

# MINUTES

## PLANNING AND ZONING COMMISSION MEETING CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS SEPTEMBER 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 Brian Llewelyn, Kyle Thompson, Jay Odom, Ross Hustings, and Jean Conway. 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 Technician Angelica Guevara, Planning Coordinator Melanie Zavala, City Engineer Amy Williams, Assistant City Engineer Jonathan Browning and Civil Engineer Madelyn Price.

### II. APPOINTMENTS

1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on the agenda requiring architectural review.
2. Appointment with Audrey Andrews to consider a request to submit a new development application for an *Exception* for a front yard fence in accordance with Subsection 01.05, *Reapplication*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), and take any action necessary.

Commissioner Llewelyn made a motion to approve Audrey Andrews to submit a new application for an **Exception**. Commissioner Hustings seconded the motion which passed by a vote of 6-0.

### III. 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.

### IV. 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.*

3. Approval of minutes for the August 15, 2023 Planning and Zoning Commission meeting.
4. Approval of minutes for the August 29, 2023 Planning and Zoning Commission meeting.
5. **SP2023-026 (HENRY LEE)**

Discuss and consider a request by Erica Papan of Milkshake Concepts on behalf of James Faller of Milkshake Concepts for the approval of an *Amended Site Plan* for a *Restaurant* on a 2.893-acre parcel of land identified as Lot 2, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, generally located at the southwest corner of the intersection of Sunset Ridge Drive and the IH-30 Frontage Road, and take any action necessary.

6. **SP2023-027 (HENRY LEE)**

Discuss and consider a request by Daniyal M. Awan of Plutus21 Development Fund 5, LLC for the approval of an *Amended Site Plan* for two (2) multi-family apartment buildings on a 6.5995-acre parcel of land identified as Lot 1, Block A, Villas De Portofino Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 22 (PD-22) for Marina, Retail, Office, and Apartment/Condominium land uses, addressed as 2000-2038 Portofino Circle, and take any action necessary.

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

### V. 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.*

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34 Chairman Deckard advised that this item will go before City Council on September 18, 2023.  
35

36 10. Z2023-041 (RYAN MILLER)

37 Hold a public hearing to discuss and consider a request by Anthony Loeffel of Kimley-Horn on behalf of James Melino of Rockwall 549/I-30 Partners, LP and  
38 Conveyor I30 Partners, LP for the approval of a Zoning Change from a Agricultural (AG) District and Light Industrial (LI) District to a Commercial (C) District for a  
39 66.057-acre tract of land identified as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition, City of Rockwall, Rockwall County,  
40 Texas, zoned Agricultural (AG) District and Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located at the northwest  
41 corner of Stodghill Road and the IH-30 Frontage Road, and take any action necessary.  
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43 Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is requesting approval for a zoning  
44 change from Agricultural (AG) District and Light Industrial (LI) District to a Commercial (C) District. When looking at the Future Land Use map, the  
45 subject property is designated as a Special Commercial Corridor which is designated for Commercial or Planned Development District land uses. The  
46 applicant is zoning this in conformance and has indicated that the purpose of the zoning request is to facilitate the future conveyance of the property.  
47 Staff mailed out 30 notices to property owners and occupants within 500-feet of the subject property. At this time, staff had not received any notices  
48 back regarding the request.  
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50 Chairman Deckard opened the public hearing and asked anyone who wished to speak to come forward at this time. There being no one indicating  
51 such, Chairman Deckard closed the public hearing and brought the item back to Commission for discussion or action.  
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53 Commissioner Odom made a motion to approve Z2023-041. Commissioner Thompson seconded the motion which passed by a vote of 6-0.  
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55 Chairman Deckard advised that this item will go before City Council on September 18, 2023.  
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57 11. Z2023-042 (HENRY LEE)

58 Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall  
59 Retail, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In on a 1.93-acre parcel of land  
60 identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North  
61 SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], and take any action necessary.  
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63 Planner Lee provided a brief summary in regards to the request. The applicant is requesting approval for a SUP for a Restaurant with 2,000 SF or more  
64 with a Drive Through. At the previous meeting, staff had discussed the landscape buffer on the north side and the clustering of landscape on the  
65 northeast corner to provide additional screening on the property. They will also be including conditional landscaping along the drive-through for  
66 headlight screening. Staff mailed out 44 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Castle  
67 Ridge, Harlan Park, Stone Creek and Rockwall Shores Homeowner Associations. Staff received two (2) notices back in opposition of the request.  
68

69 Commissioner Llewelyn asked if the drive-through would have to go on that side of the subdivision.  
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71 Chairman Deckard opened the public hearing and asked anyone who wished to speak to come forward at this time.  
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73 Juan Vasquez  
74 1919 S. Shiloh Road  
75 Garland, TX 75042  
76

77 Mr. Vasquez came forward and provided additional details in regards to the request.  
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79 Chairman Deckard asked if anyone else wished to speak; there being no one indicating such, Chairman Deckard closed the public hearing and brought  
80 the item back to the Commission for discussion or action.  
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82 Commissioner Conway made a motion to approve Z2023-042. Commissioner Llewelyn seconded the motion which passed by a vote of 6-0.  
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84 Chairman Deckard advised that this item will go before City Council on September 18, 2023.  
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86 12. Z2023-043 (HENRY LEE)

87 Hold a public hearing to discuss and consider a request by Angelina Nguyen for the approval of a Specific Use Permit (SUP) for Residential Infill In an Established  
88 Subdivision on a 0.16-acre parcel of land identified as Lot 18, Block B, Harbor Landing, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned  
89 Planned Development District 8 (PD-8), addressed as 303 Harborview Drive, and take any action necessary.  
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91 Planner Lee provided a brief summary in regards to the request. The applicant is requesting approval for a SUP for Residential Infill. The elevations  
92 provided by the applicant meet the density and dimensional requirements. At this time, staff received a letter from the Chandlers Landing Architectural  
93 Review Board Committee stating they do not allow flat roofs; however, after looking at the housing in the area there did appear to be other flat roofs  
94 or near flat roofs within the subdivision. The Committee forwarded that to the applicant but have not received any changes at this time. Staff mailed  
95 out 53 notices to property owners and occupants within 500-feet of the subject property. Staff also notified numerous HOAs within 1500-feet of the  
96 subject property.  
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98 Commissioner Llewelyn asked how it would affect the HOA if they approved this.  
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100 Chairman Deckard opened the public hearing and asked anyone who wished to speak to come forward at this time.

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!02 **Jeff Macalik**  
!03 **6102 Volunteer Place**  
!04 **Rockwall, TX 75032**

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!06 **Mr. Mackalik came forward and provided additional details in regards to the request.**

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!08 **Chairman Deckard asked if anyone else wished to speak; there being no one indicating such, Chairman Deckard closed the public hearing and brought the item back to the Commission for action or discussion.**

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!11 **Commissioner Conway asked what would happen if they did approve this request.**  
!12 **Commissioner Llewelyn asked about the roof in regards to the variance.**

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!14 **Chairman Deckard made a motion to approve Z2023-043. Commissioner Hustings seconded the motion which passed by a vote of 6-0.**

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!16 **Chairman Deckard advised that this item will go before City Council on September 18, 2023.**

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!18 **VI. ACTION ITEMS**

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!20 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special 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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!23 **13. SP2023-025 (HENRY LEE)**

!24 Discuss and consider a request by Robert Howman of Glenn Engineering on behalf of Brad Helmer of Heritage Christian Academy for the approval of a Site Plan for a new building in conjunction with an existing Private School on a 6.64-acre parcel of land identified as Lot 1, Block A, Heritage Christian Academy Addition, City of Rockwall, Rockwall County, Texas, zoned Multi-Family 14 (MF-14) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1408 S. Goliad Street, and take any action necessary.

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!29 **Planner Lee provided a brief summary in regards to the request. The applicant is requesting approval of a site plan for a new classroom building. They are requesting variances to the building for the articulation and for the material requirements. With that being said, the proposed building is tucked behind. In addition, staff should note that this new building will meet the needs of the classroom requirements so the portable buildings they have on site will be removed.**

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!34 **Phillip Craddock**  
!35 **551 Embargo Drive**  
!36 **Fate, TX 75189**

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!38 **Mr. Craddock came forward and provided additional details in regards to the request.**

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!40 **Commissioner Llewelyn made a motion to approve SP2023-025. Commissioner Conway seconded the motion which passed by a vote of 6-0.**

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!42 **14. SP2023-030 (HENRY LEE)**

!43 Discuss and consider a request by Lynn Rowland of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of a Site Plan for the expansion of an existing Motor Vehicle Dealership (i.e. Clay Cooley Hyundai) being a 7.17-acre tract of land identified as Lot 2, Block 1, Rockwall Recreation Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary.

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!48 **Planner Lee provided a brief summary in regards to the request. The applicant is requesting a site plan for the expansion of an existing Motor Vehicle Dealership (Clay Cooley) since they just had their amended SUP pass. Staff noted that the ARB made a motion to approve of the elevations to the site plan. They did have one condition which was to extend the parapet around the building to the other side. Also, they do have five (5) variances associated with this request and staff did identify an additional one for the roof pitch standards.**

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!53 **Commissioner Conway made a motion to approve SP2023-030. Chairman Deckard seconded the motion which passed by a vote of 6-0.**

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!55 **VII. DISCUSSION ITEMS**

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

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- P2023-023: Final Plat for Lot 1, Block A, Right at Home Healthcare Addition (**APPROVED**)
  - P2023-024: Final Plat for Lots 1 & 2, Block A, Barrett Heights Addition (**APPROVED**)
  - P2023-025: Replat for Lot 2, Block A, Heritage Christian Academy Addition (**APPROVED**)
  - P2023-026: Replat for Lot 3, Block A, Heritage Christian Academy, Phase 2 Addition (**APPROVED**)
  - P2023-027: Final Plat for Lots 1 & 2, Block A, Airport South Addition (**APPROVED**)
  - P2023-028: Replat for Lot 3, Block 1, Indalloy Addition (**APPROVED**)
  - Z2023-032: Specific Use Permit (SUP) for an existing Motor Vehicle Dealership at 1540 E. IH-30 (**2<sup>ND</sup> READING; APPROVED**)
  - Z2023-033: Specific Use Permit (SUP) for Residential Infill Adjacent to an Established Subdivision for 803 Dalton Road (**2<sup>ND</sup> READING; APPROVED**)
  - Z2023-034: Zoning Change from Single-Family Estates 4.0 (SFE-4.0) to a Single-Family Estate 1.5 (SFE-1.5) District for 626 Cullins Road (**2<sup>ND</sup> READING; APPROVED**)


- !69 • Z2023-035: Specific Use Permit (SUP) for a *Golf Driving Range* for Texas Wedge (2<sup>ND</sup> READING; APPROVED)
- !70 • Z2023-036: Specific Use Permit (SUP) for a *Carport* for 820 E. Heath Street (2<sup>ND</sup> READING; APPROVED)
- !71 • Z2023-037: Specific Use Permit (SUP) for an *Accessory Building* at 1796 Mystic Street (2<sup>ND</sup> READING; APPROVED)

!72 **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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!75 VIII. ADJOURNMENT

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!77 **Chairman Deckard adjourned the meeting at 6:58PM.**

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!79 PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 26<sup>th</sup> day of September  
!80 \_\_\_\_\_, 2023.

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!83 \_\_\_\_\_  
!84 *John Womble, vice-chairman*

!85 Attest:   
!86 \_\_\_\_\_  
!87 Melanie Zavala, Planning Coordinator