

# MINUTES



PLANNING AND ZONING COMMISSION MEETING  
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS  
JANUARY 11, 2022 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

## I. CALL TO ORDER

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

## 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.

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

## 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 Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being no one coming forward, Chairman Chodun 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.*

2. Approval of Minutes for the December 28, 2021 Planning and Zoning Commission meetings.
3. **P2021-063 (HENRY LEE)**  
Consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of Robert John Crowell for the approval of a Final Plat for the Landon Subdivision being a 126.903-acre tract of land identified as Tract 13 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.
4. **P2021-064 (HENRY LEE)**  
Consider a request by Trey Braswell of Kimley-Horn on behalf of Jarrod Yates PS LPT Properties Investors for the approval of a Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition being a 2.082-acre tract of land identified as Tract 25-03 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 4000 N. Goliad Street [SH-205], and take any action necessary.
5. **P2021-067 (HENRY LEE)**  
Consider a request by Ryan King, PE of Engineering Concepts and Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a Preliminary Plat for the Saddle Star Estates North Subdivision consisting of 92 single-family residential lots on a 42.667-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northwest corner of the intersection of FM-552 and John King Boulevard, and take any action necessary.

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

## 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.*

6. **Z2021-050 (RYAN MILLER)**

67 Hold a public hearing to discuss and consider approval of a Text Amendment to Article 04, *Permissible Uses*, of the Unified Development Code (UDC)  
68 [*Ordinance No. 20-02*] for the purpose of amending the *Conditional Land Use Standards* for the *Bed and Breakfast* land use, and take any action  
69 necessary.  
70

71 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He explained how the Historic Preservation  
72 Advisory Board (HPAB) had an appointment with a concerned resident in regards to the bed and breakfast land use permitted by right in the  
73 Old Town Rockwall Historic District. By removing this use from the code then it would require the applicant to obtain a Specific Use Permit  
74 (SUP) in order to provide that service.  
75

76 Commissioner Womble asked what the reason was for this request.  
77 Commissioner Deckard asked if anyone in the area was utilizing this use.  
78

79 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward.  
80

81 Don Braswell  
82 2041 Chisholm Trail  
83 Rockwall, TX 75032  
84

85 Mr. Braswell came forward and provided additional information in regards to Airbnb rates.  
86

87 Chairman Chodun asked if anyone else wished to speak; there being no one indicating such, Chairman Chodun closed the public hearing and  
88 brought the item back to the Commission for discussion or action.  
89

90 After brief discussion, Commissioner Womble made a motion to deny Z2021-040. Commissioner Deckard seconded the motion with a final  
91 vote of 3-3 making a recommendation for denial.  
92

93 Chairman Chodun advised this item will go before City Council on January 18, 2022.  
94

95 7. Z2021-051 (HENRY LEE)

96 Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a Specific Use Permit (SUP) for Residential Infill in an  
97 *Established Subdivision* on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall  
98 County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action  
99 necessary.  
100

101 Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting approval of an SUP for the purpose of  
102 constructing a single-family home. The proposed single-family home meets all of the requirements set forth by the UDC except for the garage  
103 orientation. If this approved, the garage requirement would be waived. On December 21, 2021, staff mailed out 90 notices to property owners  
104 and occupants within 500-feet of the subject property. Staff also notified all HOAs within 1,500-feet of the subject property. Mr. Lee then  
105 advised that this was a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.  
106

107 Commissioner Womble asked for clarification in regards to the elevations.  
108

109 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward. There being no one indication such,  
110 Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.  
111

112 Vice-Chairman Welch made a motion to approve Z2021-051 with staff recommendations. Commissioner Womble seconded the motion which  
113 passed by a vote of 6-0.  
114

115 Chairman Chodun advised this item will go before City Council on January 18, 2022.  
116

117 8. Z2021-052 (RYAN MILLER)

118 Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) to allow *Chickens* on a 42.66-  
119 acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District,  
120 situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.  
121

122 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant had recently come before the  
123 Commission for an SUP for 2 agricultural accessory buildings and animal loafing shed. As part of that SUP, the applicant was required to  
124 come in and apply for another SUP for an existing chicken coop. The subject property is zoned Agricultural and, according to the UDC,  
125 chickens are allowed on an agricultural property with a single-family home that's on greater than 10-acres. In this case, the applicant's request  
126 meets all of the requirements. With this being a zoning case, staff mailed out 33 notices to property owners and applicants within 500-feet of  
127 the subject property. Staff also notified all HOAs within 1,500-feet of the subject property. Staff has not received any notices back in regards  
128 to the request. Mr. Miller then advised that the applicant and staff were present and available to answer questions.  
129

130 Commissioner Womble wanted to clarify on what was being approved.  
131

132 Mike Peoples  
133 1700 E. State Hwy 66  
134 Rockwall, TX 75087  
135

136 Mr. Peoples came forward and provided additional details in regards to the request.

137  
138 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward. There being no one indication such,  
139 Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

140  
141 Commissioner Conway made a motion to approve Z2021-052. Commissioner Moeller seconded the motion which passed by a vote of 6-0.

142  
143 Chairman Chodun advised this item will go before City Council on January 18, 2022.

144  
145 9. **Z2021-053 (ANGELICA GAMEZ)**

146 Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for  
147 Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall  
148 County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

149  
150 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting an SUP for a  
151 Residential Infill in an established subdivision. In this case, the applicant's request meets all of the zoning requirements and is in conformance  
152 with all of the requirements in the UDC. Staff mailed out 100 notices to property owners and occupants within 500-feet of the subject property.  
153 Staff also notified all HOAs within 1,500-feet of the subject property.

154  
155 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward. There being no one indication such,  
156 Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

157  
158 Commissioner Deckard made a motion to approve Z2021-053. Commissioner Womble seconded the motion which passed by a vote of 6-0.

159  
160 Chairman Chodun advised this item will go before City Council on January 18, 2022.

161  
162 10. **Z2021-054 (RYAN MILLER)**

163 Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc.  
164 for the approval of a Specific Use Permit (SUP) for a Congregate Care Facility that Exceeds 36-Feet in Height the Scenic Overlay (SOV) District on a  
165 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned  
166 Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between  
167 Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.

168  
169 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. In August 2021, the applicant had recently  
170 proposed a mixed use development on the subject property that was ultimately denied by the City Council. The applicant has now followed  
171 up that submission with proposing a congregate care facility. In this case, the applicant is proposing a 300-unit congregate care facility that  
172 will include 180 one-bedroom units and 120 two-bedroom units with 321 parking spaces. The development will also incorporate 20% open  
173 space and will include amenities such as a dog park, pool, pickle ball court, and a rooftop restaurant. Staff mailed out 80 notices to property  
174 owners and occupants within 500-feet of the subject property. Staff also notified all HOAs within 1,500-feet of the subject property. Staff has  
175 since received two (2) notices in opposition to the request. Mr. Miller then advised that the applicant and staff were present and available for  
176 questions.

177  
178 Commissioner Womble asked if the applicant had provided any studies showing how the numbers for parking were adequate for this use.  
179 Commissioner Conway asked if the number of parking spaces were only for residents or visitors as well.

180  
181 Chairman Chodun asked the applicant to come forward.

182  
183 Robert LaCroix  
184 4517 Scenic Drive  
185 Rowlett, TX 75088

186  
187 Mr. LaCroix came forward and provided a PowerPoint presentation in regards to the request.

188  
189 Commissioner Deckard added some comments in regards to the parking in the facility.  
190 Vice-Chairman Welch asked what other options the applicant would have if the request did not get approved.  
191 Chairman Chodun asked if there were any other locations where the congregate facility use was allowed by right.

192  
193 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward.

194  
195 Bob Wacker  
196 309 Featherstone  
197 Rockwall, TX 75087

198  
199 Mr. Wacker came forward and expressed his being in favor of the request.

200  
201 Harold Snyder  
202 1519 Murphy Drive  
203 Rockwall, TX 75087  
204

205 Mr. Snyder came forward on behalf of himself and Waterstone Estates HOA and expressed their opposition to the request.

206  
207 Chairman Chodun asked if anyone else wished to speak to come forward at this time. There being no one indication such, Chairman Chodun  
208 closed the public hearing and brought the item back to the Commission for discussion or action.

209  
210 Mr. LaCroix came forward and responded to the comments made by the residents.

211  
212 Commissioner Deckard asked for the history of the applicant's past requests.

213 Commissioner Moeller expressed his issue with the density of the project and the parking as it is now.

214  
215 Commissioner Deckard made a motion to deny Z2021-054. Commissioner Moeller seconded the motion which passed by a vote of 4-2, with  
216 Commissioners Womble and Conway dissenting.

217  
218 Chairman Chodun advised this item will go before City Council on January 18, 2022.

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220 11. Z2021-055 (HENRY LEE)

221 Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a  
222 Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail  
223 building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City  
224 of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the  
225 intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

226  
227 Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting an SUP for a restaurant with less than 2,000  
228 square feet with a drive through or drive-in. The concept plan that was submitted shows a 5,130-square foot restaurant retail building that  
229 faces onto S. Goliad Street. The applicant has indicated that the restaurant within that building will be less than 2,000-square feet. The adjacent  
230 property owner submitted a letter stating that they will give the applicant permission to plant shrubs on the property for their headlight  
231 screening. From the concept plan provided by the applicant, the request does appear to conform to the requirements for a restaurant with less  
232 than 2,000-square feet. On December 21, 2021, staff mailed out 18 notices to property owners and applicants within 500-feet of the subject  
233 property. Staff also notified all HOAs within 1,500-feet of the subject property.

234  
235 Chairman Chodun asked the applicant to come forward.

236  
237 Matthew Donnell  
238 8201 Preston Road, Suite 700  
239 Dallas, TX 75225

240  
241 The applicant came forward and provided additional details in regards to the request.

242  
243 Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward. There being no one indication such,  
244 Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

245  
246 Commissioner Conway made a motion to approve Z2021-055. Chairman Chodun seconded the motion which passed by a vote of 6-0.

247  
248 Chairman Chodun advised this item will go before City Council on January 18, 2022.

249  
250 12. Z2021-056 (RYAN MILLER)

251 Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of a Zoning Amendment to Planned  
252 Development District 85 (PD-85) [Ordinance No. 18-32] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall  
253 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-  
254 OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take  
255 any action necessary.

256  
257 Planning and Zoning Director Ryan Miller provided a brief summary and background in regards to the request. In November 2021, staff  
258 contacted the applicant to let him know that a portion of the homes were situated within the Runway Protection Zone (RPZ) of the Ralph Hall  
259 Municipal Airport. To remedy this issue, Staff and the applicant have been working with TX Dot Aviation to revise the concept plan to conform  
260 to the FAA guidelines. The applicant is requesting to amend Planned Development District 85 (PD-85) to incorporate a new concept plan to  
261 remove all the homes situated within the RPZ. The new concept plan decreases the number of homes from 122 to 117 which also decreases  
262 the density from 3.2 dwelling units per acre to .1 dwelling units per acre. The concept plan also increases the amount of open space in the  
263 project and brings it closer into conformance. Staff mailed out 84 notices to property owners and occupants within 500-feet of the subject  
264 property. Staff also notified all HOAs within 1,500-feet of the subject property. Mr. Miller then advised that the applicant and staff were present  
265 and available to answer questions.

266  
267 Chairman Chodun asked the applicant to come forward.

268  
269 John Delin  
270 361 W. Byron Nelson Blvd., Suite 104  
271 Roanoke, TX 76262

272  
273 Mr. Delin came forward and provided additional details in regards to the request.

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Chairman Chodun opened the public hearing and asked anyone who wished to speak to come forward. There being no one indication such, Chairman Chodun closed the public hearing and brought the item back to the Commission for discussion or action.

Commissioner Womble made a motion to approve Z2021-056. Commissioner Moeller seconded the motion which passed by a vote of 6-0.

Chairman Chodun advised this item will go before City Council on January 18, 2022.

13. Z2021-057 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Brian Cramer of Corson Cramer Development on behalf of Scott Asbury of Rockwall Highgate LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District and Commercial (C) District land uses on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the west side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary.

Planning and Zoning Director Ryan Miller announced that this case will be tabled and presented at the next public hearing meeting on January 25, 2022.

VI. ACTION ITEMS

*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.*

14. SP2021-035 (HENRY LEE)

Discuss and consider a request by Priya Acharya of Wier & Associates, Inc. on behalf of Ross Wood of Frost Bank for the approval of a Site Plan for a Financial Institution with Drive-Through (i.e. Frost Bank) on a 1.198-acre parcel of land identified as Lot 2, Block A, Allen Anderson Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting approval of a site plan for the purpose of constructing a bank building on the subject property. The proposed site plan generally conforms to the UDC requirements with two (2) exceptions: masonry material requirements and the nonresidential lighting standards. A request for exceptions to the general standards is a discretionary decision for the Planning and Zoning Commission. Staff should note that this will require a super majority vote for the approval of these exceptions.

Chairman Chodun asked the applicant to come forward.

Priya Acharya  
2201 E. Lamar Blvd., Suite 200E  
Arlington, TX 76006

The applicant came forward and provided additional details in regards to her request.

Ross Wood  
5806 Piedmont Glen  
San, Antonio, TX 78249

Mr. Glen came forward and provided additional details in regards to the request.

Commissioner Womble made a motion to approve SP2021-035 by approving the amendment of the masonry requirements but denying the amendment for the lighting. Commissioner Deckard seconded the motion which passed by a vote of 6-0.

VII. DISCUSSION ITEMS

*These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.*

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

- P2021-065: Replat for Lot 7, Block A, Sharp Addition [APPROVED]
- P2021-066: Replat for Lot 13, Block C, Ridgecrest Addition [APPROVED]

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

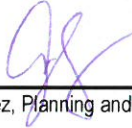
VIII. ADJOURNMENT

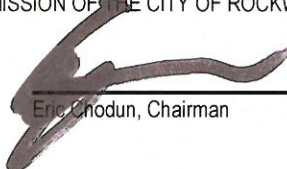
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Chairman Chodun adjourned the meeting at 7:33 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 15 day of February, 2022.

Attest:

  
\_\_\_\_\_  
Angelica Gamez, Planning and Zoning Coordinator

  
\_\_\_\_\_  
Eric Chodun, Chairman