

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
DECEMBER 13, 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, Derek Deckard, and Ross Hustings. Staff members present were Director of Planning and Zoning Ryan Miller, Planner Bethany Ross, City Engineer Amy Williams, Assistant City Engineer Jonathan Browning, and Civil Engineer Sarah Johnston. Absent from the meeting was Planner Henry Lee, Planning Technician Angelica Guevara, and Planning Coordinator Sarah Chapin.**

13 14 II. OPEN FORUM

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16 *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.*

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21 **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 indicating such, Chairman Thomas closed the open forum.**

23 24 III. CONSENT AGENDA

25
26 *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.*

28
29 1. Approval of minutes for the November 29, 2022 Planning and Zoning Commission meeting.

30 31 2. SP2022-060 (HENRY LEE)

32 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 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 Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 90 (PD-90) [Ordinance No. 21-09] for Single-Family 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.

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37 **Commissioner Womble made a motion to approve the consent agenda. Commissioner Welch seconded the motion which passed by a vote of 7-0.**

38 39 IV. PUBLIC HEARING ITEMS

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41 *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.*

45 46 3. Z2022-051 (HENRY LEE)

47 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 (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, Texas, zoned Agricultural (AG) District and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2410 S. Goliad Street [SH-205], and take any action necessary.

51
52 **Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request to rezone the subject property from Agricultural (AG) District to Commercial (C) District. Director Miller advised the request to rezone does conform with the future land use map. Director Miller advised that the applicant is requesting the zoning change in order to allow Commercial (C) District land uses on the property, including the ability to have food trucks on the property. There are several legally non-conforming structures on the property and the proposed zoning change will not change the legally non-conforming status on those buildings. However, the property will be subject to the Commercial (C) District standards in the event that the applicant redevelops the property in the future. As with all zoning cases, notices were mailed out to property owners and occupants within 500-feet of the subject property and to HOAs within 1,500-feet of the subject property. At this time, Staff had received one (1) notice from one (1) property owner opposed to the applicant's request.**

60
61 **Marcus Street**
62 **Dallas, TX**

64 Mr. Street came forward and explained why he is requesting to rezone the subject property.

65
66 Chairman Thomas asked if anyone else wished to speak to come forward at this time; there being no one indicating such, Chairman Thomas closed
67 the public hearing and brought the item back to the Commission for discussion or action.

68
69 Commissioner Welch asked what the city ordinance says about food trucks.

70 Vice-Chairman Deckard brought up the concern that the property is lacking updates which other restaurant and retail facilities within the City have,
71 such as paving the parking lot.

72 Commissioner Conway asked if there are limits on the number of food trucks per acreage or square footage and if there is ample parking for the
73 food truck.

74
75 After discussion, Commissioner Welch made a motion to approve Z2022-051. Commissioner Womble seconded the motion to approve which passed
76 by a vote of 7-0.

77
78 Chairman Thomas advised that this item will go before the City Council on December 19, 2022.

80 4. **Z2022-052 (ANGELICA GUEVARA) [REQUEST TO WITHDRAW]**

81 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
82 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
83 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-
84 7) District land uses, addressed as 790 County Line Road, and take any action necessary.

85
86 Vice Chairman Deckard made a motion to approve the request to withdraw for case Z2022-052. Commissioner Llewellyn seconded the motion which
87 passed by a vote of 7-0.

88
89 5. **Z2022-053 (HENRY LEE) [REQUEST TO WITHDRAW]**

90 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
91 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-
92 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
93 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
94 and Davis Drive, and take any action necessary.

95
96 Commissioner Conway made a motion to approve the request to withdraw for case Z2022-053. Vice Chairman Deckard seconded the motion which
97 passed by a vote of 7-0.

98
99 6. **Z2022-054 (BETHANY ROSS)**

100 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
101 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,
102 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
103 OV) District, addressed as 211 Jacob Crossing, and take any action necessary.

104
105 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
106 Subdivision. Planner Ross advised the single-family home meets all of the density and dimensional requirements of Single-Family 7 (SF-7) District.
107 As with all zoning cases, notices were mailed out to property owners and occupants within 500-feet of the subject property and to HOAs within 1,500-
108 feet of the subject property. At this time, Staff had received two (2) notices from two (2) property owners in favor of the applicant's request.

109
110 Chairman Thomas asked if anyone else wished to speak to come forward at this time; there being no one indicating such, Chairman Thomas closed
111 the public hearing and brought the item back to the Commission for discussion or action.

112
113 Vice Chairman Deckard made a motion to approve Z2022-054. Commissioner Llewellyn seconded the motion to approve which passed by a vote of
114 7-0.

115
116 Chairman Thomas advised that this item will go before the City Council on December 19, 2022.

117
118 7. **Z2022-055 (HENRY LEE)**

119 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
120 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
121 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
122 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
123 on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

124
125 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the history of the property and the request. Director Miller advised
126 that the case did come before the Planning and Zoning Commission previously and was denied by a vote of 7-0. The applicant decided to resubmit
127 for this cycle requesting the same amendment as was previously requested, but the applicant has provided a new concept plan. Director Miller
128 advised the request does conform with the comprehensive plan, unless a church or house of worship is constructed on the property, which would
129 necessitate a change in the future land use map. As with all zoning cases, notices were mailed out to property owners and occupants within 500-feet
130 of the subject property and to HOAs within 1,500-feet of the subject property. At this time, Staff had received sixteen (16) notices from twelve (12)

131 property owners in opposition to the applicant's request and thirty-five (35) notices from thirty (30) property owners in favor of the applicant's
132 request. Staff also received a letter from the only HOA within 1,500-feet of the subject property stating they are in support of the applicant's request.
133

134 Vice Chairman Deckard asked if there were any other uses that were specifically denied in the original Planned Development District 87 (PD-87)
135 ordinances.
136

137 Scott Sutton
138 1200 E. Washington St
139 Rockwall, TX 75087
140

141 Mr. Sutton came forward and presented a power point addressing parking and traffic concerns.
142

143 Commissioner Womble asked how moving the parking lots behind the building would reduce traffic.
144 Chairman Thomas asked if anyone else wished to speak to come forward at this time.
145

146 Bill Bricker
147 505 Westway Dr
148 Rockwall, TX 75087
149

150 Mr. Bricker came forward and provided additional details and history in regards to the request. He also expressed being in favor of the request.
151

152 John Wardell
153 880 Ivy Ln
154 Rockwall, TX 75087
155

156 Mr. Wardell came forward and expressed being in favor of the request.
157

158 Dennis Fox
159 1027 Saint Thomas Ct
160 Rockwall, TX 75087
161

162 Mr. Fox came forward with a concern about the traffic flow. He also expressed being in opposition of the request.
163

164 Karen Fox
165 1027 Saint Thomas Ct
166 Rockwall, TX 75087
167

168 Mrs. Fox came forward and expressed concern about vehicles coming around the blind spot near the proposed church entrance. She also expressed
169 being in opposition of the request.
170

171 Julie Fecht
172 1026 Ivy Ln
173 Rockwall, Tx 75087
174

175 Mrs. Fecht came forward and expressed being in favor of the request.
176

177 Rick Johnson
178 1035 Saint Thomas Ct
179 Rockwall, TX 75087
180

181 Mr. Johnson came forward and expressed being in opposition of the request.
182

183 Cynthia Olson
184 1039 Saint Thomas Ct
185 Rockwall, TX 75087
186

187 Mrs. Olson came forward and expressed being in opposition of the request due to traffic issues.
188

189 Robert Garland
190 1028 Michael Gardens
191 Rockwall, TX 75087
192

193 Mr. Garland came forward and expressed being in favor of the request.
194

195 Bruce Ivey
196 1026 Saint Thomas Ct
197 Rockwall, TX 75087
198

199 Mr. Ivey came forward and expressed being in opposition of the request due to traffic concerns.

200
201 Joe Rubertino
202 1048 Michael Gardens
203 Rockwall, TX 75087

204
205 Mr. Rubertino came forward and expressed being in favor of the request.

206
207 Judy Dubreuil
208 1023 Saint Thomas Ct
209 Rockwall, TX 75087

210
211 Mrs. Dubreuil came forward and expressed being in opposition of the request due to the impact the church will have on the park.

212
213 Frosini Rubertino
214 1048 Michael Gardens
215 Rockwall, TX 75087

216
217 Mrs. Rubertino came forward and expressed being in favor of the request.

218
219 Terry Beer
220 1039 Saint Thomas Ct
221 Rockwall, TX 75087

222
223 Mr. Beer came forward and expressed being in opposition of the request.

224
225 Shay Fields
226 1032 Saint Charles Ct
227 Rockwall, TX 75087

228
229 Mr. Fields came forward and expressed being in favor of the request.

230
231 David A. David
232 1020 Saint Charles Ct
233 Rockwall, TX 75087

234
235 Mr. David came forward and expressed being in favor of the request.

236
237 Marsha Mason
238 901 Ivy Ln
239 Rockwall, TX 75087

240
241 Mrs. Mason came forward and expressed being in favor of the request.

242
243 Evelyn Harrill
244 892 Ivy Ln
245 Rockwall, Tx 75087

246
247 Mrs. Harrill came forward and expressed being in favor of the request.

248
249 Ronnie Howell
250 434 Jordan Farm Cir
251 Rockwall, TX 75087

252
253 Mr. Howell came forward and expressed being in favor of the request.

254
255 Mike Mishler
256 1009 Ivy Ln
257 Rockwall, TX 75087

258
259 Mr. Mishler came forward and expressed being in favor of the request.

260
261 Chairman Thomas asked if anyone else wished to speak to come forward at this time; there being no one indicating such, Chairman Thomas closed
262 the public hearing and brought the item back to the Commission for discussion or action.

263
264 Scott Sutton
265 1200 E. Washington St
266 Rockwall, TX 75087

267
268 **Mr. Sutton came forward and clarified concerns brought up during the Public Hearing, including: the amount of stone on the pillars and the**
269 **percentage of traffic.**
270
271 **Commissioner Welch asked what the second building would be used for and if there is another entrance/exit that does not connect to Washington**
272 **St.**
273 **Vice Chairman Deckard asked why the applicant chose to build between 750 to 1,000 seats, what uses are allowed for that property and when the**
274 **last traffic study was conducted on Washington St.**
275
276 **Vice Chairman Deckard brought up the concern about changing the zoning next to a fully developed neighborhood.**
277 **Commissioner Llewellyn stated that the zoning was already changed in 2018 after several of the current homeowners already lived in the area.**
278 **Commissioner Conway advised she was against the zoning change in 2018.**
279 **Chairman Thomas asked for clarification about the zoning change in 2018 and how it affected churches as a land use.**
280 **Commissioner Welch asked if all proposed churches are looked at individually.**
281 **Commissioner Womble advised that he cannot support the request, because there has been no substantial change since the previous request which**
282 **was unanimously denied.**
283 **Commissioner Hustings asked if there is any timeline for the realignment of SH-66.**
284
285 **After lengthy discussion, Commissioner Llewellyn made a motion to approve Z2022-055. Commissioner Conway seconded the motion to approve**
286 **which passed by a vote of 4-3 with Chairman Thomas, Vice Chairman Deckard, and Commissioner Womble dissenting.**
287
288 **Chairman Thomas advised that this item will go before the City Council on December 19, 2022.**

289
290 V. ACTION ITEMS

291 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special*
292 *exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.*
293

294
295 8. **SP2022-061 (HENRY LEE)**

296 Discuss and consider a request by Robert Howman of Glenn Engineering on behalf of William Salee of Rockwall Independent School District (RISD) for the
297 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
298 Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 899 Tubbs Road, and
299 take any action necessary.

300
301 **Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request for the approval of a new elementary school on the**
302 **subject property. Director Miller advised the applicant does plan on building the new school while the existing school on the property is still in use,**
303 **then removing the existing school after the completion of the new school. Director Miller advised the Site Plan does meet the majority of the technical**
304 **requirements. The applicant is requesting variances to the stone and secondary material requirements and the articulation requirements, which are**
305 **not abnormal variances in a Light Industrial (LI) building. The applicant is also requesting a variance to the tree requirements, but Parks Director**
306 **Travis Sales has reviewed the trees and saw no issue with the removal of the proposed trees. Director Miller advised this request does require a**
307 **super majority vote in order to pass.**

308
309 **Will Salee**
310 **1050 Williams Street**
311 **Rockwall, TX 75087**

312
313 **Mr. Salee came forward and advised that a few minor changes were made to the Site Plan based on staff recommendations.**
314

315 **Chairman Welch made a motion to approve Z2022-061 with staff recommendations. Commissioner Womble seconded the motion to approve with**
316 **staff recommendations which passed by a vote of 7-0.**

317
318 VI. DISCUSSION ITEMS

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320 9. Discuss and consider directing staff to make changes to Subsection 02.03(K)(7), *Solar Energy Collector Panels and Systems*, of Article 04,
321 *Permissible Uses*, of the Unified Development Code (UDC), and take any action necessary.

322
323 10. *Director's Report* of post City Council meeting outcomes for development cases (RYAN MILLER).

- 324
325
 - P2022-057: Replat for Lot 12, Block B, Horizon Ridge Addition [APPROVED]
 - MIS2022-023: Exception to the Street Improvement Requirements [APPROVED]
 - Z2022-047: Zoning Change (AG to GR) for JMS Custom Homes, LLC [APPROVED; 2ND READING]
 - Z2022-048: SUP for a *Guest Quarters/Secondary Living Unit* and *Detached Garage* at 2348 Saddlebrook Lane [DENIED]
 - Z2022-049: SUP for *Residential Infill Adjacent to an Established Subdivision* for 1505 S. Alamo Street [APPROVED; 2ND READING]
 - Z2022-050: Text Amendment to Article 05, *District Development Standards*, of the UDC [APPROVED; 2ND READING]

331
332 **Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.**

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VII. ADJOURNMENT

Chairman Thomas adjourned the meeting at 8:21 pm.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 27th day of December, 2022.



Sedric Thomas, Chairman

Attest:



Sarah Chapin, Planning Coordinator