

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
MARCH 12, 2024 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

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

6 I. CALL TO ORDER

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

13 II. OPEN FORUM

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15 *This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the*
16 *policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN*
17 *FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings*
18 *Act.*

19
20 Commissioner Conway explained how the open forum is conducted and asked if anyone who wished to speak to come forward at this time; there
21 being no one indicating such, Commissioner Conway closed the open forum.

23 III. CONSENT AGENDA

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

27
28 1. Approval of minutes for the February 27, 2024 Planning and Zoning Commission meeting.

30 2. P2024-006 (HENRY LEE)

31 Discuss and consider a request by Brad Boswell and Asher Hamilton of RIV Properties for the approval of a Final Plat of Lots 1, 2 & 3, Block A, George
32 Morton Estates Addition being a 3.59-acre tract of land identified as Lots 1 & 2, Block 1; Lots 1, 2, 3, & 4, Block 2; Lots 1, 2, 3, & 4, Block 3; Lots 1, 2, 3, & 4,
33 Block 5; Lots 1 & 2 and a portion of Lots 3 & 4, Block 6; Lots 2, 3, & 4, Block 7; Lots 1 & 2, Block 8; and Lots 1, 2, 3, & 4, Block 9, Moton Addition, City of
34 Rockwall, Rockwall County, Texas, situated within the Hillside Mixed Use Subdistrict and the Horizon/Summer Lee Subdistrict of Planned Development
35 District 32 (PD-32), generally located at the southwest corner of the intersection of Horizon Road and Summer Lee Drive, and take any action necessary.

36
37 Commissioner Llewelyn made a motion to approve Consent Agenda. Commissioner Thompson second the motion and it passed by a vote of 4-0.

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

46 3. Z2024-003 (RYAN MILLER)

47 Hold a public hearing to discuss and consider a request by Michael Twichell of Michael F. Twichell, LP on behalf of Jim Duggan of NEC John King & 552, LP
48 for the approval of a Zoning Change and PD Development Plan amending Planned Development District 74 (PD-74) [Ordinance No. 17-60] being a 17.3750-
49 acre portion of a larger 405.184-acre Planned Development District situated within the J. Strickland Survey, Abstract No. 187; T. R. Bailey Survey, Abstract No.
50 30; and, J. Simmons Survey, Abstract No. 190, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for limited General
51 Retail (GR) District land uses, situated within the SH-205 By-Pass Overlay (BY-OV) District, generally located at the northeast corner of the intersection of John
52 King Boulevard and FM-552, and take any action necessary.

53
54 The applicant has requested that the case be postponed.

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56 Commissioner Llewelyn made a motion to approve postponing the case to the March 26 meeting. Commissioner Thompson seconded the motion
57 which passed by a vote of 4-0

59 4. Z2024-008 (ANGELICA GUEVARA)

60 Hold a public hearing to discuss and consider a request by Marisol Ortiz on behalf of Ricardo Alonso for the approval of a Specific Use Permit (SUP) for
61 Residential Infill in an Established Subdivision on a 0.121-acre parcel of land identified as Lot 49 of the Canup's Addition, City of Rockwall, Rockwall County,
62 Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 302 E. Bourn Street,
63 and take any action necessary.

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The applicant has requested to table this case.

Commissioner Thompson made a motion to approve tabling the case. Commissioner Llewelyn seconded the motion which passed by a vote of 4.0.

5. Z2024-009 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Harold Fetty of H. D. Fetty Land Surveyor, LLC on behalf of Antonio Borjas for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 1.5 (SFE-1.5) District and a Light Industrial (LI) District for a 9.4411-acre tract of land identified as Tract 3-4 of the J. H. Bailey Survey, Abstract No. 45, City of Rockwall, Rockwall, Texas, zoned Agricultural (AG) District, situated in the SH-276 Overlay (SH-276 OV) District, addressed 172 Zollner Road, and take any action necessary.

Senior Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting for an approval of a zoning change. They are requesting to rezone the front portions to Light Industrial (LI) and the back portions to Single-Family Estate 1.5. (SF-1.5). This is currently one property and they are looking to convey the portion that is on 276 therefore they are going through the zoning process and will have to come back later for the platting process. Currently for the zoning request staff is looking at the comprehensive plan and the portion facing 276 is indicated as technology and employment which is one of the zoning districts that allows Light Industrial (LI). The other portion where the single-family home is located along Zollner the future land use plan has that as Commercial Retail but right now there's a single-family home on that property and the applicant has indicated that they will continue to have that as a single-home property. While it's not in conformance with the future land use map it is a step towards that direction. In the future it could still go Commercial Retail. On February 22nd staff mailed out 24 notices to property owners and occupants within 500ft of the subject property.

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

Commissioner Odom made a motion to approve Z2024-009. Commissioner Thompson seconded the motion which passed by a vote of 4-0.

6. Z2024-006 (RYAN MILLER)

Hold a public hearing to discuss and consider a Text Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the Unified Development Code (UDC) and to establish Chapter 13, Rental Housing, of the Municipal Code of Ordinances for the purpose of creating requirements for Short-Term Rentals, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regard to the request. City Council voted to recommend and direct staff to move forward with the proposed amendment. City Council directed staff and they created new and local regulations. There are three distinct categories of Short-Term Rentals (STR). Short term Rental (owner occupied, single-family home, Townhome or Duplex) A single-family home, townhome, or duplex or portion thereof in which the property owner or operator, as reflected in a valid lease agreement, is a resident (i.e. occupies the primary structure) and is present during the rental. This includes when a Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit is detached from the primary structure and either the primary or secondary structure is rented, but the owner or operator resides on the property. Short term Rental non-owner occupied (single-family home, Townhome or Duplex) A single-family home, townhome, or duplex -- or a portion thereof -- in which the property owner or operator does not occupy the dwelling unit during the rental, or that the owner or property owner does not occupy another dwelling unit -- or portion thereof -- on the same property (i.e. the property owner or operator is not on-site as an occupant during the rental of the property). STR (apartment or condominium) An apartment or condominium (or similar multi-family structure, excluding duplexes, but including triplexes or quadplexes, as defined in this Unified Development Code [UDC]) -- or a portion thereof -- in which the property owner or operator may or may not be an occupant of the dwelling unit during the rental. staff has also created a permit application and registration form that shows the information that would be collected as part of the proposed program. Based on the proposed ordinance, a \$500.00 application fee would be required to register a STR and the registration and permit would be valid for a period of three (3) years once issued. The standard requirements for the STRs include parking, temporary structure, trash, singe, conduct on premises, tenant notification requirements and payment of hotel occupancy tax. The Ordinance also establishes specific violation and penalty's that can range from \$250 - \$2,000. In addition, if an STR accrues three violations in any consecutive six months period the Short-Term Rental registration and permit is revoked. A responsible party that resides in Rockwall County and is available at all time that the rental is being used to ensure there is a point of contact that is local and can remedy any issues.

Commissioner Llewelyn asked about 500 feet buffer.

Commissioner Llewelyn asked about notarization.

Commissioner Llewelyn asked about why it isn't 1,000 ft buffer.

Commissioner Odom asked about Commercial Insurance.

Commissioner Conway asked about Homeowners Insurance.

Joy Murphy
209 Tanya Drive
Rockwall, TX 75087

Mrs. Murphy came forward and expressed her concerns in regards to the request and asked to consider the larger buffer.

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133 Melba Jeffus
134 2606 Cypress Dr
135 Rockwall, TX 75087

136
137 Mrs. Jeffus came forward and expressed her concerns in regards to the request.

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139 Norman Fontaine
140 805 Calm Coast Dr
141 Rockwall, TX 75087

142
143 Mr. Fontaine came forward and expressed her concerns in regards to the request.

144
145 William Childs
146 1611 S Alamo
147 Rockwall, TX 75087

148 Mr. Childs came forward and expressed his concerns in regards to the request.

149
150 Terri Nevitt
151 201 Becky Lane
152 Rockwall, TX 75087

153
154 Mrs. Nevitt came forward and expressed her concerns in regards to the request.

155
156 Greg Murphy
157 209 Tanya Drive
158 Rockwall, TX 75087

159
160 Mr. Murphy came forward and expressed his concerns in regards to the request and asked to consider the larger buffer.

161
162 Commissioner Lewellyn asked about the trash.

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164 Commissioner Conway asked about the occupancy in the str.

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166 Commissioner Llewellyn made a motion to approve Z2024-006 with the change of 1,000 ft buffer. Commissioner Thompson seconded the motion
167 which passed by a vote of 4.0.

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169 V. ACTION ITEMS

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171 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special*
172 *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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174 **7. SP2024-003 (ANGELICA GUEVARA)**

175 Discuss and consider a request by Dub Douphrate of Douphrate & Associates, Inc. on behalf of Kevin Lloyd of 1800 Dalrock, LLC for the approval of a Site Plan
176 for two (2) metal buildings in conjunction with two (2) existing commercial/industrial buildings on a 1.55-acre parcel of land identified as Lot 7, Block A, Maverick
177 Ranch Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 196 & 216 Ranch Trail, and take any action necessary.

178
179 Planning Technician Angelica Guevara provided a brief summary in regards to the request. The applicant is requesting approval of the site plan for
180 the purpose of adding two metal building to the subject property. This request has been previously approved back in 2019 however, no action was
181 taken towards completion after the site plan was approved therefore causing it to expire on June 11, 2021. The applicant is having to go through the
182 process once again of requesting approval of site plan for the two additional buildings the elevations of the proposed buildings. The applicant is
183 also proposing to incorporate a brick wainscot on all of the building facades including the existing metal buildings. The applicant request conforms
184 the majority of the city codes however staff has identified the following exceptions roof design standards, building articulation and parking
185 requirements. In regards to the parking staff wanted to add that the office land use has a parking requirement of one for 300 square feet which is
186 what the applicant is showing on the site plan however, the current user is a dance studio which is calculated as a retail or general personal service
187 which is formed for 250 square feet. Staff should point out that the applicant only intends on using these buildings for office land uses then the
188 parking deficiency is 6 spaces however, if these bookings continue to attract non-office land uses like the dance studio parking deficiency increases
189 to 16 spaces.

190
191
192 Dub Douphrate
193 2235 Ridge Road
194 Rockwall, TX 75032

195
196 Mr. Douphrate came forward and provided additional details in regards to the request.

197
198 Commissioner Odom made a motion to approve SP2024-003. Commissioner Llewellyn seconded the motion which passed by a vote of 4-0.

199

200 8. **SP2024-004 (BETHANY ROSS)**
201 Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of Brian Berry of PRBBS, LLC for the approval of a Site Plan for a commercial
202 building on a 1.745-acre parcel of land being identified as Lot 1, Block A, BW Plus Executive Residency Addition City of Rockwall, Rockwall County, Texas,
203 zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 700 Vigor Way, and take any action necessary.

204
205 **Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is proposing a Site Plan for a**
206 **commercial building. They are requesting a variance to the landscape buffer with a berm and bushes. They are proposing compensatory measures.**
207 **They are also providing increase landscape area. The two-story building does not meet articulation requirements.**

208
209 **Jeff Carroll**
210 **750 E Interstate 30**
211 **Rockwall, TX 75087**

212
213 **Mr. Carroll came forward and provided additional details in regards to the request.**

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215 **Commissioner Llewelyn made a motion to approve SP2024-004. Commissioner Odom seconded the motion which passed by a vote of 4-0.**

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217 9. **SP2024-005 (BETHANY ROSS)**
218 Discuss and consider a request by Jeff Carroll of Carroll Architects, Inc. on behalf of Akhil Vats of Vedanta Estates, LLC for the approval of a Site Plan for a
219 medical office building on a 0.70-acre parcel of land being identified as Lot 6, Block A, Ellis Centre #2 Addition, City of Rockwall, Rockwall County, Texas, zoned
220 Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1940 Alpha Drive, and take any action necessary.

221
222 **Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is requesting a site plan for a medical**
223 **center. In 2020 this site plan was approved and the site plan has then expired in 2022. There are variances to the standards and property. They do**
224 **not meet the requirements and not fully three-tiered screening. Staff asked that they add a detention area to put vertical walls in detention systems.**
225 **Compensatory measures to landscape, accent trees and shrubs. Exception to articulation variances. Building elevations to provide screen**
226 **percentage.**

227
228 **Commissioner Llewelyn made a motion to approve SP2024-005 with the variances and site plan with the exception of the detention system.**
229 **Commissioner Thompson seconded the motion which passed by vote of 4-0.**

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231 VI. DISCUSSION ITEMS

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

- 234
235 • P2024-005: Replat for Lot 10, Block A, Dalton Goliad Addition **(APPROVED)**
236 • Z2024-001: Amendment to Planned Development District 2 (PD-2) **(2ND READING; APPROVED)**
237 • Z2024-002: Specific Use Permit (SUP) for a *Guest Quarters/Secondary Living Unit* for 715 Sherman Street **(2ND READING; APPROVED)**
238 • Z2024-004: Specific Use Permit (SUP) for an *Accessory Building and Carport* at 9 Crestview Circle **(2ND READING; APPROVED)**

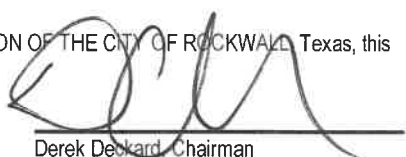
239
240 **Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at he City Council meeting**

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242 VII. ADJOURNMENT

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244 **Commissioner Conway adjourned the meeting at 7:43PM**

245
246 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 9th day of April
247 _____, 2024.

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249
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251 Attest: 
252 _____
253 Melanie Zavala, Planning Coordinator



Derek Deckard, Chairman