

# 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 from 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; 1<sup>st</sup> READING]

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- Z2020-040: Text Amendment to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan [APPROVED; 1<sup>st</sup> 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

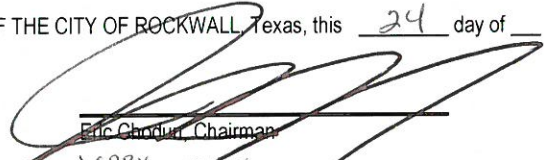
Chairman Chodun adjourned the meeting at 8:05 PM.

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