

MINUTES

PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
NOVEMBER 14, 2023 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
4 SPECIFIC USE PERMIT INPUT FORM ON THE CITY'S WEBSITE.
5

6 I. CALL TO ORDER

7
8 Chairman Deckard called the meeting to order at 6:00 PM. Commissioners present were Kyle Thompson, Jean Conway, Jay Odom, Ross Hastings
9 and Brian Llewelyn. Staff members present were Director of Planning and Zoning Ryan Miller, Senior Planner Henry Lee, Planning Technician
10 Angelica Guevara, Planning Coordinator Melanie Zavala, City Engineer Amy Williams, Assistant City Engineer Jonathan Browning and Civil Engineer
11 Madelyn Price. Absent from the meeting was Planner Bethany Ross.
12

13 II. OPEN FORUM

14
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 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
21 no one indicating such, Chairman Deckard closed the open forum.
22

23 III. CONSENT AGENDA

24
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 November 1, 2023 Planning and Zoning Commission meeting.

29 2. P2023-034 (ANGELICA GUEVARA)

30 Consider a request by Billy Duckworth of A&W Surveyors, Inc. on behalf of David Gamez for the approval of a Replat for Lots 2 & 3, Block A, Gamez Addition
31 being a 0.369-acre parcel of land identified as Lot 1, Block A, Gamez Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District,
32 situated within the Southside Neighborhood Residential Overlay (SRO) District, addressed as 614 E, Boydston Avenue, and take any action necessary.
33
34

35 Vice-Chairman Womble made a motion to approve Consent Agenda. Commissioner Conway seconded the motion which passed by a vote of 7-0.
36

37 IV. PUBLIC HEARING ITEMS

38
39 *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*
40 *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*
41 *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*
42 *to three (3) minutes out of respect for the time of other citizens.*
43

44 3. Z2023-049 (RYAN MILLER)

45 Hold a public hearing to discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a
46 Specific Use Permit (SUP) for Heavy Manufacturing on a 32.00-acre portion of a larger 77.148-acre tract of land identified as Tract 6 of the J. H. B. Jones
47 Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the southwest corner of the intersection of
48 Data Drive and Discovery Boulevard, and take any action necessary.
49

50 Director of Planning and Zoning Ryan Miller provided a brief summary in regard to the request. The applicant is requesting approval of a specific
51 use permit (SUP) for a heavy manufacturing facility that will produce hydrogen fuel cells. The reason this is being presented to the commission is
52 for the reason that they produce a large durable good. The proposed business does appear to be consistent with other businesses in the technology
53 park area. A SUP is discretionary to the Planning and Zoning Commission and the City Council. Staff did mail out notices to property owners and
54 occupants within 500-feet of the subject property. This included 16 notices and as of now staff has not received any notices in return. Since this is
55 a large facility with multiple phases the applicant has requested that the SUP be extended to a four (4) year.
56

57 Phil Wagner
58 2610 Observation Trail
59 Suite 104, Rockwall, TX 75087
60

61 Mr. Wagner came forward and provided additional details in regard to the request.
62

130 Senior Planner Henry Lee provided a brief summary in regard to the request. The applicant is requesting approval of a site plan. They do generally
131 meet the requirements for property located in the Light Industrial (LI) District, however they do have variances to their building. The primary issue
132 is the primary and secondary articulation, essentially, they do not have articulation on the building. The Architectural Review Board (ARB) did look
133 at this and they did recommend denial based that there was no articulation on the building. Staff did request a variance letter for the applicant
134 indicating that they would be requesting this variance they did not provide us this letter and because they didn't, they also didn't provide
135 compensatory measures for the requested variances.

136
137 Chairman Deckard asked about the material selection.

138
139 Director of Planning and Zoning Ryan Miller mentioned that this case was previously tabled after ARB asked them to re-design the building and
140 add articulation meeting the ordinance. This was ultimately what they brought back, and this was not in line with what ARB had recommended
141 therefore ARB moved to deny.

142
143 After some discussion, Chairman Deckard made a motion to deny SP2023-032. Commissioner Hustings seconded the motion to deny which passed
144 by a vote of 7-0.

145
146 **7. SP2023-034 (HENRY LEE)**

147 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 a Site Plan for
148 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 Courthouse Addition, City of
149 Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30) District, addressed as 963 E. Yellow Jacket Lane,
150 and take any action necessary.

151
152 Senior Planner Henry Lee. Provided a brief summary in regard to the request. The applicant is requesting approval of a site plan. The building does
153 generally meet all the requirements. They do have several variances associated with this request. ARB did look at this and did make a
154 recommendation of approval based on these changes. The applicant is requesting a variance to the four (4) side architecture. Less than 20% stone,
155 less than 90% masonry, tilt-wall construction, roof pitch, landscape buffer and driveway spacing. The first few are related to the building, which are
156 the ones ARB said they were okay with after they had made the changes they requested. In regard to the landscape buffer trees they currently have
157 overhead power lines along yellowjacket and in lieu of doing canopy trees they requested on doing all accent trees. In addition to their compensatory
158 measures, they are providing a 15-foot landscape buffer in lieu of a 10-foot buffer along yellowjacket. For their landscape percentage for the site the
159 required is 20% and they're providing 31.40%.

160
161 Chairman Deckard asked about the zoning in that area.

162
163 Salvador Sanchez & Trenton Jones
164 3000 Internet Blvd
165 Suite 550
166 Frisco, TX 75034

167
168 Mr. Sanchez and Mr. Jones came forward and provided additional details in regards to the request.

169
170 Commissioner Odom Made a motion to table this item to the next P&Z Meeting on December 12, 2023. Chairman Deckard seconded the motion which
171 passed by a vote of 7-0.

172
173 **8. SP2023-035 (HENRY LEE)**

174 Discuss and consider a request by Leslie Ford of Ofi Chito on behalf of Michael Hampton of Creekside Commons Crossing, LP for the approval of a Site Plan
175 for a *Restaurant, Greater than 2,000 SF, with Drive-Through or Drive-In (i.e. McDonald's)* on a 1.251-acre tract of land identified as a portion of Lot 3 and all
176 of Lot 2, Block A, Creekside Commons Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay
177 (SH-205 OV) District, generally located north of the northeast corner of the intersection of S. Goliad Street [SH-205] and FM-549, and take any action necessary.

178
179 Senior Planner Henry lee provided a brief summary in regard to the request. The applicant is proposing to build a drive-through restaurant greater
180 than 2,000 SF. The applicant is generally meeting the requirements for the Unified Development Code (UDC). They are meeting the conditional land
181 use standards for having the stacking requirements. ARB did look at this tonight because they do have variances to the articulation requirements
182 and they had made changes in the first meeting, however the ARB did not feel there was enough articulation coming out from the building. They
183 referenced the applicant to the other McDonald's in town that have more variation in terms of articulation to the building. They also have the variance
184 of the roof design standards which we've seen on many of these drive-through restaurants because the overlay states that anything less than 6,000
185 square feet is supposed to have pitched roof but like many other restaurants, they're requesting the parapet which the ARB didn't seem to have any
186 issues with. For compensatory measures they are mentioning increase masonry percentages, and they have stone percentages that are 14% to 21%
187 over the required 20% they are using up to 100% masonry on some of the facades. They are mentioning that increased architectural elements such
188 as spandrel grass, awnings and cornices but staff should note that those aren't necessarily truly compensatory measures because it's required by
189 the overlay district already to have architectural elements on the building. They have quoted increased landscape percentage which was 1.3% more
190 than what was required. Lastly, they had a bench and planters as their 4th compensatory measure.

191
192 Leslie Ford
193 3224 Collinsworth Street
194 Fort Worth, TX 76107

195
196 Mrs. Ford came forward and provided additional details regarding the request.
197

198 Commissioner Llewelyn made a motion to table this item to the next P&Z Meeting on December 12, 2023. Vice-Chairman Womble seconded the
199 motion which passed by a vote of 7-0.
200

201 9. SP2023-036 (HENRY LEE)

202 Discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shae Shoulders of Kennor Rockwall Retail, LLC for the approval
203 of a Site Plan for two (2) commercial/retail buildings on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall,
204 Rockwall County, Texas, zoned -General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775
205 N. Goliad Street [SH-205], and take any action necessary.
206

207 Senior Planner Henry Lee provided a brief summary in regard to the request. This property may look familiar since a couple months ago they applied
208 for a SUP for a drive-through restaurant, now coming back to request approval of their site plan. In their SUP they did have requirements for the
209 three-tiered screening, additional landscaping on the property and headlight screening. They are meeting all the operational conditions of the SUP
210 as well as the current standards for the UDC. ARB did look at it tonight and they did make a recommendation of approval as they had addressed
211 their comments from the previous meeting, and they don't have any variances.
212

213 Commissioner Llewelyn made a motion to approve SP2023-036. Commissioner Conway seconded the motion which passed by a vote of 7-0.
214

215 10. SP2023-037 (HENRY LEE)

216 Discuss and consider a request by Bart Gardner and James Belt of Gardner Construction on behalf of Corey Fleck of C2LA, LLC for the approval of a Site
217 Plan for a Light Industrial Building on a 6.50-acre tract of land identified as Tracts 3-1, 3-2, 3-3 & 3-4 of the J. Lockhart Survey, Abstract No. 134 and Lots 1
218 & 2, Block A, Eastplex Inc. Park #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District and Commercial (C) District, situated
219 within the IH-30 Overlay (IH-30 OV) District and the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northwest corner of the
220 intersection of the IH-30 Frontage Road and Enterprise Drive, and take any action necessary.
221

222 Senior Planner Henry Lee provided a summary regarding the request. The applicant is requesting approval of a site plan. This building will be located
223 within the Light Industrial (LI) District. Based on the site plan and the landscape plan they are requesting approval for the light industrial building on
224 the subject property. They are generally meeting the requirements to unified development code. They are providing screening for loading docks that
225 will face east towards John King. They are providing screening there for the loading docks which they then continued around the property to the
226 north or to the right per staff recommendation to continue that landscaping scheme. In addition, they do have variances to the property for the
227 material requirements and for the articulation. They are proposing a row of shrubs along the building and then along the side of the building to help
228 screen and provide some relief on that side of the building. The building is primarily metal, they have dressed up the entrance adding stone there as
229 well and then per ARB's recommendations from last meeting they requested the stone to continue along the east side of the building. As indicated
230 specifically their variances are to the four-sided architecture the less than 20% stone, greater than 10% secondary materials and to the roof design
231 standards. The roof design standards require 6:12 roof pitch, but they are requesting the 3:12, they felt that the scaling would be an issue not only
232 given that the building is a metal building the 3:12 is easier to work with. ARB didn't seem to have an issue with that since they recommended approval
233 tonight. As staff states the compensatory measures were the shrub row along the west and north side of the building as well as the stone wainscot
234 they continued which was ARB's recommendation.
235

236 Bart Gardner
237 1066 Candice Circle
238 Rockwall, TX 75032
239

240 Mr. Gardner came forward and provided additional details regarding the request.
241

242 Commissioner Conway made a motion to approve SP2023-037. Vice-Chairman Womble seconded the motion which passed by a vote of 7-0.
243

244 11. SP2023-038 (ANGELICA GUEVARA)

245 Discuss and consider a request by Clay Cristy of ClayMoore Engineering on behalf of Staci Bowen of Metroplex Acquisition Fund, LP for the approval of a
246 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 5.16-acre parcel of land
247 identified as Lot 13, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for
248 General Retail (GR) District land uses, situated within North SH-205 Overlay (N. SH-205 OV) District, generally located at the northeast corner of the
249 intersection of N. Goliad Street [SH-205] and Bordeaux Drive, and take any action necessary.
250

251 Planning Technician Angelica Guevara provided a summary regarding the request. The applicant is requesting approval of a site plan for the purpose
252 of constructing a drive through restaurant on the subject property. The landscape plan that was provided by the applicant does not match what was
253 approved during their SUP process. They are still missing some shrubbery along 205 and the built-up berm. Staff should point out that the site plan
254 does indicate that they are over parked by about 12 parking spaces, that would potentially provide the extra area for their needed landscaping. Aside
255 from that their site plan does generally conform to the standards of the general overlay district and the general commercial district. Besides the
256 variances requested which are the 20% stone requirement 90% masonry the roof design standards of four-sided architecture and the landscape
257 buffers. In lieu of the variances the applicant is proposing increased landscaping, additional coverings and increased horizontal articulation. Staff
258 should point out that all these compensatory measures are requirements and they do not meet the ordinances definition for a compensatory measure.
259 For one of the conditions of approval staff did want to add that the applicant shall provide an updated landscape plan that shows conformance with
260 the operational requirements that were approved during the SUP process, and they shall also update the photometric plan to be in conformance with
261 the UDC. The elevations were shown to ARB tonight and they did recommend denial of all variances regarding the building design.
262

263 Director of Planning and Zoning Ryan Miller stated that the reason ARB recommended denial was because they felt that this was not articulated in
264 the same manner that other HTeaO are. The material variations weren't the same the front facade wasn't the same.
265

266 Vice-Chairman Womble asked if it meets the articulation requirements.

267
268 Commissioner Odom asked what was different regarding the other HTeaO's?

269
270 Commissioner Conway stated that she was concerned that there was no attempt to provide berms.

271
272 Lynn Rowland
273 1903 Central Drive
274 Bedford, TX 76021

275
276 Mr. Rowland came forward and provided additional details regarding the request.

277
278 Cole Harris
279 211 Renfrow Street,
280 Rockwall, TX 75087

281
282 Mr. Harris came forward and provided additional details regarding the request.

283
284 Commissioner Llewelyn made a motion to table this item to the next P&Z Meeting on December 12, 2023. Chairman Deckard seconded the motion
285 which passed by a vote of 7-0.

286
287 12. SP2023-039 (HENRY LEE)

288 Discuss and consider a request by Ronny Klingbeil of RLK Engineering, Inc. on behalf of Tim Lyssy of the Rockwall Independent School District (RISD) for
289 the approval of a *Site Plan* for existing *Public Secondary School* (i.e. *J. W. Williams Middle School*) on a 26.25-acre parcel of land identified as Lot 1, Block
290 1, Rockwall Middle School #4 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, North SH-205 Overlay (N. SH-
291 205 OV) District, addressed as 625 FM-552, and take any action necessary.

292
293 Senior Planner Henry Lee provided a summary regarding the request. The applicant is requesting approval of a site plan. on their site plan you can
294 see they're doing an addition to the school. Its split into three separate pieces they have a piece on the north side and internal piece on the southwest
295 side and then a small addition on the east side adjacent to that parking lot. That being said in the elevations they're showing they're trying to match
296 the existing materials so that each phase of this building looks the same so there's not any odd breaks and material that can date either phase. With
297 this they do have one variance and that's the landscape buffer requirements. The main reason they must request this is that the old building was
298 built under a different code standard and now with the new code standards because they're increasing the existing floor area by 30% supposed to
299 bring the property to conformance that would be the landscape buffer along 552. They are planting six (6) more canopy trees that landscape buffer
300 to try to bring it closer into conformance and they're also providing a shrub row in front of the parking. They're also adding shrubbery to screen for
301 the headlights, so they are trying to bring it closer to conformance. ARB had already approved recommendations during previous meeting.

302
303 Tim Lyssy
304 1050 Williams Street
305 Rockwall, TX 75087

306
307 Mr. Lyssy came forward and provided additional details in regards to the request.

308
309 Commissioner Conway made a motion to approve SP2023-039. Commissioner Odom seconded the motion which passed by a vote of 7-0.

310
311 VI. DISCUSSION ITEMS

312
313 13. *Director's Report* of post City Council meeting outcomes for development cases (RYAN MILLER).

- 314
315 • P2023-031: Final Plat for Lot 1, Block A, Hunter Addition (APPROVED)
316 • P2023-032: Final Plat for Lots 1 & 2, Block A, Interstate Classic Cars Addition (APPROVED)
317 • P2023-033: Final Plat for Lot 1, Block A, John King Office Park Addition (APPROVED)
318 • P2023-035: Replat for Lot 3, Block 1, Rockwall Recreation Addition (APPROVED)
319 • P2023-036: Final Plat for Lot 1, Block A, Helping Hands Addition (APPROVED)
320 • P2023-037: Replat for Lots 17-24, Block 1, Alliance Addition (APPROVED)
321 • Z2023-045: Zoning Amendment to Planned Development District 50 (PD-50) for *General Personal Services* (2ND READING; APPROVED)
322 • Z2023-046: Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* for 715 Sherman Street Lane (2ND READING;
323 APPROVED)
324 • Z2023-048: Specific Use Permit (SUP) for a *Restaurant, with 2,000 SF of More, with Drive-Through or Drive-In* at 3060 N. Goliad Street [SH-205] (2ND
325 READING; APPROVED)

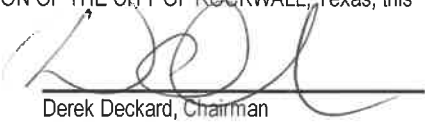
326
327 Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.

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329 VII. ADJOURNMENT

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331 Chairman Deckard adjourned the meeting at 7:24PM.

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PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 12th day of December, 2023.



Derek Deckard, Chairman

Attest:



Melanie Zavala, Planning Coordinator