

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
AUGUST 10, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

3 NOTES ABOUT PUBLIC PARTICIPATION = RED

4
5 I. CALL TO ORDER

6
7 Chairman Chodun called the meeting to order at 6:00 PM. Commissioners present were Sedric Thomas, John Womble, Jean Conway,
8 Derek Deckard and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Mark Moeller. Staff members present were
9 Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica
10 Gamez, Planner Henry Lee, Civil Engineers Sarah Johnston and Jeremy White. Absent from the meeting was City Engineer Amy
11 Williams.

12
13 II. APPOINTMENTS

- 14
15 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments
16 for items on the agenda requiring architectural review.

17
18 A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the
19 Architectural Review Board meeting.

20
21 III. OPEN FORUM

22
23 *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.*
24 *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*
25 *raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during*
26 *the meeting per the Texas Open Meetings Act.*

27
28 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

29
30 **Patty Griffin**
31 **2140 Airport Road**
32 **Rockwall, TX 75087**

33
34 Mrs. Griffin came forward and stated that her issue was not receiving the notices sent for the zoning cases and Historic District
35 expansion.

36
37 Chairman Chodun asked if anyone else wished to speak to come forward at this time. There being no one coming forward, Chairman
38 Chodun closed the open forum.

39
40 IV. CONSENT AGENDA

41
42 *These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development*
43 *Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.*

- 44
45 2. Approval of Minutes for the July 27, 2021 Planning and Zoning Commission meetings.
- 46
47 3. **P2021-037 (HENRY LEE)**
48 Discuss and consider a request by Isaac Peña for the approval of a Final Plat for Lots 1 & 2, Block A, Isaac Addition being a 6.388-acre tract of
49 land identified as Tract 1 of the J. A. Ramsey Survey, Abstract No. 186, Rockwall County, Texas, situated within the City of Rockwall's
50 Extraterritorial Jurisdiction (ETJ), addressed as 2185 S. FM-549, and take any action necessary.
- 51
52 4. **P2021-040 (DAVID GONZALES)**
53 Consider a request by Jeremy Nelson of McAdams Co. on behalf of Spencer Byington of SWBC Rockwall, LP for the approval of a Final Plat for
54 Lot 1, Block A, SWBC Rockwall Addition, Phase 2 being currently identified as a 21.275-acre tract of a larger 42.555-acre tract of land identified
55 as Tract 1-4 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Planned Development 83 (PD-83) District,
56 situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located east of the intersection of Discovery Boulevard and John King Boulevard,
57 and take any action necessary.
- 58
59 5. **P2021-041 (DAVID GONZALES)**
60 Discuss and consider a request by Humberto Johnson, Jr. of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the
61 approval of a Master Plat for the Homestead Subdivision being a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey,
62 Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 92 (PD-92), generally located at the northeast
63 corner of the intersection of FM-549 and FM-1139, and take any action necessary.
- 64
65 6. **P2021-044 (DAVID GONZALES)**

66 Discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of
67 a *Preliminary Plat* for the Homestead Subdivision being a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No.
68 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 92 (PD-92), generally located at the northeast corner of the
69 intersection of FM-549 and FM-1139, and take any action necessary.
70

71 7. **SP2021-023 (HENRY LEE)**

72 Discuss and consider a request by Rob Baldwin of Baldwin Associates, LLC on behalf of Matt Gillen CM Goliad I GO, LLC for the approval of an
73 *Amended Site Plan* for a *Restaurant* on a 2.2297-acre parcel of land identified as Lot 1, Block 11, Rockwall Centre Corners Addition, City of
74 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-276 Overlay (SH-276 OV); the IH-30 Overlay (IH-30
75 OV); and the SH-205 Overlay (SH-205 OV) Districts, addressed as 2235 S. Goliad Street [SH-205], and take any action necessary.
76

77 **Commissioner Deckard made a motion to approve the consent agenda. Vice-Chairman Welch seconded the motion which passed by
78 a vote of 6-0 with Commissioner Moeller absent.**
79

80 V. PUBLIC HEARING ITEMS
81

82 *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
83 section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff).
84 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
85 like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.*
86

87 8. **Z2021-028 (RYAN MILLER)**

88 Hold a public hearing to discuss and consider approval of a *Text Amendment* to Section 10, *Fee Schedule*, of Article 11, *Development Applications
89 and Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of creating a *Non-Compliant Structure*
90 application fee for Specific Use Permit (SUP) applications.
91

92 **Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He explained that on May 17, 2021 City
93 Council requested that Staff look into ways to deter residents from constructing non-compliant structures without building permits.
94 Based on this information, Staff proposed establishing an alternative application fee of \$1000.00 for any structures that were constructed
95 without a building permit and any structures that were constructed not in conformance with the approved building permit. This fee
96 would be in addition to the standard application fee. The amount was derived from estimates of the additional staff time to review these
97 types of requests. In accordance with the Unified Development Code (UDC), the request is being brought before the Planning and Zoning
98 Commission for a recommendation to the City Council. Staff also sent out a 15-day notice that was published in the Rockwall Herald
99 Banner.**

100 **Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
101 indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.**
102

103 **Vice-Chairman Welch made a motion to approve item Z2021-028 with staff recommendations. Commissioner Womble seconded the
104 motion which passed by a vote of 6-0.**
105

106 **Chairman Chodun advised that the case will go before the City Council on August 16, 2021.**
107

108 9. **Z2021-029 (HENRY LEE)**

109 Hold a public hearing to discuss and consider a request by Ed Cavendish of Cavendish Homes for the approval of a *Specific Use Permit (SUP)*
110 for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1465-acre parcel of land identified
111 as Lot 28, Block A, Chandler's Landing, Phase 20, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for
112 single-family residential land uses, addressed as 104 Reliance Court, and take any action necessary.
113

114 **Planner Henry Lee provided a brief summary in regards to the request. The proposed single-family home meets all of the density and
115 dimensional requirements per the UDC. However, garages must be located at least 20-feet behind the front façade as stated in the UDC.
116 In this case, the garage is 10.75-feet in front of the front façade but this is not out of character for the neighborhood. If approved, this
117 would be waived but is ultimately a discretionary decision for City Council pending a recommendation from the Planning and Zoning
118 Commission. On July 27, 2021, Staff mailed out 208 notices to property owners and occupants within 500-feet of the subject property.
119 All Homeowners Associations (HOAs) within 1500-feet were notified as well.**
120

121 **Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
122 indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.**
123

124 **Commissioner Conway made a motion to approve Z2021-029. Commissioner Thomas seconded the motion which passed by a vote of
125 6-0.**
126

127 **Chairman Chodun advised that the case will go before the City Council on August 16, 2021.**
128

129 10. **Z2021-030 (HENRY LEE)**

130 Hold a public hearing to discuss and consider a request by Ed Cavendish of Cavendish Homes for the approval of a *Specific Use Permit (SUP)*
131 for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1637-acre parcel of land identified
132 as Lot 12, Block A, Chandler's Landing, Phase 20, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for
133 single-family residential land uses, addressed as 118 Mischief Lane, and take any action necessary.
134

135 Planner Henry Lee provided a brief summary in regards to the request. The proposed single-family home meets all of the density and
136 dimensional requirements per the UDC. However, garages must be located at least 20-feet behind the front façade as stated in the UDC.
137 In this case, the garage is 8.6-feet in front of the front façade but this is not out of character for the neighborhood. If approved, this
138 would be waived but is ultimately a discretionary decision for City Council pending a recommendation from the Planning and Zoning
139 Commission. On July 27, 2021, Staff mailed out 284 notices to property owners and occupants within 500-feet of the subject property.
140 All Homeowners Associations (HOAs) within 1500-feet were notified as well.
141

142 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
143 indicating such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.
144

145 Commissioner Deckard made a motion to approve Z2021-030. Commissioner Thomas seconded the motion which passed by a vote of
146 6-0.
147

148 Chairman Chodun advised that the case will go before the City Council on August 16, 2021.
149

150 11. **Z2021-031 (DAVID GONZALES)**

151 Hold a public hearing to discuss and consider a request by Tino and Judy Liscano on behalf of Jeremy Lance Epton for the approval of a Zoning
152 Change from an Agricultural (AG) District to a Single-Family 1 (SF-1) District for a 4.95-acre parcel of land identified as Lot 1, Block A, Epton
153 Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 2065 & 2075 Airport Road, and take any action
154 necessary.
155

156 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicants are requesting to
157 change the zoning on the property from an Agricultural District to a Single-Family 1 District. The purpose of rezoning the subject
158 property is to subdivide it for the purpose of constructing a single-family home. If this request does go through for approval, it will
159 require a replat in order to subdivide that property. If approved, the subject property will also be required to conform to all the
160 requirements of the SF-1 District. OurHometown Vision 2040 Comprehensive Plan indicates the subject property within the Central
161 District and is designated for low-density residential. Staff mailed out notifications to all property owners and occupants within 500-feet
162 of the subject property as well as notifying all HOAs within 1500-fee of the property. Mr. Gonzales then advised that he was present and
163 available to answer questions.
164

165 Commissioner Deckard asked how many homes could fit on the property under SF-1.
166

167 Chairman Chodun asked the applicant to come forward.
168

169 **Jeremy Epton**
170 **2075 Airport Road**
171 **Rockwall, TX 75087**
172

173 Mr. Epton came forward and provided additional details in regards to the request. He also mentioned that they do have a prospective
174 second buyer for the remainder of the property.
175

176 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time.
177

178 **Will Hester**
179 **405 Fox Hollow**
180 **Rockwall, TX 75087**
181

182 Mr. Hester came forward and wanted clarification on which properties were in question for the zoning change.
183

184 Chairman Chodun asked if anyone else wished to speak to come forward; there being no one indicating such, Chairman Chodun closed
185 the public hearing and brought the item back to the Commission for discussion or action.
186

187 Commissioner Thomas made a motion to approve item Z2021-031. Commissioner Deckard seconded the motion which passed by a vote
188 of 6-0.
189

190 Chairman Chodun advised that the case will go before the City Council on August 16, 2021.
191

192 VI. ACTION ITEMS
193

194 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances*
195 *and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code*
196 *of Ordinances.*
197

198 12. **SP2021-015 (DAVID GONZALES)**

199 Discuss and consider a request by Greg Wallis of Mershawn Architects on behalf of Kris Sharp for the approval of a Site Plan for a warehouse/office
200 building on a 1.914-acre parcel of land identified as Lot 5, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
201 Development District 46 (PD-46) for Commercial (C) District land uses, generally located on the southside of Springer Road west of the intersection
202 of Springer Road and Data Drive, and take any action necessary.
203

204 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting approval
205 of a site plan for the construction of a 22,000-square foot office warehouse distribution facility. The site plan, landscape plan, elevations,
206 and photometric plan all generally conform to the technical requirements associated with a property that's developed within PD-46 as
207 well as a Commercial Zoning district. Mr. Gonzales explained that the applicant is requesting 2 variances: one for the building
208 articulation and the other for the Engineering Standards of Design. This is a discretionary decision for the Planning and Zoning
209 Commission and does require a super majority vote for approval. Mr. Gonzales then advised that the applicant and staff were present
210 and available to answer questions.

211
212 Chairman Chodun asked the applicant to come forward.

213
214 Greg Wallis
215 1520 E. I-30
216 Rockwall, TX 75087

217
218 Mr. Wallis came forward and provided additional details in regards to the request.

219
220 Commissioner Deckard made a motion to approve item SP2021-015. Commissioner Conway seconded the motion which passed by a
221 vote of 6-0.

222
223 13. **SP2021-021 (DAVID GONZALES)**

224 Discuss and consider a request by Keaton Mai of the Dimension Group behalf of Russell Phillips of Rockwall 205 Investors, LLC for the approval
225 of a Site Plan for a Retail Store with Gasoline Sales on a 1.503-acre portion of a larger tract of land being a 34.484-acre tract of land identified as
226 Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within
227 the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any
228 action necessary.

229
230 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting approval
231 of the site plan for the purpose of developing a retail store with gasoline sales. According to the UDC, a convenience store with gasoline
232 sales is a permitted use by right within the Commercial District. The site plan does meet the standards of the General Overlay district
233 with the exception of the roof design. The Architectural Review Board (ARB) is forwarding a recommendation for approval on this
234 request. The applicant does have the ability to request the variance by providing compensatory measures. This is a discretionary
235 decision for the Planning and Zoning Commission and does require a super majority vote for approval. Mr. Gonzales then advised that
236 the applicant and Staff were present and available for questions.

237
238 Chairman Chodun asked the applicant to come forward.

239
240 Keaton Mai
241 10755 Sandhill RD
242 Dallas, TX

243
244 Mr. Mai came forward and was prepared to answer questions.

245
246 Commissioner Deckard made a motion to approve item SP2021-021. Vice-Chairman Welch seconded the motion which passed by a vote
247 of 6-0.

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249 VII. DISCUSSION ITEMS

250
251 *These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that*
252 *will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take*
253 *place when these items are considered for action by the Planning and Zoning Commission.*

254
255 14. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

- 256
257
 - P2021-038: Replat for Lots 2-7, Block A, Sky Ridge Addition [APPROVED]
 - P2021-039: Final Plat for Lot 1, Block A, Rockwall Friendship Baptist Church Addition [APPROVED]
 - P2021-042: Replat for Lot 2, Block A, Ladera Rockwall Addition [APPROVED]
 - P2021-043: Conveyance Plat for Lots 1 & 2, Block B, Fit Sport Life Addition [APPROVED]
 - MIS2021-008: Alternative Tree Mitigation Settlement Agreement for RISD [APPROVED]
 - Z2021-020: SUP for a House of Worship at 1500 Sunset Hill Drive [APPROVED; 2ND READING]
 - Z2021-021: SUP for a Mini-Warehouse Facility at 1280 E. Ralph Hall Parkway [APPROVED; 2ND READING]
 - Z2021-022: SUP for a Residential Infill at 147 Eva Place [APPROVED; 2ND READING]
 - Z2021-024: Zoning Amendment to Planned Development District 46 (PD-46) [APPROVED; 2ND READING]
 - Z2021-025: SUP for a Residential Infill at 154 Lynne Drive [APPROVED; 2ND READING]
 - Z2021-026: Amendment to Planned Development District 8 (PD-8) [APPROVED; 1ST READING]

268
269 Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council
270 meeting.

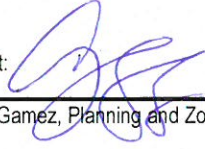
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272 VIII. ADJOURNMENT

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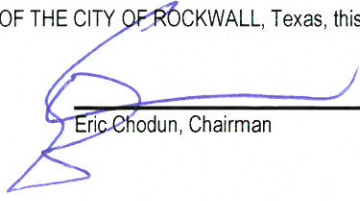
Chairman Chodun adjourned the meeting at 6:44 pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 31 day of August, 2021.

Attest:



Angelica Gamez, Planning and Zoning Coordinator



Eric Chodun, Chairman