

# MINUTES



PLANNING AND ZONING COMMISSION WORK SESSION MEETING  
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS  
NOVEMBER 29, 2022 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 **NOTES:** [1] ADDITIONAL CASE INFORMATION CAN BE FOUND AT  
3 [HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases), AND [2] TO PROVIDE INPUT ON A ZONING OR  
4 SPECIFIC USE PERMIT CASE PLEASE [CLICK HERE](#) OR CLICK ON THE LINK ABOVE AND USE THE ZONING AND SPECIFIC USE PERMIT INPUT  
5 FORM ON THE CITY'S WEBSITE.  
6

## 7 I. CALL TO ORDER

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9 **Chairman Thomas called the meeting to order at 6:00 PM. Commissioners present were Jean Conway, Brian Llewelyn, Jerry Welch, John Womble and Derek Deckard. Absent from the meeting was Commissioner Ross Hustings. Staff members present were Director of Planning and Zoning Ryan Miller, Planners Henry Lee and Bethany Ross, Planning Technician Angelica Guevara, Planning Coordinator Sarah Chapin, City Engineer Amy Williams, Assistant City Engineer Jonathan Browning, and Civil Engineer Sarah Johnston.**  
12

## 14 II. APPOINTMENTS

- 16 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on  
17 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 Architectural  
20 Review Board meeting.**

## 22 III. OPEN FORUM

23  
24 *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  
25 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  
26 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  
27 Act.*

28  
29 **Chairman Thomas explained how open forum is conducted and asked if anyone wished to speak to come forward at this time; there being no one  
30 indicating such, Chairman Thomas closed the open forum.**  
31

## 32 IV. CONSENT AGENDA

33  
34 *These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC)  
35 and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.*  
36

- 37 2. Approval of minutes for the November 15, 2022 Planning and Zoning Commission meeting.  
38

### 39 3. P2022-057 (BETHANY ROSS)

40 Consider a request by Jeff Kilburg of Apex Design Build on behalf of Chad Capps of CMH Real Estate, LLC for the approval of a Replat for Lot 12, Block B,  
41 Horizon Ridge Addition being a 1.253-acre parcel of land identified as Lot 5, Block B, Horizon Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned  
42 Planned Development District 9 (PD-9) for General Retail (GR) District land uses, situated at the northwest corner of the intersection of Rockwall Parkway and  
43 Summer Lee Drive, and take any action necessary.  
44

45 **Vice-Chairman Deckard made a motion to approve the consent agenda. Commissioner Womble seconded the motion which passed by a vote of 6-0.**  
46

## 47 V. PUBLIC HEARING ITEMS

48  
49 *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  
50 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  
51 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  
52 to three (3) minutes out of respect for the time of other citizens.*  
53

### 54 4. Z2022-048 (BETHANY ROSS)

55 Hold a public hearing to discuss and consider a request by Bryan Cook for the approval of a Specific Use Permit (SUP) for a Guest Quarters/Secondary Living  
56 Unit/Detached Garage/Carport on a one (1) acre parcel of land identified as Lot 13, Block A, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall  
57 County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2348 Saddlebrook Lane, and take any action necessary.  
58

59 **Planner Bethany Ross provided a brief summary in regards to the request for a Specific Use Permit (SUP) for a guest quarters and detached garage.  
60 The case was tabled at the last Planning and Zoning Commission meeting, due to the applicant providing an updated site plan at that meeting.  
61 Planner Ross advised that the applicant has now proposed a 1,200 square foot enclosed area with a 360 square foot outdoor living area, totaling**



1,560 square foot. Three conditions of approval were included: a concrete driveway leading to the bay doors must be included, the applicant must provide a site plan demonstrating conformance to the density and dimensional requirements for an accessory structure, and the applicant must remove the 128 square foot accessory building prior to the construction of the guest quarters. Planner Ross advised that the applicant has not yet provided a site plan demonstrating conformance. As with all zoning cases, notices were mailed out to property owners and occupants within 500-feet of the subject property. At this time, Staff had received four (4) notices from four (4) property owners in favor of the applicant's request and three (3) notices from three (3) property owners opposed to the applicant's request. Currently the opposition of the applicant's request equates to thirty-five (35) percent of the total land area within two hundred (200) feet of the subject property. Due to this, a super majority vote is required for approval.

Chairman Thomas asked if there had been any changes to the building material since the last meeting when the concern was raised that the building material of the accessory structure did not match the building material of the home.

Vice Chairman Deckard asked if the site plan showed how the driveway would connect to the road.

Bob Wacker  
309 Featherstone Drive  
Rockwall, TX 75087

Mr. Wacker came forward and presented a power point regarding the request. He also expressed his being in favor of the request.

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

Commissioner Llewellyn brought up the concern that the building materials did not match the house.

Vice-Chairman Deckard advised he would like to see how the applicant will be connecting the driveway to the road, because that road is one neighbors only entrance to their home.

After discussion, Vice-Chairman Deckard made a motion to deny Z2022-048. Commissioner Llewellyn seconded the motion to deny which passed by a vote of 6-0.

Chairman Thomas advised that this item will go before the City Council on December 5, 2022.

#### ACTION ITEMS

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

#### 5. MIS2022-021 (BETHANY ROSS)

Discuss and consider a request by Jeff Carroll of Carroll Architects on behalf of Eric Borkenhagen of Kohl's Department Stores for the approval of a *Miscellaneous Case* for an *Exception* to the parking requirements for an existing commercial/retail store (*Kohl's Department Store*) situated on a 7.383-acre parcel of land identified as Lot 7, Block A, Rockwall Market Center East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 823 E. IH-30, and take any action necessary.

Planner Bethany Ross provided a brief summary in regards to the request for an exception to the off-street parking requirements of 346 parking spaces. The applicant is requesting the exception to allow 259 parking spaces, which would leave the Kohl's parking lot deficient by 87 spaces. Planner Ross advised the applicant's request does not appear to create a negative or adverse effect on any of the adjacent properties.

Commissioner Womble asked if approving the exception to the parking requirements would be assigning Kohl's a non-conforming use or putting the store in legal jeopardy in the future.

Jeff Carroll  
750 E. I-30, Ste. 110  
Rockwall, TX 75087

Mr. Carroll came forward and advised that there will be a shared parking agreement between Kohl's and the other buildings with connected parking lots.

Commissioner Womble asked if the approval would set a standard for other parking lots or have an impact on future retail.

Vice-Chairman Deckard asked what the required parking spaces are for other land uses.

Commissioner Conway brought up the concern for establishing precedent.

Commissioner Welch asked if the parking spaces could be reduced building by building rather than just Kohl's losing parking spaces.

Vice Chairman Deckard asked if shared parking is approved for multi-pad site plans with multiple buildings and one parking lot.

After discussion, Commissioner Llewellyn made a motion to approve MIS2022-021. Commissioner Conway seconded the motion which passed by a vote of 5-1 with Commissioner Womble dissenting.

#### 6. MIS2022-022 (BETHANY ROSS)

Discuss and consider a request by Patrick Hogan, PE of Kimley-Horn on behalf of Justin Day of Platform Rockwall, LP for the approval of a *Miscellaneous Case* for a *Variance to the Engineering Standards of Design and Construction* to allow vertical walls in the detention pond on a 17.03-acre tract of land identified as



129 Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located on the south  
130 side of Airport Road east of the intersection of Airport Road and John King Boulevard, and take any action necessary.  
131

132 Planner Bethany Ross provided a brief summary in regards to the request for a variance to the engineering standards to allow vertical retaining walls  
133 in a detention pond. Planner Ross advised the applicants request does not appear to create any negative effects for adjoining properties, but the  
134 request does have the means to be precedence setting. Staff has suggested a split system utilizing underground retention as an alternative to the  
135 vertical walls. In addition, the applicant has not yet provided sufficient reasoning showing that this variance should constitute a hardship and that  
136 the current standard cannot be achieved.  
137

138 Commissioner Womble asked why the City of Rockwall does not allow vertical/retaining walls in detention systems.  
139

140 Patrick Hogan  
141 13455 Noel Rd Ste 700  
142 Dallas, TX 75240  
143

144 Mr. Hogan came forward and advised that a piece of the original design for the detention system was contingent upon an agreement with a railroad  
145 abutting the property. However, the developer ultimately came to the decision that a wet detention pond with a retaining wall was more cost effective  
146 and had the least amount of impact to the site plan than other options.  
147

148 Vice-Chairman Deckard asked why the site plan was not altered instead of the detention pond.

149 Commissioner Conway asked why the split system cannot be used instead.

150 Commissioner Womble asked how visible the detention pond would be.

151 Vice-Chairman Deckard brought up the concern that there are other options to avoid the variance for the vertical wall in the detention pond, but the  
152 applicant is choosing not to take one of those options.  
153

154 After discussion, Commissioner Welch made a motion to deny MIS2022-022. Commissioner Conway seconded the motion to deny which passed by  
155 a vote of 5-1 with Commissioner Womble dissenting.  
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157 7. MIS2022-023 (RYAN MILLER)

158 Discuss and consider a request by Patricia Mejia on behalf of the Children's Advocacy Center of Rockwall County for the approval of a Miscellaneous Case for  
159 an Exception to the Street Improvement Requirements contained in the Municipal Code of Ordinances for a 7.497-acre tract of land identified as Tract 68 of the  
160 R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located northwest of the curve  
161 connecting Airport Road and E. Washington Street, and take any action necessary.  
162

163 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request for an exception to the street improvement  
164 requirements. The applicant has submitted a concept plan showing the potential establishment of a social service provider. Director Miller advised  
165 that the applicant is only using one access point off of a private drive and that providing the applicant with an exception to the street improvement  
166 requirements would prevent a hardship for the applicant. Director Miller also advised that granting the exception doesn't appear to change the  
167 essential character of the area or inhibit any of the city's future plans.  
168

169 Patricia Mejia  
170 1350 E. Washington St  
171 Rockwall, TX 75087  
172

173 Mrs. Mejia came forward and explained why the Children's Advocacy Center needs a new property with the ability to build a site that better suits the  
174 organization's needs.  
175

176 Vice-Chairman Deckard made a motion to approve MIS2022-023. Commissioner Welch seconded the motion which passed with a vote of 6-0.  
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178 Chairman Thomas advised that this item will go before the City Council on December 5, 2022.  
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180 II. DISCUSSION ITEMS  
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182 *These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come*  
183 *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*  
184 *are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the*  
185 *following cases is December 13, 2022.*  
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187 8. Z2022-051 (HENRY LEE)

188 Hold a public hearing to discuss and consider a request by Mariel Street on behalf of Cathy Strother for the approval of a Zoning Change from an Agricultural  
189 (AG) District to a Commercial (C) District for a two (2) acre parcel of land identified as Lot 1, Block A, Roadside Addition, City of Rockwall, Rockwall County,  
190 Texas, zoned Agricultural (AG) District and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2410 S. Goliad  
191 Street [SH-205], and take any action necessary.  
192

193 Planner Henry Lee provided a brief summary in regards to the request to rezone the subject property from Agricultural (AG) District to Commercial  
194 (C) District. Planner Lee advised the request to rezone does comply with the future land use map and the proposed zoning change will not change  
195 any of the current non-conforming structures on the property, but will apply to any new construction that happens on the property.



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Chairman Thomas advised that this item will come back before the Planning and Zoning Commission for discussion or action on December 13, 2022.

9. **Z2022-052 (ANGELICA GUEVARA)**

Hold a public hearing to discuss and consider a request by Danna McCarty of Shepherd Place Homes, Inc. for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.4078-acre tract of land identified as Lots 1300 & 1301 of the Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 790 County Line Road, and take any action necessary.

Planning Technician Angelica Guevara provided a brief summary in regards to the request for a Specific Use Permit (SUP) for a residential infill. Planning Technician Guevara advised the request does conform to all zoning requirements with the exception of the garage orientation and the driveway location requirements.

Chairman Thomas advised that this item will come back before the Planning and Zoning Commission for discussion or action on December 13, 2022.

10. **Z2022-053 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 10 (SF-10) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request to rezone the property from Agricultural (AG) District to a Planned Development (PD) District. Planner Lee advised the request is partially conforming with the future land use map as the Single-Family 10 (SF-10) District does conform to low density residential. However, none of the property is slated to become Commercial (C) District, so the General Retail (GR) District portion would be non-conforming with the future land use plan. Staff advised there is no sewer near the subject property, so an OSSF may be requested for the development if the lots are a minimum of 1.5 acres. However, City Council can approve a request for an OSSF with lots that are a minimum of one (1) acre and this has been approved previously for Residential (R) subdivisions, but not for any Commercial (C) properties.

Dub Douphrate  
2235 Ridge Rd  
Rockwall, TX 75087

Mr. Douphrate came forward and advised he would be changing the concept plan with staff recommendations, including changing the lots to a minimum of 1.5 acres.

Commissioner Llewellyn asked if the purpose of the Commercial (C) zone at the front of the property is to act as a buffer for the neighborhood.

Chairman Thomas advised that this item will come back before the Planning and Zoning Commission for discussion or action on December 13, 2022.

11. **Z2022-054 (BETHANY ROSS)**

Hold a public hearing to discuss and consider a request by Scott Clements on behalf of Dana Moffatt for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.1837-acre parcel of land identified as Lot 7, Block B, North Towne Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 211 Jacob Crossing, and take any action necessary.

Planner Bethany Ross provided a brief summary in regards to the request for a Specific Use Permit (SUP) for a Residential Infill in an Established Subdivision. Currently, the applicant's residential plot plan shows building setbacks that do not meet the requirements for a home in the Single-Family 7 (SF-7) District. Staff recommended that the applicant revise and show the correct setbacks and included a condition that if the setbacks do not change, the applicant will need to withdraw this case and request a variance with the Board of Adjustments.

Scott Clements  
4263 CR 2602  
Caddo Mills, TX 75135

Chairman Thomas advised that this item will come back before the Planning and Zoning Commission for discussion or action on December 13, 2022.

12. **Z2022-055 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Ryan Lewis and Scott Sutton of Crosspoint Community Church for the approval of a Zoning Change amending Planned Development District 87 (PD-87) [Ordinance No. 18-46] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. Planner Lee advised that the case did come before the Planning and Zoning Commission previously and was denied. The applicant decided to resubmit for this cycle and provided a new concept plan.

263 Vice Chairman Deckard asked if anything changed since the last plan was denied.  
264 Chairman Thomas asked if there had been any conversation with the residents of the area.  
265  
266 Planner Lee advised that a letter in favor of the request was received by the HOA, and notices in favor and opposed to the request have been received  
267 from residents.  
268  
269 Vice Chairman Deckard asked if the HOA is still being run by the developer or if it is being run by community members.  
270  
271 Dub Douphrate  
272 2235 Ridge Rd  
273 Rockwall, TX 75087  
274  
275 Mr. Douphrate came forward and advised the conditions that have changed since the last request was denied include: the church now owns the  
276 property, and the concept plan was rearranged.  
277  
278 Scott Sutton  
279 1200 E. Washington St  
280 Rockwall, TX 75087  
281  
282 Mr. Sutton came forward and advised that they have met with residents in the area to address concerns about traffic and landscaping.  
283  
284 Commissioner Welch brought up the concern of the playground being next to the road.  
285 Commissioner Womble asked if the biggest concern from the neighborhood was the potential traffic issue.  
286 Vice Chairman Deckard brought up the neighborhood concern about the change of use.  
287  
288 Chairman Thomas advised that this item will come back before the Planning and Zoning Commission for discussion or action on December 13, 2022.  
289  
290 13. **SP2022-060 (HENRY LEE)**  
291 Discuss and 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  
292 Plan for the Nelson Lake Subdivision amenity center being a 1.403-acre portion of a larger 120.9004-acre tract of land identified as Tract 2 of the J. M. Gass  
293 Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 90 (PD-90) [*Ordinance No. 21-09*] for Single-Family  
294 10 (SF-10) District land uses, generally located at the southeast corner of the intersection of FM-1141 and FM-552, and take any action necessary.  
295  
296 Planner Henry Lee provided a brief summary in regards to the request for the approval of a site plan for an amenity pavilion, playground, and pool.  
297 Staff is currently working through comments related to the landscaping, pool equipment enclosure, and minor comments related to the building of  
298 the amenity pavilion. Staff advised the current position of the pool equipment is visible from Glenwood Lane and recommended the applicant move  
299 the equipment to better screen it from the roadway and the residential homes.  
300  
301 Miguel Lara  
302 704 Central Parkway E.  
303 Plano, TX 75074  
304  
305 Chairman Thomas advised that this item will come back before the Planning and Zoning Commission for discussion or action on December 13, 2022.  
306  
307 14. **SP2022-061 (HENRY LEE)**  
308 Discuss and consider a request by Robert Howman of Glenn Engineering on behalf of William Salee of Rockwall Independent School District (RISD) for the  
309 approval of a Site Plan for an Elementary School on a 11.605-acre tract of land identified as Tract 17-01 of the E. P. G. Chisum Survey, Abstract No. 64, City of  
310 Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 899 Tubbs Road, and  
311 take any action necessary.  
312  
313 Planner Henry Lee provided a brief summary in regards to the request for the approval of a new elementary school on the subject property. Planner  
314 Lee advised the applicant does plan on building the new school while the existing school on the property is still in use, then removing the existing  
315 school after the completion of the new school. Staff advised ARB did review this request and recommended approval.  
316  
317 Will Salee  
318 1050 Williams Street  
319 Rockwall, TX 75087  
320  
321 Mr. Salee came forward and presented a power point regarding the request.  
322  
323 Commissioner Conway requested clarification for the location of the subject property.  
324 Commissioner Llewellyn asked if the pickup line would only be attached to Ralph Hall or if it would also be connected to Mims Road or Rochell  
325 Court.  
326  
327 Chairman Thomas advised that this item will come back before the Planning and Zoning Commission for discussion or action on December 13, 2022.  
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329 15. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

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- P2022-055: Final Plat for Phase 1 of the Homestead Subdivision [APPROVED]
- P2022-056: Final Plat for the Marina Village Subdivision [APPROVED]
- Z2022-047: Zoning Change (AG to GR) for JMS Custom Homes, LLC [APPROVED; 1<sup>ST</sup> READING]
- Z2022-048: SUP for a *Guest Quarters/Secondary Living Unit and Detached Garage* at 2348 Saddlebrook Lane [POSTPONED TO DECEMBER 5, 2022]
- Z2022-049: SUP for *Residential Infill Adjacent to an Established Subdivision* for 1505 S. Alamo Street [APPROVED; 1<sup>ST</sup> READING]
- Z2022-050: Text Amendment to Article 05, *District Development Standards*, of the UDC [APPROVED; 1<sup>ST</sup> READING]

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

VIII. ADJOURNMENT

Chairman Thomas adjourned the meeting at 7:34 pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 13<sup>th</sup> day of December, 2022.



Sedric Thomas, Chairman

Attest:   
Sarah Chapin, Planning Coordinator