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NOTES: [1] ADDITIONAL CASE INFORMATION CAN BE FOUND AT

HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES, AND [2] TO PROVIDE INPUT ON A ZONING OR SPECIFIC USE PERMIT CASE PLEASE CLICK HERE OR CLICK ON THE LINK ABOVE AND USE THE ZONING AND SPECIFIC USE PERMIT INPUT FORM ON THE CITY'S WEBSITE.

CALL TO ORDER

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

II. APPOINTMENTS

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

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

III. OPEN FORUM

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

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

IV. CONSENT AGENDA

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

2. Approval of Minutes for the December 14, 2021 Planning and Zoning Commission meeting.

3. P2021-065 (HENRY LEE)

Discuss and consider a request by Terri Bedford of A. J. Bedford Group, Inc. on behalf of Ray LaVigne of Agree L. P. for the approval of a <u>Replat</u> for Lot 7, Block A, Sharp Addition being a 3.212-acre parcel of land identified as Lot 6, Block A, Sharp Addition, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2582 SH-276, and take any action necessary.

P2021-066 (ANGELICA GAMEZ)

Discuss and consider a request by Corwin Finch of Corwin Engineering, Inc. on behalf of Christy & Willard Hester for the approval of a <u>Replat</u> for Lot 13, Block C, Ridgecrest Addition being a 0.503-acre parcel of land identified as Lot 12, Block C, Ridgecrest Addition, Rockwall County, Texas, zoned Planned Development District 81 (PD-81) for Single-Family 10 (SF-10) District land uses, addressed as 405 Fox Hollow Drive, and take any action necessary.

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

ACTION ITEMS

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

5. SP2021-033 (HENRY LEE)

Discuss and consider a request by Aaron Hawkins on behalf of Time Thompson of Metroplex Acquisitions for the approval of a <u>Site Plan</u> for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In (i.e. Salad and Go) on a 0.81-acre portion of a larger 5.96-acre parcel of land identified as Lot 11, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses, situated within North SH-205 Overlay (N. SH-205 OV) District, generally located northeast of the intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is proposing a site plan for a restaurant with less than 2,000 square feet with a drive through. This item had already been before the Planning and Zoning Commission thru the Specific Use Permit (SUP) process where they were granted one. In reviewing the site plan, it does meet all of the technical requirements with the exception of three (3) issues: masonry material composition, roof design, and the amount of natural stone on the facade. Staff is requiring that the applicant provide an updated landscape plan showing conformance to the SUP requirements. Additionally, they're proposing to put landscaping along the entire southern boundary and that is not currently shown on the landscape plans in the packet provided. As with all variances, approval of this request does require a super majority vote for each of the variances requested. Mr. Miller added that that the ARB had mentioned earlier that they are recommending denial of the cultured stone and denial of the increased cementitious material but are recommending approval of the pitched roof variance. He then advised the Commission that the applicant and staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Matt Copenhaver 5555 E. Van Buren Street Phoenix, AZ 85008

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

Commissioner Thomas asked if the applicant was opposed to meeting the requirements set forth. Commissioner Deckard added that the applicant should look into different thin cut natural stones.

Commissioner Thomas made a motion to approve the site plan and the variance for the pitched roof for SP2021-033 but deny the exceeding masonry materials and need to include coronado stone. Commissioner Deckard seconded the motion which passed by a vote of 5-0.

6. MIS2021-016 (RYAN MILLER)

Discuss and consider a request by Trace Johannesen for the approval of an <u>Exception</u> to allow a <u>Fence in the Front Yard</u> on a 0.1909-acre parcel of land identified as Lot 5, Block J, Stone Creek, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses, addressed as 213 Crestbrook Drive, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting approval of an exception to allow a fence in the front yard, which is already constructed. The applicant explained that the intent of the fence was to replace landscaping that had died from the storm last winter and to provide seating at the front of the home. Also, the applicant did seek approval from the Stoney Creek HOA prior to commencing work and obtained a letter of approval from the HOA. Mr. Miller explained that this was mistaken as a landscaping aspect as opposed to a front yard fence. Any request for front yard fences are a discretionary decision for the Planning and Zoning Commission. Mr. Miller then advised that the applicant and staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

Trace Johannesen 213 Crestbrook Drive Rockwall, TX 75087

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

Commissioners Deckard and Moeller both expressed this being in favor of the request. Commissioner Conway asked what the difference was in what was built and a wing wall.

Chairman Chodun asked if this is coming before the board because it's a fence or do aesthetics come into play.

Commissioner Thomas made a motion to approve item MIS2021-016. Commissioner Moeller seconded the motion which passed by a vote of 5-0.

MIS2021-017 (HENRY LEE)

Discuss and consider a request by Karen Roggenkamp for the approval of an <u>Exception</u> to allow a <u>Fence in the Front Yard</u> on a 0.189-acre parcel of land identified as a portion of Lots 3, 4, 5, 6 & 11 and all of Lots 12, 13, 14, 15 & 16, Block B, Eppstein Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 309 Star Street, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting an exception for a front yard fence. The applicant was constructing the fence prior to being issued a fence permit due to the fact that her contractor was under the impression that since she was replacing the fence then a permit was not required. Since the subject property is located in Old Town Rockwall then staff was required to take it before the Historic Preservation Advisory Board for a Certificate of Appropriateness (COA) and recommendation for the Planning and Zoning Commission. They did approve the COA with a vote of 5-0 and recommended approval to the Planning and Zoning Commission. Mr. Miller then advised that the applicant and staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

Karen Roggenkamp 309 Star Street

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

Commissioner Deckard made a motion to approve MIS2021-017. Commissioner Conway seconded the motion which passed by a vote of 5-0.

MIS2021-018 (HENRY LEE)

Discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge, LLC for the approval of a <u>Variance</u> to the Material Requirements of the General Overlay District Standards for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In (i.e. Dutch Bros. Coffee) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. At the last meeting, the Commission approved a site plan and some variances associated with this project but denied variances associated with the material requirements. The applicant has since come back and submitted new elevations using a thin brick and a stack stone product. However, the El Dorado stone they're proposing to use is a cultured stone product and it does require an exception from the Commission to be approved. The ARB did review this and recommended approval of the new stone. Mr. Miller advised that the applicant was present and available to answer questions.

Commissioner Conway asked what the difference was between this case and the previous site plan case on the use of cultured stone.

Chairman Chodun wanted clarification on the applicant's past requests.

Chairman Chodun asked the applicant to come forward.

Sam Moore 2505 Penshurst Court Celina, TX 75009

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

Commissioner Thomas asked if there's any reason as to why they can't comply with the stone requirements.

Commissioner Thomas made a motion to deny MIS2021-018. Commissioner Conway seconded the motion to deny which passed by a vote of 5-

VI. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is January 11, 2022.

9. **Z2021-050** (RYAN MILLER)

 Hold a public hearing to discuss and consider approval of a <u>Text Amendment</u> to Article 04, <u>Permissible Uses</u>, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the <u>Conditional Land Use Standards</u> for the <u>Bed and Breakfast</u> land use, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He explained how at the November HPAB meeting, an appointment was made with a local resident of Old Town Rockwall Historic District who expressed some concern about a Bed and Breakfast being allowed by right in the District. Back in 2003, there was a section of the code inserted under the requirements that allowed it by right in this District. Based on the appointment with that resident, the Historic Board directed Staff to bring forward a proposal to remove that section of the Code. Staff is now taking it forward as a text amendment.

 Commissioners Deckard and Conway expressed their opposition to the request.

Chairman Chodun asked if maybe a representative could come to the next P&Z meeting.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

10. **Z2021-051** (HENRY LEE)

Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a <u>Specific Use Permit (SUP)</u> for Residential Infill in an Established Subdivision on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action necessary.

 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting an SUP for residential infill in Chandlers Landing. The single-family home does meet all of the technical requirements with the exception of the garage orientation.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

11. Z2021-052 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a <u>Specific Use Permit (SUP)</u> to allow *Chickens* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. One of the requirements from the last meeting was that the applicant bring hid property into compliance. Currently, the Code does allow the Commission to grant an SUP to allow chickens on a property that meets the Agricultural (AG) District requirements of being 10 acres or greater with a single-family home on it. The chicken coop itself is portable and will have to be moved behind the front façade of the primary structure.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

12. Z2021-053 (ANGELICA GAMEZ)

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a <u>Specific Use Permit (SUP)</u> for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Javier Silva 58 Windsor Drive Rockwall, TX 75087

Mr. Silva provided a brief summary in regards to the request.

Ms. Gamez added that the request does meet all of the zoning and technical requirements and does not require any variances.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

13. Z2021-054 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a <u>Specific Use Permit (SUP)</u> for a <u>Congregate Care Facility</u> that <u>Exceeds 36-Feet in Height the Scenic Overlay (SOV) District</u> on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Robert Lacroix 4517 Scenic Drive Rowlett, TX 75089

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

Planning and Zoning Director Ryan Miller provided some additional details in regards to the request.

Commissioner Deckard asked if the units had kitchens or cooking facilities of any type inside them.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

14. Z2021-055 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a <u>Specific Use Permit (SUP)</u> for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

John Gardner 5200 State Hwy 121 Colleyville, TX 76034

Mr. Gardner came forward and provided a brief summary in regards to the request.

Mr. Miller provided additional details in regards to the request. Staff has requested that they provide additional headlight screening for the adjacent property to the north and along 205. As of right now, they are showing enough stacking to meet the City's requirements.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

15. Z2021-056 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an Zoning Amendment to Planned Development District 85 (PD-85) [Ordinance No. 18-32] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The original plan showed a number of houses in Phase II being located within the runway protection zone (RPZ) of the airport so staff has asked the applicant to move those out of the RPZ and the applicant has complied. It does result in an overall number of homes from 122 to 117 along with a smaller lot product.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

16. Z2021-057 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Brian Cramer of Brian Cramer Development on behalf of Scott Asbury of Rockwall Highgate LTD for the approval of a <u>Zoning Change</u> from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District and Commercial (C) District land uses on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Brian Cramer 3306 Bryn Mawr Drive Dallas, TX 75225

Tom Dayton 830 Central Parkway East Plano, TX 75074

The applicants came forward and provided a brief summary in regards to the request. The subject property is approximately 265 acres with 20 acres proposed as Commercial and the rest being low-density residential. Everything seems to be in conformance with the comprehensive plan for the Commercial area along 205.

Mr. Miller provided additional details in regards to the request.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

17. P2021-063 (HENRY LEE)

Discuss and consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of Robert John Crowell for the approval of a <u>Final Plat</u> for the Landon Subdivision being a 126.903-acre tract of land identified as Tract 13 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.

Planning and Zoning Director Ryan Miller explained that this property was located in the ETJ and staff is required to send this to the County for comment before it can be brought to the Commission for action. However, it does appear to meet all of the technical requirements of the UDC and the Interlocal agreement.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

18. P2021-064 (HENRY LEE)

Discuss and consider a request by Trey Braswell of Kimley-Horn on behalf of Jarrod Yates PS LPT Properties Investors for the approval of a <u>Preliminary Plat</u> for Lot 1, Block A, PS Rockwall County Addition being a 2.082-acre tract of land identified as Tract 25-03 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 4000 N. Goliad Street [SH-205], and take any action necessary.

Planning and Zoning Director Ryan Miller explained that this property was located in the ETJ and staff is required to send this to the County for comment before it can be brought to the Commission for action. However, it does appear to meet all of the technical requirements of the UDC.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

19. P2021-067 (HENRY LEE)

Discuss and consider a request by Ryan King, PE of Engineering Concepts and Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a <u>Preliminary Plat</u> for the Saddle Star Estates North Subdivision consisting of 92 single-family residential lots on a 42.667-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80)

for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northwest corner of the intersection of FM-552 and John King Boulevard, and take any action necessary.

Planning and Zoning Director Ryan Miller explained that this case needs to go before the Parks Board for recommendation concerning park fees but will return to the Commission for action. A check for meeting the technical requirements of the zoning and the subdivision ordinance will be submitted. The request does appear to conform to those documents and will return to Consent Agenda at the next meeting.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

20. SP2021-035 (HENRY LEE)

Discuss and consider a request by Priya Acharya of Wier & Associates, Inc. on behalf of Ross Wood of Frost Bank for the approval of a <u>Site Plan</u> for a Financial Institution with Drive-Through (i.e. Frost Bank) on a 1.198-acre parcel of land identified as Lot 2, Block A, Allen Anderson Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Priya Acharya/ Michael Hoffer 2201 E. Lamar Blvd., Suite 200E Arlington, TX 76006

Ms. Acharya came forward and provided a brief summary in regards to the request.

Planning and Zoning Director Ryan Miller provided additional details along with the recommendations made by the ARB.

Commissioner Deckard wanted clarification in regards to the side wall along Ralph Hall.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

- 21. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
 - P2021-058: Final Plat for Lots 1-4, Block A, Kinsey Addition [APPROVED]
 - P2021-060: Final Plat for Phase 3 of the Saddle Star South Subdivision [APPROVED]
 - Z2021-048: PD Development Plan for a General Retail Development/Shopping Center [APPROVED; 1ST READING]
 - Z2021-049: SUP for an Existing New Motor Vehicle Dealership [APPROVED; 1ST READING]

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

VII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:55 P.M.

Eric Chodun, Chairman

Attest:

Angelica Gamez, Planning and Zoning Coordinator