

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JUNE 15, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

I. CALL TO ORDER

Chairman Chodun called the meeting to order at 6:00 PM. Commissioners present were Derek Deckard, Sedric Thomas, John Womble, Jean Conway and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Mark Moeller. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, City Engineer Amy Williams and Civil Engineer Sarah Johnston. Absent from the meeting was Civil Engineer Jeremy White.

II. OPEN FORUM

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 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 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 Act.

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being no one coming forward, Chairman Chodun closed the open forum.

III. CONSENT AGENDA

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

1. Approval of Minutes for the May 25, 2021 Planning and Zoning Commission meetings.
2. **P2021-026 (DAVID GONZALES)**
Discuss and consider a request by Humberto Johnson of the Skorburg Co. on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of a Preliminary Plat for the Winding Creek Subdivision consisting of 56 single-family residential lots on a 38.012-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 91 (PD-91) for Single-Family 16 (SF-16) District land uses, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.
3. **SP2021-014 (HENRY LEE)**
Discuss and consider a request by Jeff Carroll of Jeff Carroll Architects, Inc. on behalf of Chuck Vickers of T&C Main Street Holdings, LLC for the approval of an Amended Site Plan for an office building on a 0.50-acre parcel of land identified as Bock 80B of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Residential Office (RO) District, addressed as 108 St. Mary Street, and take any action necessary.

Commissioner Thomas made a motion to approve the consent agenda. Commissioner Deckard seconded the motion which passed by a vote of 6-0 with Commissioner Moeller absent.

IV. PUBLIC HEARING ITEMS

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 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 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 to three (3) minutes out of respect for the time of other citizens.

4. **Z2021-014 (RYAN MILLER)**
Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Ben Klutts, Jr. of the Klutts Farm, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 196.009-acre tract of land identified as Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a summary and brief history in regards to the request. The applicant is requesting to rezone the property from an Agricultural District to Planned Development District for Single-Family 7 (SF-7) District land uses. In March 2021, the applicant came and brought a request to the Commission for a zoning change. At that time, he was proposing a 526-lot single-family residential subdivision which was a density of 2.68 dwelling units per acre. Based on this request, the applicant was requesting to change the Future Land Use map from low-density residential to medium-density residential because it did not conform to the Comprehensive Plan. The Planning and Zoning Commission recommended approval of this by a vote of 5-2, however, due to neighborhood opposition, it required a ¾ majority vote and was ultimately failed at the City Council by a vote of 3-4. Based on this

denial the applicant brought back a request for a substantial change lowering the density from 2.68 to 2.5 units per acre which was in conformance with the Comprehensive Plan. Based on this, the Planning and Zoning Commission voted 4-1 to allow the applicant to resubmit the application. The applicant is requesting to change the zoning of the subject property from an Agricultural District to a Planned Development District for Single-Family 8.4 District land uses. The proposed subdivision consists of 490-lots which will be a density of 2.5 units per acre. There will be three (3) different lot types: [226] 62' x 120' lots, [249] 72' x 120' lots, and [15] 100' x 120' lots. Looking at the amenity package proposed for this subdivision, the applicant is proposing to incorporate 13.6 acres of open space, which includes a dog park, a public park, as well as an amenity center. Staff should also note that the applicant has incorporated a trail system into the neighborhood. When looking at the UDC and Engineering Standards of Design, the proposed development does meet all of those requirements. In lieu of alleyways, the applicant is proposing to utilize 80% j-swing drives and 20% flat front entry. Per this body's recommendation, at the last applicant's request, this was taken before the Parks and Recreation Board concerning the proposed regional park. The Board voted on April 6, 2021 to recommend approval to the Commission with a vote of 6-0. With this being a zoning case, staff mailed out 23 notices to property owners and occupants within 500-feet of the subject property. Staff has since received 6 notices in opposition of the request and 2 in favor of the request. Mr. Miller then advised the Commission that the applicant and Staff were present and available for questions.

Commissioner Womble asked how they could weigh the traffic.

Chairman Chodun asked the applicant to come forward.

Adam Buczek
8214 Westchester Drive, Suite 900
Dallas, TX 75225

Mr. Buczek came forward and provided a PowerPoint presentation in regards to his request.

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

Katie Welch
2844 FM 549
Rockwall, TX 75087

Mrs. Welch came forward and expressed her being in favor of the request.

Greg Hollon
2778 S. FM 549
Rockwall, TX 75087

Mr. Hollon came forward and expressed his opposition to the request.

Stan Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mr. Jeffus came forward and expressed his opposition to the request. He gave out a handout (Minutes from October 11, 2005 Planning and Zoning meeting) to the Commission and Staff.

Melba Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mrs. Jeffus came forward and expressed her opposition to the request.

David Shoen
3006 San Marcos Drive
Rockwall, TX 75032

Mr. Shoen came forward and expressed his opposition to the request. His main concern being the overcrowding of schools.

Chris Dichard
1903 FM 549
Rockwall, TX 75087

Mr. Dichard came forward and expressed his opposition to the request.

Richard Henson
2424 S FM 549
Rockwall, TX 75087

Mr. Henson came forward and presented a PowerPoint presentation to express his opposition.

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

Mr. Wacker came forward and expressed his being in favor of the request. He provided a brief PowerPoint in regards to the request and how it meets the Comprehensive Plan.

Casey Welch
2844 S. FM 549
Rockwall, TX 75087

Mr. Welch came forward and expressed his being in favor of the request.

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

Commissioner Deckard encouraged the public in attendance to attend the upcoming Bond Election for the school district. He also added that staff in the city does not have any involvement with their developing. He gave further explanation in regards to the water shedding in the properties.

Chairman Chodun asked the applicant to come forward and address comments made by the public.

Mr. Buczek came forward and provided a brief closing statement.

Commissioner Womble expressed his being in favor of the request.

Chairman Chodun expressed his being opposed to the request.

Commissioner Deckard made a motion to approve item Z2021-014. Commissioner Womble seconded the motion which passed by a vote of 5-1 with Chairman Chodun dissenting.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

5. **Z2021-015 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Jason Castro of Castro Development, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.165-acre parcel of land identified as Lot 6, Harris Addition, City of Rockwall, Rockwall County, Texas, zoned Two-Family (2F) District, addressed as 511 S. Clark Street, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The original application was presented in January 2021 but was withdrawn. The reason for the withdrawal was that the applicant was requested to do a topographic survey by the Engineering department. The applicant has provided a letter for the waiver as to why they're requesting the design of the project. With the exception of the waivers, the proposed duplex meets all density and dimensional requirements that are stipulated within the 2-F zoning. This is a discretionary for the Planning and Zoning Commission and the City Council pending a recommendation. Staff mailed out 71 notices to property owners and occupants within 500-feet of the subject property. The Park Place HOA was also notified as it lies within 1500-feet of the subject property. Three notices have been returned to Staff and are in opposition of the request. Mr. Gonzales advised that the Commission and Staff were present and available for questions.

Chairman Chodun asked the applicant to come forward.

Jason Castro
16424 Fall Kirk Drive
Dallas, TX 75248

Mr. Castro came forward and provided a brief statement in regards to the request.

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

Corky Randolph
621 E. Boydston Street
Rockwall, TX 75087

Mr. Randolph came forward and expressed his opposition to the request. He also asked clarification as to how many variances were requested.

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

Mr. Wacker came forward and expressed his being in favor of the request.

Mike Hogue
1498 Hubbard Drive
Rockwall, TX 75087

Mr. Hogue came forward and had a question in regards to the flood zone. He had a concern as to where trash and parking would end up at the home.

Mr. Miller advised that Staff would ensure that what was dumped there was removed from the property.

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

Mr. Castro came forward and addressed the comments made by the public.

Commissioner Conway had a question as to why the carport cannot be converted into a garage.

Commissioner Womble added that he had suggested the variance for the carport last meeting and he thinks it's a good design.

Commissioner Thomas expressed his being in favor of the request.

Commissioner Deckard asked if there was any future plans for the large metal building across the street for the project.

Commissioner Womble made a motion to approve item Z2021-015. Commissioner Thomas seconded the motion which passed by a vote of 5-1 with Commissioner Welch dissenting.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

6. **Z2021-016 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Mike Mishler of Mishler Builders, Inc. on behalf of John Curanovic for the approval of a *Specific Use Permit (SUP)* allowing a detached garage that does not conform to the maximum square footage requirements on a 1.948-acre parcel of land identified as Lot 23 of the Willowcrest Estates Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, addressed as 361 Willowcrest, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting to permit an accessory building with a brick veneer façade. At the last meeting, the applicant mentioned that the brick will be comparable to the existing single-family home. The only utility being run into the building will be electricity. Per the City's requirements, the applicant's request does conform to the setback requirements for accessory buildings but does not adhere to the maximum size permitted for buildings. The proposed building does exceed the maximum permissible size by 2,576 square feet. Staff mailed out 30 notices to property owners and applicants within 500-feet of the subject property. The HOAs within 1500-feet were also notified. At the time this report was drafted, staff had not received any notifications in regards to the request. This is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission.

Vice-Chairman Welch asked who was responsible for putting the signs up for the zoning cases.

Chairman Chodun asked the applicant to come forward.

Mike Mishler
1009 Ivy Lane
Rockwall, TX 75087

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

Commissioner Deckard asked for explanation on the roof pitch.

Vice-Chairman Welch stated that he did not see any other out houses in the area near the subject property.

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

Commissioner Womble advised that the Commission has seen too many requests for oversized buildings.

Commissioner Conway advised that this would be set as a precedence.

Chairman Chodun asked how that calculation was done for the lot size and square footage on accessory buildings.

Commissioner Womble made a motion to deny item Z2021-016. Chairman Chodun seconded the motion which passed by a vote of 4-2 with Commissioners Thomas and Deckard dissenting.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

7. **Z2021-017 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Tyler Wood of Intrepid Equity Investments, LLC on behalf of Robert B. Baldwin III of RBB/GCF Properties, LP for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 17.03-acre tract of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the south side of Airport Road east of the intersection of Airport Road and John King Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The applicant is proposing a zoning change from Agricultural District to a Light Industrial District. This is intended to create limited industrial zones and to facilitate industrial parks. The subject property does seem to be in conformance with the intent of the light industrial district. The proposed zoning change is in conformance with the future land use plan. Zoning is discretionary to the City Council pending a recommendation from the Planning and Zoning Commission. Staff mailed out 26 notices to property owners and occupants within 500-feet of the subject property. Staff received four (4) notices back; 3 in favor and 1 opposed to the request. Mr. Gonzales advised that the applicant and Staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

Tyler Wood
3055 Bridgecreek Drive
Rockwall, TX 75032

Mr. Wood came forward and was prepared to answer questions.

Stanley Springer
2000 Airport Road
Rockwall, TX 75087

Mr. Springer came forward and had questions in regards to what's going in.

Lori Garrett
1930 Airport Road
Rockwall, TX 75087

Mrs. Garrett came forward and expressed her opposition to the request.

Diane Springer
2000 Airport Road
Rockwall, TX 75087

Mrs. Springer came forward and expressed her concerns to the zoning change.

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

Mr. Wood came up and addressed the comments made by the public.

Commissioner Womble asked why this part of the City was zoned Agricultural (AG) District when it first came into the City.

Vice-Chairman Welch made a motion to approve item Z2021-017 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

8. **Z2021-018 (DAVID GONZALES)**

Hold a public hearing to discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The Unified Development Code (UDC) recognized that the light industrial district is a zoning district intended to create a limited industrial zone that provides for modern type of land uses. This is intended to facilitate the development of industrial parks in the larger industries. The applicant's request to change the zoning is in conformance with the technology employment center land use designation. It also appears to be in conformance with the Future Land Use map. A zoning change is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Staff sent out 2 notices to property owners and occupants within 500-feet of the subject property. Staff has received two (2) notices in favor of the request. Mr. Gonzales then advised the Commission that the applicant and staff were present and available to answer questions.

Chairman Chodun asked the applicant to come forward.

2001 Ross Avenue
Dallas, TX 75201

A representative from Dan Gallagher came forward and was prepared to answer questions.

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

David Shoen
3006 San Marcos Drive
Rockwall, TX 75087

Mr. Shoen came forward and asked if there was a possibility to add a light in the street.

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

Commissioner Womble asked if there was a traffic study that could be attached to the case or would it have to be done separately.

Vice-Chairman Welch made a motion to approve item Z2021-018 with staff recommendations. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

9. **Z2021-019 (RYAN MILLER)**

Hold a public hearing to discuss and consider the annual update to the OURHometown Vision 2040 Comprehensive Plan (*i.e.* 2019 & 2020 *Comprehensive Plan Update*), and take any action necessary.

Planning and Zoning Director Ryan Miller gave a brief summary in regards to the request. Staff wanted to create an accountability phase which includes annual updates. A standing CPAC committee was created which allows to change the plan as the community and vision changes. Over the last years, there were several actions to achieve each year. Mr. Miller also outlined the achievements made for the year 2019/2020 and the goals for the upcoming years.

Bob Wacker
309 Featherstone Drive
Rockwall, TX 75087

Mr. Wacker came forward and provided a PowerPoint presentation in regards to the request.

Mr. Miller gave additional details in regards to the updates made in the Comprehensive Plan. He explained some of the administrative changes made throughout the year.

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

Jim Turner
1691 E. Old Quail Run Road
Rockwall, TX 75087

Mr. Turner came forward and added there may be a few definitions that could be cleaned up.

Steve Curtis
2130 FM 1141
Rockwall, TX 75087

Mr. Curtis came forward and asked for the definition of suburban residential to be added to the comprehensive plan.

David Shoen
3006 San Marcos Drive
Rockwall, TX 75087

Mr. Shoen came forward and asked for the clarification of gross density in the residential section.

Mr. Miller added that the comprehensive plan is a big guide. There aren't hard, fast requirements and it's a document that talks in generalities and gives a general vision.

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

Commissioner Womble made a motion to approve item Z2021-019. Commissioner Deckard seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised that the case will go before the City Council on June 21, 2021.

V. DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come 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 are considered for action by the Planning and Zoning Commission.

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

- P2021-022: Final Plat for Lots 1 & 2, Block A, Neller Addition [APPROVED]
- P2021-023: Replat for Lots 12 & 13, Block 1, Alliance Addition, Phase 2 [APPROVED]
- P2021-024: Replat for Lot 1, Block A, Johnson Addition [APPROVED]
- P2021-025: Replat for Lot 2, Block 1, Our Savior Lutheran Church Addition [APPROVED]
- P2021-027: Preliminary Plat for Lots 1 - 14, Block A, Creekside Commons Addition [APPROVED]
- P2021-028: Replat for Lot 9, Block A, Ellis Centre, Phase Two Addition [APPROVED]
- Z2021-008: SUP for Residential Infill at 550 E. Quail Run Road [APPROVED; 2ND READING]
- Z2021-009: SUP for Residential Infill at 704 Parks Avenue [APPROVED; 2ND READING]
- Z2021-011: SUP for an Accessory Building at 804 S. Alamo Road [DENIED; 2ND READING]
- Z2021-013: Text Amendment to Article 05, *District Development Standards*, of the UDC [APPROVED; 2ND 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.

VI. ADJOURNMENT

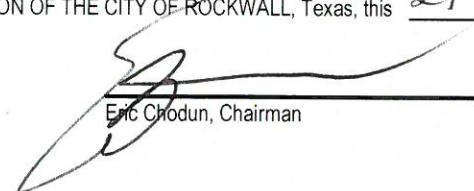
Chairman Chodun adjourned the meeting at 9:12 pm

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 29 day of June, 2021.

Attest:



Angelica Gamez, Planning and Zoning Coordinator



Eric Chodun, Chairman