Mount Zion Water, to which they need to opt out of, and hook onto City water. There also is no capacity from the Stoney Hollow lift station so they'll need to do an infrastructure study for that.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

16. **P2020-049 (DAVID GONZALES)**

Discuss and consider a request by Danielle Porten of REP Investments, LLC for the approval of a Preliminary Plat for Lots 1-6, Block A, 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 asked the applicant's representative to come forward.

**Jeff Carroll
750 E. I-30
Rockwall, TX 75087**

The applicant's representative came forward and provided a brief summary in regards to the request.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

17. **SP2020-031 (DAVID GONZALES)**

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

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. He advised that Staff would be working with the applicant in regards to the issues found by the Architectural Review Board and other site plan items associated with this plan.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

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

- ✓ P2020-044: Preliminary Plat for the Saddle Star North Subdivision [APPROVED]
- ✓ P2020-046: Preliminary Plat for Phase 2 of the Gideon Grove Subdivision [APPROVED]
- ✓ Z2020-043: SUP for Mini-Warehouse at 1245 SH-276 [APPROVED; 1st READING]
- ✓ Z2020-044: SUP for Residential Infill in an Established Subdivision at 102 Thistle Place [APPROVED; 1st READING]
- ✓ Z2020-045: Zoning Change for Nelson Lake Estates [DENIED]

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

VII. ADJOURNMENT

Vice-Chairman Welch adjourned the meeting at 6:59 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
8 day of December, 2020.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
DECEMBER 8, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

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

8 **Chairman Chodun advised that the Commission would recess to Executive Session and adjourned the meeting at 6:02 pm.**

9
10
11 II. EXECUTIVE SESSION

12
13 The Planning and Zoning Commission will recess into Executive Session to discuss the following matters as authorized by Chapter 551, *Open*
14 *Meetings*, of the Texas Government Code:

- 15
16 (1) Discussion regarding matters that can be legally considered when reviewing zoning cases pursuant to Section 551.071 (Consultation with
17 Attorney).

18
19 III. ADJOURN EXECUTIVE SESSION/RECONVENE PUBLIC HEARING (6:30 PM)

20
21 **Chairman Chodun brought the meeting back to order at 6:36 PM.**

22
23 IV. OPEN FORUM

24
25 **Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.**

26
27 **Steve Curtis**
28 **2130 FM 1141**
29 **Rockwall, TX 75087**

30
31 **Mr. Curtis came forward and expressed his opposition to the case regarding FM 552 @ FM 1141 development.**

32
33 **Chairman Chodun asked if anyone else wished to speak; there being no one coming forward, Chairman Chodun closed the open forum.**

34
35 V. APPOINTMENTS

- 36
37 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments
38 for items on the agenda requiring architectural review.

39
40 **A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at**
41 **the Architectural Review Board meeting.**

- 42
43 2. Appointment with Adam Buczek of the Skorburg Co. on behalf of Ryan Joyce of Michael Joyce Properties, LLC to consider a request to submit a
44 new zoning application for a zoning change in accordance with Section 02.05, *City Council Action*, of Article 11, *Development Applications and*
45 *Review Procedures*, of the Unified Development Code (UDC), and take any action necessary.

46
47 **Director of Planning and Zoning Ryan Miller provided a brief summary in regards. The applicant had previously requested a zoning**
48 **change for 121.16 acres of land located at the southeast corner of FM 1141 and FM 552. The land was zoned Single-Family 16 (SF-16)**
49 **District and Neighborhood Services and the applicant was requesting that it be changed to a Planned Development District. The**
50 **proposed land will consist of a 264 residential lot subdivision. Ultimately, the Planning and Zoning Commission heard the case and**
51 **recommended denial which then caused a super majority at the City Council. The City Council made a motion to approve the case but**
52 **that failed by a vote of 5-2 due to not having a super majority. That denial restricts the applicant from submitting the same application for**
53 **a period of one year. According to the Unified Development Code, an applicant is allowed to submit a written request to the Director of**
54 **Planning and Zoning requesting to resubmit an application based on two (2) criteria: an actual change of conditions relating to the lot or**
55 **if the new request is more restrictive or less intense land use than the previously denied request. After the Director of Planning and**
56 **Zoning reviews the case and affirms that it meets the criteria, he must report to the Planning and Zoning Commission on whether or not**
57 **the request meets the criteria and the Commission must then grant or deny the request for reapplication.**

58
59 **Adam Buczek**
60 **8214 Westchester Drive, Suite 900**
61 **Dallas, TX 75225**

62
63 **Mr. Buczek came forward and asked for a plea to be able to resubmit their application.**
64

65 Commissioner Deckard made a motion to approve the resubmission of the Nelson Lakes development. Commissioner Moeller seconded
66 the motion which passed by a vote of 6-1, with Vice-Chairman Welch dissenting.

67 VI. CONSENT AGENDA

68 3. Approval of Minutes for the November 24, 2020 Planning and Zoning Commission meeting.

69 4. **P2020-047 (DAVID GONZALES)**

70 Discuss and consider a request by Pat Atkins of KPA Consulting on behalf of Pat Atkins of CDT Rockwall 2017, LLC for the approval of a
71 Preliminary 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
72 as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79
73 (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
74 on the east side of John King Boulevard northeast of the intersection of John King Boulevard and Featherstone Drive, and take any action
75 necessary.
76
77

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

80 VII. PUBLIC HEARING ITEMS

81 5. **Z2020-041 (RYAN MILLER)**

82 Hold a public hearing to discuss and consider approval of a Text Amendment to Subsection 06.15, Lake Ray Hubbard Takeline Overlay (TL OV)
83 District, of Article 05, District Development Standards, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of
84 amending the requirements for land use and development within the Lake Ray Hubbard Takeline, and take any action necessary.
85
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89

90 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. In response to the Mayor's request for
91 clearer requirements to the Takeline ordinance, Mr. Miller rewrote the ordinance to make these changes along with incentives to help
92 property owners take advantage of these leases. Staff has also included more visual graphics to assist in knowing what uses are
93 allowed in that particular area and decreased the cost of the Takeline leases and renewal cost. Staff sent out a 15+-day notice in
94 accordance with our Unified Development Code (UDC) and state law. Mr. Miller then advised that he was available to answer questions.
95

96 Commissioner Deckard wanted further explanation in regards to leasable and non-leasable areas.

97 Chairman Chodun asked what the basis was for generating rules and regulations.

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

100 Commissioner Conway made a motion to approve item Z2020-041. Commissioner Thomas seconded the motion which passed by a vote
101 of 7-0.
102

103 6. **Z2020-048 (HENRY LEE)**

104 Hold a public hearing to discuss and consider a request by Brenda Kennedy for the approval of a Specific Use Permit (SUP) for Residential Infill
105 Adjacent to an Established Subdivision for the purpose of constructing a single-family home on a 0.34-acre parcel of land identified as Lot 1,
106 Block A, Richard Harris Subdivision #5, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 701 T. L.
107 Townsend Drive, and take any action necessary.
108
109
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111

112 Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the approval of a Specific Use Permit
113 (SUP) for the purpose of constructing a single family home. This request is coming before the Commission due to it being within 500-
114 feet of the Harris Subdivision and the B.F. Subdivision. Both of these neighborhood are considered established subdivisions due to
115 them being greater than 10 years of age, greater than 5 lots, and greater than 90% developed. Staff mailed out 47 notices to property
116 owners and residents living within 500-feet of the requested property and also alerted any homeowners associations within 1500-feet of
117 the subject area. At the time this was drafted, Staff had received 4 emails and 3 notices in opposition of the applicant's request. Mr. Lee
118 explained that this case was a discretionary decision for the City Council pending a recommendation from the Planning and Zoning
119 Commission.
120

121 Chairman Chodun asked the applicant to come forward.

122
123 Brenda Kennedy
124 1630 Shores Blvd.
125 Rockwall, TX 75087
126

127 The applicant came forward and asked for approval of the request.

128 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
129 doing such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
130
131

132 Commissioner Womble made a motion to approve Z2020-048. Commissioner Deckard seconded the motion which passed by a vote of 6-
133 1 with Commissioner Conway dissenting.

134 Chairman Chodun advised that this case will go before the City Council on December 21, 2020.
135
136

137 7. **Z2020-049 (HENRY LEE)**

138 Hold a public hearing to discuss and consider a request Sam Hernandez for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in*
139 *an Established Subdivision* for the purpose of constructing a single-family home on a 0.2342-acre parcel of land identified as Lot 48 of the
140 Canup's Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential
141 Neighborhood Overlay (SRO) District, addressed as 304 E. Bourn Street, and take any action necessary.
142

143 Planner Henry Lee provided a summary in regards to the request. The applicant is requesting the approval of a Specific Use Permit to
144 construct a two-story home facing E. Bourn Street. The applicants have stated that they were open to any changes that needed to be
145 made. On November 18, 2020, Staff mailed out 108 notices to property owners and occupants within 500-feet and also to any
146 homeowner associations within 1500-feet. This case is a discretionary decision to the City Council pending a recommendation from the
147 Planning and Zoning Commission. Mr. Lee then advised the Commission that the applicant was present.
148

149 Chairman Chodun asked the applicant to come forward.

150
151 Sam Hernandez/ Vanessa Hernandez
152 1721 Caddo Drive
153 Irving, TX 75060
154

155 The applicants came forward and were prepared to answer questions and make any changes as needed.
156

157 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
158 doing such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
159

160 Commissioner Thomas made a motion to approve item Z2020-049. Commissioner Welch seconded the motion which passed by a vote of
161 7-0.
162

163 Chairman Chodun advised that this case will go before the City Council on December 21, 2020.
164

165 8. **Z2020-050 (HENRY LEE)**

166 Hold a public hearing to discuss and consider a request Perry Bowen on behalf of Kyle Bryan for the approval of a *Specific Use Permit (SUP)* for
167 *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.9655-acre parcel of land identified as
168 Lot A, Block 107, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 501 S.
169 Clark Street, and take any action necessary.
170

171 Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the approval of a Specific Use Permit
172 to construct a single-family two-story home facing Clark Street. Staff sent out 87 notices to property owners and occupants living within
173 500-feet of the subject property and any homeowners associations within 1500-feet. Prior to the meeting, Staff had received 1 notice in
174 favor of the request. As always, this request is a discretionary decision for the City Council pending a recommendation from the
175 Planning and Zoning Commission.
176

177 Chairman Chodun asked the applicant to come forward.
178

179 Kyle Bryan
180 1303 Laurence Drive
181 Heath, TX 75032
182

183 The applicant came forward and provided additional details to his request. He also brought building renderings to present to the
184 Commission.
185

186 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
187 doing such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
188

189 Commissioner Thomas made a motion to approve item Z2020-050. Commissioner Conway seconded the motion which passed by a vote
190 of 7-0.
191

192 Chairman Chodun advised that this case will go before the City Council on December 21, 2020.
193

194 9. **Z2020-051 (HENRY LEE)**

195 Hold a public hearing to discuss and consider a request Travis Redden for the approval of a *Specific Use Permit (SUP)* for *Residential Infill*
196 *Adjacent to an Established Subdivision* for the purpose of constructing a single-family home on a 0.30-acre parcel of land identified as Lot 8,
197 Block A, Shadydale Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single-Family
198 8.4 (SF-8.4) District land uses, addressed as 38 Shady Dale Lane, and take any action necessary.

Planner Henry Lee provided a summary in regards to the request. The applicants are requesting the approval of a Specific Use Permit for the purpose of constructing a single-family home facing Shadydale Lane. Staff should note that the proposed home meets all the requirements described by the Unified Development Code. Staff mailed out 81 notices to property owners and occupants living within 500-feet of the subject property and any homeowners associations within 1500-feet of the subject property. At the time this report was drafted, Staff had received 1 notice in support of the request and 14 in opposition of the request. This case is a discretionary decision to the City Council pending a recommendation from the Planning and Zoning Commission.

Chairman Chodun asked the applicant to come forward.

Travis Redden/ Chelsea Redden
1115 Concan Drive
Forney, TX 75126

The applicants 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.

Chris Pittman
42 Shadydale Lane
Rockwall, TX 75032

He came forward and expressed his opposition to the request.

Terry Bybee
2 Shadydale Drive
Rockwall, TX 75032

Mr. Bybee came forward and provided a brief history of the neighborhood. He also expressed his opposition to the request.

John Hackerman
30 Shadydale Lane
Rockwall, TX 75032

He came forward and expressed his opposition to the request.

Karen Slabas
50 Shadydale Lane
Rockwall, TX 75032

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

Gerald Thornly
2996 Hunters Glen North
Rockwall, TX 75032

Mr. Thornly 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 asked the applicant to return to address comments.

The applicants came forward once again and addressed comments made by the homeowners. She provided a USB drive to provide building elevations.

Vice-Chairman Welch made a motion to approve item Z2020-051. Commissioner Thomas seconded the motion which passed by vote of 6-1 with Commissioner Conway dissenting.

Chairman Chodun advised that this case will go before the City Council on December 21, 2020.

10. **Z2020-052 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Thomas Jones of Tomden Engineering, LLP on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for 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 Agricultural (AG) 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 the request. The applicant is requesting the approval of a zoning change from Agricultural (AG) District to Commercial (C) District for the purpose of expanding their current house of worship. The

266 existing house of worship is proposing to construct an addition and increase the parking capacity to accommodate new and future
267 improvements. On November 18, 2020, Staff mailed out 13 notices to occupants and property owners living within 500-feet of the subject
268 property. Approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning
269 and Zoning Commission.

270
271 Chairman Chodun asked the applicant to come forward.

272
273 Thomas Jones
274 5815 Meadow Crest Drive
275 Dallas, TX 75230
276

277 Mr. Jones came forward and provided additional details in regards to their applicant's request.
278

279 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
280 doing such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
281

282 Commissioner Thomas made a motion to approve item Z2020-052. Commissioner Conway seconded the motion which passed by a vote
283 of 7-0.
284

285 Chairman Chodun advised that this case will go before the City Council on December 21, 2020.
286

287 11. Z2020-053 (RYAN MILLER)

288 Hold a public hearing to discuss and consider a request by David Meinhardt of Meinhardt & Associates, PLLC on behalf of Ed Burke of Channell
289 Commercial Corporation for the approval of a Zoning Change from a Light Industrial (LI) District to a Planned Development District for Light
290 Industrial (LI) District land uses on an 18.762-acre parcel of land identified as Lot 2, Block A, Channell Subdivision, City of Rockwall, Rockwall
291 County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700
292 Justin Road, and take any action necessary.
293

294 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is requesting the approval
295 of a zoning change from Light Industrial (LI) District to a Planned Development District for Light Industrial (LI) District land uses. The site
296 is currently corporate headquarters and manufacturing facility for the Channel Commercial Corporation. The building was constructed in
297 2015 and has seen subsequent site plans approved in the past. Those allowed the applicant to defer the landscaping in the front. Thru all
298 of these site plans, the owner has indicated an intention to create a corporate campus that involved uses beyond usage office
299 manufacturing. In one of the previous site plans, the owner indicated the incorporation of an amphitheater. Mr. Channel has since come
300 forward with a new plan with an additional 55,760 square-foot building, amphitheater and pavilion. An issue that arose, was that the
301 Light Industrial District is not written for those types of uses in mind. Staff decided that a Planned Development District would be best
302 for this type of usage. Notices were mailed out to occupants and property owners within 500-feet of the subject property. Mr. Miller then
303 advised that the applicant and Staff were present to answer questions.
304

305 Chairman Chodun asked the applicant to come forward.
306

307 David Meinhardt
308 14643 Dallas Parkway
309 Dallas, TX 75254
310

311 The applicant came forward and was prepared to answer questions.
312

313 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
314 doing such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
315

316 Commissioner Moeller made a motion to approve item Z2020-053. Commissioner Welch seconded the motion which passed by a vote of
317 7-0.
318

319 Chairman Chodun advised that this case will go before the City Council on December 21, 2020.
320

321 12. Z2020-054 (HENRY LEE)

322 Hold a public hearing to discuss and consider a request by Corky Belanger for the approval of a Specific Use Permit from an accessory structure
323 on a 0.161-acre parcel of land identified as Lot 9, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7
324 (SF-7) District, addressed as 707 Parks Avenue, and take any action necessary.
325

326 Planner Henry Lee provided a brief summary in regards to the request. The applicant is [proposing a 20x30 or 600 square foot accessory
327 building. According to the Unified Development Code, Single-Family 7 district is allowed 2 accessory structures each 144 square-foot or
328 1 accessory building at 144 square feet and 1 detached garage at 625 square feet. In this case, the applicant's request conforms to the
329 setback and height requirements; however, the accessory building proposed exceeds the maximum size by 456 square-feet-which is
330 almost half the size of the residential home. On November 18, 2020, Staff mailed out 150 notices to all residents and property owners
331 within 500-feet of the subject property and notified all homeowner associations within 1500-feet of the subject property. .
332

333 Chairman Chodun asked the applicant to come forward.

334
335 **Corky Belanger**
336 **707 Parks Avenue**
337 **Rockwall, TX 75087**
338

339 The applicant came forward and was prepared to answer questions.

340
341 Commissioner Thomas asked if there was a reason why it was exceeding the requirement.

342
343 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
344 doing such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

345
346 Commissioner Womble made a motion to deny item Z2020-054. Commissioner Thomas seconded the motion which passed by a vote of
347 7-0.

348
349 Chairman Chodun advised that this case will go before the City Council on December 21, 2020.

350
351 VIII. ACTION ITEMS

352
353 13. **SP2020-031 (DAVID GONZALES)**

354 Discuss and consider a request by Darrel Kotzur, PE of KSA Engineers on behalf of the owner Mary Courtin of Courtin Dental for the approval of
355 a Site Plan for a daycare facility and a medial office on a 1.743-acre tract of land identified as a portion of Lot 9, Block A, Flagstone Corners
356 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 54 (PD-54) for Commercial (C) District land uses,
357 situated at the southeast corner of the intersection of E. Ralph Hall Parkway and Mims Road, and take any action necessary.
358

359
360 **Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is proposing 2 facilities**
361 **on this property. One is a medical office building and the other is a daycare facility. Mr. Gonzales added that there were a number of**
362 **exceptions being asked: 1 for the medical office and 3 for the daycare facility. These were reviewed by the Architectural Review Board**
363 **(ARB) and horizontal articulation is not being met. The ARB was pleased with the medical office building and they were wanting for the**
364 **daycare to be similar and be blended in with a hill country type of look. Mr. Gonzales went into further discussion in regards to the**
365 **details and articulation of the buildings. Staff wanted to indicate that the proposed plan does appear to conform to the comprehensive**
366 **plan requirements. The daycare facility will not comply with the intent of the comprehensive plan. The ARB and applicant met and ARB**
367 **is forwarding a recommendation of approval for the variances requested dental facility but forwarding a recommendation of denial for**
368 **the variances being requested on the daycare facility. Mr. Gonzales advised that the applicant and Staff were present to answer**
369 **questions.**

370 Commissioner Womble asked for clarification in regards to this case being a site plan case only.

371
372 Commissioner Deckard asked there was a second floor to the building. He also asked if there was a flat roof option.

373
374 Vice-Chairman Welch asked if they could vote by building or by each exception.

375
376 Chairman Chodun asked the applicant to come forward.

377
378 **Drew Hayes**
379 **3227 McKinney Ave**
380 **Dallas, TX 75204**
381

382 Mr. Hayes came forward and provided an explanation to his request.

383
384 **Mary Courtin**
385 **3063 W FM 550**
386 **Rockwall, TX 75032**
387

388 Ms. Courtin came forward and was prepared to answer questions.

389 Commissioner Deckard wanted clarification on how to vote on this item.

390
391 Commissioner Deckard made a motion to approve the site plan with staff recommendations for item SP2020-031. Commissioner Thomas
392 seconded the motion which passed by a vote of 7-0.

393
394 Commissioner Deckard made a motion to approve the horizontal articulation variance for the medical office building on item SP2020-
395 031. Commissioner Womble seconded the motion which passed by a vote of 7-0.

396
397 Commissioner Womble made a motion to approve the fence variance on item SP2020-031. Commissioner Conway seconded the
398 motion which passed by a vote of 6-1 with Vice-Chairman Welch dissenting.
399

400 Commissioner Deckard made a motion to deny horizontal articulation on primary and secondary facades on item SP2020-031.
401 Commissioner Thomas seconded the motion which passed by a vote of 7-0.
402

403 IX. DISCUSSION ITEMS
404

405 14. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
406

- 407 • P2020-048: Replat for Lots 4-7, Block A, Dalton Goliad Addition
- 408 • MIS2020-017: Variance to the Underground Utility Requirements for 2600 Lakefront Trail
- 409


410 Planning and Zoning Manager David Gonzales provided a brief update about the outcome of the above referenced cases at the City
411 Council meeting.
412

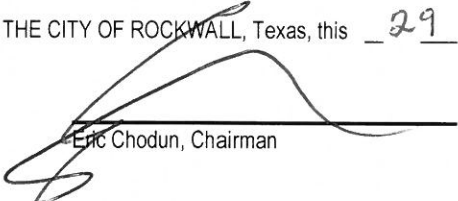
413 X. ADJOURNMENT
414

415 Chairman Chodun adjourned the meeting at 8:33 PM.
416

417
418 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 29 day of December, 2020.
419
420

421
422
423 Attest:

424 
425 _____
426 Angelica Gamez, Planning and Zoning Coordinator
427


Eric Chodun, Chairman

MINUTES



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

2 I. CALL TO ORDER
3

4 Chairman Chodun called the meeting to order at 6:00 PM. Commissioners present were Mark Moeller, Jean Conway, Sedric Thomas,
5 and Vice-Chairman Jerry Welch. Absent from the meeting were Commissioners Derek Deckard and John Womble. Staff members
6 present were Planning and Zoning Director Ryan Miller, Civil Engineers Sarah Johnston and Jeremy White, and City Engineer Amy
7 Williams. Absent from the meeting were Planning and Zoning Manager David Gonzales, Planner Henry Lee, and Planning and Zoning
8 Coordinator Angelica Gamez.
9

10 II. OPEN FORUM
11

12 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There
13 being no one coming forward, Chairman Chodun closed the open forum.
14

15 III. APPOINTMENTS
16

17 Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments
18 for items on the agenda requiring architectural review.
19

20 A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the
21 Architectural Review Board meeting.
22

23 IV. CONSENT AGENDA
24

25 1. Approval of Minutes for the December 8, 2020 Planning and Zoning Commission meeting.
26

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

28 Consider a request by Bryan Connally of CBG Surveying, TX LLC on behalf of SDI S. Rockwall, LLC for the approval of a Final Plat for Lot 1,
29 Block A, SDI Rockwall Addition being a 0.92-acre parcel of land identified as Lot 1, Block A, Mr. M Addition, City of Rockwall, Rockwall County,
30 Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District,
31 addressed as 2901 Ridge Road, and take any action necessary.
32

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

34 Consider a request by J. W. Jones on behalf of Lupe Guardiola for the approval of a Replat for Lot 1, Block I, Lake Rockwall Estates East Addition
35 being a 0.22-acre tract of land identified as Lot 1051 and a portion of Lot 1050 of the Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall
36 County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 247 Chris Drive, and
37 take any action necessary.
38

39 Vice-Chairman Welch made a motion to approve the consent agenda. Commissioner Thomas seconded the motion which passed by a
40 vote of 5-0 with Commissioners Deckard and Womble absent.
41

42 V. ACTION ITEMS
43

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

45 Discuss and consider a request by Tim Lyssy of Rockwall Independent School District (RISD) for the approval of a Miscellaneous Case for a
46 variance to the General Overlay District Requirements stipulated by the Unified Development Code (UDC) to allow the construction of a building
47 on a 27.446-acre parcel of land identified as Lot 1, Block A, Rockwall – CCA Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural
48 (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 2301 John King Boulevard, and take any action
49 necessary.
50

51 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting the approval
52 of a variance for a commercial building on the property. In this case, it falls within an Overlay District which requires it to have a minimum
53 masonry percentage. The applicant is proposing to put the structure in the location in the rear and will be screened on all sides. It will
54 be a Tuff Shed building clad in hardie panel. Due to this being a variance, it does require a ¾ majority vote of the Commissioners present.
55 Mr. Miller then advised the Commission that a representative from the Rockwall Independent School District (RISD) and Staff were
56 present and available for questions.
57

58 The representative came forward and provided additional details regarding the request. He stated that the RISD is always seeking and
59 needing additional storage space.
60

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

62 Vice-Chairman Welch asked if there were similar buildings at other campuses. He then asked Mr. Miller what the difference was between
63 what the applicant was asking and past requests for portable buildings.
64

65 Commissioner Moeller made a motion to approve MIS2020-018 with staff recommendations. Commissioner Thomas seconded the
66 motion which passed by a vote of 5-0.
67

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

69 Discuss and consider a request by Drew Hayes of METHODArchitecture, PLLC on behalf of the owner Mary Courtin of Courtin Dental for the
70 approval of an Amended Site Plan for a daycare facility in conjunction with a medical office on a 1.743-acre tract of land identified as a portion of
71 Lot 9, Block A, Flagstone Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 54 (PD-54) for
72 Commercial (C) District land uses, situated at the southeast corner of the intersection of E. Ralph Hall Parkway and Mims Road, and take any
73 action necessary.
74

75 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He reminded the Commission that they
76 had previously approved a site plan for this facility and for a medical office at the last meeting. As part of that, there were elevations for
77 the daycare facility that involved variances that were denied. The applicant has since come back with new elevations that were more in
78 line with the Architectural Review Board (ARB) recommendations. The building itself does have the same variances that were originally
79 requested last time but addressed all the things the ARB asked them to address in order to ask for those variances. They are now asking
80 for a variance on the roof pitch but no compensatory measures are required since it was an ARB recommendation. Again, due to this
81 being a variance request, it does require a ¾ majority vote from the Commissioners present. Commissioners will be voting tonight on
82 two variances: one for the primary building façade and another for secondary building façade but both for articulation.
83

84 Chairman Chodun asked the applicant to come forward.
85

86 Drew Hayes
87 3227 McKinney Avenue, Suite 201
88 Dallas, TX 75204
89

90 Mr. Hayes came forward and provided additional details in regards to the request.
91

92 Commissioner Thomas expressed appreciation to the applicant for complying with the ARB recommendations.
93

94 Commissioner Conway made a motion to approve SP2020-034 with ARB recommendations. Commissioner Thomas seconded the
95 motion which passed by a vote of 5-0.
96

97 VI. DISCUSSION ITEMS
98

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

100 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
101 (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,
102 Texas, zoned Planned Development District 50 (PD-50) for Residential-Office (RO) District land uses, situated within the North Goliad Corridor
103 Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.
104

105 Planning and Zoning Director Ryan Miller explained that the applicant currently has an established store in the Downtown area and is
106 looking to move to this new location. A general retail store requires a Specific Use Permit (SUP) in Planned Development (PD) area.
107

108 Chairman Chodun asked the applicant to come forward.
109

110 Caroline Harklau
111 102 E. Rusk
112 Rockwall, TX 75087
113

114 The applicant came forward and requested approval of an SUP due to outgrowing their previous location. She explained that her store
115 is a women's and men's apparel store. She is looking to continue expanding in the Downtown area.
116

117 Mr. Miller added that this location was previously granted an SUP for a restaurant and, at that time, they were providing enough parking.
118 The applicant has provided Staff with a floor plan and are in compliance with the parking requirements on the site. He also added that
119 there are no major non-conformities with this request.
120

121 Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.
122

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

124 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
125 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
126 Development District for Single-Family 10 (SF-10) District land uses on a 121.16-acre tract of land identified as Tract 2 of the J. M. Gass Survey,

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

Chairman Chodun asked the applicant to come forward.

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

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

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

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

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

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

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

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

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

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

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

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

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

Chairman Chodun asked the applicant to come forward.

David LeCour
507 S. Clark Street
Rockwall, TX 75087

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

194
195 Planning and Zoning Director Ryan Miller asked for the size of the structure to which the applicant replied that it was 782 square feet.
196 Mr. LeCour added that he already has poles in the ground and would like the structure to continue being the same size.

197
198 Vice-Chairman Welch asked what the purpose of the shed was or if it was possible to have a driveway to get to the shed.

199
200 Mr. Miller added that there is an amount of floodplain in this lot. The applicant must show that this structure is not being built within the
201 floodplain. There is also a sewer easement that traverses the property from east to west and Staff would need to see that the structure
202 is not within that either.

203
204 Chairman Chodun asked for clarification on the nonconformance of the property.

205
206 Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.
207

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

209 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
210 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
211 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
212 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Single-Family Estate
213 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-
214 3097], and take any action necessary.
215

216
217 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He explained that the applicant had
218 previously requested the zoning change to a SF 2.0 District and has now decided to subdivide into three lots instead of two, changing
219 the zoning to a SF 1.5 District. This is in conformance with the Comprehensive Plan because it is low density residential.

220
221 Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.
222

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

224 Discuss and consider a request by Doug Galloway of Viaduct Development on behalf of GotRocks Properties, LLC for the approval of a Replat for
225 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
226 Shore Daycare Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10)
227 District land uses and Single-Family 10 (SF-10) District, addressed as 1940 N. Lakeshore Road, and take any action necessary.

228
229 Planning and Zoning Director Ryan Miller explained that he had gone over the details of this in a previous case but it does meet all the
230 technical requirements if the zoning is approved.

231
232 Chairman Chodun indicated that the case will come back to the Commission on January 12, 2021 for discussion or action.
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234 12. **SP2020-032 (DAVID GONZALES)**

235 Discuss and consider a request by Phil Craddock, AIA of Craddock Architecture on behalf of Brad Helmer of Heritage Christian Academy for the
236 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
237 identified as Lot 1, Block A, Heritage Christian Academy, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District,
238 situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street, and take any action necessary.

239
240 Chairman Chodun asked the applicant to come forward.

241 **Phil Craddock**
242 **828 McCall Drive**
243 **Fate, TX 75087**
244

245
246 Mr. Craddock provided a brief summary in regards to his request. He made a presentation for the Commission showing the existing
247 buildings and the requested renderings.

248
249 Planning and Zoning Director Ryan Miller added that currently the property is subject to the Overlay District requirements and there
250 are variances to the 90% primary materials which are masonry materials. The building is shy on the articulation standards but the
251 standards are typically written to control square buildings. Another thing that ARB requested that some kind of relief be added to the
252 back wall that has a flat expense along with planting some additional trees along Damascus to conceal that wall more. Other than that,
253 the plan does meet all the technical criteria.

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

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

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

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

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

Chairman Chodun asked the applicant to come forward.

David Bond
765 Custer Road
Plano, TX 75075

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

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

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

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

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

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

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

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

VII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:36 PM.

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

12 day of January, 2021.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman

