

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JANUARY 9, 2024 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

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

I. CALL TO ORDER

7
8 **Chairman Deckard** called the meeting to order at 6:00 PM. Commissioners present were John Womble, Jay Odom, Kyle Thompson, Ross Hustings
9 and Brian Llewelyn. Commissioners absent were Dr Jean Conway. Staff members present were Director of Planning and Zoning Ryan Miller, Senior
10 Planner Henry Lee, Planning Technician Angelica Guevara, Planning Coordinator Melanie Zavala, City Engineer Amy Williams, Assistant City
11 Engineer Jonathan Browning. Absent from the meeting was Planner Bethany Ross and Civil Engineer Madelyn Price.
12

II. OPEN FORUM

13
14
15 *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*
16 *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*
17 *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*
18 *Act.*
19

20 **Chairman Deckard** explained how the open forum is conducted and asked if anyone who wished to speak to come forward at this time, there being
21 no one indicating such, Chairman Deckard closed the open forum.
22

III. CONSENT AGENDA

23
24
25 *These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC)*
26 *and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.*
27

1. Approval of minutes for the December 27, 2023 Planning and Zoning Commission meeting.

28
29
30 **Commissioner Llewelyn** made a motion to approve Consent Agenda. Vice-chairman Womble seconded the motion which passed by a vote of 6-0.
31

IV. PUBLIC HEARING ITEMS

32
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, please*
35 *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*
36 *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*
37 *to three (3) minutes out of respect for the time of other citizens.*
38

2. Z2023-054 (HENRY LEE)

39
40 Hold a public hearing to discuss and consider a request by Pare Underwood on behalf of Annette Lall of HIS Covenant Children, Inc. for the approval of a
41 Specific Use Permit (SUP) for an Event Hall/Banquet Facility on a 0.689-acre tract of land identified as Lots A & B, Block 2, Griffith Addition, City of Rockwall,
42 Rockwall County, Texas, zoned Downtown (DT) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 303 E. Rusk Street, and
43 take any action necessary.
44

45 **Senior Planner Henry Lee** provided a summary regarding the request. The applicant is requesting a Specific Use Permit (SUP) for an event hall/
46 banquet facility. A bit of background on this case, this was a code enforcement case that was referred to our department as they were operating
47 without a Certificate of Occupancy (CO) and for land use that required a SUP per the zoning code. Staff should note that prior to November 2023 it
48 was not required for all businesses to have a CO unless they had direct access onto the exterior of the building, in this case they did not. They had
49 started operating before that November 2023 deadline. Therefore, when they had begun operating, they were not required a CO however since
50 November 2023 it has been required for all businesses have a CO, in this case, they're having to come to us because the land use does require that
51 SUP. Once they were informed, they got in touch with staff and have started working through the process. In addition, as they've been working
52 through this with staff, they have had the fire department and the building inspections department go out and do all the safety inspections and they
53 have passed all those inspections as well. As indicated the applicant is requesting an event hall/banquet facility on the subject property. The property
54 being a landmark property for the Historic District it did have to get a Certificate of Appropriateness (COA) first from the Historic Preservation
55 Advisory Board which they did recommend approval. Staff should also note that the landmark portion of this property is really the main church
56 building and not the annex building, but with it the landmark status applies to the whole property which is why they had to go through that process
57 as well with the Historic Preservation Advisory Board for approving that COA. They did send a recommendation of approval for the SUP. Another
58 consideration is the parking requirements for this property within your memo staff outlined that they be required 12 parking spaces for this use, and
59 they have a total of 27 parking spaces that will leave a remainder of 15 for the building. There are other tenants within this building and as those uses
60 change, they'll be required to get a COA and CO as well. This being a zoning case staff mailed out 145 notices on December 19th, 2023, to property
61 owners and occupants within 500 ft of the subject property. Currently staff has received one notice in favor of the applicant's request.
62

63 **Pare Underwood**

64 **11644 CR-536**

65 Rockwall, TX 75087

66
67 Mrs. Underwood came forward and provided additional details regarding the request.

68
69 Chairman Deckard opened the Public Hearing and asked anyone who wished to speak to come forward at this time, there being no one indicating
70 such, Chairman Deckard closed the public hearing and brought the item back for discussion or action.

71
72 Commissioner Llewelyn made a motion to approve Z2023-054. Vice-Chairman Womble seconded the motion which passed by a vote of 6-0.

73
74 3. Z2023-055 (ANGELICA GUEVARA)

75 Hold a public hearing to discuss and consider a request by Dean Cathey of Dean Cathey Custom Homes on behalf of Chris Malek for the approval of a *Specific*
76 *Use Permit (SUP)* for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.2070-acre tract of land identified
77 as Lots N38, N39 & N40 of Lakeside Village, Phase 4 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 2 (PD-2),
78 addressed as 3601 Highpoint Drive, and take any action necessary.

79
80 Planning Technician Angelica Guevara came forward and provided additional details regarding the request. The applicant is requesting approval of
81 a Specific Use Permit (SUP) for residential infill in an established subdivision. The subject property is located within the lakeside village phase four
82 subdivision which consists of 61 lots have been in existence since 1973. The proposed single-family home does meet all the density and dimensional
83 requirements for planned development district two however approval of this request is a discretionary decision for the Planning and Zoning
84 Commission and City Council pending a finding that the proposed home will not have a negative impact on the existing subdivision. On December
85 19th, 2023, staff mailed out 94 notices to property owners and occupants within 500 feet of the subject property and at this time staff had received
86 one notice back in favor of the applicant's request.

87
88 Chairman Deckard opened the Public Hearing and asked anyone who wished to speak to come forward at this time, there being no one indicating
89 such, Chairman Deckard closed the public hearing and brought the item back for discussion or action.

90
91 Vice-Chairman Womble made a motion to approve Z2023-055. Commissioner Odom seconded the motion which passed by a vote of 6-0.

92
93 4. Z2023-056 (ANGELICA GUEVARA)

94 Hold a public hearing to discuss and consider a request by Paul Arce on behalf of Kisanet Ghebretsadik for the approval of a *Specific Use Permit (SUP)* for
95 Residential Infill Adjacent to an Established Subdivision for the purpose of constructing a single-family home on a 0.1377-acre parcel of land identified as Lot
96 22, Block B, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8), addressed as 295
97 Harborview Drive, and take any action necessary.

98
99 Planning Technician Angelica Guevara provided a summary regarding the request. The applicant is requesting approval of a Specific Use Permit
100 (SUP) for the purpose of constructing a single-family home on the lot. The proposed home is not conforming to two standards outlined in the unified
101 development code (UDC) which are the garage orientation and the roof pitch. According to the UDC the parking garages should be located at least
102 20 feet behind the front facade of the home and in this case the proposed garage is located evenly with the front façade of the home. Also, the UDC
103 states that all residential structures shall be constructed with the minimum of a 312-roof pitch. In this case the applicant is requesting a home with
104 roof pitches of 112 and 212. Staff should note that there are other examples of housing in the Harbor Landing subdivision with similar garage
105 orientations or roof designs proposed by the applicant. That this being said the approval of a waiver to the garage orientation or roof list requirements
106 is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission with the exception of these
107 two deviations from the general residential standards the rest of the request appears to be in conformance with the density and dimensional
108 requirements as stipulated by Planned Development District 8 (PD-8) and the unified development code. Staff mailed out notices on December 19th,
109 2023, to property owners and occupants within 500 feet of the subject property and at this time staff had received two (2) notices back in favor of the
110 applicant's request.

111
112 Chairman Deckard opened the Public Hearing and asked anyone who wished to speak to come forward at this time, there being no one indicating
113 such, Chairman Deckard closed the public hearing and brought the item back for discussion or action.

114
115 Commissioner Hustings made a motion to approve Z2023-056. Commissioner Thompson seconded the motion which passed by a vote of 6-0

116
117 V. ACTION ITEMS

118
119 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special*
120 *exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.*

121
122 5. SP2023-047 (HENRY LEE)

123 Discuss and consider a request by Nick Hobbs of BGE, Inc. on behalf of Ben Scott of HEB, LP for the approval of a *Site Plan* for Grocery Store (i.e. HEB) on
124 a 12.519-acre tract of land identified as Tracts 2 & 3 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Commercial
125 (C) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District and the IH-30 Overlay (IH-30 OV) District, located at the southwest corner of
126 the eastbound IH-30 Frontage Road and John King Boulevard, and take any action necessary.

127
128 Senior Planner Henry Lee provided a summary regarding the request. The applicant is requesting a site plan approval for a grocery store. They
129 have heavy landscape screening area. Three-tiered screening as well as Evergreen shrubs to screen the loading docks. At the corner at John king
130 and I-30 they'd put in an enhanced landscape corner as a compensatory measure per staff recommendations. They are also showing their residential
131 adjacency buffer and, in this case, they are required a 50-foot landscape buffer which they have delineated on the landscape plan and they're
132 requesting the rod iron fence with the berm and Evergreen shrubs to provide a screening wall. The elevations showing the building as it exists

133 today. At the last meeting the Architectural Review Board (ARB) had already made a motion to recommend approval of this case. The applicant did
134 not have any changes for the board tonight however, staff did get plans today from the applicant making some minor changes they had been
135 working through comments. There was one change indicating incidental display being seasonal display. Items that usually go in front of the building
136 like common with mini grocery stores just with the site plan it's required that that's delineated on their which they have shown. The second was an
137 additional variance. Most of the requirements for the overlay district and the commercial general commercial district standards were met for this
138 however there are variances to the parking locations in the overlay district generally allowed to have one row of parking between the building and
139 the roadway in this case the parking is in front of the building. Parking landscaping every tree is required to be within 80 feet of a canopy tree in
140 this case the parking space closest to the building do not have the islands for the trees however the applicants indicated that its due to birds
141 nesting there and getting to the building which they covered in the work session meeting. The residential adjacency that 50-foot landscape buffer
142 does clip into the corner of the building, so they do have an encroachment there. Also, we don't allow paving and landscape buffer however they
143 have that drive that goes along the back of the building therefore that's what that variance comes from. The landscape percentage they're required
144 20% however there at 14%. The four-sided architecture they don't quite meet all the articulation requirements for buildings of this size that we've
145 seen with many other cases though that's not uncommon. Building materials, it's common for buildings of these sides and then for the parapet
146 that was the new one instead of finishing the back of the building with the materials they requested to paint it which staff doesn't really see an issue
147 with. The compensatory measures they offered they did Offer Up the enhanced landscape corner per staff recommendations which does meet
148 requirements and guidelines within the comp plan. They have a 10-foot sidewalk they're putting on long John king which maintains that 10-foot
149 sidewalk that we see a lot on the north side of I-30. They have benches along that 10-foot sidewalk and then they opted to put in five-inch caliper
150 canopy trees instead of four inches along john king as well further compensatory measures.

151
152 John Rose
153 4135 Calculus Drive,
154 Dallas TX 75244

155
156 Mr. Rose came forward and provided additional details regarding the request.

157
158 Chairman Deckard made a motion to approve SP2023-047. Vice-Chairman Womble seconded the motion which passed by a vote of 6-0.

159
160 6. SP2023-048 (HENRY LEE)

161 Discuss and consider a request by Leslie Ford of Ofi Chito on behalf of Michael Hampton of Creekside Commons Crossing, LP for the approval of a Site Plan
162 for a Restaurant, Greater than 2,000 SF, with Drive-Through or Drive-In (i.e. McDonald's) on a 1.251- acre tract of land identified as a portion of Lot 3 and all
163 of Lot 2, Block A, Creekside Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay
164 (SH-205 OV) District, generally located north of the northeast corner of the intersection of S. Goliad Street [SH-205] and FM-549, and take any action necessary.

165
166 Senior Planner Henry Lee provided additional details regarding the request. This project was submitted previously last year they did have to request
167 an extension and ultimately, they ended up withdrawing to make sure they could address concerns that the Architectural Review Board (ARB) had
168 as well as the concerns Planning and Zoning Commission. They did resubmit and they're coming forward tonight. ARB did look at this tonight and
169 they did make a recommendation of approval with a condition. The applicant is requesting approval for a site plan for a restaurant with a drive-
170 through greater than 2000 square feet. They generally meet all the requirements however they do have a few variances associated with this primarily
171 to the architecture of the building. The articulation requirements, the four-sided architecture requirements, roof design which is not uncommon for
172 a lot of these small restaurants that we've seen in the overlay districts. The stone requirements around primary materials. For the material variances
173 these are primarily indicated by applicant due to them trying to match on the 7/11 that was approved previously next door. The roof design standards
174 are standard and then the articulation requirements we've seen a lot as well. The ARB did not have issues with the building and that's why they
175 recommended approval despite those variances. However, on the parapets the thinner parapets they did want to see those brought back at a thicker
176 massing to that those parapets. That was their condition of approval. Their compensatory measures they have increased the amount of landscaping
177 the front side yard to 77%. The parking lot landscaping they have an excessive requirement they added an additional accent tree and then they have
178 a bench and outdoor planters outside of the building.

179
180 Leslie Ford
181 3224 Collinworth Street
182 Ft. Worth, TX 76107

183
184 Mrs. Ford came forward and provided additional details regarding the request.

185
186 Commissioner Llewelyn made a motion to approve SP2023-048 with ARB recommendations. Commissioner Hustings seconded the motion which
187 passed by a vote of 6-0.

188
189 7. SP2023-049 (ANGELICA GUEVARA) [TABLED TO THE JANUARY 30, 2023 PLANNING AND ZONING COMMISSION MEETING]

190 Discuss and consider a request by Dewayne Zinn of Cross Engineering Consultants, Inc. on behalf of Chad Dubose of JCDB Goliad Holdings, LLC for the
191 approval of a Site Plan for General Retail Building on a 0.7621-acre portion of a larger 2.542-acre parcel of land identified as Lot 1, Block A, Pecan Valley
192 Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the
193 North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

194
195 8. SP2023-050 (HENRY LEE) [TABLED TO THE JANUARY 30, 2023 PLANNING AND ZONING COMMISSION MEETING]

196 Discuss and consider a request by Jeff Carroll of Carroll Architects on behalf of Scott Tharp of Scott Free Investments for the approval of a Site Plan for
197 Office/Warehouse Buildings on a 3.90-acre tract of land identified as Tracts 2-23 & 2-24 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall,
198 Rockwall County, Texas, zoned Heavy-Commercial (HC) District, located at the southeast corner of the intersection of Mims Road and National Drive, and
199 take any action necessary.

201 9. **SP2023-051 (HENRY LEE) [TABLED TO THE JANUARY 30, 2023 PLANNING AND ZONING COMMISSION MEETING]**
202 Discuss and consider a request by Dwaine Powers for the approval of an *Amended Site Plan* for *Industrial Building* on a 1.8040-acre tract of land identified as
203 Tract 2-8 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, 227 National Drive,
204 and take any action necessary.
205

206 VI. DISCUSSION ITEMS
207

208 10. *Director's Report* of post City Council meeting outcomes for development cases (RYAN MILLER).
209


- 210 • P2023-039: Replat for Lot 32, Block F, Saddle Star Estates South, Phase 2 Addition (APPROVED)
- 211 • Z2023-052: Specific Use Permit (SUP) for the REDC for La Jolla Pointe Drive (2ND READING; APPROVED)
- 212 • Z2023-053: Amendment to Planned Development District 4 (PD-4) for the REDC (2ND READING; APPROVED)
- 213

214 **Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.**
215

216 VII. ADJOURNMENT
217

218 **Chairman Deckard adjourned the meeting at 6:30PM**
219

220 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 30th day of January
221 _____, 2024.



Derek Deckard, Chairman

222
223
224
225 Attest: 
226 _____
227 Melanie Zavala, Planning Coordinator
228