

MINUTES



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
AUGUST 15, 2023 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
4 SPECIFIC USE PERMIT INPUT FORM ON THE CITY'S WEBSITE.

5 6 I. CALL TO ORDER

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

12 13 II. APPOINTMENTS

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15 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on
16 the agenda requiring architectural review.

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18 **A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the architectural**
19 **review board meeting.**

20 21 III. OPEN FORUM

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23 *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*
24 *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*
25 *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*
26 *Act.*

27
28 **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**
29 **no one indicating such, Chairman Deckard closed the open forum.**

30 31 IV. CONSENT AGENDA

32
33 *These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC)*
34 *and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.*

35
36 2. Approval of minutes for the July 25, 2023 Planning and Zoning Commission meeting.

37
38 **Vice-Chairman Womble made a motion to approve the Consent Agenda. Commissioner Conway seconded the motion which passed by a vote of 5-0.**

39 40 V. PUBLIC HEARING ITEMS

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42 *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*
43 *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*
44 *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*
45 *to three (3) minutes out of respect for the time of other citizens.*

46 47 3. Z2023-033 (ANGELICA GUEVARA)

48 Hold a public hearing to discuss and consider a request by Dennis and Melissa Cain for the approval of a Specific Use Permit (SUP) for Residential Infill Adjacent
49 to an Established Subdivision for the purpose of allowing the construction of a single-family home on a 12.00-acre tract of land identified as Tracts 8-01 & 8-02
50 of the W. T. DeWeese Survey, Abstract No. 71, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 803 Dalton Road, and
51 take any action necessary.

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53 **Planning Technician Guevara provided a brief summary in regards to the request. The applicant is requesting approval of a Specific Use Permit (SUP)**
54 **for a Residential Infill Adjacent to an Established Subdivision for the purpose of constructing a single-family home on the subject property. The**
55 **proposed home meets all the density and dimensional requirements for a home in an Agricultural (AG) District and will be constructed in a single-**
56 **family estate style making it complementary to four (4) other homes that are in close proximity to the proposed home. In addition, the applicant is also**
57 **requesting an approval for a Guest Quarters and Secondary Living Unit. They are wanting separate sanitary facilities and separate entrances which**
58 **make up two elements of a dwelling unit; however, they are not asking for kitchen facilities so this will not be a standalone living unit. According to**
59 **the Unified Development Code (UDC), Guest Quarters/ Secondary Living Units are permitted to be up to 30% of the primary structure and, with the**
60 **proposed home being 9,436 sq. feet, the applicants are permitted up to 2,830 square foot structure. The applicant is only requesting an 862 square**
61 **foot Guest Quarters/ Secondary living unit which represents 9.14% of the primary structure. This is approximately 20% less of what is allowed by**
62 **right. With all this being said, this is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission.**
63 **On July 21, 2023, staff mailed out 92 notices to property owners and occupants within 500-feet of the subject property and at this time staff has**
64 **received one (1) notice in favor and one (1) notice in opposition of the applicant's request.**

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

Commissioner Llewelyn made a motion to approve Z2023-033. Vice-Chairman Womble seconded the motion which passed by a vote of 5-0.

Chairman Deckard advised that this item will go before City Council on August 21, 2023.

4. Z2023-034 (BETHANY ROSS)

Hold a public hearing to discuss and consider a request by Dakota, Claire, Austen, and Sara Brewer for the approval of a Zoning Change from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family 1.5 (SFE-1.5) District for a 5.24-acre tract of land identified as a Tract 4-2 of the W. W. Ford Survey, Abstract No. 80 and a 2.41-acre portion of Tract 4-06 of the W.W. Ford Survey, Abstract 80, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 4.0 (SFE-4.0) District, addressed as 626 Cullins Road, and take any action necessary.

Planner Ross provided a brief summary in regards to the request. The applicant is requesting approval of a Zoning Change from a Single-Family Estate 4.0 (SFE-4.0) District to a Single-Family Estate 1.5 (SFE-1.5) District. The original property owners wanted to combine the two (2) lots so they rezoned from Agricultural (AG) District to Single-Family Estate 4.0 (SFE-4.0) District. However, the current applicant has decided to divide the two (2) lots into three (3) thus triggering them to rezone the property to Single-Family Estate 1.5 (SFE-1.5) District. Before they rezoned, the applicant needed to request a variance to allow a decrease in lot depth from 250 to 208 feet which was approved by the Board of Adjustments on July 13th. The intended outcome for the applicant is to build two homes on the two proposed vacant lots. On July 21st, staff notified 11 property owners and occupants within 500-feet of the subject property and also notified the Oaks of Buffalo Way HOA. At this time, staff has not received any notices in regards to the applicant's request.

Chairman Deckard opened the public hearing and asked anyone who wished to speak to come forward at this time.

John Young
Wills Point, TX

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

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

Vice-Chairman Womble asked if Staff had looked at how the applicants were going to have access to both lots.

Commissioner Llewelyn made a motion to approve Z2023-034. Commissioner Conway seconded the motion which passed by a vote of 5-0.

Chairman Deckard advised that this item will go before City Council on August 21, 2023.

5. Z2023-035 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Renee Ward, PE of Weir & Associates, Inc. on behalf of Conor Keilty, AIA of Structured REA-Rockwall Land, LLC for the approval of a Specific Use Permit (SUP) amending Ordinance No. 22-52 [S-287] for a Golf Driving Range on an 7.955-acre tract of land being portions of a larger 18.131-acre tract of land and a 12.868-acre tract of land identified as Tract 22 & 22-2 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located near the terminus of Fit Sport Life Boulevard, and take any action necessary.

Planner Lee gave a brief summary in regards to the request. The applicant is requesting a Specific Use Permit (SUP) for the purpose of constructing a Golf Driving Range. Originally this request had been approved but they are returning since changes were made to the concept plan and to what they are requesting. The changes proposed are the following: (1) They changed the building materials to incorporate more secondary materials, (2) They have increased the family green space (3) Added outdoor commercial amusement by adding a mini golf use (4) They reduced the number of parking spaces (5) They added an event hall use. (6) They removed the indoor commercial amusement and (7) They removed the roof top garden. The applicants are still requesting the variance for the height of the netting for the poles. They also asked for this the last time and it was approved; however, they are not requesting any additional height just the same variance as last time. Staff mailed out notices on July 21, 2023, to property owners and occupants within 500-feet of the subject property. At this time, staff has not received any notices in regard to the applicant's request.

Chairman Deckard opened the public hearing and asked anyone who wished to speak to come forward at this time.

Commissioner Llewelyn asked how much they decreased parking spaces by.

Renee Ward
2201 E. Lamar Blvd
Suite 200
Arlington, TX 76006

Mrs. Ward came forward and provided additional details in regards to the request.

Commissioner Conway asked why the roof top garden was removed.

128 Chairman Deckard asked if anyone else wished to speak; there being no one indicating such, Chairman Deckard closed the public hearing and
134 brought the item back to the Commission for discussion or action.

136 Commissioner Llewelyn made a motion to approve Z2023-035. Vice-Chairman Womble seconded the motion which passed by a vote of 5-0.
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138 Chairman Deckard advised that this item will go before City Council on August 21, 2023.
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140 **6. Z2023-036 (BETHANY ROSS)**

141 Hold a public hearing to discuss and consider a request by Richard Expo on behalf of Ryszard Waszczuk for the approval of a Specific Use Permit (SUP) for a
142 Carport that does not meet the minimum requirements on an 0.3492-acre parcel of land identified as Lot 7, Block A, Solar Village Addition, City of Rockwall,
143 Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 820 E. Heath Street, and take any action necessary.
144

145 Planner Ross gave a brief summary in regards to the request. The applicant is requesting a Specific Use Permit (SUP) for a Carport that does not
146 meet the minimum setback of 20-feet behind the front facade. The proposed carport is 124 square feet larger than what is allowed in the Single-
147 Family 7 (SF-7) District. For the purpose of comparing the proposed carport with other carports in the area, staff reviewed some within three (3)
148 blocks of the subject property. However, staff did not see any based-on aerials and street view. Based on the proposed size and location on this
149 carport, staff should point out that the structure will have high visibility on Heath Street. The approval of a SUP is discretionary for the City Council
150 pending a recommendation from the Planning and Zoning Commission. On July 21, 2023, staff mailed out 87 notices to property owners and
151 occupants within 500-feet of the subject property. Staff also notified the Carruth Lakes HOA. At this time staff had received two (2) notices in
152 opposition to the request.
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154 Chairman Deckard opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one indicating
155 such, Chairman Deckard closed the public hearing and brought the item back to Commission for discussion or action.
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157 Commissioner Thompson asked what the setback for the carport would be.

159 Vice-Chairman Womble asked if it is aligned with the current garage and if it complied.
160

161 Vice-Chairman Womble made a motion to approve Z2023-036 with staff recommendations. Commissioner Thompson seconded the motion which
162 passed by a vote of 4-1 with Commissioner Llewelyn dissenting.
163

164 Chairman Deckard advised that this item will go before City Council on August 21, 2023.
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166 **7. Z2023-037 (ANGELICA GUEVARA)**

167 Hold a public hearing to discuss and consider a request by James and Mary Blocker for the approval of a Specific Use Permit (SUP) for an Accessory Building
168 on a 0.1199-acre parcel of land identified as Lot 8, Block A, Newport Place Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development
169 District 19 (PD-19), addressed as 1796 Mystic Street, and take any action necessary.
170

171 Planning Technician Guevara provided a brief summary in regards to the request. The applicant is requesting an approval for a Specific Use Permit
172 (SUP) to allow the construction of an accessory structure that exceeds the overall maximum allowable square footage. Due to the subject property
173 being located within the Planned Development District 19 (PD-19), the square footage for the accessory building is limited to 100 square feet. The
174 applicant is requesting to construct a 10' x 12' or 120 square foot accessory building which will exceed the permitted size by 20 square feet. Staff
175 would like to point out that normally the permitted size for an accessory structure is 144 square feet, which is 24 square feet over what the applicant
176 is requesting. With the exception of the size, the request meets all of the setback's requirements for an accessory structure within PD-19. In addition,
177 staff would like to add that this request will have limited visibility from the adjacent properties and the applicant will be replacing the existing structure
178 with one of the exact same size in the exact same location. With this being said, this is a discretionary decision for City Council pending a
179 recommendation from the Planning and Zoning Commission. On July 21, 2023, staff mailed 141 notices to property owners and occupants within
180 500-feet of the subject property. At this time, staff had not received any notices in regards to the applicant's request.
181

182 Chairman Deckard opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one indicating
183 such, Chairman Deckard closed the public hearing and brought the item back to Commission for discussion or action.
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185 Vice-Chairman Womble made a motion to approve Z2023-037. Commissioner Conway seconded the motion which passed by a vote of 5-0.
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187 Chairman Deckard advised that this item will go before City Council on August 21, 2023.
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189 VI. ACTION ITEMS

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191 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special*
192 *exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.*
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194 **8. MIS2023-010 (HENRY LEE)**

195 Discuss and consider a request by Donald Steifler for the approval of a Miscellaneous Case for an Exception to the fence placement standards for 0.2392-acre
196 parcel of land identified as Lot 16, Block D, Preserve, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 41 (PD-
197 41) for Single-Family 10 (SF-10) District land uses, addressed as 404 Bedford Falls Lane, and take any action necessary.
198

199 Planner Lee provided a brief summary in regards to the request. The applicant is requesting approval of an exception for a fence placement. Their
200 lot is a keystone lot. Essentially their side yard is the same as the property behind them for the front yard; therefore, the Code says they cannot go

201 past the front building line which is 25-feet and they are requesting to go in to that 15-feet. This would keep them out of any right-of-way or any utility
202 easements which would facilitate the construction of a pool. Staff has found that there are four (4) other keystone lots in this subdivision that have
203 fences that also encroached into this front building line, therefore it would not appear to create a precedence and it would not affect the
204 characteristics of the neighborhood. That being said, this is a discretionary decision for the Planning and Zoning Commission.

205
206 Donald Steifler
207 404 Bedford Falls Lane
208 Rockwall, TX 75087

209
210 Mr. Steifler came forward and provided additional details in regards to the request.

211
212 Commissioner Conway asked if the current fence would be changing.

213
214 Commissioner Conway made a motion to approve MIS2023-010. Vice-Chairman Womble seconded the motion which passed by a vote of 5-0.

215
216 **9. SP2023-022 (BETHANY ROSS)**

217 Discuss and consider a request by Hind Saad of RSG Engineering on behalf of Roy Bhavi of FlexSpace Business Parks, LLC for the approval of a *Site Plan* for
218 a *warehouse/office* development on a 6.17-acre tract of land identified as Tract 2-01 of the D. Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County,
219 Texas, zoned Light Industrial (LI) District, situated within the Airport Overlay (AP OV) District, addressed as 1760 Airport Road, and take any action necessary.

220
221 Planner Ross provided a brief summary in regards to the request. The property directly east of the subject property was recently rezoned to Light
222 Industrial (LI) District and the property east of that was approved for a similar use. The proposed site plan generally conforms to the requirements
223 of the General Industrial District standards. The applicant is requesting exceptions to the 20% stone requirements, 90% masonry requirement, the
224 primary and secondary building articulation requirements, and to the residential adjacency screening standards along the west adjacency due to the
225 Federal Aviation Administration restrictions on the property. The applicant has provided six (6) compensatory measures in the form of additional
226 landscaping, higher caliber trees for the three-tiered screening area, a bench on the west side of Building one along the detention pond, and canopy
227 trees on 40-foot centers along the south property line. Staff should point out that they are not providing the required amount of compensatory
228 measures. In this case, it would require 10 compensatory measures and not 6. The additional landscaping is nominal compared to the required
229 landscaping percentage. Staff also recommended that the applicant remove the loading docks on Buildings 6 and 7 or redesign the building layout
230 so the overhead doors are properly screened from John King Blvd. as the properties west of the building will not be developed since they are in the
231 FAA restricted area. Staff should note that the applicant chose not to incorporate this in their final submittal. This does not come up a lot but this
232 area is designated for Light Industrial (LI) uses such as this; however, the comp plan Design Standard Guidelines do call out this area and areas
233 adjacent to John King to be constructed of masonry materials, 20% stone, and be architecturally finished on all four sides. It also calls out the use of
234 high-quality materials and construction. Although this property is not within the John King Overlay District, it is highly visible from John King as
235 mentioned before. ARB reviewed this and the updated building elevations and recommended denial of the exceptions proposed by the applicant.
236 Requests and exceptions are discretionary decisions for the Planning and Zoning Commission.

237
238 Vice-Chairman Womble asked if these elevations were different to the ones that were presented earlier in ARB.

239
240 Jeff Carroll
241 750 Interstate 30
242 Rockwall, TX 75087

243
244 Mr. Carroll came forward and provided additional details in regard to the request.

245
246 Roy Bhavi
247 835 Tillman Drive
248 Allen, TX 75013

249
250 Mr. Bhavi came forward and provided additional details in regard to the request.

251
252 After some discussion, Commissioner Conway made a motion to deny SP2023-022 without prejudice. Chairman Deckard seconded the motion to
253 deny without prejudice which passed by a vote of 5-0.

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255 **10. SP2023-024 (HENRY LEE)**

256 Discuss and consider a request by David Lindsay of Tri-Tex Construction Inc. for the approval of a *Site Plan* for an *office building* on a 1.50-acre tract of land
257 identified as Tract 8-3 of the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District,
258 addressed as 955 Sids Road, and take any action necessary.

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260 Planner Lee provided a brief summary in regards to the request. The applicant is requesting a site plan for an office building on the subject property.
261 They are removing the existing building in the front to replace it with a new office building. The only variances they are requesting are for the primary
262 and secondary articulation for the wall length requirement. ARB had requested for them to wrap the wainscot from the front side onto the two sides
263 and leave the back as it was. Staff would like to add that ARB did recommend approval of the site plan. The request meets all the General Commercial
264 District Standards for density and dimensional requirements.

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266 Vice-Chairman Womble made a motion to approve SP2023-024. Commissioner Llewelyn seconded the motion which passed by a vote 5-0.

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268 VII. DISCUSSION ITEMS

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

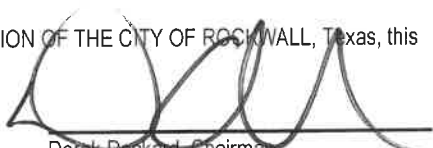
- P2023-022: Replat for Lots 8 & 9, Block A, Rockwall Market Center East Addition (**APPROVED**)
- Z2023-031: Specific Use Permit (SUP) for *Residential Infill* at 709 Forest Trace (**APPROVED; 1ST READING**)
- Z2023-032: Specific Use Permit (SUP) for an Existing *New and Used Motor Vehicle Dealership* at 1540 E. IH-30 (**APPROVED; 1ST 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.

ADJOURNMENT

Chairman Deckard adjourned the meeting at 7:08 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 12th day of September, 2023.



Derek Deckard, Chairman

Attest: 

Melanie Zavala, Planning Coordinator