

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
DECEMBER 12, 2023 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

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), 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 USE PERMIT INPUT FORM* ON THE CITY'S WEBSITE.

I. CALL TO ORDER

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

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

Approval of minutes for the November 14, 2023 Planning and Zoning Commission meeting.

Approval of minutes for the November 28, 2023 Planning and Zoning Commission meeting.

3. SP2023-046 (HENRY LEE)

Discuss and consider a request by Cody Johnson of Johnson Volk Consulting on behalf of Stephen Pepper of SH Dev Klutts Rockwall, LLC for the approval of a Site Plan for Phase 1 of the Homestead Subdivision being 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 Planned Development District 92 (PD-92), generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.

Commissioner Conway made a motion to approve Consent Agenda. Chairman Deckard seconded the motion which passed by a vote of 6-0. Vice-Chairman Womble 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.

Z2023-052 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Matt Wavering of the Rockwall Economic Development Corporation (REDC) on behalf of Paul Liechty of 36 Wagon Road, LLC and Shailesha Vora of Akshar 10, LLC for the approval of a Specific Use Permit (SUP) for an Office Building that will exceed 36-feet in the Scenic Overlay (SOV) District on a 9.9406-acre tract of land identified as Lots 22 & 23, Block A, La Jolla Pointe Addition, Phase 2, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District and the IH-30 Overlay (IH-30 OV) District, generally located west of the intersection of La Jolla Pointe Drive and Ridge Road [FM-740], and take any action necessary.

Senior Planner Henry Lee provided a summary regarding the request. The applicants requesting approval of an office building that exceeds the height requirement of 36 feet. Normally in a commercial district the height maximum is 60 feet with the request of a SUP to go to 120-feet. However, this is located within the scenic overlay district which has a reduced height maximum of 36 feet. However, within the scenic overlay district standards it does say that a request that exceeds that can be requested through a specific use permit therefore being what the applicant is requesting. This being a zoning case staff mailed out notices on November 15 2023 to property owners and occupants within 500-feet of the subject property. Staff

61 also notified Lakeside Village and Turtle Cove HOA's. At this time, we received two (2) notices in opposition and one (1) in favor. Staff should also
62 note that the applicant did request a longer period for this specific use permit with them trying to attract a corporate office building or corporate
63 users for this larger end office buildings. Specific use permits normally expire within one year. However, to attract those type of users they're
64 requesting this SUP to last 10 years. That being included as an operational condition within the ordinance as well as the other operational condition
65 being that the buildings cannot exceed 120 feet in height.
66

67 **Matt Wavering**
68 2016 Observation Trail
69 Rockwall, TX 75087
70

71 Mr. Wavering came down and provided a summary regarding the request.
72

73 Director of Planning and Zoning Ryan Miller clarified that this is just a specific use permit request. The user would have to go through a site plan
74 process, need to be in conformance with city requirements and go through Planning and Zoning Commission for approval. Then Civil engineering
75 process and platting process.
76

77 Commissioner Llewelyn asked if the 120-feet would look different if it's built in the bottom instead of the top of the property.
78

79 Commissioner Llewelyn asked how tall the building would be.
80

81 Commissioner Hustings asked if 120-feet would be the reason it gets a SUP.
82

83 Commissioner Conway asked about the detention Pond.
84

85 Chairman Deckard opened the public hearing and asked anyone who wished to speak to come forward at this time.
86

87 **Alan Anderson**
88 1208 S. Lakeshore,
89 Rockwall, TX 75087
90

91 Mr. Anderson came forward and expressed his concerns regarding the request.
92

93 **Lisa Epstein**
94 2600 Ridge Road,
95 Rockwall, TX 75087
96

97 Mrs. Epstein came forward and expressed her concerns regarding the request.
98

99 **Bob Wacker**
100 309 Featherstone Drive
101 Rockwall, TX 75087
102

103 Mr. Wacker came forward and expressed his concerns regarding the request.
104

105 Chairman Deckard closed the public hearing and brought the item back to Commission for discussion or action.
106

107 Commissioner Conway asked if there would be a compromise height.
108

109 Commissioner Conway made a motion to deny Z2023-052. Commissioner Llewelyn seconded the motion which passed by a vote of 2-4. Commissioner
110 Odom made a motion to approve Z2023-052. Commissioner Hustings seconded the motion which passed by a vote of 4-2 with Commissioner Conway
111 and Commissioner Llewelyn dissenting.
112

113 Chairman Deckard advised this item will go before City Council on December 18, 2023
114

115 **5. Z2023-053 (HENRY LEE)**

116 Hold a public hearing to discuss and consider a request by Matt Wavering of the Rockwall Economic Development Corporation (REDC) on behalf
117 of Richard Chandler of HFS Management, Inc. for the approval of a Zoning Change amending Planned Development District 4 (PD-4) [Ordinance
118 No. 72-03 & 01-26] being a 12.1462-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall
119 County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV)
120 District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.
121

122 Senior Planner Henry Lee provided a summary regarding the request. The applicant is requesting a maximum height of 90 feet. The underlying zoning
123 within this plan development district is general retail and it is also located within the scenic overlay district. Both the general retail and scenic overlay
124 district have height limitations of 36 feet. However, in this case the general retail district caps it at 36- feet and there's no relief process through the
125 planned development district therefore in this case the applicant is requesting to amend the plan development district to allow for a multi-story office
126 building. To facilitate the request, staff had to make changes to the plan development district to the density and dimensional requirements to better
127 facilitate this request. The general retail district only allows a maximum of 25,000 square foot buildings. In this case this would have to be permitted
128 to allow buildings greater than 25,000 square feet as well as the maximum height. Staff indicated that the height is 90 feet and the lot coverage was

129 increased from 40% which is what the general retail district requires to 60% and then they increased the floor area ratio from 2:00 to 1:00 to 4:00 to
130 1:00 just to try to better facilitate the square footage that they're looking for on the property. Staff did include a prohibited land use. During the previous
131 meeting staff mentioned not having many restaurant users in there particularly ones with the drive throughs and there was a lot of other uses that the
132 applicant agreed to be prohibited from this use or from this plan development district. Staff mailed out notices to property owners and occupants
133 within 500-feet on November 15, 2023. Staff also notified Waterstone and Turtle Coves HOA. At this time, staff has received three (3) notices in
134 opposition and one (1) notice in favor of the applicant's request.

135
136 Commissioner Llewelyn also asked how tall the building adjacent to the property would be.

137
138 Commissioner Hustings asked what the trigger for the SUP would be?

139
140 **Matt Wavering**
141 2610 Observation Trail.
142 Rockwall, TX 75087

143
144 Mr. Wavering came forward and provided additional details regarding the request.

145
146 Chairman Deckard opened the public hearing and asked anyone who wished to speak to come forward at this time.

147
148 **Harold Snyder**
149 1519 Murphy Drive,
150 Rockwall, TX 75087

151
152 Mr. Snyder came forward and expressed his concerns regarding the request.

153
154 Chairman Deckard closed the public hearing and brought the item back to commission for discussion or action.

155
156 Commissioner Conway made a motion to approve Z2023-053. Commissioner Hustings seconded the motion which passed by a vote of 6-0.

157
158 Chairman Deckard advised this item will go before City Council on December 18, 2023

159
160 **V. ACTION ITEMS**

161
162 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to*
163 *variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the*
164 *Municipal Code of Ordinances.*

165
166 **SP2023-034 (HENRY LEE)**

167 Discuss and consider a request by Trenton Jones and Ben Sanchez of Parkhill on behalf of Frank New of Rockwall County for the approval of
168 a Site Plan for a *Government Building* on a 1.90-acre portion of a larger 12.79-acre parcel of land identified as Lot 1, Block A, Rockwall County
169 Courthouse Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30) District,
170 addressed as 963 E. Yellow Jacket Lane, and take any action necessary.

171
172 Senior Planner Henry Lee provided a summary regarding the request. The applicant is requesting approval of site plan for a government office
173 facility. Commissioners did look at this previously at the last public hearing and made a motion to table to allow the applicant to better address the
174 variances they had before them. At that time the ARB had already made a motion to approve. However, with the Commissioners tabling it was taken
175 back. ARB did make a motion to approve changes from the last time they were here. They did still have tilt wall that were still exposed in the building
176 however they have skinned the entire building with either in brick or stone. The applicant originally had a roof pitch variance initially that has also
177 dropped. The main concern that the board had was with the side of the building facing yellow jacket. To address the comments the Planning and
178 Zoning Commission had, they have stoned that side of the building, and they added brick in between the stone Pillar elements, and they added a
179 secondary brick. They did provide us new renderings. They still have variances being associated with this request. They still have the four-sided
180 architecture this would be in terms of the articulation as that side facing yellow jacket does not have any articulation coming out from the building.
181 Their landscape buffer trees. They're required canopy and accent trees. However due to overhead power lines they are requesting doing only accent
182 trees.

183
184 **Salvador Sanchez and Trenton Jones**
185 200 Internet Blvd
186 Frisco, TX 75034

187
188 **Frank New**
189 101 E. Rusk St
190 Rockwall, TX 75087

191
192 Salvador Sanchez came forward and provided additional details regarding the request.

193
194 Frank New Came forward and provided additional details regarding the request.

196 Commissioner Conway mentioned it should match the library.

197

198 Commissioner Llewelyn recommended approval of SP2023-034 with the condition that the eyebrow canopy's around the current windows are brought
199 consistent around yellowjacket as well. Chairman Deckard seconded the motion which passed by a vote of 6-0.

200

201

202 **SP2023-038 (ANGELICA GUEVARA)**

203 Discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of Staci Bowen of Metroplex Acquisition Fund, LP for the
204 approval of a *Site Plan* for *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In (i.e. HTeaO)* on a 0.93-acre portion of a larger
205 5.16-acre parcel of land identified as Lot 13, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned
206 Development District 70 (PD-70) for General Retail (GR) District land uses, situated within North SH-205 Overlay (N. SH-205 OV) District,
207 generally located at the northeast corner of the intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.

208

209 Director of Planning and Zoning Ryan Miller provided a summary regarding the request. During the last Public Hearing the planning and zoning
210 commission ultimately recommended tabling the request for the applicant to go back and look at specifically the front area where they did not
211 incorporate the berms and some of the elements that ARB requested on the building. ARB did review this tonight and ultimately did vote 6-0 to
212 recommend approval. ultimately the applicant was able to reduce the number of variances. They crossed out the 20% stone requirement and the
213 landscape buffers. They did increase the stone percentage on all four sides of the building bringing that stone percentage up by increasing that that
214 Wainscoting higher bringing it up to 31%. They also added the landscape buffers by removing the excess parking in the front and then meeting the
215 landscaping requirements. They still are requesting variances to the 90% masonry material requirements, roof design standards. The building is less
216 than 6,000 square feet. Also says it's required to have a pitch roof but majority of buildings in this area don't have the pitch roof. They're also
217 requesting a variance for the four-sided architecture requirements. In the letter they provided for the compensatory measures won't work since
218 they're requirements of the district. They're at 31% stone which is a compensatory measure.

219

220 Lynn Rowland
221 1903 Central Drive
222 Bradford, TX

223

224 Mr. Rowland came forward and provided additional details regarding the request.

225

226 Commissioner Llewelyn made a motion to approve SP2023-038. Commissioner Conway seconded the motion which passed by a vote of 6-0.

227

228 **SP2023-042 (ANGELICA GUEVARA)**

229 Discuss and consider a request by Kamran Khan for the approval of an *Amended Site Plan* for an existing *general retail building* on a 0.55-acre
230 parcel of land identified as Lot 1, Block A, Burgamy Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated
231 within the Scenic Overlay (SOV) District, addressed as 1007 Ridge Road, and take any action necessary.

232

233 Director of Planning and Zoning Ryan Miller provided a summary regarding the request. The applicant is proposing to essentially remodel the existing
234 building. They'll be removing that mansard roof that's currently on the building and building more of the façade. During the last meeting they asked
235 the applicant if he would consider raising the parapets to screen the existing HVAC equipment because they are bringing it out of conformance
236 further by taking away the pitch roof elements and the mansard roof elements. Since then, the applicant has indicated that they will raise those
237 parapets.

238

239 Abel Cisneros
240 1007 Ridge Road,
241 Rockwall, TX 75087

242

243 Mr. Cisneros came forward and provided details in regards to the request.

244

245 Commissioner Conway made a motion to approve SP2023-042. Commissioner Hustings seconded the motion which passed by a vote of 6-0.

246

247

248 **SP2023-044 (HENRY LEE)**

249 Discuss and consider a request by Hind Saad of RSG Engineering on behalf of Roy Bhavi of FlexSpace Business Parks, LLC for the approval
250 of a *Site Plan* for 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,
251 City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the Airport Overlay (AP OV) District, addressed as
252 1760 Airport Road, and take any action necessary.

253

254 Senior Planner Henry Lee provided a summary regarding the request. The applicant is requesting to build 7 office warehouse buildings on the subject
255 property. During the last public hearing meeting this case was tabled concerning the variances they were requesting. The architecture review board
256 also had comments where they wanted them to dress up the rear of the buildings. Buildings two and three which are the buildings on the north side
257 of this plan they wanted those backsides dressed up along with a row of canopy trees. With this case tonight, they did make the changes ARB was
258 requesting. The ARB asked them to raise the stone to the height of the doors as well as provide some material variation and add some arcades over
259 the doors to give it a more prominent look. ARB did look at this tonight and they did recommend approval of this. There are still variances associated
260 with this. They do have variances to the primary and secondary articulation. They have variances to the material standards to the loading dock
261 screening and to the driveway spacing.

262
263 Commissioner Hustings asked which building is facing meals on wheels.
264

265
266 Roy Bhavi
267 835 Tillman Drive
268 Allen, TX 75013
269

270 Mr. Bhavi came forward and provided additional details regarding the request.
271

272 Commissioner Llewelyn made a motion to approve SP2023-044. Commissioner Conway seconded the motion which passed by a vote of 6-0.
273

274 VI. DISCUSSION ITEMS

275
276 Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
277

- 278 • P2023-038: Final Plat for Lot 1, Block A, Tri-Tex Addition (**APPROVED**)
- 279 • Z2023-049: Specific Use Permit (SUP) for *Heavy Manufacturing* (**2ND READING; APPROVED**)
- 280 • Z2023-050: Specific Use Permit (SUP) for *Guest Quarters/Secondary Living Unit* for 605 E. Washington Street (**2ND READING; APPROVED**)
- 281 • Z2023-051: Zoning Change from AG to LI for 1775 Airport Road (**2ND READING; APPROVED**)
282

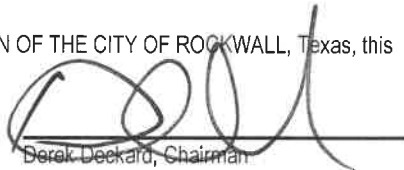
283 Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.
284

285 VII. ADJOURNMENT

286
287 Chairman Deckard adjourned the meeting at 8:05PM
288

289 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 27th day of December
290 _____, 2023.

291
292
293
294 Attest: 


Derek Deckard, Chairman

295
296 Melanie Zavala, Planning Coordinator
297