

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
OCTOBER 12, 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 6:02 PM. Commissioners present were Sedric Thomas, John Womble, Jean Conway, Derek
8 Deckard and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Mark Moeller. Staff members present were Planning and
9 Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry
10 Lee, City Engineer Amy Williams and Civil Engineers Sarah Johnston and Jeremy White.

11
12 II. OPEN FORUM

13
14 *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*
15 *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*
16 *OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas*
17 *Open Meetings Act.*

18
19 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being no
20 one coming forward, Chairman Chodun closed the open forum.

21
22 III. CONSENT AGENDA

23
24 *These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code*
25 *(UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.*

- 26
27 1. Approval of Minutes for the September 28, 2021 Planning and Zoning Commission meetings.

28
29 Commissioner Thomas made a motion to approve the consent agenda. Commissioner Conway seconded the motion which passed by a vote of
30 6-0 with Commissioner Moeller absent.

31
32 IV. PUBLIC HEARING ITEMS

33
34 *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,*
35 *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*
36 *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*
37 *all comments to three (3) minutes out of respect for the time of other citizens.*

- 38
39 2. **Z2021-034 (RYAN MILLER)**

40 Hold a public hearing to discuss and consider a request by Maxwell Fisher of Masterplan on behalf of Saro Partners, LLC for the approval of a Zoning
41 Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 5.07-acre tract of land identified as Tract 2-06 of the D. Harr Survey,
42 Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-
43 OV) District, located at the southeast corner of the intersection of John King Boulevard and Airport Road, and take any action necessary.

44
45 Director of Planning and Zoning Ryan Miller advised the Commission that the applicant has decided to withdraw the case to allow more time
46 to work on particular issues on the property. Due to this case being an advertised public hearing item then the Commission will need to vote
47 on whether to accept or deny the withdraw.

48
49 Vice-Chairman Welch made a motion to approve the withdraw for case Z2021-034. Commissioner Thomas seconded the motion which passed
50 by a vote of 6-0.

- 51
52 3. **Z2021-038 (ANDREW REYNA)**

53 Hold a public hearing to discuss and consider a request by Darrell McCallum for the approval of a Specific Use Permit (SUP) for a Detached Garage that
54 exceeds the maximum permissible size for a detached garage on a 1.2080-acre parcel of land identified as Lot 6, Block A, Grady Rash Addition, City of
55 Rockwall, Rockwall County, Texas, zoned Single-Family (SF-10) District, addressed as 1 Soapberry Lane, and take any action necessary.

56
57 Planner Andrew Reyna provided a brief summary in regards to the request. The applicant is requesting to construct a 30' x 40' detached garage
58 on the subject property to replace an existing 24' x 30' detached garage. The structure will be metal with a metal roof and will be 15-feet in
59 height. At the previous work session, the applicant indicated that he would construct a stone wainscot along the northern and western
60 boundaries. There will be a garage with two doors and will have enough space for two average sized vehicles. The proposed detached garage
61 goes over the maximum allowable size by 575 square feet. Should the SUP be approved, Staff has included an operational condition in the
62 ordinance that would only allow for that one accessory structure to be on the property. While the proposed garage is not architecturally
63 compatible with the primary structure, the stone wainscot that will be included is an improvement over the existing metal shed. Staff mailed
64 out 30 notices to property owners and occupants within 500-feet of the subject property. Staff has since received three (3) notices back: 2 in
65 favor and 1 opposed to the request.

67 Commissioner Deckard asked if height was set in the specific use permit.

68
69 Chairman Chodun asked the applicant to come forward

70
71 Darryl McCallum
72 1 Soapberry Lane
73 Rockwall, TX 75087

74
75 Mr. McCallum came forward and provided additional information in regards to the request.

76
77 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
78 indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

79
80 Commissioner Thomas made a motion to approve Z2021-038 with staff recommendations. Commissioner Deckard seconded the motion which
81 passed by a vote of 6-0.

82
83 Chairman Chodun advised that the case will go before the City Council on October 18, 2021.

84
85 4. Z2021-039 (ANGELICA GAMEZ)

86 Hold a public hearing to discuss and consider a request by Peter Muhl of Rockwall Habitat for Humanity for the approval of a Specific Use Permit (SUP)
87 for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.1650-acre parcel of land identified as Lot
88 888A of the Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-
89 Family 7 (SF-7) District land uses, addressed as 305 Blanche Drive, and take any action necessary.

90
91 Planning and Zoning Coordinator Angelica Gamez provided a brief summary in regards to the request. The applicant is requesting a SUP for
92 Residential Infill in an Established Subdivision. According to the Unified Development Code (UDC), an Established Subdivision has five (5)
93 more lots, is more than 90% developed, and has been in existence for more than 10 years. The proposed single-family home does meet all of
94 the density and dimensional requirements for the single-family district. The applicant will be incorporating mostly brick into the home but will
95 not be incorporating a garage. Should the applicant intend on adding one in the future then it must meet all of the requirements as stated in
96 the UDC. As stipulated by Planned Development District 75, approval of this request is a discretionary decision for the City Council pending
97 a recommendation from the Planning and Zoning Commission. On September 23, 2021, staff mailed out 141 notices to property owners and
98 occupants within 500-feet of the subject property. There was a sign posted on the property as well as it being advertised in the Rockwall Herald
99 Banner. Staff has since received one notice from a property owner within the notification area in favor of the applicant's request.

100
101 Chairman Chodun asked the applicant to come forward.

102
103 Peter Muhl
104 357 E. Tripp Road
105 Sunnyvale, TX 75182

106
107 Mr. Muhl came forward and was prepared to answer questions.

108
109 Commissioner Thomas asked why there was a reason there was not a garage incorporated into the home.
110 Commissioner Womble wanted clarification in regards to the square footage of the home.

111
112 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
113 indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

114
115 Commissioner Womble made a motion to approve Z2021-039. Commissioner Conway seconded the motion which passed by a vote of 6-0.

116
117 Chairman Chodun advised that the case will go before the City Council on October 18, 2021.

118
119 5. Z2021-040 (RYAN MILLER)

120 Hold a public hearing to discuss and consider approval of a Text Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the Unified
121 Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the Permissible Use Charts and definition for Urban Residential, and take
122 any action necessary.

123
124 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. On September 7, 2021, the City Council
125 directed Staff to make changes to the UDC to address the Urban Residential land use. The purpose of the City Council's direction is to ensure
126 that discretionary oversight of this land use was provided in the future and to prohibit apartments as a standalone land use in the Downtown
127 District. To achieve this, Staff is proposing to change the land use charts from allowing urban residential as a by-right land use and changing
128 it to require a Specific Use Permit (SUP). An SUP will allow for a discretionary process for the City Council pending a recommendation from
129 the Planning and Zoning Commission as opposed to taking it straight to a technical approval. In addition, Staff is also proposing to change
130 the definition of 'urban residential' from "a use that allows for multiple single-family dwelling units grouped into a single building" to "allows
131 for single-family, single-family attached, townhomes, and lofts" with one-story of residential over Commercial only. In accordance with the
132 UDC, Staff is bringing this forward for a recommendation prior to bringing it to the City Council. Mr. Miller then advised the Commission that
133 he was available to answer any questions.

134
135 Commissioner Deckard asked if there are lots left that would allow for an apartment unit by right.

136 Commissioner Womble asked if there had been any protests from the property owners in downtown.
137 Commissioner Conway asked if this would allow for people to put lofts on the second floor of current buildings.

138
139 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
140 indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

141
142 Commissioner Conway made a motion to approve Z2021-040. Commissioner Thomas seconded the motion which passed by a vote of 4-2 with
143 Commissioners Deckard and Womble dissenting.

144
145 Chairman Chodun advised that the case will go before the City Council on October 18, 2021.

146
147 6. **Z2021-041 (HENRY LEE)**

148 Hold a public hearing to discuss and consider a request by Aaron Hawkins on behalf of Tim Thompson of Metroplex Acquisitions for the approval of a
149 Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e.
150 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,
151 Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses, situated within North SH-205 Overlay
152 (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.

153
154 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is requesting an SUP for the
155 purpose of establishing a restaurant that will be less than 2,000 square feet with a drive-through called Salad and Go. According to the UDC,
156 a restaurant less than 2,000 square feet with a drive-through or drive-in does require an SUP in a General Retail District. In addition, this land
157 use is subject to the following land use conditions: (1) a drive thru lane shall not have access to a residential street and (2) that additional
158 landscaping adjacent to the drive-thru lanes be incorporated and (3) a minimum of 6 stacking spaces are required in the drive through lane.
159 Additionally, the applicant has agreed to incorporate additional landscaping on the north property line adjacent to the drive-through lane there
160 and on the south property line adjacent to the drive thru lane there. Based on this concept plan, the applicant's request does appear to be in
161 conformance with all the land use conditions for this proposed use. Staff sent out 26 notices to property owners and occupants within 500
162 feet of the subject property and has not received any back as well as notifying all HOAs within 1,500-feet of the subject property.

163
164 Chairman Chodun asked the applicant to come forward.

165
166 Zach Sadler
167 4500 Mercantile Plaza
168 Fort Worth, TX 76137

169
170 Mr. Sadler came forward and was prepared to answer questions.

171
172 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one
173 indicating such; Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

174
175 Commissioner Thomas made a motion to approve Z2021-041 with staff recommendations. Commissioner Deckard seconded the motion which
176 passed by a vote of 6-0.

177
178 Chairman Chodun advised that the case will go before the City Council on October 18, 2021.

179
180 V. ACTION ITEMS

181
182 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and*
183 *special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.*

184
185 7. **SP2021-025 (HENRY LEE)**

186 Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Michael Vinson of St. Benedict's Anglican Church for
187 the approval of a Site Plan for a House of Worship on a 7.45-acre tract of land identified as Tract 3 & 10 of the W. B. Bowles Survey, Abstract No. 12
188 and A. Hanna Survey Abstract No. 98, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, 1500 Sunset Hill Drive, and
189 take any action necessary.

190
191 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The Commissioner saw a related request
192 back in August 2021 when the applicant was coming thru for an SUP approval for a House of Worship. That was ultimately approved by the
193 City Council and the applicant has followed up by submitting a site plan application. The site plan is only covering the site plan, landscape
194 plan, treescape plan, and photometric plan. They will be holding off on bringing in the elevations for changes to the house and the two future
195 chapels when they submit for an amended site plan in the future. In this case, the site plan meets all the technical requirements with the
196 exception of the paving requirement for the access drive on the east side of the property. The applicant is requesting to not pave required
197 concrete in order to keep that as a residential drive. The applicant will also be gating this entry so it will not be a general public entrance. In
198 exchange for the variance, they are proposing two compensatory measures such as having 10% stone on the future chapel and incorporating
199 a prayer garden on the property. Overall, it meets all of the technical requirements with the exception of the paving materials. Mr. Miller then
200 advised that Staff and the applicant were present and available for questions.

201
202 Commissioner Womble asked if any improvements were being made to the actual structure.

203
204 Chairman Chodun asked the applicant to come forward.

205
206 Dub Douphrate
207 2235 Ridge Road
208 Rockwall, TX 75087
209

210 Mr. Douphrate came forward and provided additional details in regards to the request.

211
212 Commissioner Womble asked for photos of the sloped area on the property.

213
214 Mr. Miller added that any variances or exceptions require a ¾ majority vote of the Planning and Zoning Commission.

215
216 Vice-Chairman Welch made a motion to approve SP2021-025 with staff recommendations. Commissioner Womble seconded the motion which
217 passed by a vote of 6-0.
218

219 8. **SP2021-026 (HENRY LEE)**

220 Discuss and consider a request by Steven Reyes of Architectonics Texas, LLC on behalf of Dr. Stan Tolkachjov for the approval of a Site Plan for a
221 Medical Office building on a 0.688-acre parcel of land identified as Lot 1, Block D, La Jolla Pointe Addition, City of Rockwall, Rockwall County, Texas,
222 zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 505 Ridge Road [FM-740], and take any action
223 necessary.
224

225 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is proposing a 5,835 square
226 foot medical office building. The request does meet all of the density and dimensional requirements for the Commercial District but they are
227 requesting three variances in this case. The Architectural Review Board did review this and recommended approval of the building to the
228 Planning and Zoning Commission. The driveway spacing has an issue due to how the property curves along the street. The applicant did
229 submit a letter stating three compensatory measures: (1) to utilize 100% masonry materials on the building, (2) to incorporate greater than
230 20% natural stone on the building, and (3) they have included additional landscaping throughout the site. Mr. Miller explained that all
231 variances and exceptions do require a ¾ majority vote by the Planning and Zoning Commission.
232

233 Commissioner Conway asked if they were proposing anything to make up for the 2 parking spaces.

234
235 Chairman Chodun asked the applicant to come forward.

236
237 Ross Ramsay
238 2235 Ridge Road
239 Rockwall, TX 75087
240

241 Mr. Ramsey came forward and provided additional details in regards to the request.

242
243 Commissioner Thomas made a motion to approve SP2021-026. Commissioner Deckard seconded the motion which passed by a vote of 6-0.
244

245 VI. DISCUSSION ITEMS
246

247 *These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come*
248 *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*
249 *are considered for action by the Planning and Zoning Commission.*
250

251 9. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
252

- 253 • P2021-047: Replat for Lot 2, Block A, Lofland Industrial Park Addition [APPROVED]
- 254 • P2021-048: Replat for Lots 2, 3, & 4, Block A, Epton Addition [APPROVED]
- 255 • Z2021-032: SUP for a Restaurant with Drive-Through for Dutch Bros. [APPROVED; 1ST READING]
- 256 • Z2021-036: Zoning Change from Agricultural (AG) District to Planned Development District 91 (PD-91) [APPROVED; 1ST READING]
- 257 • Z2021-037: SUP for an Accessory Structure at 54 Shadydale Lane [APPROVED; 2ND READING]
- 258

259 Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council
260 meeting.
261

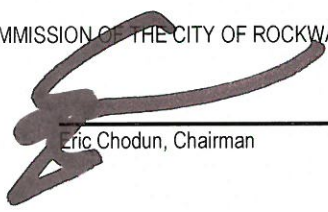
262 VII. ADJOURNMENT
263

264 Chairman Chodun adjourned the meeting at 6:53 P.M.

265
266 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 26 day of October
267 _____, 2021.

268
269
270 Attest:

271 _____
272 Angelica Gamez, Planning and Zoning Coordinator
273



Eric Chodun, Chairman