

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
APRIL 27, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 I. CALL TO ORDER
3

4 Chairman Chodun called the meeting to order at 6:00 PM. Commissioners present were John Womble, Derek Deckard, Sedric Thomas,
5 Jean Conway, and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner Mark Moeller. Staff members present were
6 Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica
7 Gamez, Planner Henry Lee, City Engineer Amy Williams, and Civil Engineers Sarah Johnston and Jeremy White.
8

9 II. OPEN FORUM
10

11 *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.*
12 *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*
13 *during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting*
14 *per the Texas Open Meetings Act.*
15

16 Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being
17 no one coming forward, Chairman Chodun closed the open forum.
18

19 III. APPOINTMENTS
20

- 21 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for
22 items on the agenda requiring architectural review.
23

24 A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the
25 Architectural Review Board meeting.
26

27 IV. CONSENT AGENDA
28

29 *These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development*
30 *Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.*
31

- 32 2. Approval of Minutes for the April 13, 2021 Planning and Zoning Commission meeting.
33

34 3. P2021-017 (DAVID GONZALES)

35 Consider a request by Brian Wade of Raymond L. Goodson Jr., Inc. on behalf of Jason Linscott of Rockwall Regional Hospital, LLC for the approval
36 of a Replat for Lot 25, Block A, Presbyterian Hospital of Rockwall Addition being a 23.0927-acre parcel of land identified as Lot 24, Block A,
37 Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General
38 Retail (GR) District land uses, addressed as 3142-3150 Horizon Road [FM-3097], and take any action necessary.
39

40 4. P2021-018 (DAVID GONZALES)

41 Consider a request by Jonathan Stites of Seefried Industrial Properties on behalf of Amazon.com Services, LLC for the approval of a Final Plat for
42 Lot 1-3, Block A, DDF9 Addition being a 90.68-acre tract of land identified as Tract 20 & 20-1 of the A. Hanna Survey, Abstract No. 99, City of
43 Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located at the southwest corner of Justin Road and Industrial
44 Boulevard, and take any action necessary.
45

46 Vice-Chairman Welch made a motion to approve the consent agenda. Commissioner Thomas seconded the motion which passed by a
47 vote of 6-0 with Commissioner Moeller absent.
48

49 V. DISCUSSION ITEMS
50

51 *These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that*
52 *will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take*
53 *place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission*
54 *public hearing and/or action date for the following cases is May 11, 2021.*
55

56 5. Z2021-008 (HENRY LEE)

57 Hold a public hearing to discuss and consider a request by Lance Tyler on behalf of the owner Mike Worster for the approval of a Specific Use
58 Permit (SUP) for Residential Infill Adjacent to an Established Subdivision and a Guest Quarters/Secondary Living Unit for the purpose of
59 constructing a single-family home, accessory structure, detached garage, and guest quarters/secondary living unit on a 8.011-acre tract of land
60 identified as Tract 19-2 of the S. S. McCurry Survey, Abstract No. 146, City of Rockwall, Rockwall County, Texas, zoned Planned Development
61 District 5 (PD-5) for Single-Family 8.4 (SF-8.4) District land uses, addressed as 550 E. Quail Run Road, and take any action necessary.
62

63 Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting the residential infill for a single-
64 family home which does meet all of the density and dimensional requirements. They are also requesting an attached garage which will

65 exceed the height requirement along with an accessory structure that will exceed the height and size requirement as well. There is an
66 additional request for a guest quarters that will be located in front of the primary structure and be greater than 30% of the primary
67 structure. It should be noted that there are only two (2) other homes on this street that are custom build like the proposed home so it will
68 not be uncharacteristic of what's existing already. Although, the guest quarters is greater than 30% than the primary structure – it could
69 be sold separately due to its size and meets all of the density and dimensional requirements for that zoning district. This would allow
70 the owner flexibility in the future.

71
72 Chairman Chodun asked if they would need to replat. Mr. Lee advised that they would need to replat before they move forward with the
73 permits but in the future they could replat it back and sell it separately.

74
75 Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.
76

77 6. Z2021-009 (HENRY LEE)

78 Hold a public hearing to discuss and consider a request by Michael Morgan on behalf of the owner Gary Scott Barron for the approval of a Specific
79 Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.16-acre parcel of
80 land identified as Lot 9, Block D, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as
81 704 Parks Avenue, and take any action necessary.

82
83 Chairman Chodun asked the applicant to come forward

84
85 Michael Morgan
86 14 Kestrel Court
87 Heath, TX 75032
88

89 Mr. Morgan came forward and provided a brief summary in regards to the request. He's requesting to build a single-family home.

90
91 Commissioner Womble asked if the lower roof pitch was to maintain the view off the balcony.

92
93 Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.
94

95 7. Z2021-010 (DAVID GONZALES)

96 Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) superseding Ordinance
97 No. 20-34 and allowing an accessory building that does not conform to S-231 [Ordinance No. 20-34] on a 0.2297-acre parcel of land identified as
98 Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-
99 Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

100
101 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He wanted to remind the Planning and
102 Zoning Commission of what was approved for the applicant and where it stands today. This was brought before the Commission last
103 year and the applicant had applied for a permit but started the work on the property prior to being issued that permit. The applicant then
104 submitted a Specific Use Permit (SUP) and was approved for the drawings shown. The three requirements as part of that SUP were that
105 the building be as depicted in the SUP ordinance, that it not exceed 360 square-feet, and that the subject property not have more than
106 one (1) accessory structure on it.

107
108 Planning and Zoning Manager David Gonzales gave additional details and provided photos in regards to the case. The reason this
109 request is being brought upon the Commission this evening is because the Building Inspections department went out to inspect
110 progress on the permit and noticed that the building was not built with what was approved from the permit. Mr. Gonzales pointed out
111 that when a building permit is pulled and issued, the permit is there and the applicant has it onsite. There are multiple issues with the
112 building that is being constructed currently. Some of those issues being: the separation from the fence, the roof line being connected
113 to the fence, and the roof drains onto the adjacent property. Others include the roof line differing from what was approved, the height
114 of the building does not comply, the retaining wall needs to be finished in stone, and it has a second floor addition that is decked. Mr.
115 Gonzales pointed out that it looks like a livable space and Staff would need to know if it would be a living space. Included in the packet
116 is language for the operational conditions indicating that the accessory building shall not be used as a secondary living unit or guest
117 quarters.

118
119 Mr. Miller added that the Commission is actually deciding whether or not to amend the SUP that was approved to allow what the applicant
120 actually built. In this case, what doesn't conform is the height and the structure clearly has a second story with the addition of the
121 electrical plugs and lighting. This appears to be intended to be used for more than storage as originally indicated.

122
123 Chairman Chodun asked if construction had already commenced when it was originally reviewed and they were retroactively approving
124 it at that time. Mr. Miller stated that was correct because the applicant had poured concrete for the slab and constructed the retaining
125 wall. It required a structural engineer to certify the retaining wall after it was constructed. Staff should note that none of the concrete
126 that was originally approved or what was done after the approval was pour tested.

127
128 Chairman Chodun asked for the votes from Planning and Zoning Commission and City Council when the case was first brought before
129 them.

130
131 Mr. Miller added that there are certain things that need to be done. For example, the roof line cannot be attached to the fence and it has
132 to be changed along with the roof pitch.

133
134 Commissioner Deckard asked if the roof attached to the property actually sheds water onto the neighboring property.
135

136 Commissioner Conway wanted clarification in regards to the overall square footage. She thought that with a single structure the
137 maximum square footage was 144-square feet or 625 square-feet for a garage. Mr. Gonzales explained that the square footage was
138 allowed by the approval of the first SUP for 360 square-feet. However, with the addition of the second floor, the new space must be
139 calculated as additional square footage making the total 570 square-feet.
140

141 Chairman Chodun asked the applicant to come forward.
142

143 Mark Klecha
144 1748 Lake Breeze Drive
145 Rockwall, TX 75087
146

147 Mr. Klecha came forward and provided a brief history as well as additional details in regards to the request. He explained that he needed
148 to move the structure over and, in doing so, he decided to change the design of the building. Mr. Klecha then updated the drawings and
149 plot but did not send the updated drawings or plot to City Staff. There were windows added to match the architecture of his home.
150

151 Commissioner Deckard asked what all was included with the project and what was the use for. He added that there were makings of
152 having a small apartment or a mother-in-law suite in the layout. His main problem is that the applicant or builder is supposed to be
153 working off a set of city-approved drawings but it took over a year to see the difference in those and what was being built.
154

155 Vice-Chairman Welch asked if the neighbors had mentioned anything regarding the project. He added that if this gets approved then it
156 becomes a precedent for the neighborhood.
157

158 Mr. Miller added that there had been a stipulation on the previously approved SUP that only one accessory structure was to be on the
159 property. Since then, the applicant had built a temporary structure on the west side of the property to hold the items meant for the
160 structure being built. Mr. Miller wanted to confirm that that temporary structure had been removed which it had.
161

162 Chairman Chodun asked what was the process was should the SUP be denied. Mr., Miller explained that the Commission is reviewing
163 is a request to supersede the existing SUP and grant a new SUP to allow what the applicant has done and what's allowed by the
164 International Building Code. Should the request be denied, the applicant would have to meet the current SUP which means it would
165 have to conform to what was approved. The only other thing that the Planning and Zoning Commission could recommend would be
166 revocation which the project would have to start from the beginning. The Commission can decide to do the following: Revocation which
167 would mean to remove the building, denial would mean to structurally change the building and meet the building permit that was issued,
168 or approval to allow what he has today. The applicant would have to bring it into compliance within the time frame.
169

170 Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.
171

172 8. Z2021-011 (HENRY LEE)

173 Hold a public hearing to discuss and consider a request by Kristi Bryant for the approval of a Specific Use Permit (SUP) for an Accessory Building
174 for the purpose of allowing an existing greenhouse on a 0.496-acre tract of land identified as Lot 5 & 6, Block A, Highridge Estates Addition, City
175 of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 710 & 804 S. Alamo Street, and take any action
176 necessary.
177

178 Planner Henry Lee provided a brief summary in regards to the request. He explained that the reason this is coming before the
179 Commission is because they need an SUP for the size as they exceed the maximum size by 144 square feet.
180

181 Chairman Chodun asked the applicant to come forward
182

183 Kristi Bryant
184 710 S. Alamo Street
185 Rockwall, TX 75087
186

187 Mrs. Bryant came forward and provided additional details in regards to the request. She added that the greenhouse was already built
188 so it was brought in and dropped. She asked the manufacturer what she needed to do to prepare the ground and they suggested gravel
189 would work best. The building is 12' x 24' and it is 10-feet in height.
190

191 Mr. Lee wanted to add that the applicant would need a concrete foundation for the structure because of the size of it.
192

193 Commissioner Womble asked if the other structure was a detached garage or if the greenhouse would be the only accessory structure.
194 Vice-Chairman Welch asked if you could see this from the street.
195 Commissioner Deckard added that he was confused as to why a concrete foundation was needed.
196

197 Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.
198

199 9. Z2021-012 (DAVID GONZALES)

200 Hold a public hearing to discuss and consider a request by Ahmad Maktabi on behalf of Gerald Houser of Lynstar, LLC for the approval of a
Specific Use Permit (SUP) for a General Retail Store in a Light Industrial (LI) District on a 1.243-acre parcel of land identified as Lot 3, Block 1,

Highway 276 Self Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2740 SH-276, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Ahmad Maktabi
819 Chumley Road
Garland, TX 75044

The applicant came forward and provided a brief summary in regards to the request. He's requesting to open a cigar shop in the area but there will not be any smoking inside the store.

Commissioner Conway asked if there was a patio there or if it was purchase only.

Chairman Chodun asked if there were any parking issues.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

10. Z2021-013 (RYAN MILLER)

Hold a public hearing to discuss and consider approval of a Text Amendment to Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of clarifying the requirements for temporary structures on leased property within the takeline area.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. He explained that the Takeline Ordinance was changed last year and, recently, the Municipal Code of Ordinances was changed as well to regulate some areas on unleased property. The City has recently offered to people that are eligible for takeline leases a lease where the initial fee is waived and reduced the annual fee. The City Council wanted Staff to make a clarification that talks about temporary structures on leased property because temporary structures on unleased property are not permitted.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

11. P2021-019 (DAVID GONZALES)

Discuss and consider a request by Humberto Johnson of the Skorburg Co. on behalf of John Arnold of Gideon Grove Addition, LTD for the approval of a Final Plat for Phase 2 of the Gideon Grove Subdivision consisting of 84 single-family residential lots on a 30.36-acre tract of land identified as a portion of Tract 1-01 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 84 (PD-84) for Single-Family 7 (SF-7) District land uses, generally located at the northwest corner of the intersection of E. Quail Run Road and John King Boulevard, and take any action necessary.

Planning and Zoning Manager David Gonzales advised that this case is going before the Parks and Recreation Board on May 4, 2021. This item will be on the Consent Agenda for the May 11, 2021 meeting.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

12. P2021-020 (DAVID GONZALES)

Discuss and consider a request by Randall Eardley of Weir & Associates, Inc. on behalf of Stephen Doyle of Structured REA-Rockwall Land, LLC for the approval of a Preliminary Plat for Lots 1-6, Block A, Fit Sport Life Addition being a 55.784-acre tract of land identified as a portion of Tract 22 and all of Tracts 22-2 & 24 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) and FM-549 Overlay (FM-549 OV) Districts, generally located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and take any action necessary.

Planning and Zoning Manager David Gonzales asked the Commission if they could go over this item and the next at the same time since they were related.

13. SP2021-010 (DAVID GONZALES)

Discuss and consider a request by Randall Eardley of Weir & Associates, Inc. on behalf of Stephen Doyle of Structured REA-Rockwall Land, LLC for the approval of a Site Plan for a sports and recreation facility on a 6.38-acre portion of a larger 31.65-acre tract of land identified as Tract 22-2 of the R. Irvine Survey, Abstract No. 120, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, generally located at the southeast corner of the intersection of Corporate Crossing [FM-549] and the IH-30 Frontage Road, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Randall Eardley
2201 E. Lamar Blvd
Arlington, TX 76006

Mr. Eardley came forward and provided a brief summary in regards to the request. They are proposing a sports and recreation facility for a Phase I project on the 56-acre tract of land.

Commissioner Thomas asked if this case was reviewed last year.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

14. SP2021-012 (HENRY LEE)

Discuss and consider a request by Mike Prince of Truman Heights, LLC for the approval of a *Site Plan* for an office building on a 1.244-acre parcel of land identified as Lot 22, Rainbow Acres Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, addressed as 259 Ranch Trail, and take any action necessary.

Planner Henry Lee provided a brief history in regards to the request. He explained that this item came before the Commission in 2019 where a site plan was approved but they had a variance for the articulation that was denied. They came back without making changes to the site plan but they are changing their landscape plan, elevations, and photometric plan. They are also requesting variances for their vertical articulation, horizontal articulation and the roof pitch.

Chairman Chodun asked the applicant to come forward.

Mike Prince
2221 Country Brook Lane
Prosper, TX 75078

Mr. Prince came forward and provided additional details in regards to the case.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

15. SP2021-013 (HENRY LEE)

Discuss and consider a request by Chris Maynor of Z Constructors Nationwide, LLC on behalf of Ted Hoisington of the Rockwall Rotary Foundation for the approval of an *Amended Site Plan* for an existing building on a 0.69-acre parcel of land identified as lot with in the Roca Villa Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 408 S. Goliad Street, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. Currently their structure is considered to be legally non-conforming and they're trying to bring it closer into conformance.

Chairman Chodun asked Mr. Lee in regards to bringing it more into conformance.

Mr. Miller explained that their plans don't conform to what we require. The applicant will not have any variances because the applicant is going to fix the issues pointed out by Staff.

Chairman Chodun advised that the item will be brought back to the Commission for discussion or action on May 11, 2021.

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

- P2021-009: Replat for Lot 1, Block A, Kennedy Addition [APPROVED]
- P2021-010: Replat for Lots 1 & 2, Block A, Wreyford Addition [APPROVED]
- P2021-011: Final Plat for Lots 1 & 2, Block A, Birds Nest Addition [APPROVED]
- P2021-012: Preliminary Plat for Phase 2 of the Saddle Star Estates South Addition [APPROVED]
- P2021-013: Preliminary Plat for Lots 1-19, Block A, Landon Addition [APPROVED]
- P2021-014: Preliminary Plat for Nelson Lake Addition [APPROVED]
- SP2021-005: Variance to the Parking Requirements for HG Supply Co. [APPROVED]
- SP2021-007: Major Waiver to the Parking Requirements for Bonafide Betties Pie [APPROVED]
- Z2021-006: Zoning Amendment to Planned Development District 79 (PD-79) [DENIED]
- Z2021-007: Zoning Change (AG to PD) for the Klutts Farm [DENIED]

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

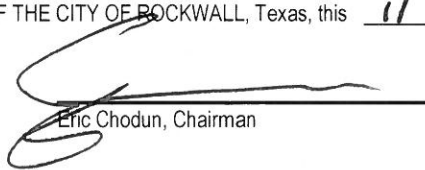
VI. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:04 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 11 day of May, 2021.

Attest: 

Angelica Gamez, Planning and Zoning Coordinator



Eric Chodun, Chairman