

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD STREET, ROCKWALL, TEXAS
SEPTEMBER 10, 2024 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 **NOTES:** [1] ADDITIONAL CASE INFORMATION CAN BE FOUND AT [HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases),
3 AND [2] TO PROVIDE INPUT ON A ZONING OR SPECIFIC USE PERMIT CASE PLEASE [CLICK HERE](#) OR CLICK ON THE LINK ABOVE AND USE THE ZONING AND SPECIFIC
4 USE PERMIT INPUT FORM ON THE CITY'S WEBSITE.

I. CALL TO ORDER

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

II. OPEN FORUM

15 *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.*

20 **Chairman Deckard explained how the open forum is conducted and asked if anyone who wished to speak to come forward at this time; there being no one indicating such Chairman Deckard closed the open forum.**

III. CONSENT AGENDA

25 *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.*

28 1. Approval of Minutes for the August 13, 2024 Planning and Zoning Commission meeting.

30 2. Approval of Minutes for the August 27, 2024 Planning and Zoning Commission meeting.

3. SP2024-039 (HENRY LEE)

33 Consider a request by Cody Johnson of Johnson Volk Consulting on behalf of Kyle Tressler of Qualico Development, Inc. for the approval of a Site Plan for an Amenity Center for the Peachtree Meadows Subdivision situated on a 1.06-acre portion of a larger 45.95-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 101 (PD-101) [Ordinance No. 23-11] for Single-Family 10 (SF-10) District land uses, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.

39 **Commissioner Conway made a motion to approve the Consent Agenda. Commissioner Hustings seconded the motion which passed by a vote of 7-0.**

IV. PUBLIC HEARING ITEMS

45 *This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.*

4. Z2024-035 (RYAN MILLER)

50 Hold a public hearing to discuss and consider a request by William S. Dahlstrom of Jackson Walker, LLP on behalf of James J. Melino of Rockwall 549/I-30 Partners, LP and Conveyor I30 Partners, LP for the approval of a Zoning Change from a Commercial (C) District to a Planned Development District for Commercial (C) District land uses on a 67.475-acre tract of land identified as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located at the northwest corner of Stodghill Road and the IH-30 Frontage Road, and take any action necessary.

56 **Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the applicants request. It's a 67.475-acre tract of land situated on the Northwest corner of the intersection of Stodghill road and I-30 frontage road. It is currently zoned Commercial (C) District located within our I-30 overlay district. This property was originally annexed back in 1985. Last year this was rezoned to Commercial (C) District and is currently vacant. The applicant is requesting to rezone the subject property from Commercial (C) District to a Planned Development District for limited commercial district land use. The applicant has submitted a concept plan that shows that the subject property will be subdivided into four (4) different subdistricts. Subdistrict A will be for a large retailer that'll be 18.70 acres. Sub district B will be for a future regional center on 33.215 acres. Subdistrict C is for a 250-unit urban residential style condominium building on 4.64 acres. Subdistrict D is marked for a 25-unit townhome development and 225-unit low rise residential community on 10.92 acres. On sub district A the applicant is proposing a 161,000 SF large format retailer with 650 parking**

64 spaces. The proposed PD ordinance allows limited commercial district land use. What staff means by limited is it removes any land use that would
65 be inconsistent with the proposed development. The concept plan and building elevations are contained in the PD ordinance itself. What that means
66 is that if the zoning case is approved by the City Council the development for this proposed subdistrict can move straight from the zoning phase
67 into the site planning phase. It would not have to go through that interment PD development plan. The applicant is requesting a couple deviations
68 from the zoning code as part of the PD ordinance for this subdistrict. Specifically, the building materials. In the previous meeting they were requesting
69 IMP panels. Since then they have changed that to a tilt wall. That does require a special exception typically, but in this case that would be tied into
70 the zoning ordinance. They're also requesting deviations for the articulation and roof design standards and the number of architecture elements.
71 Staff should point out that since this is in the I-30 overlay district most of these variances would be variances if this was taken into a site plan process
72 but they're tried to corporate branding. In the I-30 overlay district does give the Planning and Zoning Commission the ability to look at corporate
73 branding when looking at buildings and how they fit into the overall development scheme. In addition, they're also requesting a couple deviations to
74 the municipal code of ordinances. These are exclusively related to the signage requirement. In this case they're requesting a poll sign that exceeds
75 the maximum height and size. Specifically, to allow the 120-foot tri-wing sign. That sign will incorporate phases that will be 700 SF on each side.
76 They're also requesting wall signage in excess of the 10% permitted by the City codes. Specifically, they're proposing all signage that ranges from
77 5% to 20% for each façade. They're also requesting two (2) digital signage signs. In addition to the wall sign each sign would be 700 SF and that
78 would be on the sign phases. They're also requesting traffic signs that are larger and taller then what is permitted. They're also proposing to
79 incorporate fourteen (14) promotional signs that can be 44 SF in size and 10 feet in height and be located along major roadways. In subdistrict B the
80 applicant has provided a concept plan and has stated that it is subject to change depending on the user ultimately identified for the subject. To
81 address this staff has included language in the Planned Development District ordinance that will require subdistrict B to go through a PD development
82 plan. In the land uses the applicant requested the ability to establish four (4) restaurants with less than 2,000 SF with drive-through and drive-in.
83 Typically, in those case they require a Specific Use Permit (SUP) but in this case they're looking to establish these by right. Any subsequent
84 restaurant less than 2,000 SF with drive-through and drive-in would continue to require that SUP. Other than the deviations to the land use the only
85 other deviation are to the municipal code of ordinance. Specifically, to the signage requirements. The applicant is requesting to be able to establish
86 three (3) shopping center signs. These would be located within the entry ways. In addition, they're also requesting to allow some off-premise signage.
87 Subdistrict C will also only allow the condominium land use and will be subject to the requirements of the Commercial (C) District and Overlay
88 District. The elevations provided by the applicant do appear to meet the design standards for those districts. Subdistrict D shows that it will contain
89 225-unit low rise residential community and 25 townhome units. Now, the low-rise residential community will be required to be built to a condominium
90 standard. The district will only allow the townhomes and low-rise residential units. As with subdistricts A and C the concept plan and building
91 elevations are being tied down in the Planned Development District ordinance, this will be able to move straight through site plan if approved. The
92 applicant has also requested to abandon a portion of a conveyor street. They're doing this in order to get a private street essentially. The other
93 aspect is the applicant has requested to reduce the amount of open space proposed for the development. According to the Unified Development
94 Code (UDC) these developments require a minimum of 20% of the gross land area be dedicated to open space. In this case, the applicant has included
95 language in the Planned Development district ordinance that would limit this to 13½%. The subject property is located within the I-30 Corridor District
96 and is designated for special commercial corridor land use. This being a zoning case staff mailed out 43 notices to property owners and occupants
97 within 500 feet of the subject property. Staff received two (2) notices in favor of the applicants request.

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99 Vice-Chairman Womble asked if there was only one public street and if the rest would be private.

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101 Chairman Deckard asked if they need to come back for a Site Plan approval.

102
103 Mike Avalon
104 8222 Douglass Avenue
105 Dallas, TX 75225

106
107 Jeannie DeFazio
108 311 Lois Street
109 Roanoke, TX 76262

110
111 Mr. Avalon came forward and provided a presentation with his team.

112
113 Commissioner Odom asked how many Ikea stores does Texas currently have.

114
115 Commissioner Odom asked how many Ikea stores have multi-family.

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117 Chairman Deckard asked about the directional signage.

118
119 Vice-Chairman womble asked about the signage for the entry.

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121 Commissioner Hagaman asked in regards to the density for the apartment acre.

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123 Chairman Deckard opened the Public Hearing and asked if anyone who wished to speak to come forward at this time.

124
125 Carol Crow
126 504 Williams Street
127 Rockwall, TX 75087

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129 Mrs. Crow came forward and expressed her concerns in regards to the 500 units of multi -family in the store and does not allow stone and disregard
130 signage ordinance.

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Melba Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mrs. Jeffus came forward and expressed her concerns in regards to the signage and multi-family.

Jessica Lamb
331 Fox Hollow Drive
Rockwall, TX 75032

Mrs. Lamb came forward and expressed her concerns in regards to the multi-family. Explained that more multi-family homes would bring crime rate up and traffic issues.

Chairman Deckard asked if anyone else who wished to speak to come forward at this time, there being no one indicating such Chairman Deckard closed the Public Hearing and brought the item back for discussion or action.

Mr. Avalon wanted to explain that there is no crime at the harbor from the multi-family.

Commissioner Conway asked if instead of 500-unit apartments it could be half the size or townhomes entirely.

Commissioner Hagaman explained that he will not vote for multi-family.

Commissioner Hustings asked what would be allowed in there by right.

Director of Planning and Zoning Ryan Miller answered and explained that anything in a commercial district would be allowed there right now.

Vice-Chairman Womble made a motion to approve Z2024-035. Commissioner Hustings seconded the motion which failed by a vote of 2-5 with Chairman Deckard, Commissioner Conway, Thompson, Odom and Hagaman dissenting.

5. Z2024-036 (BETHANY ROSS)

Hold a public hearing to discuss and consider a request by Travis Block for the approval of a *Specific Use Permit (SUP)* for a *Detached Garage* on a 0.53-acre tract of land identified as a portion of Block 4 of the Garner Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 921 N. Alamo Street, and take any action necessary.

Planner Bethany Ross provided a brief summary in regards to the applicants request. The applicant requested a Specific Use Permit (SUP) for a detached garage that exceeds the maximum of allowable number of accessory structures. The site plan provided by the applicant indicated that the garage will have a building footprint of 748 SF exceeding the allowable size by 123 SF. It will be 21-feet behind the front façade of the home. In review of the surrounding properties staff found one other detached garage of 615 SF. Given this the proposed detached garage will be the largest existing accessory structure along this portion of North Alamo only to be second to the recently approved SUP for a 910 SF detached garage at 911 North Alamo. A Specific Use Permit (SUP) is a discretionary decision for City Council pending recommendation from Planning and Zoning Commission. On August 21, 2024 staff mailed out notices to property owners and occupants within 500 feet of the subject property. Staff also notified The Preserve, Lakeview Summit and Caruth Lakes Homeowners Association. At this time staff had received three (3) notices in favor of the applicants request.

Vice-Chairman Womble asked if both existing structures would remain on the property.

Travis Block
921 N. Alamo
Rockwall, TX 75087

Mr. Block came forward and provided additional details in regard to his request.

Chairman Deckard opened the Public Hearing and asked if anyone who wished to speak to come forward at this time, there being no one indicating such Chairman Deckard closed the Public Hearing and brought the item back for discussion or action.

Commissioner Conway made a motion to approve Z2024-036. Vice-Chairman Womble seconded the motion which passed by a vote of 7-0.

6. Z2024-039 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Scott Popescu of Brookhaven Media for the approval of a *Specific Use Permit (SUP)* for a *Short-Term Rental* on a 0.25-acre parcel of land identified as Lot 2, Block I, Northshore, Phase 2B Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 4153 Panther Ridge Lane, and take any action necessary.

Senior Planner Henry Lee provided a brief summary in regards o the applicants request. The applicant is requesting approval for a Specific Use Permit (SUP) for a short-term rental. The request is due since they're within 1,000 ft of another short-term rental non-owner occupied. It should be roughly 795 feet of another property, which is less than the 1,000 feet that is permitted by right. That being said, there was a grace period that was offered for short-term rentals that were in operation before April 1, 2024 when the ordinance was passed. This property did change hands in May of 2023 therefore it had been operating before that. They did not meet the deadline and is why they're being considered a new short-term rental since

200 they did not apply within that grace period. Staff did look into to see if the property owners had payed local hotel tax and it showed that they have
201 not paid. In addition, staff did get in touch with the Police Department to see if there was any report or calls on the property and they found none.
202 Staff mailed out notices to property owners and occupants within 500 feet of the subject property. Staff did receive sixteen (16) notices in return
203 being opposed to the applicants request.
204

205 Chairman Deckard asked if once the property owners got a notice stating that they were not in compliance did they continue to operate.
206

207 Senior Planner Henry Lee stated that the listing was still shown on the website on August 27, 2024.
208

209 Chairman Deckard opened the Public Hearing and asked if anyone who wished to speak to come forward at this time, there being no one indicating
210 such Chairman Deckard closed the Public Hearing and brought the item back for discussion or action.
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212 Commissioner Hustings made a motion to deny Z2024-039. Chairman Deckard seconded the motion which was denied by a vote of 7-0.
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214 **7. Z2024-040 (ANGELICA GUEVARA)**

215 Hold a public hearing to discuss and consider a request by Carol A. Byrd for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established*
216 *Subdivision* on a 0.2850-acre parcel of land identified as Lot 5B, Block 5, Griffith Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7
217 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 403 E. Kaufman Street, and take any action necessary.
218

219 Planning Technician Angelica Guevara provided a brief summary in regards to the applicants request. The applicant is requesting approval of a
220 Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property. The proposed home will be a two story 2,273
221 SF residence that will incorporate brick, siding and trim, various wood columns and railings along the front and rear porch along with the masonry
222 chimney. Staff should not that the applicants request appears to meet all the density and dimensional requirements for a home in a Single-Family 7
223 (SF-7) District. In addition, the Historic Preservation Advisory Board (HPAB) reviewed the architecture of the proposed home and approved a
224 Certificate of Appropriateness (COA) for the home sending a recommendation for approval to the Planning & Zoning Commission and City Council.
225 On August 21, 2024 staff mailed out notices to property owners and occupants within 500-feet of the subject property. At that time staff had not
226 received any notices in return in regards to the applicants request.
227

228 Carol Byrd
229 707 Cullins Road
230 Rockwall, TX 75032
231

232 Mrs. Byrd came forward and provide additional details in regards to the applicants request.
233

234 Chairman Deckard opened the Public Hearing and asked if anyone who wished to speak to come forward at this time, there being no one indicating
235 such Chairman Deckard closed the Public Hearing and brought the item back for discussion or action.
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237 Commissioner Conway made a motion to approve Z2024-040. Commissioner Odom seconded the motion which passed by a vote of 7-0.
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239 **V. DISCUSSION ITEMS**

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241 8. *Director's Report* of post City Council meeting outcomes for development cases (RYAN MILLER).
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- 243 •P2024-028: Replat for Lots 3 & 4, Block A, Rockwall County Courthouse Addition (APPROVED)
- 244 •P2024-029: Final Plat for Lot 1, Block A, Revelation Addition (APPROVED)
- 245 •MIS2024-018: Alternative Tree Mitigation Settlement Agreement for Lakepoint Church (APPROVED)
- 246 •Z2024-031: Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* at 510 W. Kaufman Street (2ND READING; APPROVED)
- 247 •Z2024-032: Amendment to Planned Development District 13 (PD-13) (2ND READING; APPROVED)
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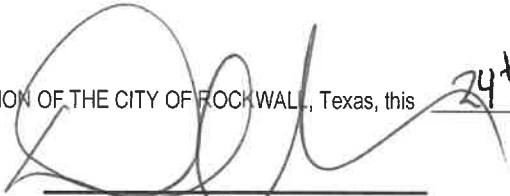
249 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the outcomes of the cases listed above.
250

251 **VI. ADJOURNMENT**

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253 Chairman Deckard adjourned the meeting at 7:48PM.
254

255 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 24th day of September
256 _____, 2024.

257
258
259 Attest: 
260
261 Melanie Zavala, Planning Coordinator
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Derek Deckard, Chairman