

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
NOVEMBER 24, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
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4 Vice-Chairman Welch called the meeting to order at 6:01 PM. Commissioners present were John Womble, Mark Moeller, and Jean
5 Conway. Absent from the meeting were Chairman Eric Chodun and Commissioners Derek Deckard and Sedric Thomas. Staff members
6 present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning
7 and Zoning Coordinator Angelica Gamez, City Engineer Amy Williams, and Civil Engineer Sarah Johnston.
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9 II. OPEN FORUM
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11 Vice-Chairman Welch 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, Vice-Chairman Welch closed the open forum.
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14 III. APPOINTMENTS
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- 16 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments
17 for items on the agenda requiring architectural review.
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19 A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the
20 Architectural Review Board meeting.
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22 IV. CONSENT AGENDA
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- 24 2. Approval of Minutes for the November 10, 2020 Planning and Zoning Commission meeting.
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26 3. **P2020-048** (DAVID GONZALES)

27 Consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval
28 of a Replat for Lots 4-7, Block A, Dalton Goliad Addition being a 5.683-acre parcel of land identified as Lot 2, Block A, Dalton Goliad Addition, City
29 of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the N. SH-205 Overlay (N. SH-205 OV) District, generally
30 located on the west side of SH-205 north of the intersection of SH-205 and FM-552, and take any action necessary.
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32 4. **SP2020-030** (DAVID GONZALES)

33 Discuss and consider a request by Jason Linscott of Texas Health Hospital Rockwall for the approval of an Amended Site Plan for the central
34 utility plant associated with an existing hospital (*i.e. Presbyterian Hospital of Rockwall*) that is situated on a 17.562-acre parcel of land identified
35 as Lot 23, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9
36 (PD-9) for General Retail (GR) District land uses, addressed as 3150 Horizon Road, and take any action necessary.
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38 Commissioner Womble made a motion to approve the consent agenda. Commissioner Moeller seconded the motion which passed by
39 a vote of 4-0 with Chairman Chodun and Commissioners Deckard and Thomas absent.
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41 V. ACTION ITEMS
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43 5. **MIS2020-015** (DAVID GONZALES)

44 Discuss and consider a request by Gary Gordon for the approval of a Special Exception to allow a front yard fence on a 0.687-acre parcel of land
45 identified as Lot 1, Block A, Barz Acre Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as
46 222 W. Quail Run Road, and take any action necessary.
47

48 Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is requesting a front
49 yard fence for the property. The fence will be a wrought iron fence to exceed 48-inches in height. The proposed fence will be 52-inches
50 tall and there will be a decorative metal design attached at the top. Mr. Gonzales then advised the Commission that the applicant and
51 staff were present and available for questions.
52

53 Vice-Chairman Welch asked the applicant to come forward.
54

55 Gary Gordon
56 222 W. Quail Run
57 Rockwall, TX 75032
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59 Mr. Gordon came forward and provided an explanation in regards to is request. His main reasoning for the fence was due to having
60 safety issues. He stated that if he was only allowed to do the 48-inhces then he would abide by that.
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62 Vice-Chairman Welch asked if there were any pictures showing the proposed décor of the fence.

63 Commissioner Moeller asked about the fence being in the right-of-way and if the applicant would be willing to move it back the
64 appropriate distance.

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66 Commissioner Womble made a motion to approve item MIS2020-015 at 48-inches out of the right-of-way and within property lines.
67 Commissioner Moeller seconded the motion which passed by a vote of 4-0.
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69 6. MIS2020-017 (RYAN MILLER)

70 Discuss and consider a request by Jim Ziegler of PegasusAblon on behalf of Rockwall Rental Properties, LLP for the approval of a *Miscellaneous*
71 *Request* for a variance to the underground utility requirements stipulated by the Municipal Code of Ordinances and the Unified Development Code
72 (UDC) for a 1.064-acre parcel of land identified as Lot 11, Block A, The Rockwall-Harbor Addition, City of Rockwall, Rockwall County, Texas,
73 zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, generally located between 2125 & 2600
74 Lakefront Trail, and take any action necessary.
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76 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting the approval
77 of a variance to the underground utilities located between 2125 & 2600 Lakefront Trail. Mr. Miller explained that the applicant is currently
78 constructing a 375-unit condominium building addressed as 2600 Lakefront Trail. As part of that case. The applicant was proposing to
79 construct a public garage for the Harbor retail. After going through all the necessary approvals, the applicant is now in the construction
80 phase of his projects. During the construction, he came upon an issue. Currently, there are above ground power lines that run along
81 Lakefront Trail and cross roughly in the middle of the proposed parking garage then continue in the right-of-way of Lakefront Trail to
82 Summer Lee. At the corner of the property there is a pole and underneath that area are 2 RCBs (reinforced concrete boxes) that run
83 parallel there. The applicant is trying to underground the utilities as they're doing with the rest of the site but they're having a problem
84 with it. Staff and the applicant met with Oncor who stated that these utilities may not be undergrounded in this area. What the applicant's
85 only recourse is to come before the Planning & Zoning Commission and ask to be allowed to leave above ground utilities in this corner.
86 Mr. Miller advised the Commission that the applicant and Staff were present and available for questions.
87

88 Vice-Chairman Welch asked the applicant to come forward.

89
90 Jim Ziegler
91 6205 Wichita Trail
92 Flower Mound, TX 75022
93

94 Mr. Ziegler came forward and provided additional details in regards to his request.

95
96 Commissioner Womble asked what the long term plan was and if the applicant exhausted all efforts to find another solution.
97

98 Commissioner Conway made a motion to approve item MIS2020-017. Commissioner Womble seconded the motion which passed by a
99 vote of 4-0.
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101 VI. DISCUSSION ITEMS

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103 7. Z2020-041 (RYAN MILLER)

104 Hold a public hearing to discuss and consider approval of a *Text Amendment* to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV)*
105 *District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending
106 the requirements for land use and development within the *Lake Ray Hubbard Takeline*, and take any action necessary.
107

108 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. Mr. Miller explained that there was a work
109 session held with City Council in which they, at the direction of Mayor Pruitt, requested that Staff review the Takeline. Specifically, the
110 task was to provide clear requirements with regards to the land uses, building materials, and construction standards currently permitted
111 in the Takeline. Also, Staff was tasked to provide incentives for more property owners to take advantage of leasing the Takeline
112 properties. Another thing Staff did was take properties who have larger amounts of Takeline and changed the way that those are
113 measured to allow structures to be put down closer to the boat docks. Staff also reduced the cost of Takeline ordinances for both people
114 seeking new leases from \$600 to \$200 as well as the annual renewal of a lease from \$350 to \$100. Standards for sea walls and erosion
115 control of the shoreline were also added to the ordinance. Mr. Miller then advised the Commission that this item will come back for
116 action at the next meeting and that he was available for questions.
117

118 Vice-Chairman Welch if this had any impact on existing property owners who lease the Takeline already.

119 Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.
120

121 8. Z2020-048 (HENRY LEE)

122 Hold a public hearing to discuss and consider a request by Brenda Kennedy for the approval of a *Specific Use Permit (SUP)* for *Residential Infill*
123 *in an Established Subdivision* for the purpose of constructing a single-family home on a 0.34-acre parcel of land identified as Lot 1, Block A,
124 Richard Harris Subdivision #5, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 701 T. L. Townsend
125 Drive, and take any action necessary.
126

127 Planner Henry Lee provided a brief summary in regards to the request and advised that his applicant was present.
128

129 Vice-Chairman Welch asked the applicant to come forward.

131 Brenda Kennedy
132 1630 Shores Blvd.
133 Rockwall, TX 75087

134
135 The applicant came forward and provided additional details in regards to the request.

136
137 Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

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139 9. Z2020-049 (HENRY LEE)

140 Hold a public hearing to discuss and consider a request Sam Hernandez for the approval of a *Specific Use Permit (SUP)* for *Residential Infill*
141 *Adjacent to an Established Subdivision* for the purpose of constructing a single-family home on a 0.2342-acre parcel of land identified as Lot 48
142 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential
143 Neighborhood Overlay (SRO) District, addressed as 304 E. Bourn Street, and take any action necessary.

144
145 Planner Henry Lee advised that the applicant was present.

146
147 Vice-Chairman Welch asked the applicant to come forward.

148
149 Sam Hernandez & Vanessa Hernandez.
150 6914 Field Lark Rd
151 Arlington, TX 76002

152
153 The applicant came forward and provided a brief summary in regards to this request.

154
155 Commissioner Womble asked why the applicant could not meet the requirement without redesigning. Mr. Miller added that that will not
156 solve the problem because it's measured from the front façade.

157 Commissioner Moeller asked if there was another lot next to it and if it was developable.

158 Commissioner Conway asked if there was room for a large two story house on the lot.

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160 Planner Henry Lee added that they are proposing to do ethos or stucco on their building elevations.

161
162 Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

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164 10. Z2020-050 (HENRY LEE)

165 Hold a public hearing to discuss and consider a request Perry Bowen on behalf of Kyle Bryan for the approval of a *Specific Use Permit (SUP)* for
166 *Residential Infill Adjacent to an Established Subdivision* for the purpose of constructing a single-family home on a 0.9655-acre parcel of land
167 identified as Lot A, Block 107, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed
168 as 501 S. Clark Street, and take any action necessary.

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170 Vice-Chairman Welch asked the applicant to come forward.

171
172 Perry Bowen
173 230 Myers Rd
174 Heath, TX 75032

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176 The applicant came forward and provided a brief summary in regards to the request.

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178 Planner Henry Lee added that this request would also require a variance for the garage setback.

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180 Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

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182 11. Z2020-051 (HENRY LEE)

183 Hold a public hearing to discuss and consider a request Travis Redden for the approval of a *Specific Use Permit (SUP)* for *Residential Infill*
184 *Adjacent to an Established Subdivision* for the purpose of constructing a single-family home on a 0.30-acre parcel of land identified as Lot 8, Block
185 A, Shadydale Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for Single-Family 8.4
186 (SF-8.4) District land uses, addressed as 38 Shady Dale Lane, and take any action necessary.

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188 Vice-Chairman Welch asked the applicant to come forward.

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190 Travis Redden
191 1115 Concan Drive
192 Forney, TX 75126

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194 The applicant came forward and provided a brief summary in regards to the request.

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Planner Henry Lee added that Staff found during the housing analysis that most of the homes were brick or stone entirely with the exception of one home. The proposed home would consist of brick and siding.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

12. Z2020-052 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Thomas Jones of Tomden Engineering, LLP on behalf of Shanon Thomas of Rockwall Friendship Baptist Church for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 3.94-acre tract of land identified as Tract 1-8 of the J. H. Bailey Survey, Abstract No. 22, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 5651 SH-276, and take any action necessary.

Vice-Chairman Welch asked the applicant to come forward.

Tom Jones
5815 Meadowcrest Drive
Dallas, TX 75230

The applicant came forward and provided a brief summary in regards to the request.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

13. Z2020-053 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by David Meinhardt of Meinhardt & Associates, PLLC on behalf of Ed Burke of Channell Commercial Corporation for the approval of a Zoning Change from a Light Industrial (LI) District to a Planned Development District for Light Industrial (LI) District land uses on an 18.762-acre parcel of land identified as Lot 2, Block A, Channell Subdivision, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, addressed as 1700 Justin Road, and take any action necessary.

Planning and Zoning Director Ryan Miller advised that his applicant was present. He reminded the Commission that this is an existing facility at the corner of John King and Justin Road.

Vice-Chairman Welch asked the applicant to come forward.

Bill Channell
1700 Justin Road
Rockwall, TX 75087

The applicant came forward and provided a brief summary in regards to the request.

Mr. Miller that there will be an amphitheater that will be visible from John King. It will encroach into those areas with a wall structure but it won't change the existing appearance of the building. The new building will also be visible from John King but will face onto Justin Road. The applicant will also be adding some sale canopies in the parking areas.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

14. Z2020-054 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Corky Belanger for the approval of a Specific Use Permit from an accessory structure on a 0.161-acre parcel of land identified as Lot 9, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 707 Parks Avenue, and take any action necessary.

Vice-Chairman asked the applicant to come forward.

Corky Belanger
707 Parks Avenue
Rockwall, TX 75087

The applicant came forward and provided a brief summary in regards to his request.

Planner Henry lee added that the proposed accessory structure is nearly 50% of the primary structure.

Mr. Miller asked if Mr. Belanger was adhering to both of the setbacks along the back of the property. Commissioner Moeller asked if there were any other buildings in the back of the property.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

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15. **P2020-047 (DAVID GONZALES)**

Discuss and consider a request by Pat Atkins of KPA Consulting on behalf of Pat Atkins of CDT Rockwall 2017, LLC for the approval of a Preliminary Plat for Phase 3 of the Saddle Star Subdivision consisting of 33 single-family residential lots on a 14.995-acre tract of land identified as Tract 1-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) 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 on the east side of John King Boulevard northeast of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary.

Planning and Zoning Manager David Gonzales advised that his applicant was present but the only reason the item was on the Discussion Items was because it needs to go before the Parks Board. This case will come back on Consent Agenda at the next meeting. He also added that the property is under Mount Zion Water, to which they need to opt out of, and hook onto City water. There also is no capacity from the Stoney Hollow lift station so they'll need to do an infrastructure study for that.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

16. **P2020-049 (DAVID GONZALES)**

Discuss and consider a request by Danielle Porten of REP Investments, LLC for the approval of a Preliminary Plat for Lots 1-6, Block A, Blackland Industrial Park Addition being a 10.27-acre tract of land identified as Tract 3-04 of the A. M. Wilson Survey, Abstract No. 223, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 3500 Blackland Road, and take any action necessary.

Vice-Chairman Welch asked the applicant's representative to come forward.

**Jeff Carroll
750 E. I-30
Rockwall, TX 75087**

The applicant's representative came forward and provided a brief summary in regards to the request.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

17. **SP2020-031 (DAVID GONZALES)**

Discuss and consider a request by Darrel Kotzur, PE of KSA Engineers on behalf of the owner Mary Courtin of Courtin Dental for the approval of a Site Plan for a daycare facility and a medial office on a 1.743-acre tract of land identified as a portion of Lot 9, Block A, Flagstone Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 54 (PD-54) for Commercial (C) District land uses, situated at the southeast corner of the intersection of E. Ralph Hall Parkway and Mims Road, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. He advised that Staff would be working with the applicant in regards to the issues found by the Architectural Review Board and other site plan items associated with this plan.

Vice-Chairman Welch indicated that the case will come back to the Commission on December 8, 2020 for discussion or action.

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

- ✓ P2020-044: Preliminary Plat for the Saddle Star North Subdivision [APPROVED]
- ✓ P2020-046: Preliminary Plat for Phase 2 of the Gideon Grove Subdivision [APPROVED]
- ✓ Z2020-043: SUP for Mini-Warehouse at 1245 SH-276 [APPROVED; 1st READING]
- ✓ Z2020-044: SUP for Residential Infill in an Established Subdivision at 102 Thistle Place [APPROVED; 1st READING]
- ✓ Z2020-045: Zoning Change for Nelson Lake Estates [DENIED]

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

VII. ADJOURNMENT

Vice-Chairman Welch adjourned the meeting at 6:59 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this
8 day of December, 2020.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman